

DOI: https://doi.org/10.38035/gijlss.v3i3 https://creativecommons.org/licenses/by/4.0/

The Independence of Constitutional Court Judges Amid Political Polarization

Selviana Teras Widy Rahayu¹, Richard²

¹Universitas Borobudur, Jakarta, Indonesia, Anaselvi52@gmail.com

²Universitas Borobudur, Jakarta, Indonesia, richard@borobudur.ac.id

Corresponding Author: <u>Anaselvi52@gmail.com</u>¹

Abstract: The Constitutional Court is one of the judicial authorities, alongside the Supreme Court as referred to in Article 24 paragraphs (1) and (2) of the 1945 Constitution of the Republic of Indonesia. However, the problem that arises is when the credibility of Constitutional Court judges, who are supposed to guarantee substantive justice, is tarnished by acts of corruption and irresponsibility. This raises questions about how to supervise them, because the interests and subjectivity of judges are also reflected in the decisions they make, which can ultimately result in unfair and incorrect decisions. Furthermore, the controversy surrounding Constitutional Court Decision Number 90/PUU-XXI/2023 has sparked debate about the judges' bias in making decisions related to political interests. The expansion of authority without a credible and reliable oversight process and institution has proven to be a problem in the Constitutional Court with the newly formed Honorary Council. This study uses a normative legal method with reference to applicable laws and regulations, cases, and concepts. The purpose of this study is to determine the independence of Constitutional Court judges Constitutional Court judges amid political polarity and to examine oversight of Constitutional Court judges, especially given the final and binding nature of their decisions. In addition, to date, the Constitutional Court is not a state institution that has an oversight body. We must not allow decisions made to undermine the democratic order and allow room for intervention in the work of Constitutional Court judges as guardians of the constitution.

Keywords: Independence, Constitutional Court judges, Political Polarity

INTRODUCTION

The Constitutional Court (MK) is a judicial institution that holds a strategic position in the Indonesian constitutional system. (Thalib, 2018) This institution was established to safeguard the constitution and ensure that all laws and government actions remain within the 1945 Constitution. As a judicial institution standing alongside the Supreme Court, the MK has unique characteristics because it focuses on resolving constitutional cases, unlike general courts that handle civil or criminal disputes. (Safitri, 2023) The MK also serves as a guardian of constitutional justice, ensuring the protection of citizens' constitutional rights and

providing a legal mechanism to resolve conflicts between state institutions, political parties, or citizens and the state. (Darmajaya, 2025)

The functions and authorities of the Constitutional Court are expressly regulated in the 1945 Constitution. Article 24B paragraph (1) affirms that the Constitutional Court has the authority to review laws against the Constitution, decide on disputes over the authority of state institutions, decide on the dissolution of political parties, and resolve disputes over general election results. Furthermore, Article 24C paragraph (1) states that the Constitutional Court consists of nine constitutional judges selected through a specific mechanism to guarantee their integrity and independence. (Syahputra, 2021) With this broad authority, the Constitutional Court is an institution with the capacity to ensure that the constitution is implemented properly, provide legal protection for citizens, and uphold the rule of law in Indonesia. (Kurniawati, 2024)

The importance of the Constitutional Court in maintaining substantive justice and democracy cannot be overstated. The Constitutional Court acts as a constitutional watchdog, upholding the principles of the rule of law and human rights. In a democracy, the Constitutional Court functions to balance power between state institutions and prevent the dominance of any one party, thus creating an effective system of checks and balances. The Constitutional Court's decisions are final and binding, so every decision it makes can have a broad impact on the political, legal, and social life of society. (Puspitasari, 2014) Therefore, the independence and credibility of constitutional judges are crucial to ensuring that the Constitutional Court continues to fulfill its role as guardian of the constitution and a key pillar of democracy in Indonesia.

The independence of Constitutional Court (MK) judges is crucial for ensuring that every decision is fair, objective, and free from political interference. However, in practice, MK judges are not always free from personal subjectivity and political interests. Judges' decisions are sometimes influenced by external pressures, such as public opinion, political party pressure, or the interests of particular elites. This situation poses the risk that the resulting decisions do not fully reflect the principles of substantive justice, but are instead influenced by pragmatic considerations or political interests. (Nasoha, 2025) This subjectivity, while not always intentional, can still undermine the institution's credibility as a guardian of the constitution.

Beyond subjectivity, the history of several MK decisions demonstrates the potential for judicial bias in cases that intersect with political interests. One of the most controversial examples is Constitutional Court Decision Number 90/PUU-XXI/2023, which sparked public debate regarding bias in decision-making. This controversy raises serious questions about the extent to which judicial independence is truly maintained and the MK's internal mechanisms for addressing potential conflicts of interest. (Kansil, 2024) Cases like this emphasize that without high integrity and effective oversight, the independence of judges can be compromised, so that the resulting decisions can give rise to public distrust of judicial institutions.

The phenomenon of corruption and violations of the code of ethics poses additional challenges that threaten the independence of Constitutional Court judges. Although the number of cases uncovered is relatively limited, their impact is significant, as they undermine public perception of the institution's credibility. The lack of adequate accountability and transparency mechanisms exacerbates this situation. For example, judges involved in corrupt or collusive practices can be influenced by vested interests, resulting in decisions that are no longer purely constitutional. (Vicenzo, 2022)

Oversight of Constitutional Court judges is currently conducted through the Honorary Council, which is tasked with assessing the behavior of judges and taking action against ethical violations. This council was established to maintain the morality and integrity of judges and to recommend sanctions in the event of violations. However, the existing oversight mechanism still has limitations. One is the Honorary Council's limited capacity to conduct independent investigations, which may result in some serious cases of violations not being resolved optimally. Furthermore, the transparency of this oversight process remains an issue, as the public and external parties have limited access to the process of handling alleged violations.

The lack of a truly independent oversight body is also a significant problem. The Constitutional Court currently lacks an external body capable of comprehensively assessing the performance of judges, unlike the oversight of other public officials. The absence of an independent institution creates room for potential abuse of power and reduces internal accountability. In situations where political pressure or vested interests arise, the lack of external oversight makes judges more vulnerable to intervention, potentially jeopardizing their independence.

This lack of oversight, both internal and external, directly impacts the credibility of Constitutional Court decisions and the stability of democracy. Decisions deemed biased or controversial can fuel public distrust in the legal system and weaken the principle of checks and balances in government. It indicates the importance of strengthening oversight and transparency mechanisms to ensure Constitutional Court judges remain independent, professional, and accountable. With adequate oversight, the Constitutional Court can continue to fulfill its role as a guardian of the constitution and a pillar of a just and credible democracy.

Political polarization in Indonesia in recent years has placed significant pressure on the independence of Constitutional Court (MK) judges. In a fragmented political climate, Constitutional Court judges are often at the center of a tug-of-war between the interests of various parties, including political parties, government elites, and special interest groups. The pressure can be direct, such as lobbying and political negotiations, or indirect, through intense public opinion on social media or the mass media. This condition creates the risk that the Constitutional Court's decisions are not solely based on law and the constitution, but are also influenced by short-term political interests, thereby reducing the objectivity and credibility of the institution.

Political pressure, party interests, and public opinion can influence the Constitutional Court's decisions through several mechanisms. First, judges aware of the political consequences of a decision may tend to consider social or political implications rather than purely legal ones. Second, the expectations of influential parties can trigger bias in constitutional interpretation, particularly in cases related to general elections, the dissolution of political parties, or disputes between state institutions. Third, strong public opinion, whether through the media or public demonstrations, can act as a psychological factor influencing judges' deliberations, thereby testing their independence in decision-making.

High political polarization has direct implications for public trust in the Constitutional Court. When the public perceives that the Constitutional Court's decisions are influenced by political interests, perceptions of the judges' credibility and integrity can decline drastically. This loss of trust not only impacts the legitimacy of decisions but can also weaken the Constitutional Court's function as a pillar of democracy and guardian of the constitution. Therefore, maintaining the independence of judges from political pressure is crucial, as the absence of an effective protection mechanism against external influence has the potential to undermine the principle of checks and balances and degrade the quality of Indonesia's democratic system. Research on the independence of Constitutional Court (MK) judges amidst political polarization is crucial because judicial independence is key to maintaining the credibility, legitimacy, and constitutional function of this institution. In a polarized political context, the Constitutional Court's decisions can be influenced by external pressure,

political party interests, or public opinion, potentially resulting in non-objective decisions and reducing public trust in the legal system. The social impact of impaired judicial independence includes increased public dissatisfaction and the potential for horizontal conflict, while the political impact can reduce democratic stability and undermine the principle of checks and balances between state institutions. Legally, biased or unfair decisions can erode constitutional supremacy and create legal uncertainty. Therefore, this study aims to analyze the independence of Constitutional Court judges, examine existing oversight mechanisms, and evaluate the impact of political polarization on the integrity of decisions, thereby contributing to strengthening the legal system, strengthening democracy, and maintaining the Constitutional Court as an independent and credible guardian of the constitution.

METHOD

This study uses a normative juridical research method with reference to the applicable positive law study, aiming to analyze the independence of Constitutional Court judges and their oversight mechanisms conceptually. The approach used includes a legislative approach, namely examining legal provisions related to the Constitutional Court, the code of ethics for judges, and Law Number 24 of 2003 concerning the Constitutional Court, and a conceptual approach, by analyzing legal theories and concepts of judicial independence, professional ethics, and the credibility of constitutional decisions. The data sources for this study are secondary, including legislation, legal literature, scientific journals, Constitutional Court decision documents, and academic studies related to judicial independence and political polarization. Data collection techniques are carried out through library research and official documentation, while data analysis techniques use qualitative analysis, by describing, explaining, and interpreting relevant legal provisions and legal concepts to obtain conclusions regarding the level of judicial independence, challenges faced, and the role of oversight of the credibility of constitutional decisions.

RESULT AND DISCUSSION

The Level of Independence of Constitutional Court Judges in Making Decisions Amid Political Polarization in Indonesia

The independence of Constitutional Court judges in making decisions is inseparable from the political influence that often overshadows the decision-making process. Political pressure from political parties, political elites, and the government can influence judges' attitudes and considerations, both directly and indirectly. (Setiawan, 2024) In general elections or disputes between state institutions, judges are often faced with strong political expectations from various stakeholders. Such pressure can cause judges to consider political consequences before deciding a case, potentially compromising their objectivity and neutrality in upholding the constitution. (Nainggolan, 2025) This situation creates a dilemma for judges who want to maintain their independence while also facing the complex realities of political practice in Indonesia.

Several cases that have emerged in the Constitutional Court's practice demonstrate how political pressure can impact the bias of decisions. For example, Constitutional Court Decision Number 90/PUU-XXI/2023 sparked public controversy because it was perceived to favor certain political interests. This case demonstrates that the influence of political interests is real and can influence judges' legal reasoning. (Wibowo, 2023) This kind of controversy not only generates criticism from civil society and academics but also undermines public trust in the integrity of judges and the legitimacy of the Constitutional Court as the guardian of the constitution. (Arifien, 2025) In conditions of high political polarization, the risk of bias is even greater, as pressure from influential parties tends to be intense and continuous.

In addition to external political pressure, judges' subjectivity and personal interests are also important variables influencing decisions. A judge's personal background, ideology, education, and values are inseparable from their thinking process and legal deliberations. Each judge brings their own perspective and life experiences, which in some cases can influence the interpretation of laws or the Constitution. For example, a judge with a particular political orientation may tend to interpret legal norms in a way that supports their ideological views, even if they do not explicitly side with a particular party. (Rahman, 2024)

The risk of bias in decision-making due to non-legal factors is one of the main challenges in maintaining judicial independence. This subjectivity, while natural in human judgment, can have serious consequences when the resulting decisions have broad political, legal, and social implications. This demonstrates that judicial independence is not merely about freedom from political interference, but also about the judge's ability to control personal preferences and uphold legal principles objectively. (Anggreni, 2024) Without a high level of awareness and integrity, the risk of biased and controversial decisions increases, especially in the context of politically charged disputes.

Public perception also plays a significant role in influencing judges' attitudes and decisions. When the public perceives a judge as biased or having ulterior motives, moral and social pressure on them increases. Mass media and social media can reinforce this perception, so that judges' decisions are often analyzed not only from a legal perspective but also for possible political or ideological motives. This public pressure can be a psychological burden for judges and influence how they interpret the law, especially in politically or constitutionally sensitive cases. (Suma, 2025)

The impact of political polarization on the objectivity of decisions becomes evident when judges must make decisions amidst intense social and political tensions. In situations where political support or opposition to a decision is strong, judicial independence can be eroded by various external considerations. Consequently, the Constitutional Court's credibility as a neutral and fair institution is at risk of diminishing. This phenomenon demonstrates that judicial independence is determined not only by their legal status or formal position, but also by their capacity to remain objective amid intense and complex political pressures. (Hidayah, 2025)

Constitutional Court Decision Number 90/PUU-XXI/2023 is a clear example of the challenges to judicial independence amid political polarization. This decision sparked controversy because it was perceived as reflecting bias toward certain political interests, thus generating widespread public debate. The controversy demonstrated how political pressure, public opinion, and social dynamics can influence judicial deliberations, even in cases that should be purely constitutional. The case symbolized the vulnerability of judicial independence to external influences, especially when the decisions taken have a significant impact on the political process and the legitimacy of state institutions. (Ari, 2024)

The impact of controversial decisions on public perception is significant. The public and academics have begun to question the integrity of judges and the objectivity of the Constitutional Court as an independent institution. This loss of public trust is not only temporary but also has the potential to affect the legitimacy of subsequent decisions, creating legal uncertainty and diminishing the Constitutional Court's authority as the guardian of the constitution. The phenomenon demonstrates that controversy over decisions is not only about the law but also related to public perception and trust in the judiciary. (Iskandar, 2025)

An evaluation of the Constitutional Court's ruling trends in recent years reveals a specific pattern that raises questions about judicial independence. In a polarized political context, the Constitutional Court's decisions are sometimes perceived as aligning with the interests of certain parties or, conversely, as discontent with opposing groups. This trend reinforces the argument that judicial independence cannot be separated from intense and

dynamic political pressures. Furthermore, ruling trends also demonstrate the need for stronger internal mechanisms to ensure that legal considerations continue to dominate decisions, despite persistent external pressures. (Salam, 2025)

High political polarization directly impacts the credibility and legitimacy of judges in the public eye. When the public perceives judges as biased or driven by political interests, trust in the Constitutional Court declines. This decline in trust impacts the effectiveness of the Constitutional Court's rulings, as institutional legitimacy is the primary foundation for its decisions to be widely accepted and adhered to by the public and other state institutions. Without public legitimacy, judicial independence becomes a mere formality, while political influence and external pressure continue to dominate the decision-making process.

The risk of the Constitutional Court losing legitimacy due to decisions deemed biased also impacts democratic stability. Constitutional institutions that lose public trust will face difficulties in upholding the rule of law and overseeing the administration of government. This negative impact can be widespread, triggering political uncertainty, weakening the principle of checks and balances, and potentially triggering horizontal conflict in society. Thus, judicial independence is not only an internal institutional issue but also a crucial factor for the health of democracy and the political system in Indonesia.

The link between low levels of judicial independence and democratic stability becomes increasingly clear when decisions made generate sharp political controversy. The stronger the political polarization, the more difficult it is for judges to remain objective and free from external pressure. It presents that judicial independence is not merely a matter of personal capacity but is also influenced by the surrounding socio-political conditions. To maintain democratic stability, the Constitutional Court must be able to uphold decisions that are fair, credible, and free from political influence, as judicial independence is the primary foundation of the legitimacy of constitutional institutions and the implementation of the rule of law in Indonesia.

In addition to external pressures from politics and public opinion, the independence of Constitutional Court judges is also influenced by complex internal factors. One major internal challenge is pressure from fellow judges or conflicts of interest within the Court itself. In some cases, differing views among judges or the interests of specific groups within the institution can influence the decision-making process. This internal conflict has the potential to create compromises or consensuses that are not solely based on legal considerations, but also on maintaining internal stability or professional relationships between judges. This situation demonstrates that the independence of judges is tested not only by external factors but also by the internal dynamics of the institution, which require sound ethical and integrity management.

The integrity, morality, and professionalism of judges are key determinants in dealing with both internal and external pressures. Judges with high integrity are able to separate personal interests or group pressure from legal considerations, ensuring that decisions remain objective and constitutional. Judges' professionalism also plays a role in maintaining discipline in the legal process, refraining from intervention, and ensuring that decisions are based on the principles of substantive justice. In a situation of political polarization, these moral and professional qualities serve as important bulwarks that enable judges to act independently, even when faced with various demands or pressures from both outside and within the institution.

The organizational culture of the Constitutional Court also plays a significant role in supporting judicial independence. A culture that emphasizes integrity, transparency, and accountability can strengthen judges' collective awareness of the importance of independence in decision-making. Conversely, an organizational culture that is weak in ethics and internal discipline can facilitate the emergence of bias, unhealthy compromises, or practices that

undermine judicial independence. Therefore, strengthening organizational values, professional ethics, and internal mechanisms that support integrity are important internal factors influencing the extent to which Constitutional Court judges maintain independence amidst political pressure and complex internal dynamics.

The Oversight Mechanism for Constitutional Court Judges Plays a Role in Maintaining the Independence and Credibility of Constitutional Decisions

Oversight of Constitutional Court judges is clearly regulated in the 1945 Constitution and applicable laws and regulations. Articles 24B and 24C of the 1945 Constitution affirm that Constitutional Court judges have an independent status, but are still required to carry out their duties in accordance with ethics and constitutional principles. Therefore, oversight is a crucial mechanism to ensure the integrity, professionalism, and accountability of judges. Law Number 24 of 2003 concerning the Constitutional Court also stipulates that judges must adhere to the established code of ethics and discipline as part of efforts to maintain the credibility of the institution and its decisions.

One of the leading internal oversight bodies is the Constitutional Court Judges' Honorary Council. This council is tasked with assessing the behavior of judges, enforcing the code of ethics, and recommending sanctions in the event of violations. The existence of the Honorary Council is expressly regulated in the Constitutional Court Law, specifically Article 57, which states that the Honorary Council is established to ensure that Constitutional Court judges perform their duties ethically, independently, and professionally. This council has the authority to receive reports of alleged violations, conduct investigations, and recommend disciplinary action against the judges concerned.

The Honorary Council's functions and procedures are designed to maintain a balance between judicial independence and institutional accountability. Oversight procedures include public or internal complaints, fact-checking, and recommendations for sanctions ranging from warnings to dismissal in cases of serious violations. Through this mechanism, the Honorary Council plays a crucial role in upholding judicial professional ethics and ensuring that every decision it makes has a high degree of legal legitimacy. However, the effectiveness of the Honorary Council's oversight is also influenced by its transparency, investigative capacity, and ability to enforce recommendations against violating judges. Therefore, the independence and credibility of its decisions remain challenges that require attention.

The internal oversight process for Constitutional Court judges is carried out through mechanisms established by the Honorary Council of Constitutional Court Judges. When there are allegations of violations of the code of ethics or discipline, the Honorary Council receives complaints from the public, government agencies, or fellow judges. This process then continues with an initial examination to determine whether the alleged violation has sufficient grounds for further action. This stage is crucial to ensure that each case is handled objectively and without bias, and to protect judges from unfounded accusations.

After the initial examination, the Honorary Council conducts a more in-depth investigation, including requesting clarification from the judge in question, examining evidence, and assessing whether the judge's actions violated the code of ethics or discipline. This system also serves as an internal integrity and accountability monitor, ensuring that each judge is monitored not only through external assessments but also through ongoing internal mechanisms. Internal monitoring is expected to ensure that judges maintain their independence while remaining accountable for their decisions.

The advantage of this internal mechanism lies in its ability to address alleged violations quickly and privately, preventing the oversight process from generating public uproar that could undermine the credibility of the Constitutional Court. Furthermore, the internal mechanism allows the Honorary Council to recommend sanctions or direct guidance to

violating judges, ensuring clear preventive and corrective actions. This system also emphasizes the importance of ethics and professionalism among judges as part of the Constitutional Court's internal culture.

However, this internal mechanism also has significant limitations. One is its reliance on the integrity and objectivity of the Honorary Council itself. If the Honorary Council is unable to independently enforce procedures, there is a risk that the oversight process will become a mere formality and ineffective in maintaining judicial independence. Furthermore, internal mechanisms often lack public transparency, preventing them from adequately monitoring the handling of alleged violations. This shortcoming can lead to the perception that internal oversight is insufficient to ensure judicial accountability.

Another shortcoming is the lack of an independent oversight body outside the Constitutional Court. The absence of an external mechanism that can comprehensively examine the performance and integrity of judges makes the internal oversight system the sole safeguard of judicial independence. This situation increases the risk of conflicts of interest or internal bias, especially when alleged violations involve senior judges or members of the Honorary Council itself. The absence of an external institution also limits the public's opportunity to participate in ensuring the transparency and accountability of Constitutional Court decisions.

Barriers to transparency and accountability in the internal oversight process have the potential to impact the quality of judicial decisions. When oversight mechanisms are suboptimal, judges may feel freer from consequences, thereby risking compromising the integrity and independence of their decisions. This limitation impacts not only individual judges but also the legitimacy of the Constitutional Court as a credible institution. The risk of biased or controversial decisions increases, especially in politically charged cases, demonstrating that strengthening internal oversight mechanisms and establishing an independent oversight body are urgently needed to maintain the independence of Constitutional Court judges.

The effectiveness of oversight of Constitutional Court judges is closely correlated with the quality of the decisions they produce. When internal and external oversight mechanisms are in place, judges tend to be more careful in considering every legal and constitutional aspect before ruling on a case. It ensures that the resulting decisions are not only legally valid but also have moral legitimacy and credibility in the eyes of the public. Conversely, weaknesses in oversight can create the risk of biased, controversial, or decisions that do not reflect the principles of substantive justice, thus damaging public perception of the Constitutional Court.

Effective oversight plays a crucial role in strengthening public trust in the Constitutional Court. The public will be more confident that decisions are based on legal and ethical considerations, not on political pressure or the judges' personal interests. This public trust is the primary foundation of the institution's legitimacy, as the guardian of the constitution must be able to uphold the principle of checks and balances and uphold the rule of law. Without effective oversight, judicial independence becomes mere rhetoric and does not reflect actual decision-making practices.

The implications of weak oversight are far-reaching, impacting not only the credibility of decisions but also the legitimacy of the Constitutional Court as an institution as a whole. When the public perceives decisions that are perceived as biased or controversial, the Constitutional Court's legitimacy as an independent institution can be eroded. It has the potential to create legal uncertainty, weaken the principle of checks and balances, and even trigger social or political conflict. Therefore, effective oversight is key to maintaining democratic stability and the integrity of the legal system in Indonesia.

Existing oversight weaknesses also pose internal challenges to maintaining judicial independence. For example, limited investigative capacity, a lack of transparency, and the scarcity of independent oversight bodies mean that internal oversight is sometimes unable to prevent potential violations of the code of ethics or external intervention. An evaluation of these weaknesses is crucial to understanding the risks facing the Constitutional Court, particularly in the context of political polarization, which can pressure judicial independence and erode the credibility of decisions.

Adequate oversight plays a strategic role in ensuring judicial independence. With a clear, transparent, and credible mechanism, judges have the assurance that their actions will be objectively monitored, thus minimizing the incentive to act according to political or personal interests. The political polarization demands stronger internal oversight so that judges can continue to uphold the Constitution without being influenced by external pressure. It underscores the importance of an oversight system as a foundation for judicial independence in a complex socio-political context.

An evaluation of existing weaknesses also opens up opportunities for improving oversight mechanisms, although in the context of this research, the focus is solely on understanding the problem, not legal strategy. Identifying gaps in procedures, transparency, and the capacity of the Honorary Council can provide insight into the risks facing the Constitutional Court. With this understanding, researchers and policymakers can assess the importance of strengthening oversight mechanisms to maintain judicial independence and ensure public recognition of the legitimacy of decisions. It explains that oversight is not only a tool of internal control but also a crucial instrument for maintaining the credibility and stability of democracy.

CONCLUSION

The independence of Constitutional Court judges is a crucial aspect in upholding the rule of law and maintaining democratic stability in Indonesia. However, judicial independence faces various challenges, both from external factors such as political pressure, party interests, and public opinion, as well as internal factors such as conflicts of interest between judges, integrity, morality, and professionalism. Controversial decisions such as Case No. 90/PUU-XXI/2023 demonstrate how political polarization can influence legal reasoning and public perception of the Constitutional Court's independence. The lack of external oversight and limited internal mechanisms also increases the risk of biased decisions, potentially undermining the institution's credibility and legitimacy. Overall, effective internal oversight, an organizational culture that supports integrity, and judges' awareness of professional responsibility are key factors in maintaining the quality of constitutional decisions.

To strengthen judicial independence and the credibility of decisions, it is necessary to improve oversight mechanisms to make them more transparent, accountable, and credible, both through the Honorary Council and independent supervisory bodies outside the Constitutional Court. Furthermore, strengthening an organizational culture that emphasizes the integrity, ethics, and professionalism of judges is necessary to ensure that every decision remains objective even in the face of political pressure or social polarization. Public awareness also needs to be raised so that the public understands the role and limitations of judicial oversight, thereby maintaining the legitimacy of the Constitutional Court. These measures will maintain judicial independence, strengthen public trust in the institution, and safeguard the stability of Indonesian democracy through fair and credible constitutional decisions.

REFERENCES

- Anggreni, D., Fuadi, A., Fitriyani, F., & Al-Kautsar, M. I. (2024). Peran Mahkamah Konstitusi dalam Menjamin Kedaulatan Hukum di Indonesia. *Hutanasyah: Jurnal Hukum Tata Negara*, 3(1), 11-26.
- Ari, E. A., Jiwantara, F. A., Koynja, J., & Sony, E. (2024). Peran Mahkamah Konstitusi dalam Menyelesaikan Sengketa Pilkada di Indonesia. *Jurnal Kolaboratif Sains*, 7(12), 4790-4794.
- Arifien, B., Maulana, H. A., & Candra, M. (2025). Kedudukan Mahkamah Konstitusi dalam Mekanisme Hubungan antar Lembaga Negara. *CENDEKIA: Jurnal Penelitian dan Pengkajian Ilmiah*, 2(7), 1340-1352.
- Darmajaya, B., Munandar, M. A. R., Azhar, M. C., & Panuluh, N. I. R. (2025). Implementasi Peran dan Fungsi Mahkamah Konstitusi Dalam Demokrasi dan Sistem Peradilan di Indonesia. *Jurnal Realitas Hukum*, 1(2), 92-104.
- Hidayah, A. N. (2025). Peran Mahkamah Konstitusi Dalam Penegakan Hukum Tatanegara di Indonesia. *Lentera Ilmu*, 2(1), 31-37..
- Iskandar, I., Pratiwi, A. D., Budiman, T. N., Saedi, H. C., & RAS, H. (2025). Tinjauan Efektivitas dan Idealitas Sistem Peradilan Mahkamah Konstitusi Dalam Menjaga Konstitusionalitas Undang-Undang di Indonesia. *Jurnal Realitas Hukum*, *1*(2), 77-91.
- Kansil, C. S., & Liwe, K. P. (2024). Kedudukan Pelaku Kekuasaan Kehakiman Terhadap Mahkamah Konstitusi Dalam Sistem Hukum Ketatanegaraan Indonesia. *Jurnal Pendidikan Sejarah Dan Riset Sosial Humaniora*, 4(2), 99-106.
- Kurniawati, D., & Rohmah, E. I. (2024). Peran Mahkamah Konstitusi Dalam Penguatan Prinsip Checks And Balances Dalam Sistem Ketatanegaraan Indonesia. *Qaumiyyah: Jurnal Hukum Tata Negara*, 5(2), 183-207.
- Nainggolan, O., Gultom, M. H., & Manalu, N. (2025). Analisis Peran Mahkamah Konstitusi dalam Penyelesaian sengketa Pemilu: Tinjauan dari Perspektif Hukum Tata Negara. *Jurnal Syntax Admiration*, 6(1), 628-642.
- Nasoha, A. M. M., Atqiya, A. N., Wijaya, C., Mustofa, M. S., & Abdurrosyid, S. (2025). Mahkamah Konstitusi dalam Sistem Ketatanegaraan Republik Indonesia. *Pragmatik: Jurnal Rumpun Ilmu Bahasa dan Pendidikan*, 3(3), 232-239.
- Puspitasari, S. H. (2014). Penyelesaian Sengketa Kewenangan Konstitusional Lembaga Negara sebagai Salah Satu Kewenangan Mahkamah Konstitusi. *Jurnal Hukum Ius Ouia Iustum*, 21(3), 402-425.
- Rahman, I. S. (2024). Kewenangan Mahkamah Konstitusi Sebagai Lembaga Superbody Dalam Sistem Ketatanegaraan Indonesia. *Qanuniya: Jurnal Ilmu Hukum, 1*(1), 35-46.
- Safitri, M., & Wibowo, A. (2023). Peranan Mahkamah Konstitusi Di Negara Indonesia (Mengenal Mahkamah Konstitusi). *Jurnal Penelitian Multidisiplin*, 2(1), 71-76.
- Salam, S. N. (2025). Implikasi Putusan Mahkamah Konstitusi terhadap Demokrasi di Indonesia: Studi Yuridis-Normatif. *Perkara: Jurnal Ilmu Hukum dan Politik, 3*(1), 788-806.
- Setiawan, Z. S. (2024). Peran Mahkamah Konstitusi Dalam Menjaga Stabilitas Hukum Di Indonesia. *Jurnal Cerdas Hukum*, 2(2), 19-25.
- Suma, M. P. (2025). Aktualisasi UUD 1945 dalam Praksis Ketatanegaraan Indonesia Terhadap Penyelenggaraan Kekuasaan Kehakiman Mahkamah Konstitusi. *Pratyaksa: Jurnal Ilmu Pendidikan, Sosial dan Humaniora, 1*(3), 30-39.
- Syahputra, D., & Subaidi, Z. (2021). Kedudukan Dan Mekanisme Pengisian Hakim Mahkamah Konstitusi Dalam Sistem Ketatanegaraan Indonesia. *REUSAM: Jurnal Ilmu Hukum*, 9(1).
- Thalib, A. R. (2018). Wewenang Mahkamah Konstitusi dan implikasinya dalam sistem ketatanegaraan Republik Indonesia. Bandung: Citra Aditya Bakti.

- Vicenzo, R., & Sitabuana, T. H. (2022). Kedudukan dan peranan Mahkamah Konstitusi dalam sistem kenegaraan. *Prosiding serina*, 2(1), 139-146..
- Wibowo, A. (2023). Kedudukan dan Wewenang Mahkamah Konstitusi Dalam Sistem Ketatanegaraan Republik Indonesia: Wewenang, Mahkamah Konstitusi, Sistem Ketatanegaraan Republik Indonesia. *Jurnal Penelitian Multidisiplin*, 2(1), 108-112.