



Jurnal Bina  
Mulia Hukum

Contents lists available at [Sinta 2](#)

## JURNAL BINA MULIA HUKUM

Publisher by Faculty of Law, Universitas Padjadjaran  
<https://jurnal.fh.unpad.ac.id/index.php/jbmh>



### Reconstructing DPR Oversight Norms: Constitutional Implications of Weakening Checks and Balances in Indonesia

Achmad Hariri <sup>a\*</sup>; A. Basuki Babussalam <sup>b</sup>; L.ya Esti Pratiwi <sup>c</sup>

<sup>a, b, c</sup> Faculty of Law, Universitas Muhammadiyah Surabaya, Surabaya, Indonesia.

\*Corresponding Author: [achmadhariri@um-surabaya.ac.id](mailto:achmadhariri@um-surabaya.ac.id)

#### ARTICLE INFO

Volume 11, Number 1,  
September 2026 (238-259)  
DOI: <https://doi.org/10.24198/jbmh.v11n1.2168>  
P-ISSN: 2528-7273  
E-ISSN: 2540-9034

*Article History:*  
Submitted: 20/02/2025  
Revised: 07/09/2026  
Accepted: 05/10/2026  
Published: 17/10/2026

*Plagiarism Report:* 14%  
*AI Written:* 12%

*Keywords:* checks and balances;  
DPR; grand coalition; law no. 17  
of 2014; legislative oversight.

#### ABSTRACT

The constitutional oversight function of the Indonesian House of Representatives (DPR) faces severe challenges under a supermajority parliamentary composition, which tends to weaken legislative control. This study analyzes the institutional barriers within Article 79 paragraph (3) of Law No. 17 of 2014 (UU MD3) during the 2024–2029 DPR composition, where the pro-government coalition controls 81.0% of legislative seats. This research offers novelty by identifying a specific legal gap in the quorum provision of Article 79 paragraph (3) of Law No. 17 of 2014. It proposes a "qualified minority right" mechanism with a 15% threshold and mandatory proportional representation of minority factions. Utilizing a normative juridical research method with comparative, statute, and conceptual approaches, this paper examines how expansive ruling alliances weaponize formal legislative frameworks to neutralize accountability tools. The findings reveal that while the statutory threshold for initiating an inquiry is legally accessible to the 19.0% opposition faction, the true normative defect lies in the mandatory plenary-majority approval requirement. This allows the supermajority coalition to enforce an absolute institutional veto. To resolve this, this study proposes an automatic statutory minority prerogative that eliminates the majoritarian plenary veto.

#### INTRODUCTION

The separation of powers between the executive and legislative branches is a fundamental principle for maintaining balance and preventing the abuse of power. In Indonesia, this principle is realized through the role of the House of Representatives (DPR), which plays a crucial role in ensuring government transparency and accountability. The DPR's legislative, budgetary, and oversight functions are outlined in the 1945 Constitution of the Republic of Indonesia, which provides the framework for its operations and authority, including the right of interpellation, the right of inquiry, and the right to express opinions. These rights serve as vital instruments for the DPR to oversee the executive branch and ensure government accountability for its actions.

Within Indonesia's presidential system, the principle of separation of powers, as formulated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia and conceptualized in the theory of *trias politica* by Montesquieu, emphasizes the DPR's constitutional function in

overseeing the executive branch. This oversight function is constitutionally mandated under Article 20A paragraph (1) of the 1945 Constitution and operationalized through the rights of interpellation, inquiry, and expression of opinion as stipulated in Article 79 of Law No. 17 of 2014 concerning the MPR, DPR, DPD, and DPRD. The function is essential for maintaining the system of checks and balances to prevent the concentration of power and potential executive overreach.

However, the formation of a grand coalition, defined juridically as a parliamentary coalition controlling more than 75% of DPR seats, creates a normative dysfunction in the oversight function. This supermajority structure constitutionally impacts the principle of separation of powers by rendering the quorum threshold in Article 79 paragraph (3) of Law No. 17 of 2014 ineffective, thereby weakening the checks and balances mechanism mandated by the Constitution. Empirically, when the ruling coalition exceeds 75% of seats, the 25% minimum requirement for opposition to propose a right of inquiry cannot be fulfilled, as observed in the 2019–2024 DPR period. From a constitutional perspective, the core characteristic of a presidential system is maintaining an effective separation and mutual control between the legislative and executive branches, as affirmed by Jimly Asshiddiqie. This normative separation is particularly crucial in Indonesia, where the DPR's oversight rights are intended to counterbalance presidential power, ensuring that the executive remains accountable to the legislature and, more broadly, to the public as mandated by Article 20A (1) UUD 1945.

Eight political parties have secured seats in parliament, with the Indonesian Democratic Party of Struggle (PDIP) as the sole opposition party, holding 110 seats. The ruling coalition remains dominant and is poised to control strategic institutions. This imbalance could weaken checks and balances and create opportunities for power abuse.<sup>1</sup> The dominance of a grand coalition may reduce the DPR's ability to act independently and effectively in overseeing the executive. This phenomenon is particularly concerning given the historical context in which the concept of *trias politica* was weakened during the New Order era, drastically limiting the legislative body's authority.<sup>2</sup> A weakened DPR oversight function may lead to a lack of executive accountability, potentially resulting in an arbitrary government that erodes democratic principles.<sup>3</sup> When the DPR fails to challenge or scrutinize executive actions, it undermines the fundamental principle of checks and balances, which is essential for sustaining a healthy democracy.<sup>4</sup>

---

<sup>1</sup> Wawan Kurniawan, "Pemerintahan Prabowo Berpotensi Koalisi Gemuk: Apa Jadinya Negara Tanpa Oposisi?" (Jakarta, 2024), <https://theconversation.com/pemerintahan-prabowo-berpotensi-koalisi-gemuk-apa-jadinya-negara-tanpa-oposisi-232926>.

<sup>2</sup> Bustamin Bustamin and Rony Jaya, "Urgensi Checks and Balances Ketatanegaraan Indonesia dan Islam," *Juris (Jurnal Ilmiah Syariah)*, 2019, <https://doi.org/10.31958/juris.v18i2.1740>.

<sup>3</sup> Sunarto, "Prinsip Checks and Balances dalam Sistem Ketatanegaraan Indonesia," *Masalah-Masalah Hukum*, 2016, <https://doi.org/10.14710/mmh.45.2.2016.157-163>.

<sup>4</sup> Wihellmina Quein, et al., "Impeachment in Indonesia's Democracy System," *International Journal of Social Science and Human Research*, 2023, <https://doi.org/10.47191/ijsshr/v6-i1-07>.

Furthermore, the consequences of weak DPR oversight extend beyond accountability issues and may affect the government's legitimacy. If the DPR fails to perform its oversight duties optimally, public trust in the legislative body and the government may decline, potentially leading to political instability.<sup>5</sup> This instability is exacerbated by the tendency of grand coalitions to prioritize political survival and power-sharing over principle-based governance.<sup>6</sup> Additionally, a lack of strong oversight mechanisms can hinder crucial legislative initiatives aimed at addressing national issues, thereby impeding necessary progress and reforms.

Coalition formation in Indonesia is often driven by pragmatic considerations rather than ideological alignment. Winengan highlights how political parties prioritize their interests in forming coalitions to gain power.<sup>7</sup> This pragmatism can create a situation where the DPR, whose majority members belong to coalition parties, becomes less willing to challenge the executive, as doing so could threaten their political stability and the benefits derived from being part of the coalition.<sup>8</sup> The implications of such coalitions are profound: they can diminish the DPR's ability to function as an independent body tasked with overseeing the executive, thereby granting the government greater leeway in implementing policies without stringent oversight.<sup>9</sup>

Moreover, Indonesia's political landscape is characterized by a multiparty system that necessitates coalition-building to achieve a governing majority. This complexity can result in a lack of cohesive opposition within the DPR, as parties prioritize coalition unity over their legislative responsibilities. Rahmawati and Firman argue that ideological coherence within coalitions is often sacrificed, leading to a legislative body that is ineffective in challenging executive actions.<sup>10</sup> The DPR's tendency to support government policies can be seen as a reflection of compromised independence, where the need to maintain coalition solidarity takes precedence over the obligation to critically assess executive actions.<sup>11</sup>

The dominance of a grand coalition in Indonesia's parliament raises significant legal and constitutional questions regarding the principle of separation of powers in a presidential system. In theory, the separation of powers is designed to ensure that the executive and legislative branches

<sup>5</sup> Bustamin and Jaya, "Urgensi Checks and Balances Ketatanegaraan Indonesia dan Islam."

<sup>6</sup> Sunarto, "Prinsip Checks and Balances dalam Sistem Ketatanegaraan Indonesia."

<sup>7</sup> Winengan, "The Local Political Policies: The Dynamics of the Political Party Coalition in the Election Contestation of the Governor West Nusa Tenggara Province Indonesia," *International Journal of Criminology and Sociology*, 2022, <https://doi.org/10.6000/1929-4409.2020.09.33>.

<sup>8</sup> Asrinaldi, Mohammad Agus Yusoff, and dan Zamzami Abdul Karim, "Oligarchy in the Jokowi Government and Its Influence on the Implementation of Legislative Function in Indonesia," *Asian Journal of Comparative Politics*, 2021, <https://doi.org/10.1177/2057891121995564>.

<sup>9</sup> Suryo Gilang Romadlon, "Implikasi Pergeseran Sistem Politik terhadap Hukum dan Birokrasi di Indonesia," *Jurnal Konstitusi*, 2016, <https://doi.org/10.31078/jk1349>.

<sup>10</sup> Restu Rahmawati and Firman Firman, "The Ideological Coalition Model Is the Strategy for Strengthening Presidential Systems in Indonesia," 2020, <https://doi.org/10.4108/eai.23-11-2019.2301489>.

<sup>11</sup> Ulla Fionna and Dirk Tomsa, "Changing Patterns of Factionalism in Indonesia: From Principle to Patronage," *Journal of Current Southeast Asian Affairs*, 2020, <https://doi.org/10.1177/1868103419896904>.

operate independently, thereby providing mutual checks and balances. However, in practice, coalition politics often blur these boundaries, leading to conflicts of interest and weakening the DPR's oversight function. As noted by Dragu and Laver, although legislative coalitions theoretically differ from executive coalitions, political realities often result in a convergence of interests that can compromise legislative independence.<sup>12</sup> This phenomenon can lead to a DPR that prioritizes loyalty to the coalition over its constitutional mandate to oversee executive actions.

The effectiveness of existing legal instruments in ensuring that the DPR performs its oversight function optimally is also a primary concern. The rights of interpellation, inquiry, and expression of opinion, as outlined in the 1945 Constitution, are intended to strengthen the DPR's position in holding the executive accountable. However, the implementation of these rights is often hindered by the political realities of coalition governance. For example, Otjes and Louwerse reveal that parties within coalitions tend to have stronger internal control mechanisms, which can reduce the effectiveness of parliamentary inquiries aimed at holding the executive accountable.<sup>13</sup> This indicates that while a legal framework exists, its effectiveness largely depends on political will and internal coalition dynamics. In a presidential system, the relationship between the executive and legislative branches can vary significantly, with some presidents wielding substantial legislative power that weakens the legislature's role.<sup>14</sup> These dynamics pose challenges in maintaining a robust system of checks and balances, as observed in other presidential democracies where executive influence over the legislative process diminishes legislative oversight effectiveness.<sup>15</sup>

Such coalitions often result in a majority of DPR members belonging to government-supporting parties, creating potential conflicts of interest in their oversight function. Mietzner discusses how Indonesia's coalition presidentialism leads to a situation where loyalty to the coalition can override the legislative responsibility of controlling executive power.<sup>16</sup> This dynamic can cause the DPR to prioritize endorsing executive policies over conducting independent oversight, thereby weakening the system of checks and balances that is vital for a functioning democracy.<sup>17</sup>

Aspinall and Warburton discuss the dangers of democratic regression in Indonesia. They note that while President Jokowi's administration has not overtly attacked elections or opposition parties,

<sup>12</sup> Tiberiu Dragu and Michael Laver, "Legislative Coalitions with Incomplete Information," *Proceedings of the National Academy of Sciences*, 2017, <https://doi.org/10.1073/pnas.1608514114>.

<sup>13</sup> Simon Otjes and Tom Louwerse, "Parliamentary Questions as Strategic Party Tools," *West European Politics*, 2017, <https://doi.org/10.1080/01402382.2017.1358936>.

<sup>14</sup> Thiago Silva, "When Do Different Systems of Government Lead to Similar Power-Sharing? The Case of Government Formation," *Political Science Research and Methods*, 2022, <https://doi.org/10.1017/psrm.2022.20>.

<sup>15</sup> Andréa Freitas, "Unboxing the Active Role of the Legislative Power in Brazil," *Brazilian Political Science Review*, 2016, <https://doi.org/10.1590/1981-38212016000200004>.

<sup>16</sup> Marcus Mietzner, "Coercing Loyalty: Coalitional Presidentialism and Party Politics in Jokowi's Indonesia," *Contemporary Southeast Asia*, 2016, <https://doi.org/10.1355/cs38-2b>.

<sup>17</sup> Moch. Marsa Taufiqurrohman, "Koalisi Partai Politik dan Implikasinya terhadap Sistem Presidensial Multipartai di Indonesia," *Kertha Semaya Journal Ilmu Hukum*, 2020, <https://doi.org/10.24843/ks.2020.v09.i01.p12>.

signs of increasing vulnerability should be closely monitored.<sup>18</sup> This vulnerability is exacerbated by a weak opposition, which should serve as a watchdog over the government and ensure democratic norms are upheld. The institutionalization of political parties, as analyzed by Muliawan and Sumantri, is a crucial aspect of maintaining democratic health. They argue that a strong opposition is necessary to balance the political landscape and prevent the dominance of a single party or ideology.<sup>19</sup>

Moreover, Mietzner's concept of "authoritarian innovation" describes how both autocrats and democrats in Indonesia have used illiberal methods to consolidate power, often under the guise of democratic practices.<sup>20</sup> This trend suggests that without a strong opposition, the government may increasingly employ such tactics, ultimately weakening democratic institutions and processes. This is particularly concerning given the recent trend of authoritarian nostalgia, which has been identified as a contributing factor to the erosion of democratic norms in Indonesia.<sup>21</sup>

Previous normative studies have primarily focused on the doctrinal concept of opposition as a constitutional institution under Article 20A (1) of the 1945 Constitution, emphasizing its role in maintaining checks and balances and ensuring government accountability. However, a significant research gap remains in the analysis of normative weaknesses within Article 79 paragraph (3) of Law No. 17 of 2014 concerning the MPR, DPR, DPD, and DPRD. Existing literature has not adequately addressed how the quorum threshold for the rights of interpellation, inquiry, and expression of opinion becomes ineffective when a supermajority coalition is formed in the DPR, thereby creating a constitutional dysfunction in the oversight function.

This research gap constitutes a justified legal issue, as the absence of a reconstructed norm has led to challenges in operationalizing the principle of checks and balances mandated by the 1945 Constitution. Therefore, this study is necessary to conduct a legal analysis and propose a reconstruction of the legal norm in Article 79 of Law No. 17 of 2014. The proposed novelty is designed as a constitutional-legal package, specifically through the introduction of a "qualified majority" threshold and a "minority right" mechanism for opposition factions, to ensure the DPR's oversight function remains effective within Indonesia's presidential system, regardless of the political constellation.

<sup>18</sup> Edward Aspinall and Eve Warburton, "Indonesia: The Dangers of Democratic Regression," 2018, <https://doi.org/10.2991/icsps-17.2018.1>.

<sup>19</sup> Laode Muliawan and Imam Sumantri, "Institutionalization of Political Parties on Post New Order Authoritarianism and Its Implications for Indonesian Democracy," *Journal of Local Government Issues*, 2020, <https://doi.org/10.22219/logos.v3i2.12860>.

<sup>20</sup> Marcus Mietzner, "Authoritarian Innovations in Indonesia: Electoral Narrowing, Identity Politics and Executive Illiberalism," *Democratization*, 2019, <https://doi.org/10.1080/13510347.2019.1704266>.

<sup>21</sup> Ehito Kimura, et al., "Authoritarian Nostalgia and Democratic Decline in Contemporary Indonesia," *Journal of Current Southeast Asian Affairs*, 2024, <https://doi.org/10.1177/18681034241252452>.

## METHODS

This research employs normative juridical research methods with a statute approach, a conceptual approach, and a comparative approach.<sup>22</sup> The statute approach is used to analyze the provisions of the 1945 Constitution of the Republic of Indonesia, specifically Article 20A paragraph (1), and Law No. 17 of 2014 concerning the MPR, DPR, DPD, and DPRD, particularly Article 79 paragraph (3) regarding the quorum threshold for DPR oversight rights. The conceptual approach is applied to examine the principles of separation of powers and checks and balances within Indonesia's presidential system. To enrich the analysis, a comparative approach is integrated by examining the oversight mechanisms in countries with varying constitutional frameworks, such as Russia, Belarus, Hungary, Turkey, and Malaysia. Legal materials are gathered through desk-based research of statutory laws, academic journals, and relevant constitutional frameworks. The collected legal data are then analyzed qualitatively using descriptive-analytical methods to reconstruct domestic legal norms to address the normative dysfunction in the DPR's oversight function caused by the formation of a grand coalition.

## DISCUSSION

### Imbalance of Checks and Balances in a Grand Coalition

The formation of a grand coalition within Indonesia's multiparty presidential system inherently subverts the constitutional architecture of checks and balances. Rather than functioning as an independent overseer of executive power, the House of Representatives (DPR) is structurally reconfigured into an instrument of executive facilitation.<sup>23</sup> To resolve the descriptive ambiguities noted by reviewers, the institutional breakdown under a grand coalition can be mapped through a precise, sequential causal mechanism.

Incorporation into an expansive ruling alliance enforces strict party discipline controlled by entrenched party oligarchies.<sup>24</sup> Individual legislators face systematic pressure to prioritize coalition stability over constitutional oversight to secure continued access to governmental positions, executive patronage networks, and lucrative committee assignments.<sup>25</sup> This alignment of political survival with executive continuity fundamentally replaces constituent advocacy with partisan loyalty. Because the grand coalition dominates parliamentary leadership, ruling elites exert absolute agenda

---

<sup>22</sup> Peter Mahmud Marzuki, *Penelitian Hukum*, Revisi (Jakarta: Kencana Prenada Media Group, 2019).

<sup>23</sup> Asrinaldi, Yusoff, and Abdul Karim, "Oligarchy in the Jokowi Government and Its Influence on the Implementation of Legislative Function in Indonesia."

<sup>24</sup> Muhamad Masrur, "Political Conflict and Compromise in the Job Creation Bill Discussion," *International Journal of Social Science*, 2024, <https://doi.org/10.53625/ijss.v3i6.7637>.

<sup>25</sup> Zulkarnain Ridwan and Enny Nurbaningsih, "Law Revision on Indonesian Parliament's Oversight Function: Facing the Challenges of Democracy," *Kne Social Sciences*, 2018, <https://doi.org/10.18502/kss.v3i5.2356>.

control over legislative schedules and committee deliberations.<sup>26</sup> This structural leverage pre-emptively filters out dissenting policy proposals and mandates a high degree of voting conformity among member factions. Informal, personalized relationships between legislators and the executive branch further institutionalize this dynamic, leading to highly compromised and inconsistent applications of political accountability.<sup>27</sup>

This chain of political dependence directly causes an pervasive reluctance to activate oversight instruments, specifically the DPR's core constitutional prerogatives: the rights of interpellation (*hak interpelasi*) and inquiry (*hak angket*) (Ridlwani, 2016). When ruling coalitions control committee majorities, any motion to investigate executive misconduct, budgetary misappropriation, or policy failures is systematically blocked or diluted before ever reaching a plenary vote.<sup>28</sup> This obstruction paralyzes the critical collaborative check between the DPR and external horizontal institutions like the Supreme Audit Agency (BPK), as partisan interests compromise the neutrality required to enforce financial and operational accountability.<sup>29</sup> Ultimately, these dynamics profoundly distort legislative outcomes. The DPR abandons its watchdog function, rendering oversight a mere performance of procedural formality.<sup>30</sup> By rubber-stamping executive policies and centralizing authority within the executive branch, the grand coalition violates the foundational tenets of *trias politica* and the rule of law.<sup>31</sup> This severe institutional alignment creates a negative feedback loop: as the public perceives the DPR as an extension of the executive, public trust erodes, driving citizen apathy and cementing a system susceptible to unmonitored corruption and systemic abuse of power.<sup>32</sup> Consequently, comprehensive structural reforms are urgently required to lower thresholds for minority factions, ensuring the DPR can safely execute its independent constitutional mandates.<sup>33</sup>

To mitigate the pathologies of a grand coalition, structural legislative reforms must be engineered to re-center the DPR's accountability toward its constituents rather than party

<sup>26</sup> Fajri Halim, "Analysis of the Formation of Government Regulations as Separation of Powers in Indonesia," *Jurnal Indonesia Sosial Teknologi*, 2024, <https://doi.org/10.59141/jist.v5i2.901>.

<sup>27</sup> Kenneth Lowande, "Who Polices the Administrative State?," *American Political Science Review*, 2018, <https://doi.org/10.1017/s0003055418000497>.

<sup>28</sup> Muhammad Rinaldy Bima and Rizki Ramadani, "Position of Supervisory Board Organ and Its Implications for the Institutional Corruption Eradication Commission," *Law Reform*, 2020, <https://doi.org/10.14710/lr.v16i2.33770>.

<sup>29</sup> F X Wartoyo and Teguh Prasetyo, "DPD Performance Implementation in the Supervision Function Based on the Dignity of Justice," *Mandalika*, 2023, <https://doi.org/10.56566/mandalika.v1i1.56>.

<sup>30</sup> Ridlwani and Nurbaningsih, "Law Revision on Indonesian Parliament's Oversight Function: Facing the Challenges of Democracy."

<sup>31</sup> Halim, "Analysis of the Formation of Government Regulations as Separation of Powers in Indonesia."

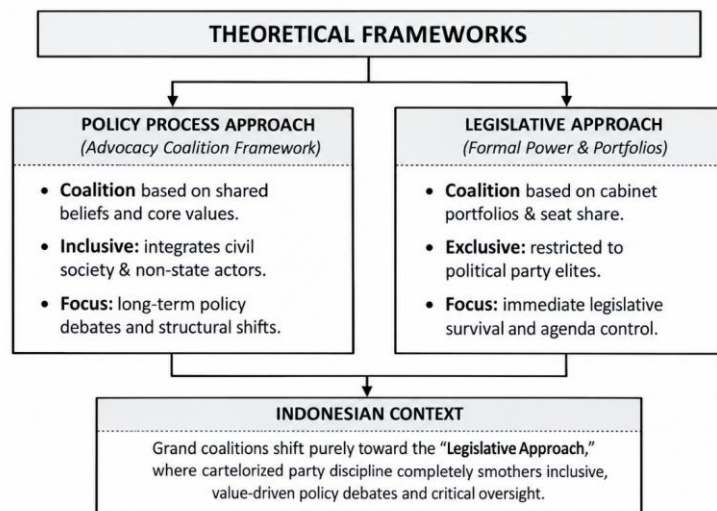
<sup>32</sup> Achmad Jamil and Eriyanto Eriyanto, "Social Media Communication: Content Analysis of Indonesian Parliament Instagram Account," *Jurnal Studi Komunikasi (Indonesian Journal of Communications Studies)*, 2021, <https://doi.org/10.25139/jsk.v5i3.3807>.

<sup>33</sup> Posma Sariguna Johnson Kennedy, "Accountability for the Implementation of State Finances (APBN) for the Covid-19 Pandemic Program and National Economic Recovery (PC-PEN) in the Fiscal Year 2020," *Asia Pacific Fraud Journal*, 2022, <https://doi.org/10.21532/apfjournal.v7i2.254>.

oligarchies.<sup>34</sup> Fostering an internal culture of critical engagement and protecting minority voices within parliamentary structures are essential to revitalizing substantive oversight.<sup>35</sup> To conceptualize these reforms, the dynamic of coalition governance must be examined through two distinct theoretical lenses: the *Policy Process Approach* and the *Legislative Approach*.

Figure 1.

Theoretical Frameworks of Coalition and Its Application in the Indonesian Context



The policy Process Approach, notably operationalized through the *Advocacy Coalition Framework (ACF)*, posits that coalitions form around deeply embedded,<sup>36</sup> shared policy beliefs and normative values among diverse stakeholders, including state officials, interest groups, and civil society.<sup>37</sup> This framework offers a highly inclusive and participatory governance model where non-state actors can mobilize resources to shape long-term policy trajectories and counter political stagnation.<sup>38</sup>

<sup>34</sup> Rozaini Binti Mohd Rosli and S M Abdul Quddus, "The Selangor State Assembly Oversight and Government Accountability (Pengawasan dan Akauntabiliti Kerajaan di Dewan Negeri Selangor)," *Journal of Islam in Asia (E-ISSN 2289-8077)*, 2020, <https://doi.org/10.31436/jia.v17i4.916>.

<sup>35</sup> Akbikesh Mukhtarova, "Effects of Party System Fluidity on Legislative Oversight and Good Governance Indicators--in the Context of Sub-Saharan African Countries," *Current Research Journal of Social Sciences and Humanities*, 2020, <https://doi.org/10.12944/crjssh.3.2.10>.

<sup>36</sup> Matthew C Nowlin, "Policy Learning and Information Processing," *Policy Studies Journal*, 2020, <https://doi.org/10.1111/psj.12397>.

<sup>37</sup> Arturo Álvarez-Rosete and Benjamin Hawkins, "Advocacy Coalitions, Contestation, and Policy Stasis: The 20 Year Reform Process of the Colombian Health System," *Latin American Policy*, 2018, <https://doi.org/10.1111/lamp.12141>.

<sup>38</sup> Denise D Payán, et al., "Advocacy Coalitions Involved in California's Menu Labeling Policy Debate: Exploring Coalition Structure, Policy Beliefs, Resources, and Strategies," *Social Science & Medicine*, 2017, <https://doi.org/10.1016/j.socscimed.2017.01.036>.

Commented [A1]: Please write the text shown in the image below using the Calibri font

In sharp contrast, the Legislative Approach views coalition building purely as a transactional exercise in political survival within parliamentary or multi-party presidential systems. Under this framework, coalition maintenance is driven primarily by the strategic distribution of cabinet portfolios, access to bureaucratic patronage,<sup>39</sup> and the manipulation of formal procedural rules to enforce strict party cohesion.<sup>40</sup>

In the context of Indonesia's grand coalition, the political landscape has suffered an unhealthy distortion, tilting entirely toward the transactional *Legislative Approach* while abandoning the value-driven principles of the *Policy Process Approach*.<sup>41</sup> While legislative decision-making theoretically should balance constituent preferences and empirical evidence,<sup>42</sup> the absolute dominance of party oligarchies ensures that strict party alignment overrules individual legislative conscience.<sup>43</sup>

When a grand coalition cartelizes the legislature, decision-making is stripped of inclusive advocacy, turning parliamentary debates into insular, elite-driven negotiations. Therefore, legal and structural reconstruction of the DPR's rules is critical to force open these formal structures, lowering thresholds for legislative inquiries so that minority factions and public advocacy networks can break executive-controlled agenda setting and restore constitutional equilibrium.

### Grand Coalitions and Authoritarianism

To establish a robust constitutional framework for reform, this study employs a genuine comparative constitutional analysis. The *tertium comparationis* (basis of comparison) focuses strictly on multi-party jurisdictions where the consolidation of an expansive executive-legislative coalition—or a grand coalition, subverts formal parliamentary institutions. Rather than focusing on non-legal aspects like physical voter intimidation or media censorship, this comparison examines how supermajority alliances in countries like Russia, Belarus, Hungary, Turkey, and Malaysia manipulate internal legislative procedures to systematically dismantle legislative oversight, offering vital lessons for Indonesia's right-of-inquiry (*hak angket*) rules.

In constitutional theory, modern executive aggrandizement rarely occurs through the open suspension of constitutions; instead, it is driven by the strategic manipulation of formal legislative

<sup>39</sup> Mariana Batista, "Power-Sharing, Presidential Style: Issue Salience and Portfolio Allocation in Multiparty Presidential Systems," *Political Research Quarterly*, 2022, <https://doi.org/10.1177/10659129221119205>.

<sup>40</sup> Katherine Bersch, Félix López, and Matthew M Taylor, "Patronage and Presidential Coalition Formation," *Political Research Quarterly*, 2022, <https://doi.org/10.1177/10659129221100830>.

<sup>41</sup> Desirée Clement, "Factors Influencing Georgia Legislators' Decision-Making on Nurse Practitioner Scope of Practice," *Policy Politics & Nursing Practice*, 2018, <https://doi.org/10.1177/1527154418817036>.

<sup>42</sup> Elizabeth A Dodson, Nora Geary, and Ross C Brownson, "State Legislators' Sources and Use of Information: Bridging the Gap Between Research and Policy," *Health Education Research*, 2015, <https://doi.org/10.1093/her/cyv044>.

<sup>43</sup> Markus Baumann, Marc Debus, and Jochen Müller, "Personal Characteristics of MPs and Legislative Behavior in Moral Policymaking," *Legislative Studies Quarterly*, 2015, <https://doi.org/10.1111/lsq.12072>.

frameworks by the ruling coalition.<sup>44</sup> When a political alliance secures a dominant legislative supermajority, it possesses the structural power to alter parliamentary rules of procedure, deliberately inflating the procedural thresholds required to initiate parliamentary investigations.<sup>45</sup> This institutional manipulation effectively insulates the executive from accountability by neutralizing the opposition's capacity to challenge executive actions, thereby shifting the legislature's role from a constitutional check to an instrument of executive facilitation.

The international precedents of Russia, Hungary, and Turkey demonstrate that when a grand coalition controls parliamentary leadership and committee majorities, formal oversight mechanisms are systematically reframed into instruments that rubber-stamp executive policies.<sup>46</sup> Any motion by minority factions to investigate executive misconduct, systemic corruption, or policy failure is blocked or diluted during preliminary committee deliberations before ever reaching a plenary vote.<sup>47</sup> Consequently, electoral authoritarianism stabilizes itself not just through tainted elections, but through the legal and procedural neutralization of parliamentary checks and balances by a dominant ruling cartel.<sup>48</sup>

These comparative findings provide a critical baseline for the normative reconstruction of Indonesia's right-of-inquiry frameworks under Law No. 17 of 2014 (UU MD3). To prevent Indonesia's presidential system from falling into a similar pattern of institutional decay where a grand coalition completely smothers dissent, the legal architecture governing *hak angket* and *hak interpelasi* must be decoupled from absolute majority voting rules.

The proposed reform is to transform these oversight instruments from a majoritarian privilege into a protected parliamentary minority right (*minority prerogatives*), similar to democratic frameworks that allow automated committee formation upon the request of a specific percentage of opposition legislators. By establishing lower legal thresholds that trigger mandatory inquiries automatically without requiring a full plenary vote, minority opposition factions in the DPR can preserve their guaranteed constitutional watchdog function, ensuring that the principle of checks and balances remains operational regardless of the ruling coalition's size.

The institutional erosion observed in Russia is further contextualized by authoritarian

<sup>44</sup> Steven Levitsky and Lucan A Way, "The New Competitive Authoritarianism," *Journal of Democracy*, 2020, <https://doi.org/10.1353/jod.2020.0004>.

<sup>45</sup> Paul Chaisty and Stephen Whitefield, "Building Voting Coalitions in Electoral Authoritarian Regimes: A Case Study of the 2020 Constitutional Reform in Russia," *Post-Soviet Affairs*, 2023, <https://doi.org/10.1080/1060586x.2023.2172945>.

<sup>46</sup> Merete Bech Seeberg, "Electoral Authoritarianism and Economic Control," *International Political Science Review*, 2017, <https://doi.org/10.1177/0192512117692802>.

<sup>47</sup> Bersch, López, and Taylor, "Patronage and Presidential Coalition Formation."

<sup>48</sup> Jennifer Gandhi, "Elections and Political Regimes," *Government and Opposition*, 2015, <https://doi.org/10.1017/gov.2015.11>.

consolidation in Belarus and democratic backsliding in Hungary and Turkey.<sup>49</sup> In Belarus, the systematic dismantling of the parliamentary committee structure and the creation of insurmountable procedural barriers effectively eliminated meaningful legislative competition.<sup>50</sup> While opposition factions are nominally permitted to exist, the ruling executive cartel manipulates internal legislative decrees to render parliamentary oversight largely symbolic, creating an engineered environment where accountability is legally structurally impossible.

This model of procedural neutralization is not exclusive to full autocracies; it also manifests within competitive authoritarian frameworks through the realignment of legislative-civil relations.<sup>51</sup> In Hungary and Turkey, dominant ruling coalitions intentionally reshape the legal boundaries of parliamentary inquiry to marginalize dissent.<sup>52</sup> By controlling legislative agendas, these regimes establish majoritarian rules that insulate executive actors from financial and operational audits. The consolidation of a grand coalition, therefore, allows political elites to wrap authoritarian practices in a facade of formal constitutional legality.

Figure 2.

Parliamentary Pathways to Executive Dominance

| PARLIAMENTARY<br>PATHWAYS TO EXECUTIVE DOMINANCE                                                                          |                                                                    |
|---------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| PROCEDURAL MECHANISM                                                                                                      | CONSTITUTIONAL IMPACT                                              |
| <ul style="list-style-type: none"> <li>• <b>Inflation of Inquiry Thresholds</b><br/>(Russia, Belarus, Hungary)</li> </ul> | → Neutralizes minority attempts to investigate executive failures. |
| <ul style="list-style-type: none"> <li>• <b>Transactional Portfolio Sharing</b><br/>(Malaysia post-GE15)</li> </ul>       | → Enforces strict voting conformity via patronage over principle.  |

Furthermore, the evolving political landscape of Malaysia following the 15th General Election (GE15) offers a highly relevant multi-party presidential/parliamentary parallel for Indonesia.<sup>53</sup> The shift from single-party dominance to a highly fragmented, multi-ethnic hung parliament forced the

<sup>49</sup> Nina Kolarzik and Aram Terzyan, "The State of Human Rights and Political Freedoms in Belarus: Was the Crisis Inevitable?," 2020, <https://doi.org/10.47669/psprp-4-2020>.

<sup>50</sup> Aram Terzyan, "State-Building in Belarus: The Politics of Repression Under Lukashenko's Rule," 2019, <https://doi.org/10.47669/psprp-2-2019>.

<sup>51</sup> Kristóf Nagy, "Remaking Civil Society under Authoritarian Capitalism: The Case of the Orbán Regime's Hungarian Academy of Arts," *Intersections*, 2023, <https://doi.org/10.17356/ieejsp.v9i4.1127>.

<sup>52</sup> Bilge Yabanci, "Turkey's Tamed Civil Society: Containment and Appropriation Under a Competitive Authoritarian Regime," *Journal of Civil Society*, 2019, <https://doi.org/10.1080/17448689.2019.1668627>.

<sup>53</sup> Sebastian Dettman, "Challenges of Ethnic Party Adaptation in Power-Sharing Systems: Evidence from Malaysia," *Journal of Current Southeast Asian Affairs*, 2023, <https://doi.org/10.1177/18681034231219460>.

**Commented [A2]:** Please write the text shown in the image below using the Calibri font

creation of an expansive, post-electoral grand coalition encompassing Pakatan Harapan, Barisan Nasional, and regional blocs.<sup>54</sup>

However, Malaysia's experience demonstrates that when a fragmented coalition relies on transactional power-sharing arrangements, cabinet portfolios and state patronage are weaponized to enforce strict party loyalty and prevent "party-hopping".<sup>55</sup> Consequently, individual legislators prioritize the preservation of the ruling alliance over programmatic, independent oversight.<sup>56</sup>

These global comparative insights reveal that a grand coalition inevitably utilizes its supermajority to turn formal legislative oversight into a majoritarian numbers game. To shield Indonesia from this structural pathology, the constitutional and statutory framework governing the DPR's right of inquiry (*hak angket*) must be insulated from majoritarian vetoes.

By utilizing these comparative lessons, Indonesia can pioneer a defensive constitutional design by converting *hak angket* into an unconditional parliamentary minority right within Law No. 17 of 2014 (UU MD3). If a mandatory minimum threshold of opposition members or minor factions files an inquiry petition, the investigatory committee must be triggered automatically by operational law without requiring validation through a plenary vote. This structural shift ensures that minority factions can break executive agenda control, maintain horizontal accountability, and preserve the foundational balance of powers.

### The Influence of Grand Coalitions on Legislative Independence

The effectiveness of the People's Representative Council (DPR) in exercising its constitutional rights to oversee the executive is a complex issue involving legal mechanisms, political dynamics, and institutional relationships. The DPR holds significant oversight powers, including the right to interpellate, the right to inquiry, and the right to express opinions, as stipulated in the 1945 Constitution of the Republic of Indonesia. These rights are designed to enable the DPR to effectively monitor and control executive actions.<sup>57</sup> However, the implementation of these rights in practice often faces obstacles, primarily due to the political interests of coalition parties that prioritize political continuity over accountability.<sup>58</sup>

<sup>54</sup> Shofi Dwi Syifa Faujiah and Nurdin Nurdin, "Sistem Pemilu dan Pembentukan Koalisi Minoritas Study Kasus Malaysia (Anwar Ibrahim)," *Jurnal Syntax Admiration*, 2024, <https://doi.org/10.46799/jsa.v5i12.1645>.

<sup>55</sup> Hershan Ray Herman, Muhammad Ikhsan, and Ku Mohd Amir Yusof, "Navigating Party Loyalty and Party Hopping in Malaysia Through Nordin Salleh and Khaliq Mehtab's Cases," *Malaysian Journal of Social Sciences and Humanities (MJSSH)*, 2023, <https://doi.org/10.47405/mjssh.v8i10.2572>.

<sup>56</sup> Jason Wei Jian Ng, et al., "Life Satisfaction and Incumbent Voting: Examining the Mediating Effect of Trust in Government," *Journal of Happiness Studies*, 2022, <https://doi.org/10.1007/s10902-022-00536-z>.

<sup>57</sup> Hananto Widodo, "Parameter Pengawasan Politik Dewan Perwakilan Rakyat Republik Indonesia Menurut Undang-Undang Dasar Negara Republik Indonesia Tahun 1945," *Perspektif Hukum*, 2019, <https://doi.org/10.30649/phj.v19i2.207>.

<sup>58</sup> Ahsanul Minan, Satya Arinanto, and Djohermansyah Djohan, "Local Chief Executive Political Accountability in Indonesia: A Historical-Legal Analysis," *Constitutional Review*, 2024, <https://doi.org/10.31078/consrev1012>.

The normative framework supporting the DPR's oversight function is constitutionally mandated under Article 20A paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which stipulates that the DPR holds legislative, budgeting, and oversight functions. The technical mechanism for exercising oversight rights—namely the rights of interpellation, inquiry, and expression of opinion—is further regulated in Article 79 of Law No. 17 of 2014 concerning the MPR, DPR, DPD, and DPRD. However, a critical normative gap exists regarding the legal definition and threshold of a 'grand coalition' within this statutory framework. Law No. 17 of 2014 does not provide a legal ground or normative provision that regulates the formation of a supermajority coalition exceeding 75% of DPR seats and its impact on the quorum requirements stipulated in Article 79 paragraph (3). This absence of a legal ground for grand coalitions creates a constitutional dysfunction, as the normative threshold of 25% for proposing a right of inquiry becomes impossible to fulfill by minority factions, thereby weakening the effectiveness of the oversight function mandated by Article 20A (1) UUD 1945.

Political coalitions can lead to compromises in DPR independence, as its members may be reluctant to challenge executive decisions that could threaten their political alliances. The relationship between the DPR and the executive is often characterized by complex power interactions, where political connections and vested interests can influence the effectiveness of oversight.<sup>59</sup> The DPR's oversight function is further complicated by the presence of corruption within the executive, which not only affects governance but also weakens the DPR's capacity to conduct meaningful oversight.<sup>60</sup> Additionally, the political environment may foster a culture of compliance rather than accountability, where the DPR prioritizes coalition stability over stringent oversight of executive actions.<sup>61</sup>

In addressing these challenges, it is crucial to consider the need for reforms to enhance the DPR's oversight capacity. Scholars suggest that clearer accountability mechanisms and a stronger legal framework could empower the DPR to act more decisively against executive abuses of power.<sup>62</sup> Furthermore, fostering a political culture that emphasizes transparency and accountability could help reduce the influence of partisan interests on the DPR's oversight function.<sup>63</sup>

The influence of grand coalitions on the legislative independence of Indonesia's People's

<sup>59</sup> Renate E Meyer, Markus A Höllerer, and Stephan Leixnering, "A Question of Value(s): Political Connectedness and Executive Compensation in Public Sector Organizations," *International Public Management Journal*, 2016, <https://doi.org/10.1080/10967494.2015.1094162>.

<sup>60</sup> Ming Bai, et al., "A Study of the Impact of Executive Corruption on Corporate Innovation," *Systems*, 2024, <https://doi.org/10.3390/systems12010025>.

<sup>61</sup> Michal Onderčo, "Parliamentarians in Government Delegations: An Old Question Still Not Answered," *Cooperation and Conflict*, 2017, <https://doi.org/10.1177/0010836717737571>.

<sup>62</sup> Minan, Arinanto, and Djohan, "Local Chief Executive Political Accountability in Indonesia: A Historical-Legal Analysis."

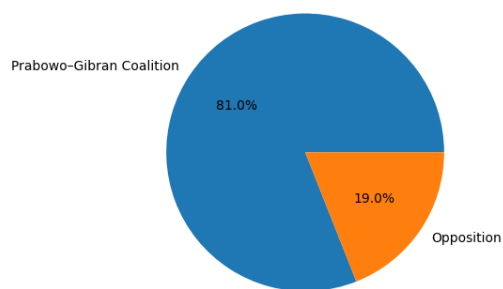
<sup>63</sup> Santi Indriyani, "Basic Principles of the Oversight Functions of the House of Representatives on Legislative Functions in Indonesia," *Nurani Jurnal Kajian Syari Ah Dan Masyarakat*, 2022, <https://doi.org/10.19109/nurani.v22i2.13113>.

Representative Council (DPR) raises critical questions about the extent to which legislation reflects the interests of the people versus those of the executive. Grand coalitions, characterized by a significant parliamentary majority supporting the government, can create a legislative environment where DPR independence is compromised. Consequently, legislative products tend to align more closely with the executive's agenda than with the diverse needs of society.<sup>64</sup>

Theoretical frameworks on legislative coalitions suggest that while the executive and legislative branches are constitutionally separate, their interdependence can lead to a convergence of interests that may not always benefit the public. Dragu and Laver, for instance, highlight that stable governing coalitions often consist of parties that prioritize coalition stability over independent legislative action. This dynamic can create an environment where DPR legislation is heavily influenced by the executive's agenda, potentially sidelining the voices of minority parties and constituents.<sup>65</sup>

**Figure 3.**

*Composition of the Indonesian House of Representatives (DPR RI) 2024-2029*



Source: Author's compilation based on KPU RI Official Election Results 2024 and DPR RI Faction Composition data as of October 2024.

The composition of the Indonesian House of Representatives (DPR RI) for the 2024-2029 period, where 470 seats are held by parties within the Prabowo-Gibran coalition while the opposition only secures 110 seats, reflects the dominance of the ruling coalition in parliament. With such a disproportionate power balance, where the pro-government coalition controls 81.0% of seats, the normative quorum threshold under Article 79 paragraph (3) of Law No. 17 of 2014 becomes ineffective. The provision requires a minimum of 25% of DPR members to propose a right of inquiry.

<sup>64</sup> Sibel Oktay, "Chamber of Opportunities: Legislative Politics and Coalition Security Policy," *The British Journal of Politics and International Relations*, 2018, <https://doi.org/10.1177/1369148117745680>.

<sup>65</sup> Jesse Crosson, et al., "Partisan Competition and the Decline in Legislative Capacity Among Congressional Offices," *Legislative Studies Quarterly*, 2020, <https://doi.org/10.1111/lsq.12301>.

Empirically, this threshold cannot be met by the opposition, which only holds 19.0% of seats. Consequently, the constitutional oversight function mandated by Article 20A (1) of the 1945 Constitution is structurally weakened, as there is no legal mechanism for minority factions to initiate oversight independently of the majority coalition. This normative dysfunction is reflected in the legislative process, where draft bills are predominantly approved with minimal use of interpellation or inquiry rights, indicating a reduced capacity for checks and balances.

From a constitutional law perspective, the structural limitation of the opposition due to the ineffective quorum in Article 79 paragraph (3) of Law No. 17 of 2014 creates a normative deficiency in the implementation of the oversight function mandated by Article 20A (1) of the 1945 Constitution. This deficiency results in a reduced capacity of the DPR to conduct in-depth deliberations on draft bills, as the mechanism for checks and balances becomes constitutionally dysfunctional when the pro-government coalition exceeds the 75% threshold. Consequently, the legislative output risks being normatively inconsistent with the principle of popular sovereignty and the requirement for laws that reflect comprehensive deliberation as stipulated in Article 20 of the 1945 Constitution.

This normative gap is further exacerbated by the absence of a legal ground regulating 'grand coalition' formation within Law No. 17 of 2014. Without a reconstructed norm, the DPR's oversight function is limited to formal procedures, while the substantive control function as a constitutional counterbalance to executive power is weakened. This condition contradicts the fundamental principle of separation of powers and checks and balances under Indonesia's presidential system, potentially leading to the enactment of laws that lack sufficient normative testing through interpellation or inquiry mechanisms as provided by statute.

The absence of a strong opposition in a political system can result in public policies that reflect elite interests more than the broader welfare of society. This phenomenon is particularly evident in coalition governments, where ruling parties tend to prioritize their own agendas when opposition voices are weak or marginalized. Research indicates that coalition politics often yield policies that favor elite interests, ultimately exacerbating social and economic inequalities and threatening political and social stability.<sup>66</sup> The lack of an effective opposition also creates an environment where policies can be implemented without sufficient oversight, leading to the erosion of democratic norms and an increased tendency toward authoritarianism<sup>67</sup>.

The constitutional necessity of an active opposition extends beyond partisan friction; it is the

<sup>66</sup> Yosphia Fahrudiana, "Implications of the Existence of Opposition Political Parties as Checks and Balances in the Implementation of Democracy," *Perfect Education Fairy*, 2023, <https://doi.org/10.56442/fairy.v1i1.166>.

<sup>67</sup> Chiara Rinaldi and Marleen Bekker, "A Scoping Review of Populist Radical Right Parties' Influence on Welfare Policy and Its Implications for Population Health in Europe," *International Journal of Health Policy and Management*, 2020, <https://doi.org/10.34172/ijhpm.2020.48>.

primary institutional mechanism for shaping public evaluations of executive competence and ensuring democratic responsiveness.<sup>68</sup> When a ruling elite operates without systematic legislative constraints, the quality of democratic institutions degrades, yielding policies that prioritize elite compromises over public welfare.<sup>69</sup> From a normative juridical perspective, the impact of the Prabowo-Gibran supermajority coalition must be scrutinized through an accurate statute approach to Article 79 paragraph (3) of Law No. 17 of 2014, correcting any misconception regarding numerical thresholds.

As previously established, the statutory barrier under Article 79 paragraph (3) is not located within the initiation phase, since the 19.0% opposition easily commands more than the required 25 individual members, but within the majoritarian approval rules governing plenary sessions. When a ruling coalition controls 81.0% of parliamentary seats, the requirement for a plenary majority vote creates an absolute structural blockade.<sup>70</sup> This arrangement effectively neutralizes the right of inquiry (*hak angket*), rendering the constitutional counterweights under Article 20A paragraph (1) of the 1945 Constitution structurally incapacitated.<sup>71</sup> Legislative processes operating under this imbalance systematically exclude alternative voices, leading to elite dominance in policymaking and an environment susceptible to corruption.<sup>72</sup>

To preserve the foundational principle of checks and balances and prevent executive aggrandizement,<sup>73</sup> the legislative framework must be insulated from majoritarian vetoes.<sup>74</sup> Under a dominant multi-party presidential system, conventional horizontal checks are prone to institutional capture if ruling loyalists infiltrate independent bodies.<sup>75</sup> Therefore, defensive constitutional design requires a transition toward formal parliamentary minority prerogatives.<sup>76</sup>

By reforming Law No. 17 of 2014 to grant automatic investigatory powers to a single opposition

<sup>68</sup> Henrik Bech Seeberg, "The Impact of Opposition Criticism on the Public's Evaluation of Government Competence," *Party Politics*, 2018, <https://doi.org/10.1177/1354068818792578>.

<sup>69</sup> Rizwana Alam and Jon C Lovett, "Prospects of Public Participation in the Planning and Management of Urban Green Spaces in Lahore: A Discourse Analysis," *Sustainability*, 2019, <https://doi.org/10.3390/su11123387>.

<sup>70</sup> Manzoor Ahmed, "Political Economy of Elite Capture and Clientelism in Public Resource Distribution: Theory and Evidence From Balochistan, Pakistan," *India Quarterly a Journal of International Affairs*, 2023, <https://doi.org/10.1177/09749284231165115>.

<sup>71</sup> Endalache Bayeh, "Single-Party Dominance in Ethiopia: FPTP Electoral System and Parliamentary Government System as Contributing Factors," *RUDN Journal of Political Science*, 2018, <https://doi.org/10.22363/2313-1438-2018-20-4-506-515>.

<sup>72</sup> Iskander De Bruycker, "Politicization and the Public Interest: When Do the Elites in Brussels Address Public Interests in EU Policy Debates?," *European Union Politics*, 2017, <https://doi.org/10.1177/1465116517715525>.

<sup>73</sup> Steffen Ganghof, "Designing Democratic Constitutions: The Search for Optimality," *Politics and Governance*, 2019, <https://doi.org/10.17645/pag.v7i4.2239>.

<sup>74</sup> Abdul Wahid Niaz, "Assessing Power Dynamics: Afghanistan's Constitutional Framework of 2004," *Sprin Journal of Arts Humanities and Social Sciences*, 2024, <https://doi.org/10.55559/sjahss.v3i4.287>.

<sup>75</sup> Aswasthama Bhakta Kharel and Abinav Acharya, "Centralized and Decentralized Federal System: A Comparative Analysis of Governance Structures and Policy Implementation," *Interdisciplinary Journal of Management and Social Sciences*, 2023, <https://doi.org/10.3126/ijmss.v4i2.57187>.

<sup>76</sup> Ronald U Mendoza et al., "Political Dynasties and Terrorism: An Empirical Analysis Using Data on the Philippines," *Asian Journal of Peacebuilding*, 2022, <https://doi.org/10.18588/202210.00a266>.

faction holding at least 15% of seats, the law can bypass the paralyzing plenary approval stage entirely.<sup>77</sup> Supported by strict judicial safeguards through the Constitutional Court to prevent partisan misuse, this statutory reconstruction ensures that minority factions retain their independent watchdog capacity, maintaining democratic equilibrium even when a grand coalition dominates the legislature.<sup>78</sup>

## CONCLUSION

This study concludes that the normative quorum threshold in Article 79 paragraph (3) of Law No. 17 of 2014 concerning the MPR, DPR, DPD, and DPRD creates a constitutional dysfunction in the DPR's oversight function within Indonesia's presidential system. The requirement of a minimum 25% of members to propose a right of inquiry becomes ineffective when the pro-government coalition controls 81.03% of DPR seats for the 2024-2029 period, leaving only 18.97% for the opposition. This structural imbalance contradicts the principle of checks and balances mandated by Article 20A paragraph (1) of the 1945 Constitution of the Republic of Indonesia.

Therefore, this study proposes the reconstruction of Article 79 paragraph (3) of Law No. 17 of 2014 through two normative mechanisms: 1) introducing a "qualified minority right" that allows opposition factions holding at least 15% of seats to initiate oversight rights, and 2) establishing a mandatory proportional representation of opposition members in oversight committees. This legal package is necessary to ensure the DPR can effectively fulfill its constitutional oversight function regardless of the political constellation, thereby maintaining accountability and the separation of powers in Indonesia.

## REFERENCES

- Ahmed, Manzoor. "Political Economy of Elite Capture and Clientelism in Public Resource Distribution: Theory and Evidence from Balochistan, Pakistan." *India Quarterly a Journal of International Affairs*, 2023. <https://doi.org/10.1177/09749284231165115>.
- Alam, Rizwana, and Jon C Lovett. "Prospects of Public Participation in the Planning and Management of Urban Green Spaces in Lahore: A Discourse Analysis." *Sustainability*, 2019. <https://doi.org/10.3390/su11123387>.
- Álvarez-Rosete, Arturo, and Benjamin Hawkins. "Advocacy Coalitions, Contestation, and Policy Stasis: The 20 Years Reform Process of the Colombian Health System." *Latin American Policy*, 2018. <https://doi.org/10.1111/lamp.12141>.
- Aspinall, Edward, and Eve Warburton. "Indonesia: The Dangers of Democratic Regression," 2018.

<sup>77</sup> Honorata Mazepus and Dimitar Toshkov, "Standing Up for Democracy? Explaining Citizens' Support for Democratic Checks and Balances," *Comparative Political Studies*, 2021, <https://doi.org/10.1177/00104140211060285>.

<sup>78</sup> Steven Vogel, "Market Governance as a Balance of Power," *Politics & Society*, 2023, <https://doi.org/10.1177/00323292231183834>.

<https://doi.org/10.2991/icsps-17.2018.1>.

- Asrinaldi, Asrinaldi, Mohammad Agus Yusoff, and dan Zamzami Abdul Karim. "Oligarchy in the Jokowi Government and Its Influence on the Implementation of Legislative Function in Indonesia." *Asian Journal of Comparative Politics*, 2021. <https://doi.org/10.1177/2057891121995564>.
- Bai, Ming, Yanru Chen, Hong Ye, and Zhongqi Yang. "A Study of the Impact of Executive Corruption on Corporate Innovation." *Systems*, 2024. <https://doi.org/10.3390/systems12010025>.
- Batista, Mariana. "Power-Sharing, Presidential Style: Issue Salience and Portfolio Allocation in Multiparty Presidential Systems." *Political Research Quarterly*, 2022. <https://doi.org/10.1177/10659129221119205>.
- Baumann, Markus, Marc Debus, and Jochen Müller. "Personal Characteristics of MPs and Legislative Behavior in Moral Policymaking." *Legislative Studies Quarterly*, 2015. <https://doi.org/10.1111/lisq.12072>.
- Bayeh, Endalachew. "Single-Party Dominance in Ethiopia: FPTP Electoral System and Parliamentary Government System as Contributing Factors." *RUDN Journal of Political Science*, 2018. <https://doi.org/10.22363/2313-1438-2018-20-4-506-515>.
- Bersch, Katherine, Félix López, and Matthew M Taylor. "Patronage and Presidential Coalition Formation." *Political Research Quarterly*, 2022. <https://doi.org/10.1177/10659129221100830>.
- Bima, Muhammad Rinaldy, and Rizki Ramadani. "Position of Supervisory Board Organ and Its Implications for the Institutional Corruption Eradication Commission." *Law Reform*, 2020. <https://doi.org/10.14710/lr.v16i2.33770>.
- Bruycker, Iskander De. "Politicization and the Public Interest: When Do the Elites in Brussels Address Public Interests in EU Policy Debates?" *European Union Politics*, 2017. <https://doi.org/10.1177/1465116517715525>.
- Bustamin, Bustamin, and Rony Jaya. "Urgensi Checks and Balances Ketatanegaraan Indonesia dan Islam." *Juris (Jurnal Ilmiah Syariah)*, 2019. <https://doi.org/10.31958/juris.v18i2.1740>.
- Chaisty, Paul, and Stephen Whitefield. "Building Voting Coalitions in Electoral Authoritarian Regimes: A Case Study of the 2020 Constitutional Reform in Russia." *Post-Soviet Affairs*, 2023. <https://doi.org/10.1080/1060586x.2023.2172945>.
- Clement, Desirée. "Factors Influencing Georgia Legislators' Decision-Making on Nurse Practitioner Scope of Practice." *Policy Politics & Nursing Practice*, 2018. <https://doi.org/10.1177/1527154418817036>.
- Crosson, Jesse, Alexander Furnas, Timothy M La Pira, and Casey Burgat. "Partisan Competition and the Decline in Legislative Capacity Among Congressional Offices." *Legislative Studies Quarterly*, 2020. <https://doi.org/10.1111/lisq.12301>.
- Dettman, Sebastian. "Challenges of Ethnic Party Adaptation in Power-Sharing Systems: Evidence from Malaysia." *Journal of Current Southeast Asian Affairs*, 2023. <https://doi.org/10.1177/18681034231219460>.
- Dodson, Elizabeth A, Nora Geary, and Ross C Brownson. "State Legislators' Sources and Use of Information: Bridging the Gap Between Research and Policy." *Health Education Research*, 2015. <https://doi.org/10.1093/her/cyv044>.
- Dragu, Tiberiu, and Michael Laver. "Legislative Coalitions with Incomplete Information." *Proceedings of the National Academy of Sciences*, 2017. <https://doi.org/10.1073/pnas.1608514114>.
- Fahrudiana, Yosphia. "Implications of the Existence of Opposition Political Parties as Checks and Balances in the Implementation of Democracy." *Perfect Education Fairy*, 2023. <https://doi.org/>

10.56442/fairy.v1i1.166.

Fionna, Ulla, and Dirk Tomsa. "Changing Patterns of Factionalism in Indonesia: From Principle to Patronage." *Journal of Current Southeast Asian Affairs*, 2020. <https://doi.org/10.1177/1868103419896904>.

Freitas, Andréa. "Unboxing the Active Role of the Legislative Power in Brazil." *Brazilian Political Science Review*, 2016. <https://doi.org/10.1590/1981-38212016000200004>.

Gandhi, Jennifer. "Elections and Political Regimes." *Government and Opposition*, 2015. <https://doi.org/10.1017/gov.2015.11>.

Ganghof, Steffen. "Designing Democratic Constitutions: The Search for Optimality." *Politics and Governance*, 2019. <https://doi.org/10.17645/pag.v7i4.2239>.

Halim, Fajri. "Analysis of the Formation of Government Regulations as Separation of Powers in Indonesia." *Jurnal Indonesia Sosial Teknologi*, 2024. <https://doi.org/10.59141/jist.v5i2.901>.

Herman, Hershan Ray, Muhammad Ikhsan, and Ku Mohd Amir Yusof. "Navigating Party Loyalty and Party Hopping in Malaysia Through Nordin Salleh and Khaliq Mehtab's Cases." *Malaysian Journal of Social Sciences and Humanities (MJSSH)*, 2023. <https://doi.org/10.47405/mjssh.v8i10.2572>.

Indriyani, Santi. "Basic Principles of the Oversight Functions of the House of Representatives on Legislative Functions in Indonesia." *Nurani Jurnal Kajian Syari Ah dan Masyarakat*, 2022. <https://doi.org/10.19109/nurani.v22i2.13113>.

Jamil, Achmad, and Eriyanto Eriyanto. "Social Media Communication: Content Analysis of Indonesian Parliament Instagram Account." *Jurnal Studi Komunikasi (Indonesian Journal of Communications Studies)*, 2021. <https://doi.org/10.25139/jsk.v5i3.3807>.

Jian Ng, Jason Wei, Santha Vaithilingam, Grace H Y Lee, and Gary John Rangel. "Life Satisfaction and Incumbent Voting: Examining the Mediating Effect of Trust in Government." *Journal of Happiness Studies*, 2022. <https://doi.org/10.1007/s10902-022-00536-z>.

Johnson Kennedy, Pasma Sariguna. "Accountability for the Implementation of State Finances (APBN) for the Covid-19 Pandemic Program and National Economic Recovery (PC-PEN) in the Fiscal Year 2020." *Asia Pacific Fraud Journal*, 2022. <https://doi.org/10.21532/apfjournal.v7i2.254>.

Kharel, Aswasthama Bhakta, and Abinav Acharya. "Centralized and Decentralized Federal System: A Comparative Analysis of Governance Structures and Policy Implementation." *Interdisciplinary Journal of Management and Social Sciences*, 2023. <https://doi.org/10.3126/ijmss.v4i2.57187>.

Kimura, Ehito, Ratri Istania, Afrimadona Afrimadona, Rafif Pamenang Imawan, and Dimas Ramadhan. "Authoritarian Nostalgia and Democratic Decline in Contemporary Indonesia." *Journal of Current Southeast Asian Affairs*, 2024. <https://doi.org/10.1177/18681034241252452>.

Kolarzik, Nina, and Aram Terzyan. "The State of Human Rights and Political Freedoms in Belarus: Was the Crisis Inevitable?" 2020. <https://doi.org/10.47669/psprp-4-2020>.

Kurniawan, Wawan. "Pemerintahan Prabowo Berpotensi Koalisi Gemuk: Apa Jadinya Negara Tanpa Oposisi?" Jakarta, 2024. <https://theconversation.com/pemerintahan-prabowo-berpotensi-koalisi-gemuk-apa-jadinya-negara-tanpa-oposisi-232926>.

Levitsky, Steven, and Lucan A Way. "The New Competitive Authoritarianism." *Journal of Democracy*, 2020. <https://doi.org/10.1353/jod.2020.0004>.

Lowande, Kenneth. "Who Polices the Administrative State?" *American Political Science Review*, 2018. <https://doi.org/10.1017/s0003055418000497>.

- Marzuki, Peter Mahmud. *Penelitian Hukum*. Revisi. Jakarta: Kencana Prenada Media Group, 2019.
- Masrur, Muhamad. "Political Conflict and Compromise in the Job Creation Bill Discussion." *International Journal of Social Science*, 2024. <https://doi.org/10.53625/ijss.v3i6.7637>.
- Mazepus, Honorata, and Dimiter Toshkov. "Standing Up for Democracy? Explaining Citizens' Support for Democratic Checks and Balances." *Comparative Political Studies*, 2021. <https://doi.org/10.1177/00104140211060285>.
- Mendoza, Ronald U, Jurel Yap, Gabrielle Ann S. Mendoza, Angelika Lourdes J. Pizzaro, and Georgi Engelbrecht. "Political Dynasties and Terrorism: An Empirical Analysis Using Data on the Philippines." *Asian Journal of Peacebuilding*, 2022. <https://doi.org/10.18588/202210.00a266>.
- Meyer, Renate E, Markus A Höllerer, and Stephan Leixnering. "A Question of Value(s): Political Connectedness and Executive Compensation in Public Sector Organizations." *International Public Management Journal*, 2016. <https://doi.org/10.1080/10967494.2015.1094162>.
- Mietzner, Marcus. "Authoritarian Innovations in Indonesia: Electoral Narrowing, Identity Politics and Executive Illiberalism." *Democratization*, 2019. <https://doi.org/10.1080/13510347.2019.1704266>.
- . "Coercing Loyalty: Coalitional Presidentialism and Party Politics in Jokowi's Indonesia." *Contemporary Southeast Asia*, 2016. <https://doi.org/10.1355/cs38-2b>.
- Minan, Ahsanul, Satya Arinanto, and Djohermansyah Djohan. "Local Chief Executive Political Accountability in Indonesia: A Historical-Legal Analysis." *Constitutional Review*, 2024. <https://doi.org/10.31078/consrev1012>.
- Mohd Rosli, Rozaini Binti, and S M Abdul Quddus. "The Selangor State Assembly Oversight and Government Accountability (Pengawasan Dan Akauntabiliti Kerajaan Di Dewan Negeri Selangor)." *Journal of Islam in Asia (E-ISSN 2289-8077)*, 2020. <https://doi.org/10.31436/jia.v17i4.916>.
- Mukhtarova, Akbikesh. "Effects of Party System Fluidity on Legislative Oversight and Good Governance Indicators--in the Context of Sub-Saharan African Countries." *Current Research Journal of Social Sciences and Humanities*, 2020. <https://doi.org/10.12944/crjssh.3.2.10>.
- Muliawan, Laode, and Imam Sumantri. "Institutionalization of Political Parties on Post New Order Authoritarianism and It's Implications for Indonesian Democracy." *Journal of Local Government Issues*, 2020. <https://doi.org/10.22219/logos.v3i2.12860>.
- Nagy, Kristóf. "Remaking Civil Society Under Authoritarian Capitalism: The Case of the Orbán Regime's Hungarian Academy of Arts." *Intersections*, 2023. <https://doi.org/10.17356/ieejsp.v9i4.1127>.
- Niaz, Abdul Wahid. "Assessing Power Dynamics: Afghanistan's Constitutional Framework of 2004." *Sprink Journal of Arts Humanities and Social Sciences*, 2024. <https://doi.org/10.55559/sjahss.v3i4.287>.
- Nowlin, Matthew C. "Policy Learning and Information Processing." *Policy Studies Journal*, 2020. <https://doi.org/10.1111/psj.12397>.
- Oktay, Sibel. "Chamber of Opportunities: Legislative Politics and Coalition Security Policy." *The British Journal of Politics and International Relations*, 2018. <https://doi.org/10.1177/1369148117745680>.
- Onderčo, Michal. "Parliamentarians in Government Delegations: An Old Question Still Not Answered." *Cooperation and Conflict*, 2017. <https://doi.org/10.1177/0010836717737571>.
- Otjes, Simon, and Tom Louwerse. "Parliamentary Questions as Strategic Party Tools." *West European*

- Politics*, 2017. <https://doi.org/10.1080/01402382.2017.1358936>.
- Payán, Denise D, LaVonna B Lewis, Michael R Cousineau, and Michael B Nichol. "Advocacy Coalitions Involved in California's Menu Labeling Policy Debate: Exploring Coalition Structure, Policy Beliefs, Resources, and Strategies." *Social Science & Medicine*, 2017. <https://doi.org/10.1016/j.socscimed.2017.01.036>.
- Quein, Wihellmina, Riko Pambudi, Fitri Rohmadhanita, and Bagus Ramadi. "Impeachment in Indonesia's Democracy System." *International Journal of Social Science and Human Research*, 2023. <https://doi.org/10.47191/ijsshr/v6-i1-07>.
- Rahmawati, Restu, and Firman Firman. "The Ideological Coalition Model Is the Strategy for Strengthening Presidential Systems in Indonesia," 2020. <https://doi.org/10.4108/eai.23-11-2019.2301489>.
- Ridlwani, Zulkarnain, and Enny Nurbaningsih. "Law Revision on Indonesian Parliament's Oversight Function: Facing the Challenges of Democracy." *Kne Social Sciences*, 2018. <https://doi.org/10.18502/kss.v3i5.2356>.
- Rinaldi, Chiara, and Marleen Bekker. "A Scoping Review of Populist Radical Right Parties' Influence on Welfare Policy and Its Implications for Population Health in Europe." *International Journal of Health Policy and Management*, 2020. <https://doi.org/10.34172/ijhpm.2020.48>.
- Romadlon, Suryo Gilang. "Implikasi Pergeseran Sistem Politik terhadap Hukum dan Birokrasi di Indonesia." *Jurnal Konstitusi*, 2016. <https://doi.org/10.31078/jk1349>.
- Seeberg, Henrik Bech. "The Impact of Opposition Criticism on the Public's Evaluation of Government Competence." *Party Politics*, 2018. <https://doi.org/10.1177/1354068818792578>.
- Seeberg, Merete Bech. "Electoral Authoritarianism and Economic Control." *International Political Science Review*, 2017. <https://doi.org/10.1177/0192512117692802>.
- Silva, Thiago. "When Do Different Systems of Government Lead to Similar Power-Sharing? The Case of Government Formation." *Political Science Research and Methods*, 2022. <https://doi.org/10.1017/psrm.2022.20>.
- Sunarto, Sunarto. "Prinsip Checks and Balances dalam Sistem Ketatanegaraan Indonesia." *Masalah-Masalah Hukum*, 2016. <https://doi.org/10.14710/mmh.45.2.2016.157-163>.
- Syifa Faujiah, Shofi Dwi, and Nurdin Nurdin. "Sistem Pemilu dan Pembentukan Koalisi Minoritas Study Kasus Malaysia (Anwar Ibrahim)." *Jurnal Syntax Admiration*, 2024. <https://doi.org/10.46799/jsa.v5i12.1645>.
- Taufiqurrohmah, Moch. Marsa. "Koalisi Partai Politik dan Implikasinya terhadap Sistem Presidensial Multipartai di Indonesia." *Kertha Semaya Journal Ilmu Hukum*, 2020. <https://doi.org/10.24843/ks.2020.v09.i01.p12>.
- Terzyan, Aram. "State-Building in Belarus: The Politics of Repression Under Lukashenko's Rule," 2019. <https://doi.org/10.47669/psprp-2-2019>.
- Vogel, Steven. "Market Governance as a Balance of Power." *Politics & Society*, 2023. <https://doi.org/10.1177/00323292231183834>.
- Wartoyo, F X, and Teguh Prasetyo. "DPD Performance Implementation in the Supervision Function Based on the Dignity of Justice." *Mandalika*, 2023. <https://doi.org/10.56566/mandalika.v1i1.56>.
- Widodo, Hananto. "Parameter Pengawasan Politik Dewan Perwakilan Rakyat Republik Indonesia Menurut Undang-Undang Dasar Negara Republik Indonesia Tahun 1945." *Perspektif Hukum*, 2019. <https://doi.org/10.30649/phj.v19i2.207>.

- Winengan, Winengan. "The Local Political Policies: The Dynamics of the Political Party Coalition in the Election Contestation of the Governor West Nusa Tenggara Province Indonesia." *International Journal of Criminology and Sociology*, 2022. <https://doi.org/10.6000/1929-4409.2020.09.33>.
- Yabancı, Bilge. "Turkey's Tamed Civil Society: Containment and Appropriation Under a Competitive Authoritarian Regime." *Journal of Civil Society*, 2019. <https://doi.org/10.1080/17448689.2019.1668627>.