

Rational Adjudication in Diverse Society: Integrating Raz's Philosophy of Authority in Indonesian Constitutional Justice

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Abstract. Constitutional courts in Indonesia play a crucial role in interpreting the Constitution and safeguarding democratic principles within a pluralistic society. Joseph Raz's philosophy of authority can strengthen this judicial practice by emphasizing rational, ethical, and public-oriented adjudication. According to Raz, legitimate authority must prioritize public welfare and align with societal values, offering a relevant framework for constitutional interpretation. In the Indonesian context, where constitutional decisions significantly impact a diverse society, Raz's thought assists judges in navigating complex social and cultural dynamics with a reasoned and ethical approach. This philosophy is particularly relevant in addressing conflicts between legal texts and religious or cultural norms, while supporting purposive and inclusive legal interpretation. Raz's principles advocate for a holistic approach that combines textual analysis with ethical considerations, enabling judges to formulate decisions that uphold justice and democracy. By adopting this framework, constitutional courts can become more responsive to societal needs, strengthen democratic governance, and produce decisions that address contemporary issues in Indonesia. This approach ensures judicial independence while fostering equitable and context-sensitive rulings that align with the country's constitutional mandate and the pluralistic nature of its society.

Keywords: Joseph Raz, Philosophy of Authority, Constitutional Court, Rational Adjudication, Moral Consideration.

Abstrak. Peradilan konstitusional di Indonesia memainkan peran penting dalam menafsirkan Konstitusi dan menjaga prinsip demokrasi dalam masyarakat pluralistik. Filosofi otoritas Joseph Raz dapat memperkuat praktik peradilan ini melalui penekanan pada adjudikasi yang rasional, etis, dan berorientasi pada kepentingan publik. Menurut Raz, otoritas yang sah harus memprioritaskan kesejahteraan masyarakat dan sejalan dengan nilai-nilai sosial, sehingga menawarkan kerangka kerja yang relevan untuk interpretasi konstitusional. Dalam konteks Indonesia, di mana keputusan konstitusional berdampak luas pada masyarakat yang beragam, pemikiran Raz membantu hakim menghadapi kompleksitas sosial dan budaya dengan pendekatan berbasis alasan dan etika. Filosofi ini relevan untuk mengatasi benturan antara teks hukum dengan norma agama dan budaya, serta mendukung interpretasi hukum yang purposif dan inklusif. Prinsip Raz mendorong pendekatan holistik yang menggabungkan analisis tekstual dan pertimbangan etis, memungkinkan hakim untuk merumuskan keputusan yang mendukung keadilan dan demokrasi. Dengan mengadopsi kerangka ini, peradilan konstitusional dapat lebih responsif terhadap kebutuhan masyarakat, memperkuat tata kelola demokratis, dan menghasilkan keputusan yang relevan dengan isu-isu kontemporer di Indonesia.

Kata Kunci: Joseph Raz, Filsafat Otoritas, Peradilan Konstitusional, Adjudikasi Rasional, Pertimbangan Moral

1. INTRODUCTION

The Indonesian Constitutional Judiciary plays a central role in interpreting and upholding the Constitution, ensuring the rule of law, and safeguarding democratic principles. As a nation with diverse cultural, religious, and social structures, Indonesia's constitutional framework must strike a delicate balance between respecting pluralism and ensuring adherence to core democratic ideals (Davies, 2024). The constitutional court, established as a vital institution within Indonesia's democratic architecture, is entrusted with significant powers, including the review of legislation, resolution of constitutional disputes, and protection of citizens' fundamental rights. These responsibilities place judges in a uniquely powerful position, requiring them to navigate complex legal and societal issues. Judicial authority in Indonesia is pivotal to the functioning of democracy (Schiavello, 2023). Beyond its technical role in interpreting the Constitution, the judiciary is a cornerstone of the nation's checks and balances system, curbing potential abuses of power by the executive and legislative branches. However, this authority also comes with immense responsibility. Decisions rendered by the judiciary not only impact legal structures but also influence societal norms, values, and governance practices (Harding, 2010). Given Indonesia's diversity, judicial rulings must be contextually sensitive, ethically sound, and aligned with the principles of justice and equality to maintain societal harmony and uphold constitutional integrity (Samsudin, 2022).

Joseph Raz's philosophy of authority offers a compelling framework for guiding judicial practices in this context. Raz's theory posits that legitimate authority should serve the public by promoting welfare, respecting societal values, and fostering justice (Bello, 2022). Raz emphasizes rational and ethical adjudication, urging legal authorities to ground their decisions in reasoned interpretation that aligns with public interest and moral considerations (Dajović, 2023). This approach is particularly relevant to Indonesia, where constitutional judges often face the challenge of balancing textual interpretations of the Constitution with broader ethical and social imperatives. By integrating Raz's principles, Indonesian judges

can approach their constitutional mandate with a service-oriented perspective, emphasizing decisions that reflect the diverse values of the nation while upholding democratic principles. This introduction sets the stage for exploring how Raz's philosophy can enhance judicial decision-making in Indonesia, focusing on the judiciary's role as a moral and democratic authority within a pluralistic society (Bello, 2022). Through this lens, the article examines how Raz's ideas on rational adjudication and legitimate authority can provide a robust philosophical foundation for constitutional justice in Indonesia.

This article proposes to explore how Raz's philosophy can enrich judicial decision-making in Indonesia, positioning the judiciary as a moral and democratic authority. It offers an innovative approach to understanding constitutional justice by integrating ethical reasoning and rational adjudication into judicial practices. This framework not only enhances the judiciary's role in promoting justice and equality but also provides a robust philosophical foundation for navigating the complexities of constitutional law in a pluralistic society (Cremades and Hermida, 2023).

Literature Review

The constitutional judiciary in Indonesia has been extensively studied from both legal and sociopolitical perspectives. Existing literature highlights the court's role in balancing textual fidelity to the Constitution with the need to address societal diversity and uphold democratic principles (Wacks, 2008). Studies have also examined challenges faced by constitutional judges in reconciling conflicts between formal legal frameworks and prevailing cultural norms. For instance, legal pluralism in Indonesia often raises tensions between the Constitution and regional or community-specific practices, requiring nuanced adjudication to maintain national cohesion (Lev, 2000; Butt, 2015).

Philosophically, Joseph Raz's thought about authority has been instrumental in understanding how legal systems can justify their legitimacy (Pompe, 2005). Raz's *service conception* emphasizes that legitimate authority must guide individuals by providing reasons for

action that improve their decision-making relative to what they would achieve independently (Raz, 1986). Raz's notion aligns with the judiciary's obligation to not only interpret the law but also promote public welfare and justice within the societal context (Manero, 2023). Moreover, scholarship on purposive interpretation by Dworkin and Hart's concept of legal positivism provides complementary insights into the balance between strict textualism and value-driven adjudication.

Despite this wealth of scholarship, few studies integrate Raz's philosophy with the specific challenges of judicial decision-making in Indonesia's pluralistic society. This research fills that gap by connecting Raz's framework to the constitutional judiciary's practical and ethical dilemmas in Indonesia, offering a novel perspective on judicial authority and its societal implications.

2. METHOD

This article adopts a qualitative research design, focusing on conceptual analysis of Joseph Raz's philosophy of authority underpins the theoretical framework, allowing an exploration of its applicability to judicial practices in Indonesia. This design facilitates a comprehensive understanding of how Raz's philosophy can be integrated into constitutional adjudication in a pluralistic society. The research process includes literature review. A systematic review of primary sources, including Joseph Raz's seminal works, Indonesian constitutional law texts, and relevant case law. Secondary sources, such as journal articles and commentaries on Raz's theory and Indonesian constitutional practices, were also analysed.

The study employs normative evaluation and doctrinal analysis to test the applicability of Raz's philosophy to Indonesian constitutional adjudication. This involves philosophical reflection through interpreting Raz's principles in light of the sociocultural and legal context of Indonesia. It also poses the practical relevance by examining how Raz's framework addresses judicial challenges in a diverse society, particularly in balancing textual fidelity with societal values. Data for this research were collected from (1) primary legal sources including Indonesian constitutional text, key

judgments of the Constitutional Court, and relevant legislative materials; (2) philosophical text through Joseph Raz's works, particularly those discussing the philosophy of authority and its implications for legal interpretation; and (3) secondary literature based on academic commentaries, articles, and books addressing Raz's philosophy, judicial ethics, and Indonesian constitutional practices.

By employing a rigorous methodological approach, this research ensures that the integration of Raz's philosophy into Indonesian judicial practices is scientifically robust and contextually appropriate. The findings aim to contribute to the academic discourse on constitutional adjudication in diverse societies while offering practical insights for Indonesian judges.

3. RESULT AND DISCUSSION

3.1 Judicial Authority in Indonesia

In the Indonesian constitutional framework, the judiciary holds a paramount position as the interpreter and guardian of the Constitution. The Constitutional Court of Indonesia (Mahkamah Konstitusi) is tasked with several critical responsibilities, including judicial review of laws, resolving disputes concerning state institutions' authority, overseeing political party dissolutions, and adjudicating electoral disputes. These functions place the judiciary at the heart of Indonesia's democratic process, ensuring that legislative and executive actions align with constitutional mandates. The powers vested in Indonesian judges are extensive and multifaceted. Judges are empowered to strike down laws that contravene the Constitution, thereby safeguarding fundamental rights and maintaining the supremacy of constitutional norms (Raz, 2022). For example, through judicial review, the Constitutional Court evaluates the constitutionality of legislation, ensuring that laws enacted by the legislature do not infringe upon democratic principles or individual freedoms. This function not only upholds the rule of law but also acts as a crucial check against potential legislative overreach.

Moreover, constitutional judges play a significant role in mediating constitutional conflicts, particularly in disputes between state

institutions (Samsudin, 2022). By resolving such conflicts, the judiciary ensures that the balance of power among the branches of government is maintained, preventing authoritarian tendencies and reinforcing the democratic structure (Wacks, 2006). The judiciary also serves as the ultimate protector of citizens' constitutional rights, providing recourse against actions or policies that undermine individual freedoms or societal justice.

Indonesia's pluralistic society, characterized by its rich cultural, religious, and ethnic diversity, poses unique challenges and responsibilities for the judiciary. Constitutional judges must navigate a legal landscape where constitutional principles often intersect with deeply rooted societal norms and traditions (Linhares and Atienza, 2023). The judiciary's decisions must not only adhere to legal standards but also respect and accommodate the nation's plurality to ensure social harmony (Silalahi, 2022). In a pluralistic context, the judiciary bears the responsibility of fostering inclusivity and fairness. Constitutional judges must ensure that their rulings reflect the diverse values and aspirations of Indonesian society while upholding democratic principles and the rule of law. For instance, decisions on contentious issues, such as religious freedoms or indigenous rights, require a careful balancing of constitutional mandates with cultural and societal considerations (Raz, 1985). The judiciary's approach regarding to constitutional interpretation can significantly influence public trust and perceptions of justice (Steuer, 2023).

The judiciary also plays a vital role in maintaining social cohesion. In a nation where religious and ethnic diversity can sometimes lead to conflict, judicial decisions must promote unity and prevent societal divisions (Dajović, 2023). By ensuring that all groups feel represented and protected under the Constitution, the judiciary contributes to the stability and resilience of Indonesia's democratic framework (Kingsbury, 2005). Despite its critical role, the judiciary in Indonesia faces several challenges in fulfilling its constitutional mandate. One of the primary challenges is navigating the tension between textual interpretation and the broader purpose of the Constitution (Kingsbury, 2005). Constitutional judges often encounter cases

where strict adherence to legal text may lead to outcomes that are inconsistent with democratic values or societal welfare (Morales-Zúñiga, 2023). This tension necessitates a flexible and purposive approach to interpretation, enabling judges to reconcile legal formalism with ethical and contextual considerations (Wacks, 2006).

Another significant challenge is the potential for political pressure and interference. As a key institution in maintaining checks and balances, the judiciary is sometimes subject to external influences from powerful political actors. Ensuring judicial independence in the face of such pressures is essential for upholding the rule of law and maintaining public confidence in the judiciary's impartiality (Bedner, 2011). Additionally, the constitutional judiciary must address the growing complexity of constitutional disputes in an evolving society. As Indonesia's socio-economic and political landscape changes, new challenges emerge that test the judiciary's capacity to adapt and respond effectively. Issues such as digital rights, environmental justice, and globalized economic policies require constitutional judges to engage with novel legal questions while staying grounded in constitutional principles.

Finally, the judiciary must work to enhance public understanding and trust in its role. In a democratic society, the legitimacy of judicial authority depends significantly on public perception (Sugara, *et.al.*, 2024). By delivering transparent, reasoned, and inclusive judgments, the judiciary can foster greater confidence and ensure its continued relevance as a cornerstone of democracy (Dajović, 2023). The law reflecting judgment of what is right must be established through a process other than directly imposing her own sense of rightness. The judiciary in Indonesia occupies a crucial position in upholding constitutional justice, ensuring the rule of law, and safeguarding democratic principles. With broad powers and significant responsibilities, judges play a vital role in maintaining the balance of power and protecting fundamental rights in a pluralistic society (Ingoles, 2024). However, judges must navigate complex challenges, including textual interpretation, political interference, and societal diversity, to fulfil their constitutional mandate effectively. By embracing an approach rooted in ethical reasoning, contextual sensitivity, and

judicial independence, the Indonesian judiciary can continue to serve as a bulwark of democracy and justice in an increasingly complex world.

3.2 Raz's Philosophy of Authority

Joseph Raz, a prominent legal philosopher, offers a nuanced understanding of authority, emphasizing its legitimacy and service-oriented nature. Raz defines legitimate authority as a form of governance that justifiably directs the behaviour of others by providing reasons for action that those governed would not independently ascertain. This "service conception of authority" asserts that the role of authority is not to dominate or coerce but to serve its subjects by guiding them toward actions that align with their best interests and societal welfare (Raz, 2009). For authority to be legitimate, Raz posits that it must meet two essential criteria: (1) it must help individuals better conform to reasons that apply to them independently, and (2) it must function in a way that is justified by its ability to promote the public good. In the context of the judiciary, this translates to decisions that facilitate justice, uphold democratic values, and address societal needs. Judges, as figures of authority, must ensure their rulings serve the broader interests of society rather than narrow or partisan objectives.

The service-oriented leadership model within Raz's framework further underscores the judiciary's obligation to act as a steward of justice. Judges are tasked with interpreting laws in ways that maximize societal welfare, resolve disputes fairly, and maintain public trust. This approach encourages judges to transcend rigid formalism, enabling them to craft decisions that are sensitive to societal dynamics while grounded in legal principles. Central to Raz's philosophy is the emphasis on reason and morality as cornerstones of legitimate authority (Wacks, 2012). Raz argues that legal decisions must be rationally defensible, meaning they should be based on sound reasoning, logical consistency, and an understanding of the broader societal context (Shecaira, 2024). For judges, this involves interpreting laws not as isolated texts but as instruments intended to serve ethical and societal purposes.

Moral considerations play a vital role in Raz's framework, as authority must align with

fundamental ethical principles to remain legitimate. In judicial decision-making, this means that judges should evaluate the moral implications of their rulings, ensuring that the outcomes promote fairness, equity, and justice (Lindsey, 2008). For instance, in cases involving fundamental rights, such as freedom of speech or equality, judges must weigh the moral dimensions of their decisions alongside constitutional directives (Silalahi, 2024). One of the key alignments between Raz's philosophy and constitutional justice is the shared emphasis on promoting democratic values (Linhares and Atienza, 2023). Constitutional courts are often tasked with resolving conflicts between competing rights and interests, such as individual freedoms versus collective security or religious rights versus equality (Held, 1984: 122). Raz's service conception of authority provides a basis for judges to prioritize decisions that reflect the democratic ethos of the Constitution while remaining sensitive to the needs of a diverse populace (Raz, 1994).

Raz's principles align closely with the demands of constitutional justice, particularly in pluralistic societies like Indonesia. Constitutional justice requires constitutional judges to navigate complex legal and ethical landscapes, balancing the textual constraints of the Constitution with its underlying purposes and societal values (Bossacoma, 2020). Raz's philosophy offers a valuable framework for achieving this balance, emphasizing reasoned interpretation, ethical grounding, and a focus on public welfare (Manero, 2023). Public welfare is another critical aspect of Raz's philosophy. Authority must prioritize the well-being of society as a whole, reflecting its diverse needs and values (Pompe, 2005). In the judicial context, authority requires an understanding of the societal impact of rulings (Samsudin, 2022). A decision that adheres strictly to textual interpretation but undermines societal welfare or perpetuates injustice fails to fulfil the service-oriented purpose of authority (Silalahi, 2022). Raz's philosophy thus encourages judges to interpret laws in ways that not only respect legal norms but also address broader social objectives, such as reducing inequality, protecting marginalized groups, and fostering democratic governance (Lane, 2008).

Moreover, Raz's model encourages judicial independence, a cornerstone of constitutional justice (Raz, 2022). By focusing on reason and morality, judges can resist external pressures and make decisions that are principled and impartial (Raz, 2022). The law's claim to autonomy requires for rethinking its possibilities as a sound reflection which conciliate a genuine autonomous law with rational autonomy (Chia, 2023). All of them are the judiciary independence that is crucial in safeguarding the judiciary's role as an unbiased arbiter of constitutional disputes, ensuring that its authority is exercised legitimately and in service of the public good (Hermida del Llano, 2023). Finally, Raz's emphasis on public welfare resonates with the goals of constitutional justice, which seeks to create a just and equitable society. By interpreting the Constitution in ways that enhance societal welfare, judges can bridge the gap between legal formalism and the lived realities of citizens (Stone, 2008). This approach aligns with the judiciary's responsibility to act as a guardian of constitutional values, ensuring that its decisions contribute to the collective well-being of the nation.

Joseph Raz's philosophy of authority provides a robust foundation for understanding and guiding judicial practices in constitutional contexts (Raz, 1990). By advocating for legitimate authority rooted in reason, morality, and public welfare, Raz's framework aligns seamlessly with the principles of constitutional justice. For judges in pluralistic societies like Indonesia, Raz's ideas offer a valuable lens for interpreting the Constitution in ways that promote democratic values, societal harmony, and ethical governance. This alignment highlights the potential of Raz's philosophy to enhance judicial decision-making, ensuring that authority is exercised not as an end in itself but as a service to the people and their aspirations for justice (Raz, 1994).

3.3 Interpretation and Rational Adjudication in Indonesia

Joseph Raz's philosophy of rational adjudication emphasizes the role of reason, ethical considerations, and societal values in the decision-making process. Rational adjudication, according to Raz, requires that judicial decisions be based on clear, logical reasoning that aligns with the law's intended purposes and reflects

the ethical and societal context in which the law operates (Ehrenberg, 2023). This approach ensures that judicial authority is exercised in a way that is legitimate, principled, and service-oriented. In the Indonesian context, these principles are especially relevant due to the pluralistic nature of society and the complex interplay of cultural, religious, and constitutional values (Butt, 2015). Constitutional judges must interpret constitutional provisions with a focus on reason, which involves evaluating the broader implications of their rulings and ensuring coherence with democratic principles (Butt, 2015). Ethical considerations guide judges in addressing moral questions embedded in cases, such as fairness, equity, and respect for human dignity (Raz, 1986). Societal values, meanwhile, demand that judicial decisions resonate with the diverse aspirations and needs of Indonesia's population (Lijphart, 1999). The judicial decision also asserts how judges act as impartial in disputes should generally refrain the opposing action of political authorities (Pilich, 2021). Judges should take into the account of moral value that should be implemented by the legal order and not just the values which guiding the government policies (Pilich, 2021).

Raz's framework encourages judges to move beyond rigid textual interpretations and adopt a purposive approach to adjudication (Sellers and Kirste, 2023). This method prioritizes the underlying objectives of legal provisions, such as promoting justice, protecting rights, and fostering social cohesion. By grounding their decisions in reason, ethics, and societal values, judges can deliver rulings that uphold constitutional integrity while addressing the realities of Indonesian society. Balancing the textual constraints of the Constitution with societal values is a central challenge for judges in Indonesia (Silalahi, 2024). Constitutional judges should adopt a purposive approach to constitutional interpretation, focusing on the broader objectives and values enshrined in the Constitution (Asshiddiqie, 2007). This strategy involves looking beyond the literal text to consider the framers' intent, societal context, and ethical implications. For example, in cases involving fundamental rights, judges can prioritize interpretations that enhance individual freedoms and ensure societal harmony. The legal depiction of societal will is less akin to scientific observation and more

comparable to the literary portrayal of universal themes. These elements, like preferences, do not exist independently but are shaped by their representations (Edlin, 2016). Such representations are assessed more on aesthetic grounds than on their factual accuracy—they are evaluated based on the experiences they facilitate rather than their fidelity to reality. Similarly, law can be evaluated aesthetically, focusing on the society it shapes, the identities it constructs, the preferences it promotes, and the subjective experiences it fosters (Etchemendy, 2023). In this way, law can be read and critiqued as an integral part of cultural creation.

Constitutional judges can ensure that their decisions are reasonable and just. The proportionality approach is particularly involving conflicts between individual rights and public order, where a nuanced assessment is necessary to achieve fairness (Asshiddiqie, 2007). Judges must engage with the diverse values and aspirations of Indonesian society. This requires an understanding of cultural and religious dynamics and their interplay with constitutional principles. By incorporating societal values into their reasoning, constitutional judges can render decisions that resonate with the public while maintaining constitutional integrity (Ródenas, 2023).

Judges should consider the ethical dimensions of their rulings, ensuring that their decisions uphold principles of justice, equity, and human dignity (Samsudin, 2022). This strategy aligns with Raz's emphasis on the moral foundation of legitimate authority. To balance textual constraints and societal values effectively, judges must operate free from political or external pressures. Judicial independence is critical for fostering reasoned and impartial adjudication, allowing judges to focus on the Constitution's purpose and the public good.

Rational adjudication, as envisioned by Joseph Raz, provides a valuable framework for constitutional interpretation in Indonesia (Garcia-Godinez, 2023). By emphasizing reason, ethics, and societal values, Raz's principles guide judges in delivering decisions that align with constitutional purposes and address societal needs (Garcia-Godinez, 2023). Constitutional interpretation illustrates the practical challenges and opportunities for

implementing these principles. Through strategies such as purposive interpretation, proportionality analysis, and ethical reasoning, Indonesian judges can balance textual constraints with societal values, ensuring that their rulings contribute to a just, democratic, and harmonious society.

3.4 Applying Raz's Philosophy to Indonesian Constitutional Justice

Implementing Joseph Raz's philosophy of authority within the Indonesian constitutional judiciary requires a structured and deliberate approach. Judges must receive ongoing training on purposive interpretation and ethical reasoning, emphasizing Raz's principles. This training can enhance their ability to evaluate laws and cases through a service-oriented lens, balancing textual fidelity with the broader goals of justice and public welfare. Clear guidelines on rational adjudication and proportionality can standardize how Raz's ideas are applied in constitutional decision-making (Ehrenberg, 2023). These guidelines should emphasize balancing competing rights, engaging with societal values, and prioritizing democratic principles.

Judges should adopt a transparent approach to explaining their decisions, explicitly connecting their reasoning to constitutional purposes, ethical considerations, and societal benefits (Garcia-Godinez, 2023). This practice enhances public trust and demonstrates the judiciary's commitment to rational and legitimate authority. Raz's emphasis on reason and morality supports judicial independence by encouraging decisions rooted in principles rather than external pressures (Raz, 1979). By adhering to rational adjudication, judges can resist undue influence from political or societal forces, maintaining their impartiality and integrity (Ródenas, 2023). While fostering independence, Raz's framework also holds judges accountable to ethical standards and societal expectations (Raz, 1979). Transparent reasoning and a service-oriented approach ensure that judges remain answerable to the public without compromising their autonomy (Giudice, 2024). This dual emphasis on independence and accountability bolsters the judiciary's legitimacy and public trust (Stone, 2008). The articulation about autonomy also proposes by

Kelsen through his argument about the system to the chance of incorporating exogenous elements in legal determination (Chia, 2023).

A judiciary guided by Raz's principles can bridge the gap between legal formalism and societal needs, enhancing its credibility (Raz, 2009). By demonstrating a commitment to justice, equity, and democratic values, the judiciary can reinforce its role as a cornerstone of Indonesia's constitutional democracy (Raz, 2009). By interpreting laws through the lens of public welfare and societal values, judges can render decisions that foster unity in Indonesia's diverse society (Tan, 2020). This approach ensures that judicial rulings contribute to social harmony while respecting individual rights (Ingole, 2024). Raz's philosophy aligns judicial practices with democratic norms, ensuring that rulings protect fundamental rights, promote equality, and reinforce accountability among state institutions (Raz, 1990). Judicial decisions that prioritize moral considerations enhance ethical governance (Bossacoma, 2020). This focus not only upholds the rule of law but also ensures that the judiciary remains a moral compass for society (Schiavello, 2023). The frequently overlooked impact of oral arguments on the personal reactions and reasoning processes of individual judges highlights an important institutional and cultural acknowledgment of subjectivity's role in judicial decision-making (Edlin, 2016).

A judiciary guided by Raz's principles is better equipped to adapt to evolving societal challenges, such as digital rights, environmental concerns, and globalization. This adaptability ensures that constitutional justice remains relevant and effective. Indonesia's pluralism often involves conflicts between cultural, religious, and constitutional values (Davies, 2024). Applying Raz's ideas requires judges to navigate these tensions delicately, ensuring that their rulings resonate with societal diversity while upholding constitutional norms (Dajović, 2023). Constitutional judges in Indonesia often face external pressures from political actors or influential societal groups. Implementing Raz's philosophy requires robust safeguards to protect judicial independence in such a challenging environment. The judiciary may lack the resources or expertise needed to fully operationalize Raz's principles, such as

comprehensive research tools or training programs in rational and ethical adjudication (Giudice, 2024).

Adopting Raz's philosophy may lead to accusations of judicial activism or overreach, particularly in cases where judges adopt a purposive approach to interpretation. Judicial decisions should explicitly reference constitutional objectives and democratic principles, demonstrating that their rulings are grounded in the law rather than personal preferences (Lijphart, 1999). Transparent reasoning and consistent application of Raz's principles can counter perceptions of activism. Judges must articulate how their decisions align with constitutional values and societal welfare (Bustamante, 2023). To avoid overreach, judges should respect the roles of other branches of government, intervening only when constitutional violations are evident. Raz's philosophy supports this balance by emphasizing legitimate authority and service-oriented governance (Harding, 2010). Promoting public understanding of the judiciary's role and its commitment to ethical and rational adjudication can mitigate concerns about activism. Applying Raz's philosophy to Indonesian constitutional justice offers significant opportunities for enhancing judicial practices, promoting ethical governance, and strengthening democratic norms (Bustamante, 2023).

However, the implementation of Raz's principles requires careful consideration of the challenges posed by Indonesia's pluralistic legal system and the potential critiques of judicial activism. By adopting transparent reasoning, ethical decision-making, and purposive interpretation, the judiciary can align its practices with Raz's vision of legitimate authority, ensuring that constitutional justice serves the people and upholds Indonesia's democratic values. Raz's work lays out the challenge into the notion of limited legal system and the boundedness individual legal principles and rules. Both of the challenges expounded by Raz through his thesis of the limits of law (Davies, 2024).

4. CONCLUSION

Joseph Raz's philosophy of authority provides a compelling framework for guiding the

Indonesian judiciary in navigating its constitutional mandate. His emphasis on legitimate authority as service-oriented governance aligns seamlessly with the judiciary's role as a guardian of democracy and justice. Raz's philosophy impacts judicial processes by encouraging judges to adopt a holistic approach (Etchemendy, 2023). This involves balancing textual fidelity with purposive interpretation, ensuring that decisions uphold the integrity of the law while addressing real-world societal concerns. For instance, in a pluralistic society like Indonesia, constitutional judges might encounter cases where constitutional provisions intersect with religious or cultural norms. By employing Raz's framework, judges can rationally justify their decisions by demonstrating how their interpretations align with both constitutional principles and the diverse values of the population.

By integrating Raz's ideas, Indonesian constitutional judges can transcend rigid textualism and embrace purposive interpretations that reflect societal values, protect fundamental rights, and promote democratic integrity. Raz's focus on public welfare ensures that judicial decisions contribute to societal cohesion while respecting individual freedoms. His philosophy also reinforces judicial independence by prioritizing principled reasoning and ethical governance, thus enhancing public trust in the judiciary's role. While the adoption of Raz's framework offers significant benefits, it also requires overcoming challenges such as balancing textual constraints with societal values and addressing the risks of judicial subjectivity or activism. Nevertheless, Raz's emphasis on reasoned and transparent decision-making provides a pathway for fostering a judiciary that is both independent and accountable, capable of upholding constitutional justice in Indonesia's diverse and evolving context.

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