



Coalition and opposition in the perspective of Indonesian constitution

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ABSTRACT

This paper examines the coalition and opposition in the Indonesian constitutional system based on the 1945 Constitution and how political dynamics between them affect executive legislative supervision. In Indonesia's multi-party presidential system, a dominating coalition and a weak opposition make checks and balances difficult. This study combines a normative legal research technique using a normative descriptive approach to map the coalition and opposition and a juridical-analytical approach to examine legislative oversight's legal and practical restrictions. Along with scientific research and comparisons of political systems in other nations, the 1945 Constitution, associated statutes and regulations, and Constitutional Court rulings are employed. The research found that although the 1945 Constitution does not directly govern the coalition and opposition, political practices in Indonesia reveal that the coalition dominates and the opposition is divided and ineffective. The inadequate parliamentary monitoring of executive policies, which are typically formality, is affected. To ameliorate this political dynamic, legal change to formalize opposition regulation, legislative capability, and electoral system simplification are recommended. The research concludes that political and legal change is needed to guarantee Indonesian democracy upholds people's sovereignty and government accountability.

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1. Introduction

The 1945 Constitution of Indonesia outlines the Pancasila democracy system, which underpins its political system (Muhtar, Maranjaya, et al., 2023). Politics is a decision-making process by state institutions with legitimacy based on people's sovereignty. General elections, the principal way to construct a legitimate and responsible government, establish sovereignty (Suwito et al., 2023). Thus, politics includes legislative procedure, policy execution, and power oversight as well as political actor relations.

The Indonesian state structure follows the Trias Politica doctrine of power distribution (Razak et al., 2023). State authority is split into executive, legislative, and judicial branches. As head of state and government, the president leads the executive in enacting laws and policies. The

legislative—DPR and DPD—makes legislation and oversees executive policy execution. The Supreme Court and Constitutional Court enforce the law and examine legislation and regulations for constitutionality (Mangesti et al., 2024).

Indonesian politics also reflects power dynamics. Political party coalitions support the administration, while the opposition controls and balances. The opposition is essential to a functioning democracy and preventing dictatorship (Abdussamad et al., 2024). Due to political coalitions' fluidity, opposition parties may join the government after elections, making the opposition's role difficult in Indonesia.

Election laws that enable democracy also affect state administration politics. Law No. 7 of 2017 on Elections controls technical and substantive election issues. The Constitutional Court also oversees democracy by resolving election result disputes, testing legislation, and protecting people's constitutional rights (Indra et al., 2023).

Indonesian constitutionalism views coalition and opposition as a multifaceted subject that represents changeable and pragmatic national politics. Indonesia's presidential system places the president at the center of state and governance. The president usually creates a government with political parties that supported him during or after the election. This combination, meant to stabilize the administration, frequently undermines the political opposition.

Indonesian politics' pragmatism makes it hard to form a strong opposition. Political parties seek key government posts by appointing ministers or providing indirect political assistance to achieve political or electoral benefit. Government cabinets typically include parties from the election's losing side. Thus, the opposition fragments or loses its character, weakening its check on the executive. The lack of a robust opposition might harm democracy, since the opposition should regulate power and prevent misuse.

To illustrate the argument about weak legislative oversight of the executive in Indonesia, historical data and case examples can be highly illuminating. A prominent example is the legislative handling of the Revised Law on the Corruption Eradication Commission (KPK) in 2019. Despite widespread public opposition and concerns about weakening the KPK's independence, the legislative process was expedited, and the revisions were passed with limited debate and transparency. This incident highlights how a dominant coalition can prioritize executive or political interests over robust oversight and accountability mechanisms.

Another example is the Omnibus Law on Job Creation (2020), which was fast-tracked through the legislative process despite criticisms about inadequate public consultation and its potential environmental and labor implications. The legislature's apparent alignment with executive priorities demonstrated a lack of critical scrutiny, raising concerns about the legislature's capacity to act as a check on executive power.

Historically, Indonesia's New Order regime under Suharto serves as a broader backdrop for understanding weak legislative oversight. During this period, the legislature functioned largely as a rubber stamp for executive decisions, setting a precedent for limited accountability that persists in some aspects of governance today.

These examples underscore the importance of strengthening legislative independence and capacity to ensure effective oversight of the executive, fostering a more balanced system of checks and balances in Indonesia's constitutional framework.

Conflict between the legislative and executive in the coalition is another issue. In constitutional practice, parties in the president's coalition dominate the DPR, a legislative institution that should oversee administration. The DPR's independence as a supervisory entity is questioned since it joins the governing coalition. This begs the question: can the Indonesian constitutional legislature supervise government while a political alliance rules? In many circumstances, the legislature becomes an extension of the administration, hence public policy monitoring is limited or formal.

Implementation of coalition and opposition laws also causes issues. Political practice is ambiguous since the 1945 Constitution does not explicitly regulate opposition organization and function. Many democracies regard the opposition as a formal institution with rights and responsibilities. Those outside the ruling coalition are the only opposition parties tacitly recognized in Indonesia. This limits opposition rights and their ability to criticize or propose alternative policies.

Coalitions and oppositions can complicate constitutional and judicial legislation. As an institution that tests legislation and resolves election disputes, the Constitutional Court (MK) regularly hosts political conflicts. The partisanship of coalition or opposition political parties in election result disputes sometimes casts doubt on the judicial process. A democratic culture that values communication and negotiation is weakened by its reliance on the courts to settle political disputes (Ahmad & Nggilu, 2019b).

This shows that coalitions and oppositions are essential to democracy, but Indonesian constitutionalism prevents them. Thus, political reform is needed to empower the opposition and clarify its role in government checks and balances. Only then can Indonesian democracy grow according to the constitution and people sovereignty. Formulating problems (1) How do coalition and opposition fit under the 1945 Indonesian Constitution? How do coalition and opposition dynamics affect executive and legislative oversight?

2. Method

This study uses a normative legal research method with a comprehensive approach to analyze the coalition and opposition's position in the 1945 Indonesian Constitution and its impact on legislative oversight of the executive. This research employs the 1945 Constitution, relevant laws and regulations, and Constitutional Court rulings for doctrinal studies. This research analyzes secondary legal sources such constitutional law books, scientific publications, and political system comparisons from various nations (Soerjono Soekanto and Sri Mamudji, 2007).

The descriptive-normative method provides a valuable framework for understanding the foundational principles and existing practices of coalitions, opposition, and checks and balances in Indonesia. However, its sufficiency in addressing the complexity of their interactions is limited. This method primarily focuses on describing legal norms and theoretical constructs, which may not fully capture the dynamic and often unpredictable nature of political behavior and institutional interactions. A more robust approach would integrate empirical methods, such as case studies, interviews with political actors, or analysis of legislative and executive decision-making processes. By combining descriptive-normative analysis with empirical insights, the research could more effectively address the interplay between coalitions, opposition, and checks and balances, offering practical and context-sensitive recommendations for Indonesia's constitutional system.

This research addresses two primary issues. First, constitutional interpretation of the coalition and opposition in Indonesia. Second, how coalition and opposition dynamics impact executive legislative supervision, particularly in Indonesia's presidential system.

This research answers the first issue formulation using normative descriptive methods. Based on the 1945 Constitution, this method maps the coalition and opposition's role in the state structure. This research also investigates how legislative institutions, particularly the DPR, supervise the executive when most legislators are coalition members. This technique is crucial to understanding how well the Indonesian presidential system maintains checks and balances.

This work uses juridical-analytical methods to address the second problem formulation. This method analyzes the legal and practical restrictions of coalition-opposition dynamics in legislative oversight. The majority coalition's reduction in legislative independence and lack of room for the opposition may lead to conflict, as this research shows. This research also examines parliamentary monitoring of executive initiatives when the resistance is small. This

methodical methodology allows the research to analyze constitutional issues in the coalition-opposition relationship and provide suggestions to promote democracy in Indonesia.

3. Analysis and Results

3.1. The Position of the Coalition and Opposition in the Indonesian Constitutional System According to the 1945 Constitution

In Indonesian Constitutional Law (HTN), the Constitution governs governmental structure, institution relationships, and citizen rights and responsibilities. As Indonesia's highest source of legislation, the 1945 Constitution guides national and state life. This constitution reflects Indonesia's character based on Pancasila as the national ideology and controls democratic administration (Taufiqurrohman et al., 2024).

Since its founding, the Preparatory Committee for Indonesian Independence (PPKI) has prepared the 1945 Constitution to meet the newly independent nation's constitutional demands. The 1945 Constitution had various shortcomings due to its transitory character, including uncertainty in power distribution and a lack of restrictions on state institution check and balance. This constitution centralized authority on the president as head of state and administration, unlike the parliamentary democracy of the period (Diharjo et al., 2024).

Over time, the 1945 Constitution saw numerous major changes in Indonesian state government. Under the Old Order, the constitution was briefly altered in 1949 to become the RIS Constitution and subsequently the UUDS 1950, which established a parliamentary system. The 1945 Constitution was better suitable for political stability and progress, thus President Soekarno reinstated it by the Presidential Decree on July 5, 1959. New Order regimes utilized the 1945 Constitution to keep power. President Soeharto's centralistic interpretation of the constitution bolstered the executive and undermined the parliament and judiciary. Any criticism or suggested revision to the constitution was considered a danger to national stability during this time (Muhtar et al., 2024). This circumstance restricts political freedom and democracy and leads to authoritarian administrations.

Indonesian constitutional history changed after the 1998 Reformation. Changing the 1945 Constitution was driven by public demand for a more inclusive democracy. Between 1999 and 2002, four phases of amendments were completed. These reforms strengthened the legislative role, limited executive authority, and established the Constitutional Court to protect the constitution in Indonesia. These reforms also promoted human rights, decentralization, and popular engagement in politics (Amer et al., 2024).

The 1945 Constitution further clarifies separation of powers between the executive, legislature, and judicial while retaining checks and balances. The reforms also allow direct presidential elections, legitimizing the presidency. However, these revisions also present new issues, such as state institution conflict and executive legislative supervision efficacy.

Thus, Indonesian constitutional law evolves with politics and national requirements. The 1945 Constitution, initially intended as a transitory document, has been updated to reflect democracy, popular sovereignty, and legal supremacy. This historical process indicates that the constitution is a living text that must be updated to keep state ideals relevant and equipped to address global and local issues.

According to the 1945 Constitution, the coalition and opposition are not explicitly regulated, but their existence can be understood as part of Indonesia's presidential system of government's democratic practice. The 1945 Constitution, both original and amended, does not define or regulate the coalition or opposition. The multiparty political system in Indonesia implied the presence of these two institutions.

Under the 1945 Constitution, the president is directly chosen by the people and has an executive authority independent of the legislature. This implies the president does not need

DPR majority support to manage his administration. In reality, the president typically creates a coalition of political parties to get parliamentary support for initiatives and political stability. Such alliances are prevalent in Indonesia's multiparty system, because political fragmentation makes it hard for one party to win a majority. The constitution does not prohibit them.

In Indonesian constitutionalism, coalitions are pragmatic tools for government legislative support. Coalition parties often get cabinet posts, allowing them to influence policy. Because coalition parties control the DPR, the legislative role as an executive supervisor may be weakened, reducing independence and effectiveness (Maulidi, 2019).

In contrast, Indonesia's opposition includes parties that did not join the ruling coalition. Despite not being governed under the 1945 Constitution, the opposition helps preserve power balance, notably by instituting checks and balances. The opposition controls government policy, proposes alternatives, and provides vital critique in a democracy. Due to the lack of formal legislation, the opposition's participation is generally ad hoc and dependent on political dynamics and the size of non-government parties (Manan et al., 1995).

Indonesian government is complicated by coalitions and oppositions, particularly when political fragmentation leads to a "grand coalition" of practically all major parties. The opposition becomes weak or nonexistent, diminishing government supervision. This raises problems about how a presidential system that depends primarily on political agreements outside the constitution can preserve checks and balances. The 1945 Constitution and its subsidiary legislation' election system also affects coalitions and oppositions. Indonesia's proportional election system permits multiple political parties, which impacts the DPR and coalition arrangement. This makes it difficult for coalitions and oppositions to operate in conformity with constitutional democracy (Harahap et al., 2023).

The vague legal restrictions in the 1945 Constitution make it difficult to identify the coalition and opposition in the Indonesian constitutional system. Pragmatic and situational political practices typically dictate their implementation. In Indonesia, the coalition and opposition have not been properly checked and balanced, despite their importance in democracy. This causes issues in state-institution interactions and public policymaking.

Indonesia's presidential system's executive control, frequently strengthened by a grand alliance in parliament, is a major issue. The president often creates a coalition with most DPR political parties to assure support for the government's objectives. A grand coalition may impair the legislative role as an executive supervisor, notwithstanding its goal of political stability. Because most DPR members are coalition party members, the institution that should regulate government policy frequently loses its independence. This weakens checks and balances, putting government initiatives at risk of inadequate scrutiny.

In 2019-2024, President Joko Widodo's coalition included most major political parties in parliament, including PDIP, Golkar, Gerindra, PKB, and PAN. Thus, the opposition consisted of just two parties, the Prosperous Justice Party (PKS) and the Democratic Party, which had fewer seats than the alliance. The coalition's influence on legislative decision-making made the opposition's role in criticizing government policies less important. The Job Creation Law, which was heavily criticized by civil society yet approved by the majority of the DPR coalition, is an example of this issue.

The opposition's fragmentation and lack of cooperation is another issue. The 1945 Constitution does not recognize the opposition in Indonesia, hence its function depends on parties that do not join the coalition. This fragmentation makes it hard for the opposition to create an alternative agenda or oversee the administration. Due to less political resources than the coalition, the opposition struggles to gather information and popular support. (Judge & Kurniawan, 2021).

In the 2024 Election, various opposition parties joined President Prabowo Subianto's coalition. Although it supported a different presidential candidate pair in the election, the NasDem Party

supported the new administration without cabinet representation. This illustrates that political fluidity blurs coalition and opposition borders, diminishing their efficacy in the state system (Media, 2020).

Next is the absence of a defined framework to control coalitions and oppositions in the Indonesian presidential system. Indonesia lacks a legislative framework to define the opposition's rights and responsibilities, unlike certain parliamentary democracies. As a consequence, the opposition is typically seen as a political complement rather than a constitutional institution with the power to monitor and provide alternative ideas (Ahmad & Nggilu, 2019a).

In this regard, the Constitutional Court (MK) has often resolved coalition and opposition political issues, notably election result challenges. Political pressure from parties regularly influences the Constitutional Court's election result decisions, highlighting the absence of a political framework to address such disagreements. Additionally, civil society organizations and opposition parties regularly submit court reviews of legislation to supervise government policy (Constitutional Court & University of Jember, 2019).

Legal reform, institution building, and political culture change are required to address Indonesia's coalition-opposition issues. Here are some options (Suhariyanto, 2023) : Either revising or creating an organic law, the Indonesian Constitution must acknowledge the opposition as essential to democracy. To guarantee opposition members head commissions, the legislative function must be reinforced and parliament's coalition structure visible. Increase opposition capability and resources, and create political culture to stress power balance and abuse avoidance. The opposition might be strengthened by electoral system change including increasing the parliamentary threshold or using mixed-districts. The Constitutional Court should be strengthened to balance power and regulate politics. Media and civic society should analyze the coalition and opposition more impartially and promote public-interest measures.

Indonesia's political system can be balanced and responsible with these approaches. By explicitly and successfully strengthening the coalition and opposition, checks and balances can be maintained and democracy can function in line with the constitution.

3.2. The Influence of Coalition and Opposition Dynamics on the Effectiveness of Legislative Supervision of the Executive

Indonesian constitutional legislative monitoring of the executive is heavily influenced by coalition and opposition dynamics. Indonesia's presidential system gives the DPR a significant role as a legislative entity that oversees government actions. The political makeup of parliament, particularly the majority of coalition parties backing the government, sometimes affects its function. The monitoring role is typically poor when coalition parties hold most DPR seats because political interests back executive initiatives without scrutiny. In such cases, parliamentary oversight is a formality with minimal power to examine or reject government initiatives that conflict with the public interest (Pujayanti et al., 2024).

The fluidity of Indonesian politics also hinders scrutiny. Legislators concentrate on short-term goals like government posts or electoral support in pragmatic political parties. Coalition party lawmakers are generally unwilling to criticize the administration due of this. Instead, they follow party or coalition interests, making supervision less independent. This reliance also highlights how a strong parliamentary coalition may erode checks and balances, which should govern the executive-legislature relationship.

However, opposition fragmentation undermines legislative scrutiny. The opposition in a multiparty system like Indonesia is generally minor parties without the resources or seats to oppose the coalition. This dispersion makes it hard for the opposition to form coalitions or criticize government policy. Indonesia's legislative system doesn't recognize the opposition, therefore the government and public underestimate their influence. Opposition voices are often seen as political nuisances rather than democratic indicators.

This dynamic has influenced contentious legislation like the Job Creation Law and the KPK Law amendment. The coalition-dominated DPR supports the government's objectives without considering opposition criticism or popular desires while implementing these legislation. Despite popular outcry, the majority of the legislature enacted the measures to fund government initiatives. This illustrates that powerful coalition dynamics may undermine the legislative role as executive supervisor and neglect people's representation (Dungga & Muhtar, 2022).

Additionally, this dynamic may generate supervision conflicts of interest. Coalition parties with parliamentarians who are ministers or high-ranking government officials risk losing oversight independence. Dual loyalties typically causes ineffective executive policy supervision. In this perspective, the DPR is more of a government legitimacy weapon than a controller (Abqa et al., 2023).

Coalition and opposition dynamics are not always bad. Even a tiny opposition may help fight for key problems that the administration and coalition disregard. A vociferous opposition may influence public opinion, putting political pressure on the administration to be more open and responsible. This function is only successful if the opposition has a well-organized plan and can provide a compelling alternative narrative to the government's goals (Hidayat & Azra, 2012).

A comprehensive and integrated strategy is needed to increase executive legislative control in Indonesia's coalition and opposition dynamics. First, the Indonesian legal structure requires a clearer formal regulation, either via a 1945 Constitution modification or associated regulations like the MD3 Law. Official acknowledgment of the opposition as a vital part of democracy will provide them a solid legal foundation for supervision. Special rights may include equal access to information with the coalition, the chance to chair important committees in parliament, and legal protection for oversight measures.

Institutionally, the DPR must be strengthened as a legislative entity. Make sure the DPR structure lets the opposition play a strategic role (Adhayanto, 2015), for example by requiring the leadership of oversight commissions, such as the Budget Agency or the Corruption Eradication Commission, to be under the control of the opposition. This will increase transparency in the policy-making process and prevent coalition dominance that could potentially reduce the independence of oversight. To guarantee that all DPR members, including coalition party members, may oversee without executive coercion, an internal check and balance system is needed.

Boosting opposition capacity is another approach. The opposition struggles to compete with the coalition due to inadequate political and financial resources. Thus, opposition operations like policy study, monitoring, and public ambitions need state funding backing. This assistance helps the opposition operate professionally. An formal opposition-government communication forum may also increase productive discourse and support more inclusive policy.

Political culture must change to promote political pluralism and the opposition's role in democracy. Political education for the public and parties must stress that the opposition is a strategic partner in ensuring a transparent and responsible administration. Independent media must also assist this political culture by monitoring legislative and executive performance and providing a platform for the opposition (Muhtar, Tribakti, et al., 2023).

Finally, electoral system change may improve coalition-opposition relations. Simpler voting systems like higher parliamentary thresholds or mixed districts may lessen party fragmentation in parliament. With fewer parties, coalition and opposition institutions may be more structured, improving monitoring. Legal, structural, political, and cultural changes are anticipated to enhance Indonesia's checks and balances system, allowing parliamentary supervision of the executive to work smoothly in line with democratic norms.

4. Conclusion

Coalitions and oppositions under the Indonesian constitutional system make checks and balances difficult, particularly in a multi-party presidential system. The 1945 Constitution offers a foundation for democracy, but political reality reveals that dominant coalitions limit executive legislative control. However, fragmented opposition and lack of formal regulation weaken democracy. Here, congressional scrutiny is formal and ineffectual at critiquing government policy. To help coalitions and oppositions work well, legislative and institutional changes, democratic political culture improvement, and election system simplification are needed.

If these challenges are not addressed soon, Indonesia faces a decrease in democracy and government accountability. Coalition domination without supervision may lead to power abuse, inaccessible policies, and public distrust of political institutions. However, strengthening the opposition and changing the legislature-executive relationship would promote openness, public policy, and government legitimacy. Comprehensive reform will make Indonesia's democracy more resilient, responsible, and stable for future challenges.

Dominant coalitions may drive legislative agendas, executive actions, and policy results, which can directly affect public policies. A majority legislative coalition in Indonesia may speed up government-proposed bills, minimizing policy paralysis. However, if opposing voices are ignored, this dominance may weaken checks and balances, restricting vital supervision and different policymaking viewpoints.

Public policies typically prioritize the prevailing coalition's interests above public needs. Policies that strengthen the coalition's political position rather than address fundamental concerns or long-term national objectives might result. Empowering independent institutions, providing rigorous judicial scrutiny, and promoting open policies might reduce harmful effects. Case studies of dominant coalitions in Indonesia and similar systems would help explain how such influence affects public policy.

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