

Integration of Public Policy in Indonesian Legal Politics: A Sustainable Democracy Perspective

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Abstract

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Public policy has a strategic role in legal politics as an instrument to achieve state goals through the making and implementation of rules that are in harmony with the needs of the community. In Indonesia, the journey of public policy since independence reflects the dynamics of political and legal dynamics influenced by changes in the system of government, global challenges, and internal demands for justice and participation. The principles of sustainable democracy offer an approach that combines democratic values with environmental, social, and economic sustainability, so that legal policy not only focuses on political procedures, but also considers long-term impacts. This study uses a literature review method to analyze the development of public policy and the application of the principle of sustainable democracy in Indonesian legal politics. The results of the analysis show that the integration of these two concepts can strengthen state governance that is accountable, inclusive, and adaptive to change. Challenges such as legal complexity, access to justice gaps, and harmonization of international norms require comprehensive strategies that involve building institutional capacity and meaningful public participation. This study contributes to understanding and strengthening the relationship between public policy, legal politics, and sustainable democracy in Indonesia.

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1. Introduction

Public policy has a very strategic role, both at the global and national levels, in shaping the direction of politics, law and governance. At the global level, public policy serves as an instrument to encourage legal harmonization between countries and address cross-border issues, such as international trade, migration, and climate change. At the national level, public policy is the foundation for building a legal system that is effective, fair, and responsive to the needs of the community. In the framework of legal politics, public policy is not only oriented towards achieving state goals, but also serves to ensure justice, order, and protection of citizens' rights.¹ The concept of sustainable democracy in modern political discourse and law combines democratic principles with aspects of sustainability in the environmental, social, and economic fields. Democracy is not only seen as a political mechanism, but also as a system that ensures that every legal and political decision has a long-term positive impact on society and the environment. Thus, sustainable democracy requires governance that emphasizes broad public participation, transparent and accountable governance, and institutions that are inclusive and adaptive to change.²

The development of public policy in legal politics in Indonesia has come a long way since independence. The 1945 Constitution became the initial milestone that established the basis of the state and the system of government. During the Old Order period, public policy was colored by a guided democracy system that tended

¹ Jody Freeman. "Private parties, public functions and the new administrative law." In *Administrative Law*, Routledge, (2018): 421-466.

² Frank Hendriks. "Key values for democratic governance innovation: Two traditions and a synthesis." *Public administration* 100, no. 4 (2022): 803-820.

to be centralistic. The New Order brought a focus on development and stability, although it often came at the expense of political freedom. The Reform era then opened up the space for democratization through decentralization, regional autonomy, and legal adjustments to the development of society. Public policy transformation occurs in response to various factors, including globalization, demands for human rights enforcement, and the eradication of corruption.

However, various challenges are still faced in the implementation of public policies that are in line with the principles of political and law. The complexity of laws and regulations, unequal access to justice, and obstacles to harmonizing national law with international norms are crucial issues. In addition, Indonesia's democracy also faces challenges in maintaining sustainability in the midst of environmental crises, social inequality, and changing economic dynamics. The idea of sustainable democracy is present as one of the answers to this challenge. The principles emphasize the importance of integrating meaningful public participation, government accountability, and equitable distribution of resources into the legal policy framework. This concept also encourages periodic evaluation of public policies to ensure their relevance and effectiveness in responding to the needs of the community. By synergistically involving the community, government, and other stakeholders, public policies can be designed to be more inclusive and responsive to the times.

The relevance of this study lies in the urgency of integrating public policy in legal politics with the principles of sustainable democracy. This integration is expected to strengthen the national legal system, improve the quality of democracy,

and ensure the sustainability of development in Indonesia. This article aims to: (1) outline the concept of public policy within the framework of Indonesian legal politics; (2) analyze the application of the principles of sustainable democracy in the practice of legal policy; and (3) present a relevant conceptual framework for the strengthening of democracy and law in Indonesia. By reviewing historical developments, actual challenges, and opportunities for law enforcement through the principles of sustainable democracy, this study is expected to contribute to academic discourse and better state governance practices. Focusing on collaboration between the government, society, and other stakeholders is key in building adaptive, participatory, and sustainable legal politics.

2. Literature Review

The study of public policy in the context of legal politics has become an important focus in legal literature and political science. Conceptually, public policy is defined as a series of actions or decisions taken by the government to regulate people's lives through legal instruments. Public policy in legal politics serves as an instrument that connects the state's goals, public interests, and law enforcement mechanisms. According to policy cycle theory, public policy includes the stages of policy formulation, implementation, evaluation, and revision, all of which require institutional support and public participation.³ In the Indonesian context, literature studies show that legal politics develops along with changes in government regimes.

³ Catherine Althaus and David Threlfall. "*The policy cycle and policy theory: From theory-building to policy making.*" In *Handbook of public administration*, Routledge, (2021): 283-292.

The Old Order and New Order periods tended to emphasize the centralization of power, while the Reform era gave rise to the paradigm of decentralization and regional autonomy. Previous research has emphasized that legal policy changes in Indonesia are influenced by political dynamics, international pressure, and civil society's demands for transparency and accountability.

Factors of globalization, harmonization of international law, and the eradication of corruption are important drivers in the formation of public policies that are more open and responsive to the changing times.⁴ Meanwhile, the literature on sustainable democracy emphasizes the integration of democratic values with the principles of sustainability. Sustainable democracy not only ensures political freedom, but also regulates the equitable distribution of resources, preserves the environment, and strengthens social cohesion.⁵ This concept requires the active participation of citizens in decision-making, transparency in the governance process, and the protection of human rights.

In the framework of sustainability, democracy must not be trapped in short-term political cycles, but must be able to project policies that have a positive impact on future generations. Recent literature also highlights the challenges of implementing sustainable democracy, especially in developing countries. These challenges include weak democratic institutions, low political literacy of the community, and economic inequality that hinders participation. To overcome these

⁴ Vicente Navarro. "Health and equity in the world in the era of" globalization"." In *The political economy of social inequalities*, Routledge, (2020): 109-119.

⁵ Dan Banik. "Democracy and sustainable development." *Anthropocene Science* 1, no. 2 (2022): 233-245.

challenges, synergy is needed between law-based public policies and the principles of sustainable democracy. Thus, this study will further review the relationship between the two concepts in the Indonesian context, in order to identify opportunities to strengthen sustainability-oriented governance and democracy.

3. Method

This study uses a literature review method with a descriptive qualitative approach. This approach was chosen because the main objective of the study is to decipher, analyze, and synthesize public policy concepts within the framework of legal politics and sustainable democracy based on academic sources and official documents. The literature review method allows researchers to examine theories, empirical findings, and conceptual frameworks that have been developed previously, so as to provide a comprehensive picture of the topics discussed. The data collection process begins with a literature search from various sources, including scientific books, reputable journal articles, research reports, laws and regulations, and government policy documents. The search was conducted through academic databases such as Google Scholar with the keywords “public policy”, “legal politics”, “sustainable democracy”, “public participation”, and “governance”. The selection of literature considers the relevance, validity and novelty of the information, with priority given to publications of the last five to five years to ensure conformity with current developments, without neglecting the classical literature on which the theory is based.

The analysis stage is carried out through the theme categorization process. The literature obtained is grouped based on several main focuses: (1) the concepts and principles of public policy in legal politics, (2) the historical development of public policy in Indonesia, (3) the concept of sustainable democracy and its application in developing countries, and (4) the challenges and opportunities for the integration of these two concepts in governance. This approach allows for the preparation of a systematic analytical framework and makes it easier to identify the relationships between study variables. In addition, this study uses content analysis techniques to evaluate the content of each literature reviewed. The analysis is focused on the arguments, empirical evidence, and policy recommendations presented by previous authors. Comparisons between literature were also carried out to find common views, differences in interpretation, and research gaps that are still open.

The validity of the data is strengthened through triangulation of sources, i.e. comparing information from different types of literature and perspectives. This is done to minimize bias and ensure that the conclusions drawn are based on robust and tested data. The results of the analysis of this method are expected to provide a solid theoretical foundation to discuss the results of the study, discussion, and conclusion. With this method, the research not only exposes existing theories, but also criticizes and integrates various views to build a complete understanding of public policy in legal politics and its relevance to sustainable democracy in Indonesia.

4. Results

4.1. Public Policy in Legal Politics

Public policy in legal politics functions as a bridge between state goals and community needs, through the formulation and implementation of regulations that have binding power. In Indonesia, public policy in legal politics has undergone significant developments since the beginning of independence, which was marked by the birth of the 1945 Constitution as a constitutional foothold. At that time, legal policy was directed to build the foundation of a democratic state of law, as well as to overcome the challenges of the transition from the colonial legal system to the national legal system.⁶ The political journey of Indonesian law shows a change in orientation in accordance with the developing political dynamics. During the Old Order period, public policy was centralistic with the dominance of executive power, so the space for public participation was relatively limited. The New Order prioritized economic development and political stability, but often ignored the principles of democracy and civil liberties. Entering the Reform era, the public policy paradigm changed towards decentralization and regional autonomy, which provided greater space for public participation and public control over the legislative process.

Public policy in legal politics is also inseparable from the influence of external factors, such as globalization and the development of information technology. The harmonization of national law with international norms is an important agenda, especially in issues such as the protection of human rights, international trade, and

⁶ Nany Suryawati and Ika Widiastuti. "Pematangan demokrasi melalui transformasi demokrasi." *AKSARA Jurnal Ilmu Pendidikan Nonformal* 7, no. 1 (2021): 143-152.

the eradication of corruption. This integration is needed to improve Indonesia's position in international relations while strengthening the legitimacy of legal policies in the eyes of the global community.⁷ In addition, strengthening law enforcement agencies is the main focus in encouraging the effectiveness of public policies. Judicial reform is carried out to increase independence, professionalism, and transparency, with the aim of creating a fairer and more trustworthy legal system. Capacity building institutions such as the police, prosecutor's office, and anti-corruption agencies is crucial in ensuring that the implementation of public policies runs in accordance with the principles of justice and the rule of law.

However, challenges still arise in the form of regulatory complexity, overlapping authority between institutions, and low public legal literacy. Unequal access to justice is also a serious problem, where poor and marginalized groups often experience obstacles in obtaining legal protection. To address this, a strategy is needed that includes legal education, increased transparency of the legislation process, and strengthening oversight mechanisms involving the public. Public policy in legal politics in Indonesia requires a balance between national interests, compliance with international norms, and fulfillment of people's rights. With an inclusive and adaptive approach, public policy can be an effective instrument in strengthening democracy, enforcing the law, and encouraging sustainable development.

⁷ Yani Yang, Yon Machmudi, and Muhammad Syaroni Rofii. "Indonesia's" Great Power Balance" Diplomacy in Foreign Relations: Constructing a Balanced Relationship with the United States and China." *Croatian International Relations Review* 29, no. 93 (2023): 135-168.

4.2. Sustainable Democracy

Sustainable democracy is a concept that integrates democratic values with the principle of sustainability, both in social, economic, and environmental aspects. This concept emphasizes that democracy does not only stop at political processes such as elections or lawmaking, but also includes how these decisions have a long-term impact on people's welfare and environmental sustainability.⁸ Within this framework, sustainability is a key factor that ensures that the resulting policies benefit not only current generations, but also future generations. Key principles of sustainable democracy include meaningful public participation, accountable governance, and equitable distribution of resources. Effective public participation is not simply defined as formal involvement in the political process, but also includes the active role of the community in the planning, implementation, and evaluation of public policies. Accountable government is responsible for delivering information transparently, allowing the public to understand, criticize, and provide input on policies to be taken.

In practice, sustainable democracy requires strong and responsive institutions. Legislative, executive, and judicial institutions must have the capacity to accommodate the interests of various groups of society, including minority and vulnerable groups. The resulting policies need to consider aspects of economic equity, environmental protection, and strengthening human rights. This is important considering that a democracy that only focuses on short-term political processes

⁸ Ralph Ketcham. "*The idea of democracy in the modern era.*" University Press of Kansas, (2021): 231-260.

risks ignoring the impact of policies on long-term sustainability.⁹ Sustainable democracy also prioritizes fair and sustainable management of natural resources. Decision-making related to resource exploitation must involve local communities and consider ecological impacts. Economic development should not be done at the expense of the environment, as ecological damage will negatively impact social stability and people's quality of life.

The main challenges in realizing sustainable democracy in Indonesia are the weak political literacy of the people, economic inequality, and resistance from interest groups that benefit from the status quo. In addition, corrupt practices and weak rule of law can undermine public trust in democratic institutions. To address this, political education programs are needed that encourage critical public awareness, strengthen oversight mechanisms, and a strong commitment from the government and the private sector to prioritize sustainability in every policy. The integration of the principles of sustainable democracy into the framework of public policy and legal politics in Indonesia is expected to strengthen governance, improve social justice, and ensure environmental sustainability. With close collaboration between governments, civil society, the business sector, and the international community, sustainable democracy can become a key pillar of inclusive and equitable national development.

⁹ Sarah Kehler and S. Jeff Birchall. "Climate change adaptation: How short-term political priorities trample public well-being." *Environmental Science & Policy* 146 (2023): 144-150.

4.3. Case Studies and Conceptual Frameworks

Case studies are one of the important approaches to understand the application of public policy in legal politics that is integrated with the principles of sustainable democracy. One relevant example is the implementation of the Public Information Disclosure Law (Law No. 14 of 2008) in Indonesia. This law is designed to increase government transparency and expand public access to public information, so that public participation in the decision-making process can run more effectively. Through this policy, it is hoped that there will be a paradigm shift from closed government to more open and accountable governance.¹⁰ In practice, the implementation of the Public Information Disclosure Law shows progress as well as challenges. In some areas, public participation is increasing because people can obtain information that was previously difficult to access.

However, challenges arise when some government institutions are slow to respond to requests for information or do not provide complete data. This indicates that although the policy has accommodated the principles of sustainable democracy, its implementation requires strengthening institutional capacity and awareness of state apparatus. The conceptual framework that can be used to integrate public policy in legal politics with sustainable democracy includes three main components: public participation, institutional accountability, and sustainability orientation. Public participation here refers to the active involvement of the community in every stage of policy, from planning to evaluation. Institutional accountability requires a

¹⁰ M. Jae Moon. "Shifting from old open government to new open government: Four critical dimensions and case illustrations." *Public Performance & Management Review* 43, no. 3 (2020): 535-559.

mechanism that ensures that every government action can be accounted for, both legally and ethically. Sustainability orientation requires every policy to consider long-term impacts on social, economic, and environmental aspects.¹¹

In addition to the Public Information Disclosure Law, another case study that can reflect this framework is community-based forest management policies in several provinces in Indonesia. This program involves local communities in managing forest resources in a sustainable manner, with the support of regulations that give management rights to communities. As a result, there has been an increase in local economic welfare as well as an improvement in environmental conditions. However, challenges remain, especially related to conflicts of interest between communities, local governments, and the private sector. Through the analysis of the case studies, it can be seen that the success of the implementation of sustainable democracy in legal politics depends heavily on the synergy between a clear legal framework, government commitment, and active participation of the community. The conceptual model proposed in this study places the three main components as mutually reinforcing pillars, so as to be able to create inclusive, equitable, and sustainability-oriented public policies.

5. Discussion

The integration of public policy in legal politics with the principle of sustainable democracy is both a challenge and an opportunity for Indonesia. From

¹¹ Minseong Kim, Lori Pennington-Gray, and Jihye Kim. "Corporate social responsibility as a determinant of long-term orientation." *The Service Industries Journal* 40, no. 3-4 (2020): 243-267.

the results of the studies and case studies presented earlier, it can be seen that although the legal framework is in place to encourage transparency, participation, and sustainability, its implementation still faces structural and cultural barriers. These obstacles include uneven institutional capacity, resistance to information disclosure, and lack of legal literacy among the public. Theoretically, the relationship between public policy and legal politics is reciprocal. Public policy requires legal legitimacy to be implemented effectively, while legal politics requires policy directions that are in line with state goals. In the context of sustainable democracy, this relationship should be directed to ensure that any policy not only complies with positive laws, but also puts the long-term interests of society and the environment first. This is in line with the view that law should be an instrument of progressive social change and adaptive to the challenges of the times.¹²

The challenges of globalization, climate change, and the development of digital technologies demand a paradigm shift in legal politics and public policy. Globalization brings international standards that encourage legal harmonization, especially related to human rights, transparency, and governance. Meanwhile, environmental crises and socio-economic inequality demand the integration of sustainability into every decision-making process. Without this integration, democracy risks losing its legitimacy because it is considered to have failed to respond to the needs of the current generation without sacrificing future

¹² Wolfgang Friedmann. “*Law in a changing society*.” Univ of California Press, (2023).

generations.¹³ This discussion also emphasized the importance of building a meaningful public participation mechanism. Participation that is only procedural is not enough to realize a sustainable democracy. Substantive involvement is needed, where the community is not only given space to express aspirations, but also has a real influence in policy formulation. Mechanisms such as public hearings, online consultations, and multi-stakeholder forums can be a means to achieve this, provided they are carried out with transparency and equal access.

In addition, institutional accountability is a crucial aspect. Strengthening independent supervisory institutions, implementing performance-based governance, and utilizing digital technology for transparency can help reduce potential abuse of power. In this regard, the digitalization of government (e-government) can be a strategic instrument to accelerate governance reform, although it also requires adequate regulation to protect data privacy and security. Finally, this discussion underlines that the integration of public policy and sustainable democracy is not just an option, but a necessity in the context of modern state governance. The success of such integration requires alignment between political vision, legal apparatus, institutional capacity, and active participation of the community. Without this, public policy has the potential to become only a formal instrument that is incapable of facing the complex challenges of the 21st century.

¹³ Julio Homem de Siqueira, Andrew G. Mtewa, and Daury César Fabríz. "United Nations Development Programme (UNDP)." In *International Conflict and Security Law: A Research Handbook*, The Hague: TMC Asser Press, (2022): 761-777.

6. Conclusion

The integration of public policy in legal politics with the principles of sustainable democracy is a strategic step to strengthen state governance that is adaptive, inclusive, and sustainability-oriented. This study shows that public policy, in addition to functioning as an instrument to achieve state goals, is also a means to ensure that the applicable laws are able to respond effectively to social, economic, political, and environmental dynamics. Indonesia's political and legal journey since independence reflects the evolution of public policy influenced by changes in the system of government, global challenges, and internal demands for justice and participation. The principles of sustainable democracy underline that democracy is not enough just with political procedures, but must also consider the long-term impact on society and the environment. Therefore, legal policies need to be directed to be in line with sustainability goals, prioritize meaningful participation, and ensure institutional accountability.

The challenges identified, such as legal complexity, gaps in access to justice, and barriers to harmonization with international norms, require an integrative strategy. This approach includes building institutional capacity, strengthening public participation mechanisms, and utilizing digital technology for transparency and accountability. Thus, the integration of public policy and sustainable democracy is not only a normative imperative, but also a practical necessity for Indonesia in facing the complexities of 21st century governance. The success of these efforts will determine the country's ability to maintain the legitimacy of democracy and achieve sustainable development goals for current and future generations.

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