

## Citizenship Education as Legal Education in Schools

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### ABSTRACT

Currently there are many cases of law violations committed by a student. This is considered as low legal knowledge possessed by students. Legal education in Citizenship Education basically plays a role in teaching law to students so they have legal awareness. Through this legal education, students have legal will, so they are able to control and filter out acts that violate the law, and have the ability to obtain legal protection. This also has implications for fulfilling the role of students in carrying out their rights and obligations as part of society in carrying out social control. Substantially, elements of legal education and citizenship education are correlated with development literacy and citizens' legal awareness. These elements include subject matter, instructional practice and context, skills and attitudes, beliefs, and values. These elements are the main aspects that are in line with the three main elements of citizenship education which include affective, cognitive, and psychomotor development. The concept of legal education in Citizenship Education is comprehensively integrated into the learning component of Citizenship Education. These components are integrated in the development of legal education which is based on the context of a reconstructive educational philosophy which places Pancasila as the central value

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### 1. PENDAHULUAN

The role of education is very important in supporting human survival. With quality education humans can improve, develop, and not be underdeveloped. Education is used as a way to educate the nation's life which is the noble ideals of the Indonesian people as stated in the fourth paragraph of the Preamble of the 1945 Constitution.

In addition, the National Education Goals listed in Law no. 20 of 2003 concerning the National Education System, Chapter II Article 3 states that National Education functions to develop capabilities, shape the character of a dignified national civilization in order to educate the nation's life, and aims to develop the potential of students to become human beings who believe and fear God Almighty. , has noble character, is healthy, knowledgeable, capable, creative, independent, democratic citizen, and responsible (Tjeppey, 2021).

This statement implies that every aspect contained in the national education system will reflect activities inspired by Pancasila and the 1945 Constitution, and rooted in Indonesian culture. According to Sholeh (2020) the essence of national education goals is the ultimate goal to be achieved by all education providers, both formal, non-formal and informal education within the State of Indonesia.

In line with this, the implementation of the national education system turns out to have challenges that must be faced, one of which relates to the Era of Globalization. The current influence of globalization has a positive impact, namely the progress of science and technology, and on the other hand it also has a negative impact on human behavior (Belladonna & Anggraena, 2019). The young generation of Indonesia in the current era of globalization is strongly influenced by foreign cultural values, so that attitudes and behavior are not in line with Pancasila values (Maftuh, 2008).

Phenomena that often occur and become serious problems, namely the problem of moral decline, and deviant behavior carried out by the younger generation such as promiscuity, drug abuse, anarchist demonstrations, and brawls (Belladonna & Anggraena, 2019). In fact, traffic violations that are often committed by students are considered commonplace by the community, such as not wearing helmets, using noisy exhausts, not completing vehicle components, and not having a driver's license (Nurgiansah & Muchtar, 2018).

The following are several cases of law violations committed by students, quoted from online news sources:

1. Polisi Tangkap 5 Pelaku Kasus Pembunuhan Pelajar SMK di Medan, Berawal dari Tawuran Antar Sekolah (Tribunnews.com, Tuesday, 27 December 2022)
2. Dalam Setahun, 12 Pelajar di Bandar Lampung Tersandung Kasus Narkoba (Rilisid Lampung, Tuesday, 13 December 2022)
3. 3 Ulah Pelajar Jadi Sorota: Tendang Nenek-Bully Teman Hingga Pingsan (Detik News, Monday, 21 November 2022)
4. 3 Pelajar di Kaltara Perkosa Rekan Wanitanya Saat Bolos Sekolah (Detik Sulsel, Wednesday 14 December 2022).

This action is a form of behavior that is not in accordance with the values that apply to society and explicitly shows the occurrence of a moral decline that has hit the younger generation among students. In this regard, Sari (2014) suggests that there are 10 aspects of moral degradation that hit a country which are signs of the destruction of a nation, namely:

'Increased violence against youth, use of bad words, strong group influence in acts of violence, increased use of drugs, alcohol and free sex, loss of moral boundaries between good and bad, decreased work ethic, low respect for parents and teachers, low sense of individual and civic responsibility, a culture of dishonesty, mutual suspicion and hatred of one another'.

Cases of deviant behavior by students show that there are violations of the law which are now rife, and are evidence of the low awareness of the law among students. Meanwhile, legal awareness among students is needed, with the aim of providing a sense of comfort, order, and discipline, especially in the school environment and in general within the community and the State (Rahmayanti, 2020).

This is closely related to the world of education, according to Komariah (2011) schools should be a place to build mental, moral, social and all aspects of student personality can grow and develop properly. This is because education is a long-term human resource investment that has an impact on the continuity of human civilization in the world. In fact, almost all countries place the educational variable as something that is important and primary in the development of the nation and state (Rahmayanti, 2020). Likewise, the State of Indonesia places education as an important and primary matter.

Low morality for students places the importance of education which includes learning that shapes behavior, attitudes, and morals as an effort to increase legal awareness among students, one of which is through legal education (Belladonna & Anggaraena, 2019). According to Santoso (2017) legal education is not only a legal expert who knows the applicable legal rules, but also creates and develops law through legal teaching and legal analysis.

The constitutional basis states that Indonesia uses law as a rule of the game in the life of a nation and state society (Santoso, 2017). The legal education approach in the school environment is carried out through learning Citizenship Education (Saragih et al, 2022). Citizenship Education is a means of understanding every student through learning in formal institutions. Citizenship education is expected to be a guide, habituation, and implementation of legal rules in the school environment, society, and the State.

Based on this explanation, it is important to know how the concept of legal education is based on Pancasila values. Because the values of Pancasila are the basis for the implementation of legal education with the main objective as an effort to regulate public order (Nurdin, 2015). Citizenship Education as legal education in the school environment is expected to be able to form the next generation of the nation in accordance with the goals of the National Education System.

## 2. METODE

The method used in writing this article is the literature review method which is a qualitative research method. This method uses a literature search both nationally and internationally which is carried out using the Mendeley, Science Direct, and Proquest databases. Several previous studies have become a guideline for researchers in writing this article. The main data source in this article is library data, which consists of books, journals, and internet sites related to the topic of Citizenship Education as Legal Education in Schools. In writing this article, to get valid results, the author selects, compares and combines various existing reference data sources so that the data found is relevant and mutually supportive

## 3. HASIL DAN PEMBAHASAN

One of the scopes of learning about Citizenship Education has been regulated in Permendiknas No. 22 of 2006 concerning the Scope of Citizenship Education Subjects for Primary and Secondary Education, namely: Norms, laws and rules that include: order in family life, order in schools, norms that apply in society,

regional regulations, norms in the life of the nation and state, the national legal and judicial system, international law and justice.

In addition, one of the three important components in Citizenship Education, namely Civic Knowledge, develops three aspects, namely: politics, law, and morals (Octavia & Sumanto, 2018). From these three aspects, it is expected to be able to form students so that they have the character of discipline towards legal regulations, such as legal aspects as the implementation of regulations in the school environment, society and the country.

According to Wihardit (2010), there are three meanings of Citizenship Education, one of which is to instill understanding and attitudes in living in society, nation and state. Therefore, materials on democracy, law, justice, harmony, public policy, and human rights are enrichment materials in schools. In addition, efforts to increase legal understanding for students are through real behavior carried out by teachers. Teachers must act in accordance with the legal norms that apply in the school environment, society and the country (Tjeppey, 2021).

Legal understanding is an important aspect that must be owned by every citizen. According to Block (2011) the relationship between citizens and the law is described as the concept of citizenship. In connection with Block's statement, Sassen (2006) added that citizens are likened to autonomous and sovereign subjects and the government is likened to a State or Nation. The solution so that every citizen has this aspect is to carry out legal education, especially in formal education. Legal education in the school environment has been integrated into civil education learning as a program with the core of political democracy or called Citizenship Education (Baeihaqi & Komalasari, 2022).

Legal education will encourage the level of legal literacy in society and have an impact on active participation and direct involvement of the community in carrying out their role as citizens (Baeihaqi & Komalasari, 2022). The aspect that drives this is the knowledge and insight into the law possessed by citizens. According to Dejong (2016) without legal knowledge, citizens or the younger generation will not be able to function effectively in a democracy.

Dejong's statement shows that democracy cannot be implemented without an understanding of law from every citizen, in fact knowledge of law is an important basis for the fulfillment and protection of human rights. In this regard, Indonesia is a form of democracy, and the people hold the highest sovereignty in administering the state and government. Therefore, legal education or Citizenship Education has an important role in building citizens' legal awareness in order to create life in society, nation and state.

#### ***A. The Concept of Legal Education in Citizenship Education***

Basically, legal education was formed as a solution to the failure of the previous Citizenship Education, which aims to increase legal and political awareness for citizens (Rowe, 2013). Therefore, legal education is defined as education to equip people with knowledge and skills regarding law, legal process and the legal system. So that legal education is considered as education to increase the knowledge, skills, and values needed by citizens to actively participate in a democratic society based on the rule of law (Baeihaqi & Komalasari, 2022).

Legal education plays a role in helping the public increase their understanding of the legal and judicial systems, as well as functional knowledge of how legal institutions operate (Ikwumelu, 2014). Legal education emphasizes the relationship between citizens and their role in a legal process. Ikwumelu (2014) adds that legal education seeks to formulate the basic concepts of law and the legal system for the purpose of increasing knowledge and application of law by the community.

Legal learning orientation aims to educate people so that they have legal awareness which is one of the goals of Citizenship Education. Therefore, legal education must be given to the younger generation from an early age, and must be carried out consistently with the pedagogic development of children (Rahmayanti, 2020). This is because Citizenship Education acts as a vehicle for legal education starting from basic education, secondary education, to higher education.

In Indonesia, legal education in the school environment is integrated into learning Citizenship Education. The function of legal education in Citizenship Education is to have the ability to maintain values that are considered good by society, one of which is public order. This is in accordance with the opinion of Maftuh & Sapriya (2005) which states that the existence of law is to uphold community values and is considered as a manifestation of the content of these values.

Elements of legal education and Citizenship Education correlate with the development of citizen literacy and legal awareness. These elements include: subject matter, instructional practices or contexts, skills, attitudes, beliefs, and values (Baeihaqi & Komalasari, 2021). This element is in line with the three main elements of Citizenship Education namely affective, cognitive, and psychomotor development.

The role of Citizenship Education as legal education is regulated in the International Commission of Jurist which was held in Bangkok in 1965, related to the requirements of democratic government under the rule of law, followed by (Budiardjo, 2008), namely:

'(1) constitutional protection, in addition to guaranteeing individual rights, the constitution must also determine how to obtain protection for guaranteed rights. (2) an independent and impartial court. (3) general election. (4) freedom of expression. (5) freedom of association or organization, and opposition. (6) Citizenship Education.'

This is in accordance with Isyoma's statement (2018), namely the purpose of legal education for education for citizens, which is expressed in three phrases, namely civic education, citizenship education, or public education. The concept of Citizenship Education as legal education means that Citizenship Education is legal education in a constitutional democracy or democracy based on law.

There are three roles of legal education in Citizenship Education according to Isyoma (2018), namely: creating a sense of interest in legal issues that occur in society, creating the habit of discussing cooperatively with various parties to solve legal problems, being able to utilize views and thoughts on legal issues. These three roles are related to the mandate of Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which explicitly states that Indonesia is a country based on law (Santoso, 2017).

### ***B. Realization of Citizenship Education as Legal Education***

The application of legal education in the Citizenship Education subject can be carried out using inquiry learning methods, experience-based learning, and problem-based learning (Baeihaqi & Komalasari, 2021). The implementation of legal education learning in schools will be successful if local lawyers are present or involve law enforcement officials (police) as resource persons. In this regard, Hanson (2002) added, during the implementation of legal education lessons, teachers can carry out a combination of pedagogical standards or interactive activities, such as mock experiments or debates.

This shows that legal education helps students gain broader benefits related to understanding why they have to have laws, legal sources, legal institutions, or other aspects of the legal basis. In addition, the use of appropriate methods in learning legal education can equip students with active learning experiences, which results in students realizing that they have rights and obligations in accordance with the rule of law, or can resolve problems/disputes according to the rule of law.

According to Baeihaqi & Komalasari (2021) legal education is able to motivate the development of lifelong perspectives desired by the community, such as critical thinking, making decisions, solving problems, cooperation, and participating effectively in communities that apply the rule of law. In addition, Isyoma (2018) revealed that there are several scopes of legal education, namely:

“principles and values of law, the Bill of Rights and the constitutional, the role and limits of law in a democratic society, conflict and problem solving, the role of law in avoiding conflict, development and administrative rules, administration of civil and criminal justice systems, informal law, authority, liberty, and the enforcement of punishments, law as a solution to social and political problems, law affects all areas of people's daily life, international relations, anthropology and economics.”

Legal education shows the ideas or concepts that underlie the understanding of the legal system, such as rights, obligations, authority, and justice. In addition, according to Cassidy (2004) legal education examines all the values contained in law, such as property and human life.

Based on this explanation, legal education in Citizenship Education must be carried out in an integrated and collaborative manner in a comprehensive learning process, both material, methods, media, learning resources, and learning evaluation that emphasizes the development of study habits. The implementation must be oriented towards learning media, so as to be able to motivate active participation

## **4. KESIMPULAN**

The concept of Citizenship Education as legal education has been comprehensively integrated into the learning component of Citizenship Education. These components are integrated in the development of legal education which is based on the concept of a reconstructive educational philosophy which places Pancasila as the central value. The element of legal education in Citizenship Education is correlated with the development of citizens' literacy and legal awareness. These elements are subject matter, practice and instructional context, skills, attitudes, beliefs, and values. These elements are the main aspects that are in line with the three main elements of citizenship education which include affective, cognitive, and psychomotor development. The role of legal education in Citizenship Education aims to teach law to citizens so that people have legal awareness. Through legal education, citizens have legal will, so they are able to control and filter out unlawful acts, and

have the ability to obtain legal protection. This has implications for fulfilling the role of citizens in carrying out their rights and obligations as part of society in exercising social control.

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