

# Analysis of Indicators of Constitutional Decline in Indonesia (A Review of Contemporary Democracy)

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## Abstract

The constitutional erosion in Indonesia is an important topic in the present political and legal climate, and this study intends to examine it. In this study, we apply Aziz Huq and Tom Ginsburg's five indicators to the question of why our country's democracy and constitutional institutions have crumbled. A qualitative strategy was employed for the study, which included gathering information from pertinent books and court records. Democracy in Indonesia has taken a major step back, according to the study's findings. Deterioration of democratic institutions like the Corruption Eradication Commission (KPK) and the Constitutional Court (MK) is one of these findings. Another is the distortion of the system of checks and balances among the executive, legislative, and judicial branches. Lastly, there has been an upsurge in attacks on civil liberties and public spaces. The study also shows that constraints on civil society groups' operations and political and societal pressure on free speech make matters worse. This research proves that our justice system needs major overhauls to make it more open and accountable, safeguard our rights to free speech and assembly, and improve the quality of law enforcement. In light of the difficulties encountered by Indonesian democracy, this study adds to our knowledge of the subject and offers practical solutions to the problem, with the ultimate goal of halting the country's constitutional collapse and ensuring the continuity and growth of Indonesian democracy.

**Keywords:** Constitutional, Democracy, Indicators

## Introduction

The supreme legal document that affirms the fundamental principles of the Indonesian state is the 1945 Constitution (UUD) (Widodo et al., 2023). The goals of the 1945 Constitution, which was drafted in the spirit of independence, are to establish a nation that is free, unified, sovereign, just, and wealthy. For governing and protecting people's fundamental rights, the guiding concepts are democracy, popular sovereignty, and the rule of law (Diharjo et al., 2024). Several revisions have been made to the 1945 Constitution throughout the years to accommodate new realities, political shifts, and societal demands in Indonesia (Möller, 2007).

Nevertheless, there are obstacles and dangers that can lead to the downfall of democracy that lie behind the progress of Indonesia's constitution and democracy. To gauge the strength of Indonesia's democracy, one must consider the phenomena of constitutional decay (Muhtar, Khasanah, et al., 2024). Alterations to the wording of the constitution and other political policies that distort democratic principles are hallmarks of this deterioration. (Amer et al., 2024).



The political and legal changes in Indonesia in the last few years are inseparable from the erosion of the country's constitution (Muhtar, Maranjaya, et al., 2023). Despite several amendments to the 1945 Constitution meant to make it more democratic and up-to-date, political reality often reveals a propensity to bend constitutional provisions to suit particular interests.

The greatest danger to constitutional democracy arises when a small number of powerful individuals uses constitutional modifications to further their own authority rather than the will of the people (Agustina et al., 2024). As a result, undemocratic consolidation of power may take place, with constitutional amendments serving to solidify the rulers' grip on power rather than safeguarding citizens' rights (Muhja et al., 2024). Proposals to delay or lengthen the presidential term are examples of this phenomena, which causes public unease and jeopardizes faith in the democratic process (Suhariyanto, 2023).

Further aggravating matters is the corruption-eradicating commission's (KPK) and the constitutional court's (MK) distorted role in law enforcement. A weak law enforcement system, contrary to democratic values and the constitution, results from these institutions' diminished autonomy ( Muhtar, Tribakti, et al., 2023). This distortion is often implemented by legislative reforms that fail to include extensive and open public engagement, so disenfranchising the people from their rightful role as supervisors. Democracy is at risk when institutions of law enforcement shift their role from protectors of the law to instruments of power.

Further complicating matters for Indonesia's constitutional democracy is the growing politicization of executive authority. It is very uncommon for administrations to construct fat coalitions based on pragmatic objectives to retain power, rather than a shared vision and goal. Parliament is preoccupied with safeguarding coalition party interests rather than fulfilling its responsibility as an agent of the people who ought to supervise the administration, which weakens the control role of the legislature over the executive.

This is where Aziz Huq and Tom Ginsburg's theory of constitutional decline comes in handy; it offers a useful framework for analyzing Indonesia's democracy. This theory proposes five key signs that might be used to gauge a nation's constitutional deterioration. This idea, when applied to the Indonesian setting, may show how much democratic norms are being upheld and how much they are being undermined (Muhtar, Maranjaya, et al., 2023). An examination of these metrics reveals the grave threats to Indonesia's democracy, which, if left unchecked, might cause the country's progress to stall.

This study employs Aziz Huq and Tom Ginsburg's theoretical framework to investigate the causes and effects of constitutional erosion in Indonesia. The purpose of this study is to examine the impact of political and legal practices on the stability and quality of democracy in Indonesia. Specifically, it will concentrate on five primary indicators of constitutional degradation. The overarching goal of this study is to catalog and assess challenges to the democratic ideals enshrined in the Constitution of 1945 and to shed light on how to forestall such defeats. The goal of this research is to help Indonesia's policymakers, scholars, and the general public preserve and improve the country's constitutional democracy.



In light of the above, the following questions inform this study: (1) How does the state of democracy in Indonesia compare to the five markers of constitutional deterioration put out by Aziz Huq and Tom Ginsburg? (2) How has the politicization of executive authority and the distortion of law enforcement agencies affected the development or deterioration of Indonesia's democracy?

## Method

This study takes a statutory approach to normative legal research. In order to comprehend the proper application and compliance with the law, normative research seeks to review and evaluate relevant primary and secondary legal sources (Mahmud Marzuki, 2011). The primary goal of this study is to apply and interpret the 1945 Constitution of the Republic of Indonesia (UUD NRI) and other legislation pertaining to democracy and the constitution in Indonesia. Because of this, a statutory method is used.

This study's legal resources come from main legal sources, such as the Republic of Indonesia's Constitution from 1945, statutes, and other applicable rules and regulations. In addition, the study is bolstered by secondary legal resources such as literature, scientific journals, and other legal papers. Aiming to detect patterns of constitutional deterioration and evaluate their influence on democracy in Indonesia, this study employs qualitative analysis of legal texts and their interpretation as its analytical approach.

To find the solution, we will examine how much the contemporary political climate and legal framework adhere to or depart from the values outlined in the Republic of Indonesia Constitution from 1945. By taking this tack, studies will look into the ways in which law enforcement institutions are skewed, how contentious constitutional amendments and the politicization of executive power led to constitutional decline, and how to fix Indonesia's democracy. In order to properly enforce laws and modify policies, this research will provide light on the difficulties constitutional democracies in Indonesia face.

## Literature Review

The literature on constitutional decline has grown rapidly in recent years, especially in the context of analyzes of democracy in various countries. University of Chicago Law and Politics Professors Aziz Huq and Tom Ginsburg in their work, *How to Lose a Constitutional Democracy* (2018)(Huq & Ginsburg, 2018), provides a significant theoretical framework for understanding the dynamics of constitutional decline. They identify five main indicators that can be used to assess whether a country is experiencing a decline in the quality of democracy: anti-democratic constitutional amendments, distortion of law enforcement institutions, centralization of executive power, destruction of public freedoms, and elimination of political competition. This framework provides an important basis for analyzing various forms of democratic decline, including in Indonesia, by linking changes in the constitution and political practice to broader democratic conditions.



Research in Indonesia supports the idea put out by Huq and Ginsburg, which suggests a possible erosion of the country's constitutional order. The Political Economy of Oligarchy and the Reorganization of Power in Indonesia, written by Hadiz and Robison (2013), analyzes the ways in which Indonesia's political oligarchy affects the country's efforts to democratize and strengthen its police force. Their position is that the nation has been led toward an anti-democratic concentration of power by a small number of powerful oligarchs, who have impeded democratic change (Hadiz & Robison, 2014). When political elites gain more than the general public from constitutional modifications, this research is pertinent to Huq and Ginsburg's first indication of undemocratic constitutional amendments.

However, democracy activist Titi Anggraini's study of Indonesian legislative revisions demonstrates how the Corruption Eradication Commission and the Constitutional Court have lost some of their independence due to institutional distortions. Huq and Ginsburg's hypothesis contains two indicators, and our study agrees with the second one: the deterioration of democratic institutions is accompanied by a distorting of law enforcement. According to Anggraini, one example of this distortion that undermined the supervisory function in Indonesia's democratic system was the KPK law revision, which was done without sufficient public involvement and political influence on the selection process for constitutional judges (Suhada, 2019).

The effects of executive power concentration on democratic stability have been the subject of other research, such as that of Edward Aspinall and Marcus Mietzner (2019). Despite Indonesia's democratic credentials, the authors of Southeast Asia's Troublesome Elections: Nondemocratic Pluralism in Indonesia show how the president has strengthened his grip on power through a parliamentary fat coalition, making legislative oversight less effective and giving him greater leeway to act. not included in democratic (Aspinall & Mietzner, 2019). The third clue is in keeping with what Huq and Ginsburg have seen, which is that the expansion of executive authority is a worrying trend that needs to be monitored.

The cumulative body of this research offers a solid analytical foundation for investigating the causes and consequences of constitutional erosion in Indonesia. The goal of this study is to help understand the challenges facing constitutional democracy in Indonesia and find ways to stop its further collapse by applying Huq and Ginsburg's theory to the local situation via case studies.

### **The application of the five indicators of constitutional decline put forward by Aziz Huq and Tom Ginsburg can reflect the condition of democracy in Indonesia**

Democracy is a political system based on the tenets of popular sovereignty, free speech, and equality before the law, which hold that power should ultimately rest with the people (Abqa et al., 2023). Democracy, however, confronts a number of threats that threaten its longevity in the face of national and international political forces. The erosion of constitutional rights is a major problem for democracies worldwide, including Indonesia. Legitimate acts that go counter



to democratic ideals gradually chip away at democratic standards; this is what the phrase "democratic erosion" describes (Muhtar, Yassine, et al., 2024).

Renowned legal scholars Aziz Huq and Tom Ginsburg have put forward five key signs that might be used to detect and examine this erosion of the constitution. Democracies are crumbling, checks and balances are being weakened, civil liberties are being attacked, election processes are being manipulated, and the media and political opposition are being suppressed (Gargarella, 2019). These indicators were created with a global context in mind, but they may also be used to evaluate constitutional democracy in Indonesia. By applying it to Indonesia, we get a fascinating glimpse into the potential erosion of constitutional rights in a nation with a rich history of democratic struggle.

There has been a recent uptick in discussions on constitutional decline in the fields of politics and law, particularly as it pertains to so-called democracies (Muhtar, Harun, et al., 2024). This phrase describes what happens when the democratic system as a whole is preserved but when its fundamental principles are eroded or disregarded (Indra et al., 2023). Two authorities on international law, Aziz Huq and Tom Ginsburg, have proposed five key indications for identifying and assessing constitutional erosion in this regard. Among these signs are (Tom Ginsburg & Aziz Z, 2020):

1. Democratic Institutions Weaken: The court, election monitoring organizations, and parliament, all of which are meant to keep the democratic process on track, are becoming weaker.
2. A loss of efficacy in the system of mutual supervision between the three departments of government (executive, legislative, and judiciary), which enables one branch to gain dominance.
3. Civil Rights Attacks: Limitations or rejection of individual and collective rights, such as freedom of expression, assembly, and association.
4. Election Mechanism Manipulation: Engaging in practices that compromise the honesty of elections, including but not limited to cheating, restricting voter eligibility, or influencing election processes for the advantage of the ruling party.
5. Crackdown on the Media and Political Opposition: Efforts to stifle dissenting opinions and criticism by limiting the freedom of the press, intimidating journalists, or imposing oppressive policies on opposition organizations.

When applied to the Indonesian context, these five indicators provide a solid foundation for comprehending the dynamics of democracy in the nation. Although the nation technically conducts democracy, these indicators might assist detect signs that may suggest a collapse in the constitution.

**Table 1.** Analysis of the Application of Five Indicators of Constitutional Decline in Indonesia

Indicator	Conditions in Indonesia	Analysis
<b>Erosion of Democratic Institutions</b>	There are indications of weakening of independent institutions such as the Corruption Eradication	The democratic system of checks and balances is at risk when autonomous institutions are weakened in



Indicator	Conditions in Indonesia	Analysis
	Commission (KPK) and the Constitutional Court (MK).(Muhtar, 2019)and (Suhada, 2019), which in recent years has undergone legal revisions that reduce its authority.	this way, which indicates an effort to exert control by the administration or legislature.
<b>Weakening of Checks and Balances</b>	Parliament is losing its ability to effectively oversee the government, which leads to a concentration of power in the hands of the executive branch.	One of the most important checks and balances in government is the capacity of one branch to prevent the other from amassing undue power. When the legislative fails to adequately oversee the executive, this system breaks down.
<b>Attacks on Civil Rights</b>	Multiple laws impose stringent regulations on online material, limiting users' ability to freely express themselves, particularly on social media.	A fundamental component of democracy, civil rights are in jeopardy due to these limitations, which aim to regulate public opinion and censor criticism of the government.
<b>Manipulation of Election Mechanisms</b>	The number of meaningful elections decreased even though they were still conducted often. Over the last decade, Indonesia's score on the Electoral Democracy Index has dropped by as much as sixteen percent. With a drop of up to 14.1% in index ratings during the last decade, clean elections fared the worst. Among the many issues that arise during elections are claims of voter list manipulation, the influence of state authorities in favor of certain candidates, limitations on the ability of independents to run, and the problem of money in politics.	In a free and fair election, the people should be able to express their sovereignty, but this manipulation might compromise that process.



Indicator	Conditions in Indonesia	Analysis
<b>Media Crackdown and Political Opposition</b>	Journalists and media outlets who voice dissenting opinions face legal repercussions and pressure from within the administration.	This is a red flag for democracy since repressing the press and political opponents makes it harder for people to get their hands on honest news and reduces the political diversity that is vital to a healthy democracy.

In Indonesia, although the nation officially maintains its status as a democracy, there are concerning indications that some elements of these indicators are beginning to manifest in political and governmental procedures. Recently, there has been a noticeable rise in attempts to diminish the influence of autonomous law enforcement organizations, restrict freedom of the press, and implement measures that restrict civil and political liberties (Li, 2007). This development has raised fears that Indonesia is sliding into constitutional decline, a situation in which democracy's outward manifestations are becoming less robust.

In order to combat the erosion of Indonesia's constitutional order, we must devise a perfect system to fortify our democracy. An important first step is to fortify open and autonomous democratic institutions. Part of this process is making sure that the courts and the Corruption Eradication Commission (KPK) are not swayed by political pressure from the executive or legislative branches. This will help strengthen these institutions and combat corruption (Harahap et al., 2023). A few things that may be done to make these organizations more accountable and trustworthy include allocating more funds, providing more training for professionals, and implementing tight public supervision. Public individuals and organizations performing supervisory tasks also need assurances of safety so that they may do their jobs without fear of retaliation.

As a corollary, the intergovernmental system of checks and balances must be revived and fortified. Legislative reform that establishes clear boundaries between the functions of each institution may achieve this goal, preventing any one part of government from becoming too powerful (Yudhanegara et al., 2024). For instance, empowering parliament to call government officials and analyze actions adopted would increase its oversight duty. Parliament will be in a stronger position, and the public will be more involved in the legislative process as a result of more extensive engagement.

Freedom of speech and assembly must be further safeguarded within the framework of civil rights (Bakung et al., 2022). Governments should do away with discriminatory legislation and those that stifle free expression. It is critical that the public be educated about civil rights issues so that they may actively fight for what is rightfully theirs. Another key component of a democratic society is a free and independent press, which allows for a wider range of viewpoints to be heard.



Strict and thorough monitoring is also crucial to ensure that elections are not manipulated. A vital first step is to guarantee that all political groups, including independents, have the same opportunities to participate in elections and use campaign funds (Taufiqurrohman et al., 2024). Furthermore, openness in the electoral process via the use of information technology may aid in the reduction of manipulation. To make the election results more credible, it is recommended to establish a mechanism for monitoring the vote that includes non-governmental groups and civil society.

Reviewing the state of democracy in Indonesia reveals that despite major obstacles, this nation has the power and capacity to rectify the situation. Election participation and other forms of social movement activity show that the Indonesian people are deeply committed to democratic principles. Still, everyone from the government to civil society to academics has to pay close attention to the problems we're facing now, such the erosion of autonomous institutions, limits on civil freedoms, and political manipulation. We risk losing the hard-won democratic groundwork that has been laid upon our heads if we do nothing to stop this danger of constitutional backsliding. In order to keep democracy alive and well in Indonesia and to safeguard the values of liberty, equality, and justice, it is crucial that different parts of society work together.

### **The Impact of Distortion of Law Enforcement Institutions and Politicization of Executive Power on the Progress or Setback of Democracy in Indonesia**

The distortion of law enforcement institutions and politicization of executive authority in Indonesia have substantial consequences for the advancement or deterioration of democracy in the country. Law enforcement authorities, including the police and courts, have a vital function in upholding the law and safeguarding the rights of individuals. When these institutions lack autonomy and instead succumb to political influences, it may lead to unfairness and erode public confidence in the legal system. This distortion often arises due to political meddling, resulting in an unjust and biased law enforcement system that favors certain interests. Consequently, this engenders discontentment within society (Al, 2023).

The inequity resulting from the misrepresentation of law enforcement organizations not only impacts the persons involved in a specific legal matter, but also has far-reaching consequences for society at large. When individuals see a lack of equitable application of the law, their confidence in governmental institutions may significantly diminish. This has the capacity to generate a protracted cycle of discontent, whereby society starts to doubt the validity of the government and legal institutions. This discontentment may give rise to demonstrations and societal uprisings, which, although they possess the capacity to amplify the public's influence, can also provoke suppressive measures from the authorities, thus exacerbating the erosion of popular confidence (Abdussamad et al., 2024).

Moreover, the act of making executive authority political often leads to circumstances where political choices are influenced by the governing elite's interests rather than the public's welfare. When public policy is swayed primarily by political pressure rather by objective



considerations and society requirements, it may lead to inefficient or even harmful measures. Individuals may perceive a lack of consideration for their opinions and goals in the decision-making process, leading to heightened discontent and a greater likelihood of social discord (Suwito et al., 2023).

Political systems that place a high emphasis on executive authority might potentially lead to the erosion of democratic principles. When the executive branch of government seeks to centralize power and disregard the authority of the legislative and judicial branches, it disrupts the fundamental notion of checks and balances that is crucial in a democratic society. The excessive control exerted by executives may result in decision-making processes that lack transparency and accountability, thereby resulting in policies that harm the population. This scenario fosters a setting in which civil liberties are disregarded and dissenting voices against the government are stifled, thereby undermining the variety and multiplicity that ought to be assets in a democratic society (Suryani et al., 2023).

When the executive authority predominates and disregards the functions of the legislative and judiciary, it may lead to a substantial power disparity. In this scenario, the executive's choices often lack the inclusion of feedback from other stakeholders, such as the community and elected officials. Consequently, the resultant public policies may not accurately represent the interests and requirements of the whole community. The absence of openness in the decision-making process creates potential for corrupt practices and the misuse of authority, allowing specific people or groups to prioritize their own interests above the common good.

This scenario also increases the likelihood of a reduction in the available area for public engagement. When choices are made without community engagement or effective control mechanisms, individuals often experience a sense of alienation from the democratic process. Consequently, those who want to draw attention to deficiencies in government policy will have growing challenges in gaining recognition. If the government fails to accommodate the diverse range of viewpoints and goals throughout society, the likelihood of conflict and social tension will escalate.

Moreover, an excessively dominating executive authority might result in the development of a culture characterized by fear inside society. Due to the use of oppressive tactics targeting criticism and dissent, individuals may exhibit hesitancy in voicing their thoughts or engaging in social movements that have the potential to question governmental policies. Over time, this may result in the gradual decline of democratic principles and hinder society's ability to effectively adjust and progress.

The distortion of law enforcement agencies and the politicization of executive authority in this setting directly undermine public faith in the democratic system. Perceiving that the institutions designed to safeguard them really serve certain political interests might diminish political engagement and restrict citizen participation in the democratic process (Rs et al., 2023). The populace became indifferent and doubtful about the government's capacity to fulfill its political commitments. Consequently, reduced public participation in elections and other political



endeavors may lead to a decline in the representation of diverse perspectives necessary for maintaining equilibrium in the democratic process.

When there is a decline in public confidence in law enforcement organizations, the consequences are not limited to specific persons or groups, but may have a widespread influence on all elements of social existence. The distortion of information leads to indifference, causing individuals to see their involvement as insignificant, which diminishes their motivation to engage in the democratic process. For instance, there may be a significant decline in voter turnout during elections, as individuals may choose not to cast their vote due to the perception that the election outcomes will not accurately represent their preferences. This establishes a perilous cycle in which a dearth of involvement leads to a dearth of representation, which in turn intensifies the lack of confidence in the democratic process itself.

A decrease in civic engagement and political engagement may also affect the legitimacy of government. The government risks losing the support necessary to execute its plans and policies when individuals perceive a lack of involvement in the decision-making process. This may lead to social unrest and political instability in the long run if it makes certain people feel unheard and excluded. A sense of profound discontent may set off social movements and demonstrations, which, while serving as a platform for expressing desires, also carry the risk of inciting government repression, heightening social tension and unpredictability (Muhtar & Kasim, 2023).

Not only that, but this skewed perspective endangers political plurality by silencing the many different opinions and perspectives that need to be considered during democratic elections. People aren't able to assess and debate potential solutions when they can't criticize the government or its policies without facing retaliation. The ability of society to adjust to changes and challenges is diminished when a climate of dominance of one story is fostered, as may be the case here.

This conclusion emphasizes how critical it is to fix the corruption in Indonesia's police forces and get rid of the politics of the presidency. Government, legislative institutions, and civil society must all pay close attention to the current situation if we are to restore the democratic system's integrity. Strengthening its democratic foundations and preventing any losses will only be achieved if Indonesia upholds the ideals of justice, accountability, and openness. There has to be swift change in order for society to reap the advantages of an impartial and autonomous justice system when public faith in law enforcement agencies is beginning to dwindle.

The government and other interested parties are urged to implement a number of recommended strategic actions in order to remedy the current situation. To begin, we must ensure that law enforcement authorities are free from political meddling so that they can do their jobs effectively. To achieve this goal, legislation should be revised to better safeguard these institutions and ensure that they may continue to function independently of the executive branch. Also, to avoid abuse of power, there has to be tight oversight of how these institutions carry out their responsibilities, which includes making the law enforcement process more transparent.



Establishing reliable avenues of interaction between the state and its citizens is also critical. The community's support for the government and pride in its policies may both be enhanced by a more participatory approach to decision-making. The government should make itself available for citizens to voice their opinions and share their hopes and fears. By doing so, we can lessen the likelihood of public unhappiness and boost the credibility of the measures implemented.

As a last point, spreading knowledge about civil rights and political education should be top priorities. The goal of democratic education is to help people at all socioeconomic levels know and do what's expected of them as citizens. A more critical and engaged society may be built via more public engagement in politics brought about by this understanding. By following these steps, Indonesia may build a democracy that is more inclusive and long-lasting, one in which everyone's opinion matters and everyone believes they can make a difference for the sake of the country.

## Conclusion

Findings from this study corroborate concerns about the state of Indonesia's democracy and legal institutions caused by the erosion of the country's constitution. Weak democratic institutions, less public accountability, and limits on civil freedoms were determined to be contributors to this state according to an examination of the five indicators put out by Huq and Ginsburg. Consequently, this scenario calls for extensive changes to fortify law enforcement agencies, make government procedures more transparent, and better safeguard civil liberties. It is believed that by taking these measures, Indonesia's democracy would be able to grow and become more inclusive and competitive.

## References

- Abdussamad, Z., Harun, AA, Muhtar, MH, puluhulawa, FU, Swarianata, V., & Elfikri, NF (2024). Constitutional balance: Synchronizing energy and environmental policies with socio-economic mandates. E3S Web of Conferences, 506, 06006. <https://doi.org/10.1051/e3sconf/202450606006>
- Abqa, MAR, Junaidi, Hutabarat, SA, Suhariyanto, D., Fauziah, NM, Khilmi, EF, Meliana, Y., & Muhtar, MH (2023). CONSTITUTIONAL LAW: A Basic Concept in Organizing a Nation. PT. Sonpedia Publishing Indonesia.
- Agustina, E., Irvita, M., Saharuddin, S., Rahim, EI, & Muhtar, MH (2024). Finding a new direction for Indonesian democracy: Analysis of limitations of the president's powers in the amendments to the constitution. LEGAL BRIEF, 13(1), Article 1. <https://doi.org/10.35335/legal.v13i1.929>
- Al, MHM et. (2023). HUMAN RIGHTS CONSTITUTION ON HEALTH PROTECTION OF INDONESIAN CITIZENS. Russian Law Journal, 11(2), Article 2. <https://doi.org/10.52783/rlj.v11i2.520>
- Amer, N., Lubis, AF, Muhtar, MH, Saija, VJE, Putri, VS, & Setiawan, B. (2024). IMPLICATIONS OF THE CONSTITUTION FOR POLITICAL NEUTRALITY IN THE



- DYNAMICS OF LAW AND DEMOCRACY. *Journal de Facto*, 10(2), Article 2. <https://doi.org/10.36277/jurnaldefacto.v10i2.189>
- Aspinall, E., & Mietzner, M. (2019). Southeast Asia's Troubling Elections: Nondemocratic Pluralism in Indonesia. *Journal of Democracy*, 30(4), 104–118.
- Bakung, DAH, Muhtar, MH, & Amer, N. (2022). Comparative Analysis of Legal Policies Regarding Major Force During Covid-19 Pandemic in Indonesia and China. *Batulis Civil Law Review*, 3(1), 8–18. <https://doi.org/10.47268/ballrev.v3i1.721>
- Diharjo, NN, Muhtar, MH, Rahim, EI, Rachman, SN, Saija, VJE, & Lubis, AF (2024). Human Rights and Constitutional Sovereignty in the Context of The Struggle for Legal Justice. *Bacarita Law Journal*, 4(2), Article 2. <https://doi.org/10.30598/bacarita.v4i2.12985>
- Gargarella, R. (2019). Review of Tom Ginsburg and Aziz Huq, *How to Save a Constitutional Democracy*, The university of Chicago Press, 2018. *Revista Derecho Del Estado*, 44, 397–406.
- Hadiz, VR, & Robison, R. (2014). The Political Economy of Oligarchy and the Reorganization of Power in Indonesia. In *The Political Economy of Oligarchy and the Reorganization of Power in Indonesia* (pp. 35–56). Cornell University Press. <https://doi.org/10.7591/9781501719158-005>
- Harahap, TK, Prayuti, Y., Latianingsih, N., Damanik, A., Maheni, T., Farida, I., Muhtar, MH, & Mustaqim. (2023). INTRODUCTION TO LEGAL SCIENCE. Throne Media Publishers. <https://tahtamedia.co.id/index.php/issj/article/view/255>
- Huq, A., & Ginsburg, T. (2018). How to Lose a Constitutional Democracy. *UCLA Law Review*, 65, 78.
- Indra, M., Saragih, GM, & Muhtar, MH (2023). Strength of Constitutional Court Decisions in Judicial Review of the 1945 Constitution in Indonesia: Strength of Constitutional Court Decisions in Legal Review of the 1945 Constitution in Indonesia. *Constitutional Journal*, 20(2), 279–299.
- Li, T. M. (2007). *The Will to Improve: Governmentality, Development, and the Practice of Politics*. Duke University Press.
- Mahmud Marzuki, Peter. (2011). *Legal Research*. Kencana Prenada Media Group.
- Möller, K. (2007). Balancing and the structure of constitutional rights. *International Journal of Constitutional Law*, 5(3), 453–468. <https://doi.org/10.1093/icon/mom023>
- Muhja, ZA, Gunawan, AF, Rahim, EI, Manullang, SO, & Yassine, C. (2024). Characteristics of State in Islamic Perspective: Review of the Application of Islamic Law in the Indonesian Legal System. *Mizani Scientific Journal: Legal, Economic and Religious Discourse*, 11(1), Article 1. <https://doi.org/10.29300/mzn.v11i1.3299>
- Muhtar, MH (2019). Political and Legal Model for Eradicating Corruption in Indonesia in the Context of Harmonizing Law Enforcement Institutions. *Jambura Law Review*, 1(1), Article 1. <https://doi.org/10.33756/jalrev.v1i1.1988>
- Muhtar, MH, Harun, AA, Putri, VS, Apripari, A., & Moha, MR (2024). Addressing the paradox: Why environmental constitutionalism is more than just rights? *E3S Web of Conferences*, 506, 06004. <https://doi.org/10.1051/e3sconf/202450606004>



- Muhtar, M.H., & Kasim, N.M. (2023). Sharia Regional Regulations in the Indonesian Legal System. *Eureka Media Literacy*. <https://repository.penerbiteureka.com/tr/publications/559654/>
- Muhtar, MH, Khasanah, DD, Anita, AA, Abas, M., Bagus, M., Cahyandari, D., Setiawan, EB, Jenar, S., Putri, FAW, Taufik, A., Widodo, MFS, & Susmayanti, R. (2024). *Considering Justice: The Dynamics of Law and Democracy at the Crossroads of Times*. Sada Kurnia Pustaka.
- Muhtar, MH, Maranjaya, AK, Arfiani, N., & Rahim, E. (2023). *CONSTITUTIONAL THEORY & LAW: Basic Knowledge and Understanding and Insight into the Implementation of Constitutional Law in Indonesia*. PT. Sonpedia Publishing Indonesia. <https://books.google.com/books?hl=en&lr=&id=t2HIEAAAQBAJ&oi=fnd&pg=PA76&dq=Theory+%26+of+constitutional+law:+Basic+knowledge+and+understanding+and+insight+on+law+constitution+in+Indonesia&ots=otVCjoSUm&sig=WBP8tb0XvapUt2KIfKS80OJGtsE>
- Muhtar, MH, Tribakti, I., Salim, A., Tuhumury, HA, Ubaidillah, MH, Imran, SY, Laka, I., Saragih, GM, Iping, B., & Amin, F. (2023). *Indonesian Legal Concepts*. Global Technology Executive. [https://www.researchgate.net/profile/Mohamad-Hidayat-Muhtar/publication/370583612\\_SEJARAH\\_TATA\\_HUKUM\\_INDONESIA/links/64573db95762c95ac378e471/SEJARAH-TATA-HUKUM-INDONESIA.pdf](https://www.researchgate.net/profile/Mohamad-Hidayat-Muhtar/publication/370583612_SEJARAH_TATA_HUKUM_INDONESIA/links/64573db95762c95ac378e471/SEJARAH-TATA-HUKUM-INDONESIA.pdf)
- Muhtar, MH, Yassine, C., Amirulkamar, S., Hammadi, A., Putri, VS, & Achir, N. (2024). Critical Study of Sharia Regional Regulations on Women's Emancipation. *International Journal of Religion*, 5(2), Article 2. <https://doi.org/10.61707/a7s8vg65>
- Rs, IR, Muhtar, MH, Harun, AA, Bakung, DA, & Junus, N. (2023). Protection of Human Rights Against the Environment in the Indonesian Legal System. *Journal of Law and Sustainable Development*, 11(10), e570–e570. <https://doi.org/10.55908/sdgs.v11i10.570>
- Suhada, D. (2019). Distortion of Law Enforcement in the Form of Disparity in Decisions for Narcotics Crimes and Solutions to Overcome It. *JOURNAL OF JUSTITIA NUSANTARA MEDIA LAW*, 9(2), 52–76. <https://doi.org/10.30999/mjn.v9i2.1884>
- Suryani, I., Muhtar, MH, Rahman, YM, Jaya, BPM, & Khalaf, AA (2023). Integration of Islamic Law in Regional Development in Indonesia. *JURIS (Shariah Scientific Journal)*, 22(1), Article 1. <https://doi.org/10.31958/juris.v22i1.8770>
- Suwito, Setiyawan, D., Muhtar, MH, & Ahmad. (2023). Contemplating the Morality of Law Enforcement in Indonesia. *Journal of Law and Sustainable Development*, 11(10), e1261–e1261. <https://doi.org/10.55908/sdgs.v11i10.1261>
- Taufiqurrohman, AA, Muhtar, MH, Ahmad, A., Kasim, NM, & Imran, SY (2024). The Role of Islamic Law, Constitution, and Culture in Democracy in the UAE and Indonesia. *AHKAM: Journal of Sharia Science*, 24(1).
- Tom Ginsburg & Aziz Z. (2020). Trade Wars Between the United States of America (USA) and the People's Republic of China (PRC) in the Trump Era (2018-2020). *Archiv Des Öffentlichen Rechts*, 154(3). <https://doi.org/10.1628/aoer-2020-0022>



Widodo, IS, Muhtar, MH, Suhariyanto, D., Permana, DY, Bariah, C., Widodo, MFS, Monteiro, JM, Rachmatulloh, MA, EM, ENF, Abqa, MAR, Fuqoha, Agustiwi, A., Amin, F., Kamil, H., Gustaliza, RB, Sukma, DP, Bidari, AS, & Susmayanti, R. (2023). Constitutional law. Sada Kurnia Pustaka.

Yudhanegara, F., Arifuddin, Q., Muhtar, MH, Yani, MA, Amalia, M., Judijanto, L., & HR, MA (2024). Introduction to Legal Philosophy: An Ontology, Epistemology, and Axiology of Legal Science. PT. Sonpedia Publishing Indonesia.

<https://ourworldindata.org/grapher/electoral-democracyindex?tab=chart&country=~IDN#explore-the-data>

