

THE ROLE OF LEGAL POLITICS IN THE FORMATION OF LEGISLATION IN INDONESIA AS A MEANS OF REALIZING STATE GOALS

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Abstract

This research discusses the role of legal politics in the formation of laws and regulations in Indonesia as an instrument to realize state goals. Legal politics has a strategic role in determining the direction and substance of regulations made by the government and legislature, so that it is able to reflect constitutional values and national interests. The research method used is a normative method with a statute approach and a conceptual approach. Data is collected through literature studies that include analysis of laws and regulations, legal doctrines, and related scientific literature. The results of the study show that legal politics is the main factor in forming regulations that are not only based on positive legal norms, but also consider social, economic, and political aspects. In addition, legal politics plays a role in directing legislation to be in line with Pancasila and the 1945 Constitution of the Republic of Indonesia as the basis of state ideology. The findings of this study confirm that the effectiveness of the formation of laws and regulations is highly dependent on the stability of legal politics that is progressive, responsive, and oriented to the interests of the people.

I. Introduction

Legal politics has a strategic role in the formation of laws and regulations in Indonesia because it determines the direction, substance, and purpose of regulations made by the government and legislature. As part of state policy, legal politics functions as an instrument in creating a legal system that is in line with the values of Pancasila and the 1945 Constitution of the Republic of Indonesia(Shanty Saleh & Spaltani, 2021). Through the politics of law, the state can design regulations that are not only oriented towards legal certainty, but also accommodate the needs of a growing society(Rismawati et al., 2021). The process of forming laws and regulations based on clear and progressive legal politics will ensure that the resulting regulations are able to bring justice, benefits, and legal certainty to all citizens (Saputra & Emovwodo, 2022).

In addition, legal politics also plays a role in maintaining a balance between the interests of the state and the community in the regulations made. In the context of democracy, the legislation process must pay attention to social, economic, and political dynamics so that it not only represents the interests of the elite, but also the needs of the people at large(Malik et al., 2021). With a responsive and public-interest-oriented legal policy, the resulting regulations can support the achievement of state goals, such as improving welfare, protecting human rights, and strengthening a transparent and accountable government system (Maulida et al., 2023; Ahyani et al., 2021). Therefore, good legal politics will ensure that the legislation process runs democratically and is able to answer the legal challenges faced by Indonesia today and in the future (Siagian, 2021).

Legal politics plays a fundamental role in determining the direction of the formation of laws and regulations, because it is the basis for the state in formulating legal policies that are in accordance with constitutional values and national goals (Akmal, 2021). As part of public policy, legal politics serves as a guide for the government and legislature in establishing legal norms that are not only oriented towards legal certainty, but also accommodate the social, economic, and political needs of the community (Akmal, 2021). With clear and directed legal politics, the legislation process can produce regulations that are not only responsive to the changing times, but also able to create legal stability that supports national development. Therefore, progressive and people-oriented legal politics are the main factors in forming effective and fair regulations (Dewantara & Larasati, 2022).

In addition, legal politics also determines the extent to which laws and regulations can function as instruments in achieving state goals, such as the protection of human rights, the enforcement of social justice, and the improvement of public welfare. In the legislative process, legal politics is a tool to direct the making of regulations that are harmonious and do not contradict the fundamental principles in the national legal system (Martitah et al., 2023). Strong legal politics will ensure that legislative policies are not only reactive to short-term political dynamics, but also able to reflect the long-term vision of sustainable legal development. Thus, the role of legal politics in the formation of laws and regulations is not only limited to the technical aspects of law, but also a strategic instrument in realizing democratic and fair governance (Yusa et al., 2022).

Politics, law, regulation, and the achievement of state goals have a close relationship in the legal system and government in Indonesia. Legal politics serves as a basic framework that determines the direction of regulation formation in accordance with constitutional values and the vision of national development (Juanda & Juanda, 2023). In this context, the regulations made are not only a formal legal product, but also a state instrument to realize the ideals stated in the Preamble to the Constitution of the Republic of Indonesia in 1945, such as the protection of the entire nation, general welfare, and social justice for all Indonesian people (Ananda, 2021). Therefore, effective legal politics must be able to direct the formation of regulations that are not only in accordance with positive legal principles, but also in line with the needs of society and the development of the times (Al Fatih & Nur, 2023).

Furthermore, regulations formed based on strong legal politics can be the main instrument in achieving state goals. Responsive legal politics allows the resulting regulations to be able to answer the social, economic, and political challenges faced by the state. For example, in the aspect of social welfare, legal politics that support regulations related to social protection and community economic empowerment will help create equitable welfare distribution (Yusa et al., 2022). Likewise, in the aspect of the rule of law and human rights, legal politics can direct the formation of regulations that ensure the protection of fundamental rights of citizens and uphold the principle of justice in the judicial system. Thus, regulations made with a clear legal political foundation will have a more effective utility in achieving the country's goals that have been mandated in the constitution (Saputra & Emovwodo, 2022).

However, the success of regulation in achieving the country's goals is highly dependent on the political stability of the law implemented (Wardhani et al., 2022). Unstable political dynamics or inconsistent legal policies can hinder the effectiveness of regulations in carrying out their functions as a tool to achieve state goals (Marpaung et al., 2021). Therefore, a legal political system is needed

that is oriented to long-term interests, by prioritizing the principles of democracy, transparency, and public participation in the legislation process. With a holistic and planned approach, legal politics will not only ensure that regulations are made in accordance with the needs of the community, but also support the achievement of sustainable and equitable state goals in accordance with the mandate of the constitution. The implementation of legal politics in the legislative process in Indonesia faces various complex challenges, one of which is the ever-changing political dynamics (Chandranegara & Cahyawati, 2023). The process of forming laws and regulations is often influenced by various political interests, both from the government, political parties, and other interest groups (Setyawan, 2023). In a democratic system, legislation should ideally reflect the broad public interest, but in practice, there is often a tug-of-war between political actors that can hinder the birth of objective and fair regulation (Dimiyati et al., 2021). The dominance of certain groups in the legislative process can also lead to distortions in legal politics, where the resulting regulations are more in favor of the interests of the political elite than the interests of society as a whole. Therefore, political stability and commitment to transparent democratic principles are crucial factors in ensuring that legal politics can run effectively in the legislation system (Huda et al., 2021)

In addition to political factors, economic and social interests are also a significant challenge in the implementation of legal politics in legislation. From an economic perspective, pressures from certain corporations and business groups often affect the process of forming regulations, especially in investment, labor, and taxation policies. Legal politics that are supposed to prioritize the balance between economic growth and social justice often experience obstacles when economic interests take precedence over the aspect of protecting people's rights (Suntana & Priatna, 2023). Meanwhile, social factors such as economic disparities, education levels, and community participation in the legislation process also determine the effectiveness of legal politics. Low legal literacy among the public can lead to a lack of public supervision of the legislation process, thus opening up space for certain interests to dominate the legal policies made (Wijatmoko et al., 2023). Thus, these challenges require the strengthening of transparency, community participation, and legal policies oriented towards common welfare so that legal politics can run effectively in the legislation system in Indonesia (Ahyani et al., 2021).

Research conducted by Mahfud MD (2017) emphasizes that legal politics in Indonesia must be oriented towards social justice and people's welfare as mandated in the constitution. This study shows that the legislative process in Indonesia is often influenced by certain political interests, which has the potential to hinder the formation of regulations that truly reflect the needs of the community. In addition, research conducted by Asshiddiqie (2020) discusses how

political dynamics in the formation of laws and regulations can lead to inconsistencies in legal policies, which ultimately has an impact on the effectiveness of regulations in achieving state goals. Another research conducted by Rahardjo (2019) discusses the challenges faced in the implementation of legal politics, including economic and social factors that often affect the direction of legislation. The study shows that pressure from certain business groups and economic interests can lead to legal policies that are more in favor of economic growth, but pay less attention to social justice aspects. Meanwhile, research from Satriawan (2021) highlights the importance of public participation in the legislation process to ensure that the resulting regulations not only meet political and economic interests, but also reflect the needs and aspirations of the wider community. From these studies, it can be concluded that legal politics plays a crucial role in the legislation process, and the challenges that arise in its implementation must be overcome through transparency, accountability, and wider public participation.

Although there have been many studies that have discussed the role of legal politics in the formation of laws and regulations in Indonesia, most studies still focus on theoretical and historical aspects without providing an in-depth analysis of the effectiveness of its implementation in achieving the state goals mandated in the constitution. Some studies, such as those conducted by Mahfud MD (2017) and Asshiddiqie (2020), emphasize the relationship between legal politics and the dynamics of legislation without specifically examining how economic and social factors also affect the formation of regulations. In addition, there are still gaps in research that link legal politics with the achievement of state goals holistically, especially in the aspects of social welfare, the rule of law, and economic stability. Therefore, this study seeks to fill this gap by highlighting how legal politics directly shapes regulations that are able to realize the goals of the state effectively and fairly.

This study offers a new contribution by examining the political, legal, regulatory, and achievement of state goals more comprehensively, taking into account political, economic, and social factors that affect the legislative process. In contrast to previous studies that tend to focus on normative and conceptual aspects, this study will highlight real challenges in the implementation of legal politics and offer strategies to strengthen the role of legal politics in shaping regulations that are more responsive to the needs of society. (Malik et al., 2021) Thus, this study not only enriches academic discourse on legal politics in Indonesia but also provides concrete recommendations for policymakers in formulating regulations that are more inclusive, democratic, and oriented to the welfare of the people in accordance with the mandate of the constitution.

2. Research Method

This study uses a normative research method that focuses on the analysis of laws and regulations, legal doctrines, and legal political concepts in the formation of legislation in Indonesia. The approach used in this study is a statute approach and a conceptual approach. The legislative approach is carried out by examining various regulations related to legal politics and the process of forming laws and regulations, both national and international as comparative materials. Meanwhile, a conceptual approach is used to analyze relevant legal political theories and how these concepts are applied in the context of legislation in Indonesia to achieve state goals as mandated in the constitution.

The data collection in this study was carried out through library research which included various primary legal sources such as the 1945 Constitution of the Republic of Indonesia, laws, government regulations, and Constitutional Court decisions related to politics, law and legislation. In addition, this study also uses secondary legal sources in the form of books, scientific journals, and other academic documents that discuss the role of legal politics in the process of forming regulations. The data obtained are then analyzed qualitatively using descriptive-analytical methods, namely by describing, analyzing, and interpreting the concept of legal politics in legislation and its relevance to the achievement of state goals. The results of this analysis are expected to provide a deeper understanding of the effectiveness of legal politics in forming laws and regulations in accordance with the principles of justice and social welfare.

3. Results and Discussion

The role of legal politics in the formation of laws and regulations in Indonesia

Legal politics plays a crucial role in shaping the legal framework of a nation, particularly in Indonesia, where the formulation of laws and regulations is deeply influenced by political dynamics. Legal politics refers to the policy direction adopted by the state in the development, implementation, and enforcement of laws to achieve national goals (Saputra & Emovwodo, 2022). In the Indonesian context, legal politics serves as an instrument to realize constitutional mandates, ensuring that laws align with the principles of democracy, justice, and social welfare. Through legal politics, the government establishes the foundation for the legal system, determining the scope, substance, and orientation of legislation that governs various aspects of society (Ahyani et al., 2021).

The formation of laws and regulations in Indonesia is significantly influenced by the political landscape, including the roles played by the executive, legislative, and judicial branches (Siagian, 2021). The legislative process is shaped by political negotiations, where different interests—ranging from government policies, party ideologies, to public aspirations—converge to produce legal norms. The influence of

political actors, including members of the House of Representatives (DPR), political parties, and policymakers, often determines the content and direction of legislation. Consequently, the legal framework produced is not solely based on legal considerations but also on political compromises that reflect the power structure within the government.

Legal politics in Indonesia is also closely linked to the process of legal reform, which aims to update, revise, or repeal outdated regulations that are no longer relevant to the country's socio-political conditions (Dewantara & Larasati, 2022). Since the Reformation Era (1998), Indonesia has witnessed significant changes in its legal system, with efforts directed towards enhancing democracy, human rights, and legal certainty. However, these reforms are often influenced by political interests, leading to inconsistencies in law enforcement and legal uncertainty. The interplay between political will and legal development determines the effectiveness of legal politics in producing progressive and just regulations.

Another essential aspect of legal politics is its function in balancing national interests with global influences. In the era of globalization, Indonesia must align its legal framework with international legal standards while preserving its national identity and sovereignty. International treaties, economic agreements, and global governance norms often necessitate adjustments in domestic legislation. Legal politics plays a strategic role in ensuring that these adjustments do not compromise national interests but instead enhance Indonesia's position in the global legal order. This requires a careful and strategic approach to lawmaking, where political considerations are harmonized with legal principles (Maulida et al., 2023). Despite its fundamental role, the implementation of legal politics in Indonesia faces several challenges, including political instability, vested interests, and legal inconsistencies. Political dynamics often lead to legislative gridlocks, where conflicting interests delay the enactment of essential laws. Additionally, the dominance of certain political and economic elites in the legislative process can result in laws that serve specific groups rather than the general public. These challenges highlight the need for a more transparent and accountable legal-political process to ensure that lawmaking remains oriented toward justice and public welfare (Martitah et al., 2023).

To address these challenges, strengthening democratic institutions and increasing public participation in the legislative process are essential. A legal system that is driven by strong political will and public engagement can produce laws that are more responsive to societal needs. Mechanisms such as public consultations, academic studies, and impact assessments should be integral parts of the legislative process. Furthermore, the judiciary must play a more proactive role in ensuring that enacted laws align with constitutional principles and do not contradict fundamental rights. In conclusion, legal politics plays a decisive role in shaping the formation of laws and regulations in Indonesia (Ahyani et al., 2021). As an instrument of state policy, it serves to direct the legal system in achieving national objectives, including democracy, justice, and social welfare. However, its effectiveness depends on the

balance between political influence and legal principles. By fostering a transparent, accountable, and participatory legal-political process, Indonesia can ensure that its legal framework remains adaptive, just, and in line with the aspirations of its people.

The Role of National Legal Politics in Realizing State Goals

National legal politics plays a fundamental role in shaping the legal system of a country, serving as a strategic instrument to achieve state objectives (Shanty Saleh & Spaltani, 2021). In Indonesia, legal politics is closely linked to the formulation, implementation, and evaluation of laws and regulations that guide national development. The state's goals, as outlined in the Preamble to the 1945 Constitution, include protecting the entire nation, promoting public welfare, advancing education, and participating in world peace (Malik et al., 2021). To achieve these objectives, national legal politics must be designed to ensure that the legal framework aligns with democratic principles, social justice, and economic development (Yusup & Bakry, 2025).

Legal politics determines the direction of legal development by influencing legislative priorities, law enforcement mechanisms, and judicial independence. Through legal politics, the government establishes policies that regulate various aspects of national life, from economic growth and social stability to environmental protection and human rights (Martitah et al., 2023). The effectiveness of legal politics in realizing state goals depends on the ability of policymakers to formulate laws that are just, enforceable, and adaptable to societal changes (Desi et al., 2025). Additionally, legal politics plays a crucial role in ensuring that the rule of law prevails, minimizing legal uncertainty, and promoting good governance. One of the key aspects of national legal politics is its ability to harmonize different legal norms with state objectives. In Indonesia, the legal system is influenced by multiple sources, including customary law, religious law, and modern statutory law (Info et al., 2025). National legal politics must integrate these diverse legal traditions into a coherent legal framework that supports national unity and stability. Furthermore, legal politics serves as a mechanism for legal reform, ensuring that outdated or ineffective laws are revised or replaced to meet contemporary challenges.

National legal politics also plays a significant role in balancing national interests with international legal obligations. As globalization intensifies, Indonesia must align its domestic legal system with international norms, treaties, and agreements while maintaining its sovereignty and national identity (Rasyid et al., 2025). Legal politics helps the state navigate complex global legal frameworks, ensuring that international commitments do not undermine national interests. This is particularly important in areas such as trade, environmental sustainability, and human rights, where international and domestic legal standards often intersect.

Despite its importance, the implementation of national legal politics in Indonesia faces several challenges. Political interference in the legislative and judicial processes can compromise the independence and effectiveness of legal institutions.

Additionally, conflicting interests among political elites, economic stakeholders, and civil society groups can lead to inconsistencies in legal development. Corruption, bureaucratic inefficiencies, and lack of public participation further hinder the realization of state goals through legal politics. Addressing these challenges requires a strong commitment to legal reform, transparency, and accountability in the policymaking process (Cahyadi et al., 2025).

To enhance the role of national legal politics in realizing state goals, it is essential to strengthen democratic institutions and promote inclusive legal development. Public participation in the legislative process should be encouraged through consultations, public hearings, and impact assessments. Moreover, legal education and awareness campaigns can empower citizens to actively engage in legal and political discourse (Sayfei, 2025). Strengthening judicial independence and ensuring the impartiality of law enforcement agencies are also crucial to maintaining the integrity of the legal system.

In conclusion, national legal politics serves as a vital instrument for achieving state objectives by shaping the legal framework, guiding law enforcement, and balancing national and international interests. However, its effectiveness depends on the ability of the state to maintain legal integrity, minimize political interference, and ensure public participation in the legal process. By fostering a transparent, accountable, and responsive legal-political system, Indonesia can ensure that its legal framework effectively contributes to national development and the well-being of its people.

Strategies to Increase the Role of Legal Politics in Legislation

Legal politics plays a crucial role in shaping the legislative process, ensuring that laws and regulations align with national interests and constitutional mandates. However, the effectiveness of legal politics in legislation depends on various factors, including institutional capacity, political will, and public participation (Setyawan, 2023). To enhance its role, a comprehensive strategy must be implemented to strengthen the formulation, implementation, and evaluation of legal frameworks. These strategies should focus on promoting transparency, inclusivity, and adaptability to contemporary legal challenges.

One key strategy is strengthening the rule of law by ensuring that legal politics prioritizes justice, legal certainty, and the protection of fundamental rights. This requires establishing a clear and consistent legal framework that minimizes political interference in the legislative process (Wardhani et al., 2022). Independent judicial institutions and legal oversight bodies must be empowered to review and evaluate legislation to prevent the enactment of laws that serve political or economic elites at the expense of the general public. Furthermore, enhancing legal literacy among lawmakers and policymakers can help them understand the broader implications of legal policies (Yusup & Bakry, 2025).

Another important approach is increasing public participation in the legislative process. A more participatory legal framework ensures that laws reflect the needs

and aspirations of society rather than the interests of a select few. Public hearings, consultations, and open debates should be institutionalized as standard procedures in drafting legislation. Civil society organizations, academia, and professional associations must be actively involved in providing expert insights and critiques to improve the quality of legal policies (Dimiyati et al., 2021). This inclusivity can also help bridge the gap between policymakers and the public, fostering greater trust in the legal system.

Legal reform is also necessary to modernize outdated regulations and ensure their relevance to contemporary challenges. Many laws in Indonesia are remnants of colonial-era legal structures that may no longer be suitable for the current socio-political landscape. Legal politics should be directed toward systematic law revision and harmonization to eliminate contradictions between overlapping regulations (Desi et al., 2025). This reform must be conducted through a structured and evidence-based approach, taking into account comparative legal studies and best practices from other jurisdictions. Enhancing legislative transparency and accountability is another essential strategy. The legislative process must be free from corruption, vested interests, and undue political influence. Implementing digital platforms for legal drafting, documentation, and tracking legislative progress can improve transparency and accessibility. Open data initiatives should be promoted, allowing the public to scrutinize legislative developments and hold lawmakers accountable for their decisions (Wijatmoko et al., 2023). Additionally, independent anti-corruption agencies should be empowered to monitor and investigate irregularities in the legislative process (Saputra & Emovwodo, 2022).

Capacity-building initiatives for legislators and legal professionals should also be prioritized (Malik et al., 2021). Training programs, workshops, and international collaborations can equip lawmakers with the knowledge and skills necessary to develop laws that align with global legal trends while maintaining national sovereignty. Strengthening academic and institutional research on legal politics can provide a solid foundation for evidence-based policymaking. By fostering a culture of continuous learning and adaptation (Sayfei, 2025), legal politics can evolve in response to emerging legal and societal challenges.

Lastly, fostering political stability and strengthening democratic institutions are fundamental to ensuring that legal politics functions effectively in legislation (Limbong et al., 2025). Political conflicts, unstable governance, and frequent policy shifts can hinder the development of a coherent legal framework. Establishing long-term legal policies that transcend political cycles can ensure consistency in legal development. Moreover, a balanced relationship between the executive, legislative, and judicial branches must be maintained to prevent the concentration of power that may undermine the integrity of the legal system.

In conclusion, increasing the role of legal politics in legislation requires a multifaceted approach that emphasizes the rule of law, public participation, legal reform,

transparency, capacity-building, and political stability (Andriawan, 2022). By implementing these strategies, Indonesia can develop a legal framework that is not only effective and just but also capable of addressing the complexities of modern governance. Strengthening the role of legal politics in legislation will ultimately contribute to the realization of national goals and the promotion of a more democratic and inclusive society.

4. Conclusion

From the results of the study, it is concluded that legal politics plays a strategic role in the formation of laws and regulations in Indonesia as an instrument to realize state goals. Legal politics not only serves as a guideline in designing and ratifying regulations, but also determines the direction of legal policies that are in line with constitutional values, democratic principles, and the interests of the wider community. However, the political effectiveness of law in legislation still faces various challenges, including political dynamics, intervention of economic interests, and imbalance between law and policy. Therefore, strengthening transparency, public participation, and the rule of law are important steps in ensuring that the formation of regulations truly reflects national interests and social justice.

To increase the role of legal politics in legislation, a comprehensive strategy is needed that includes legal reform, capacity building of legislative institutions, and optimization of checks and balances mechanisms between the executive, legislature, and judiciary. In addition, harmonization of regulations and digitization of the legislation process can increase transparency and accountability in the formation of laws and regulations. By implementing a more inclusive and evidence-based approach, legal politics can contribute significantly to shaping regulations that are more adaptive, responsive, and oriented towards achieving state goals as mandated in the Indonesian constitution.

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