CONSTITUTIONALE
Volume 4 Issue 2, July-December 2023: PP: 137-146
Faculty of Law, Universitas Lampung, Bandar Lampung, Indonesia.
http://jurnal.fh.unila.ac.id/index.php/constitutionale
P-ISSN: 2723-2492 E-ISSN: 2745-9322

Extending the Legal Standing on Authority Disputes at the Indonesian Constitutional Court

Kelik Iswandi

Cakrawala University, Indonesia
E-mail: kelikiswandi@mail.ugm.ac.id

Submitted:Sept 01, 2023; Reviewed: Sept 13, 2023; Accepted: Dec 12, 2023

Article's Information

keywords: *Authority Disputes; Constitutional Law; Legal Standing, State Organ.*

DOI :
https://doi.org/10.25041/constitutionale.v4i1.3167

Abstract

The growth of state auxiliary organs increases the possibility of conflicting authority. Regrettably, the Indonesian Constitutional Court can only settle authority disputes between constitutional state organs. It is based on Article 24C 1945 Constitution jo. Article 61 Constitutional Court Act 2003 jo. Article 2 Constitutional Court Regulation No. 08/PMK/2006. Thus, how does does authority dispute resolution involve state auxiliary organs? This subject is addressed by normative legal research, which examines secondary evidence in the form of laws, Constitutional Court decisions, and doctrines. Based on the statutatory and conceptual approaches, it is found that the rule of legal standing leads to multiple interpretations about which state organ can have a legal standing in the constitutional court. Furthermore, the legal standing requirements are quite narrow and need to be strengthened to respond to the constitutional dynamics in Indonesia, particularly with the emergence of state auxiliary organs. According to this study, state auxiliary organs, particularly those with constitutional importance, can fulfill legal standing standards. While for the authority dispute which involves other state auxiliary organs, it can be resolved based on their legitimacy. Therefore, Constitutional Court Regulation No. 08/PMK/2006 must be revised to accommodate the

settlement of authority disputes between state auxiliary organs.

A. Introduction

Indonesia has two types of state organs including constitutional state organs and state auxiliary organs. A constitutional state organ is the state organ that has authority based on the 1945 Constitution, while a state auxiliary organ is the state organ that has authority based on legislation rules.[1] After the reformation in 1998, formed by either the president or the House of Representatives, the state auxiliary organ grew rapidly. State auxiliary organ is one of the effects of reformation.[2] The state's auxiliary organ growth has an impact on its effectiveness. Many state auxiliary organs have overlapping authority,[3] which potentially raises conflict among them.[4] Not only cases among state auxiliary organs, but also constitutional state organs, local governments, and state auxiliary organs about the duties and authorities of each institution.

The number of state auxiliary organs in Indonesia that have the potential to cause disputes is not balanced by the existence of authority dispute resolution organs. Authority disputes can be resolved at the Indonesian Constitutional Court, but its jurisdiction to decide the authority disputes has been limited based on Article 24C (1) of the 1945 Constitution. The Indonesian Constitutional Court has four functions based on article 24C (1) of the 1945 Constitution: 1) to review the law against the 1945 Constitution, 2) to decide the authority dispute among state organs with the authority given by the 1945 Constitution, 3) to decide the dissolution of political parties, and 4) to decide a dispute over the result of the election.

One of four jurisdictions of the Indonesian Constitutional Court is to decide authority disputes among state organs, but that jurisdiction has a limitation (only the state organ which the authority given by the 1945 Constitution can fulfill that jurisdiction).[5] That jurisdiction is unclear so the petitioner has his or her interpretation for that jurisdiction. There is an impact on many state organs either constitutional state organs or state auxiliary organs that filed the dispute to the Indonesian Constitutional Court. According to the Indonesian Constitutional Court decision, the number of cases handled by the Indonesian Constitutional Court involves more state auxiliary organs than constitutional state organs.

The limitation of the constitutional court's jurisdiction to decide the authority dispute has consequences that can be resolved by the constitutional court. Related to this problem, Asshiddiqie argued that the state auxiliary organ can fulfill legal standing criteria if the state auxiliary organ has constitutional importance[6] such as the General Election Commission and Election Supervisory Agencies. Both are state auxiliary organs, but they are mentioned in the 1945 Constitution, especially in Article 22E (5).[7] State auxiliary organs with constitutional importance can have legal standing in authority disputes at the Indonesian Constitutional Court, but that research still leaves a question. Therefore, the novelty in this paper is more formulating

[1] Ernawati Munir, "Laporan Akhir Pengkajian Hukum Tentang Hubungan Lembaga Negara Pasca Amandemen UUD NRI 1945," *Departemen Hukum Dan Hak Asasi Manusia Badan Pembinaan Hukum Nasioanal Tahun*, 2005, 19.
[2] Ni'matul Huda, "Potensi Sengketa Kewenangan Lembaga Negara Dan Penyelesaiannya Di Mahkamah Konstitusi," *Jurnal Hukum IUS QUIA IUSTUM* 24, no. 2 (2017): 193–212, https://doi.org/10.20885/iustum.vol24.iss2.art2.
[3] Iwan Satriawan and Khairil Azmin Mokhtar, "The Role of Indonesian Constitutional Court in Resolving Disputes among the State Organs," *Hasanuddin Law Review* 5, no. 2 (August 14, 2019): 159, https://doi.org/10.20956/halrev.v5i2.1669.
[4] Ni'matul Huda, *Sengketa Kewenangan Lembaga Negara Dalam Teori Dan Praktek Di Mahkamah Konstitusi* (Yogyakarta: FH UII Press, 2016), 92.
[5] Kelik Iswandi and Nanik Prasetyoningsih, "Penyelesaian Sengketa Kewenangan Lembaga Negara Independen di Indonesia," SASI 26, no. 4 (December 20, 2020): 434–46, https://doi.org/10.47268/sasi.v26i4.283.
[6] Jimly Asshiddiqie, *Perkembangan Dan Konsolidasi Lembaga Negara Pasca Reformasi* (Jakarta: Sinar Grafika, 2017), 104.
[7] Constitutional Court Decision No. 3/SKLN-XI/2013; Constitutional Court Decision No. 3/SKLN-X/2012.

the resolution of authority disputes involving state auxiliary organs. The formulation aims to answer constitutional dynamics and provide solutions in the event of authority disputes.

B. Discussion

1. Types of State Organs in Indonesia

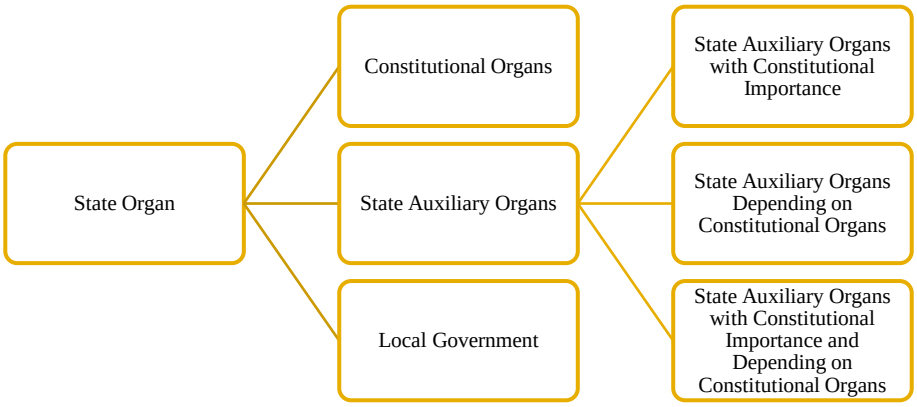
One of the separation power theories is "trias politica*"*. The concept of "trias politica*"* is a normative principle, it means to anticipate the abuse of power.[8] The implementation of the separation of power is the existence of state organs,[9] and each state has various types of separation of power implementation[10] based on the checks and balances principle.[11] The check and balance principle is a controlling system of each power principle.[12] State organs can also be called civilized organizations.[13] Indonesia has some differences in mentioning state organs, such as organs, institutions, or commissions.[14] State organs are formed by the state, from the state, for the state to develop that state.[15] The use of the term "state organs" is confirmed in Tap MPRS Number XX.MPRS/1996.[16] Asshiddiqie argued that the definition of state organs, in general, should not be limited.[17]

After the amendment of the 1945 Constitution, there are five changes of state organs, including the definition, legitimation, variation, authority, and relation.[18] The concept of state organs has two elements: organ and *functie*. The organ is the space, while *functie* is the body of the organ.[19] Generally, a state organ becomes an element of the state constitution.[20] According to G. Jellinek, state organs are classified as "*unmitterbar*" and "*mitterbar*". Those categorized as "*unmitterbar*" are state organs that are formed by the constitution, while the "*mitterbar*" ones are state organs that depend on the "*unmitterbar"* organs.[21] Jeddawi argued that state organs have two categories, those are state organs and independent state organs.[22] Indonesia has various state organs, such as:

---

[8] Abu Daud Busroh, *Ilmu Negara* (Jakarta: Bumi Aksara, 2017), 85.
[9] Sukardja Ahmad, *Hukum Tata Negara & Hukum Administrasi Negara: Dalam Perspektif Fikih Siyasah* (Jakarta: Sinar Grafika, 2012), 126.
[10] Haposan Siallagan, "Problematics on Separation of Powers Theory Implementation," *Jurnal Dinamika Hukum* 15, no. 3 (September 10, 2015): 324–30, https://doi.org/10.20884/1.jdh.2015.15.3.415.
[11] Sunarto Sunarto, "Prinsip Checks and Balances Dalam Sistem Ketatanegaraan Indonesia," *MASALAH-MASALAH HUKUM* 45, no. 2 (April 19, 2016): 157, https://doi.org/10.14710/mmh.45.2.2016.157-163.
[12] Zulkarnain Ridlwan, "Cita Demokrasi Indonesia Dalam Politik Hukum Pengawasan Dewan Perwakilan Rakyat Terhadap Pemerintah," *Jurnal Konstitusi* 12, no. 2 (May 20, 2016): 305, https://doi.org/10.31078/jk1226.
[13] Mustafa Lutfi and M Iwan Satriawan, *Meneropong Komisi Informasi Publik* (Malang: Universitas Brawijaya Press, 2014), 13.
[14] Kelik Iswandi and Nanik Prasetyoningsih, "Kedudukan State Auxiliary Organ Dalam Sistem Ketatanegaraan Di Indonesia," *Jurnal Penegakan Hukum Dan Keadilan* 1, no. 2 (2020): 138–65, https://doi.org/https://doi.org/10.18196/jphk.1208.
[15] Lutfi and Satriawan, *Meneropong Komisi Informasi Publik*.
[16] Iswandi and Prasetyoningsih, "Kedudukan State Auxiliary Organ Dalam Sistem Ketatanegaraan Di Indonesia."
[17] Jimly Asshiddiqie, *Sengketa Kewenangan Antarlembaga Negara* (Jakarta: Konstitusi Press, 2005), 31.
[18] Bagir Manan, "Lembaga-Lembaga Didalam Dan Diluar UUD 1945," in *Interaksi Konstitusi Dan Politik: Kontekstualisasi Pemikiran Sri Soemantri*, ed. Susi Dwi Harijanti, 1st ed. (Bandung: Pusat Studi Kebijakan Negara FH Universitas Padjajaran, 2016), 8.
[19] Asshiddiqie, *Sengketa Kewenangan Antarlembaga Negara*.
[20] Iswandi and Prasetyoningsih, "Kedudukan State Auxiliary Organ Dalam Sistem Ketatanegaraan Di Indonesia."
[21] Iswandi and Prasetyoningsih.
[22] Murtir Jeddawi, *Hukum Administrasi Negara* (Yogyakarta: Total Media, 2012), 182.

Figure 1. Types of State Organs in Indonesia



Source: Analysed from the primary source.

2. An Overview of Legal Standing of Authority Dispute in Indonesian Constitutional Court

The Constitutional Court is a part of judicial power.[23] The Indonesian Constitutional Court was established after the third amendment of the 1945 Constitution.[24] The authority of the Indonesian Constitutional Court is mentioned in Article 24C of the 1945 Constitution.[25] The establishment of the Indonesian Constitutional Court is based on two perspectives; those are political perspective and judicial perspective. The establishment of the Constitutional Court aims to preserve the constitution and democratic ideals.[26]

Based on Article 24C (1) of the 1945 Constitution, the Indonesian Constitutional Court has four authorities, namely judicial review, authority dispute resolution, dissolution of political parties, and election dispute resolution. Furthermore, the Indonesian Constitutional Court has one obligation, which is to give an impeachment decision. Generally, a constitutional court has many competencies, including constitution-drafting jurisdiction, judicial review of legislative acts, jurisdiction over officials and agencies, and jurisdiction over political parties.[27]

As part of Indonesian Constitutional Court authorities, authority dispute resolution has limitation authorities.[28] The limitation is mentioned in the legal standing criteria. The terms of legal standing criteria on authority dispute resolution at the Indonesian Constitutional Court are based on Article 24C (1) and (2) of the 1945 Constitution. That term is explained by Article 61 (1) of the Law Number 24 of 2003 on the Constitutional Court. That term is explained in Article 2 of the Constitutional Court Regulation Number 08/PMK/2006.

The phrase "another state organ" evokes ambiguity. The constitutional court does not have an interpretation of a state organ's status and determines which state organ can be the subject

[23] Kosariza Kosariza, Netty Netty, and Meri Yarni, "Analisis Penyelesaian Sengketa Kewenangan Lembaga Negara Oleh Mahkamah Konstitusi," *Sains Sosio Humaniora* 4, no. 2 (2020): 547–56.
[24] Luthfi Widagdo Eddyono, "Progresivitas Putusan Sengketa Kewenangan Lembaga Negara Dan Pembaharuan Hukum Acara," *Jurnal Konstitusi* 16, no. 1 (April 1, 2019): 127–47, https://doi.org/10.31078/jk1617.
[25] Prila Wahyu Pratama and Maria Madalina, "Tinjauan Yuridis Dalam Memutuskan Perkara Sengketa Kewenangan Lembaga Negara Di Mahkamah Konstitusi," *Souvereignty* 1, no. 4 (2022): 701–5.
[26] Gardha Galang Mantara Sukma, "Open Legal Policy Peraturan Perundang-Undangan Bidang Politik Dalam Putusan Mahkamah Konstitusi (Studi Terhadap Putusan MK Bidang Politik Tahun 2015-2017)," *Lex Renaissance* 5, no. 1 (2020): 1–19.
[27] Andrew Harding, *The Fundamentals of Constitutional Court* (Stockholm: International IDEA Constitutional Brief, 2017), 2–3.
[28] Nyoman Mas Aryani and Bagus Hermanto, "Gagasan Perluasan Lembaga Negara Sebagai Pihak Pemohon Dalam Sengketa Kewenangan Antar Lembaga Negara Di Mahkamah Konstitusi Republik Indonesia," *Jurnal Legislasi Indonesia* 16, no. 2 (2019): 173–89.

of authority dispute on the constitutional court.[29] That phrase shows that the state organ mentioned in that phrase is not limited and has a probability for further interpretation.[30]

That term raises an opportunity to state auxiliary organs as legal standing. Having a different opinion, Fadjar [31] stated that legal standing on authority disputes at the Indonesian Constitutional Court uses a "moderate plus" interpretation. State organs can be legal standing in authority disputes, such as the People's Consultative Assembly, President, House of Representatives, Regional House of Representatives, Audit Boards, and local government. While state auxiliary organs cannot be legal standing of authority dispute. Contrary to the previous opinion, Asshiddiqie disagreed and argued that state auxiliary organs can have legal standing in authority disputes, but the condition of state organs must have constitutional importance.

Many state auxiliary organs have reported their dispute to the Indonesian Constitutional Court. From 2003 until 2020, the authority dispute resolution in the Indonesian Constitutional Court was dominated by the state auxiliary organs as shown in Table 1.

Table 1. The Petitioner of AuthorityDispute Resolution in Indonesian Constitutional Court 2003-2020

	TYPE OF STATE ORGANS	CASES	PERCENTAGE
1	State Auxiliary Organs	11	42%
2	Constitutional State Organs	10	39%
3	Others	5	19%
	Total	**26**	**100 %**

Source: The Constitutional Court, Januari 2020

Table 1 shows that forty-two percent or eleven of twenty-six authority dispute cases that have been handled by the Indonesian Constitutional Court involve state auxiliary organs, and six of eleven cases that involve state auxiliary organs are unqualified for legal standing criteria. Only two state auxiliary organs are qualified for the legal standing, those are the General Election Commission and the Election Supervisory Agency. The jury argues that the General Election Commission and Election Supervisory Agency are state organs that have authority based on article 22E (5) of the 1945 Constitution even though that authority should be regulated by law.

3. The Mechanism of Authority Dispute Resolution Based on the Classification of State Auxiliary Organs

The Authority dispute arises when a state organ which has constitutional authority has taken, subtracted, blocked, ignored, and/or harmed by another state organ.[32] Authority dispute

[29] Firmansyah Arifin, *Lembaga Negara Dan Sengketa Kewenangan Antarlembaga Negara*, *Konsorsium Reformasi Hukum Nasioanal Bekerjasama Dengan Mahkamah Konstitusi Republik Indonesia* (Jakarta, 2005), iii.
[30] Anna Triningsih and Nuzul Qur'aini Mardiya, "Interpretasi Lembaga Negara Dan Sengketa Lembaga Negara Dalam Penyelesaian Sengketa Kewenangan Lembaga Negara," *Jurnal Konstitusi* 14, no. 4 (February 9, 2018): 778, https://doi.org/10.31078/jk1444.
[31] Abdul Mukthie Fadjar, *Hukum Konstitusi Dan Mahkamah Konstitusi* (Jakarta: Partnership Penerbit Konstitusi Press & Citra Media, Yogyakarta, 2006), 183–93.
[32] B Arief Sidharta, *Refleksi Tentang Struktur Ilmu Hukum: Sebuah Penelitian Tentang Fundasi Kefilsafatan Dan Sifat Keilmuan Ilmu* (Bandung: Mandar Maju, 2009), 185.

resolution among constitutional state organs is an authority of the Indonesian Constitutional Court, but how about the Authority dispute resolution among state auxiliary organs? Indonesia has a lot of state auxiliary organs. State auxiliary organs potentially have overlapping authority, so that it may rise a Authority dispute. The indicator of the potential of Authority dispute among state auxiliary organs can be seen from the increasing number of cases of Authority dispute among state organs in the Indonesian Constitutional Court.[33] To resolve the problem, the writer aimed to formulate how Authoritydispute resolution among state auxiliary organs is.

Table 2. The Formula of AuthorityDispute Resolution Based on the Classification of State Auxiliary Organ

	TYPES OF CASE		RESPONDENTS	PERCENTAGE	EXAMPLE
	PETITIONER	DEFENDANT			
1	State auxiliary organ with constitutional importance	Constitutional state organ	Constitutional Court	Directly	1.The Constitutional Court Decision Number 3/SKLN-X/2012 2.The Constitutional Court Decision Number 3/SKLN-XI/2013
2	State auxiliary organ with constitutional importance	State auxiliary organ with constitutional importance	Constitutional Court	Directly	None
3	State auxiliary organ with constitutional importance and depend on constitutional state organ	Constitutional state organ or state auxiliary organ with constitutional importance	Constitutional Court	Depending on the constitutional state organ	1.The Constitutional Court Decision Number 1/SKLN-X/2012 2.The Constitutional Court Decision Number 2/SKLN-X/2012
4	State auxiliary organ which	State auxiliary organ which	State organ which forms it	Directly	Dissenting opinion among

[33] Zainal Arifin Mochtar, *Lembaga Negara Independen: Dinamika Perkembangan Dan Urgensi Penataannya Kembali Pasca-Amandemen Konstitusi, Jakarta, PT* (Jakarta: Raja Grafindo Persada, 2016), 141–42.

	depends on the constitutional state organ	depends on the constitutional state organ			the ministry about their competence
5	State auxiliary organ which depends on state auxiliary organ with constitutional importance	State auxiliary organ which depends on state auxiliary organ with constitutional importance	State auxiliary organ that have main competence	Directly	1.The Constitutional Court Decision No. 27/SKLN-VI/2008 2.The Constitutional Court Decision No. 1/SKLN-X/2012

Source: Analysed from the primary source.

That formula is used as a petitioner's attempt to get the petition fulfilled in the condition of Legal Standing. However, that formula does not ensure compliance with the Legal Standing. The jury has the freedom to interpret which state organ qualifies the Legal Standing based on the legal principle of the constitutional procedure of independent and impartial.[34] Independent means that a jury as a guardian and an interpreter of the constitution[35] has the freedom to assess which state organ qualifies Legal Standing and cannot be intervened by anyone.

C. Conclusion

Indonesia has three types of state organs, including constitutional state organs, state auxiliary organs, and local government. State auxiliary organ in Indonesia has various types, those are state auxiliary organ with constitutional importance (independent state organ), state auxiliary organ with constitutional importance and depends on the constitutional state organ, and state auxiliary organ which depends on the constitutional state organ. Various state auxiliary organs potentially raise an authority dispute because of the overlapping authority among state auxiliary organs. The Indonesian Constitutional Court should handle authority disputes involving state auxiliary organs. But up until now, state auxiliary organs have never been granted in dispute settlement in the Indonesian Constitutional Court; instead, their applications have been consistently denied due to a lack of legal standing. The Indonesian Constitutional Court needs to strengthen its jurisdiction by having the capacity to settle authority disputes involving state auxiliary organs, particularly those that have constitutional importance. This speaks to the dynamics and legal void in Indonesia—considering that the 1945 Indonesian Constitution effectively grants direct jurisdiction to state auxiliary organs of constitutional significance.

[34] M. Ali Safaat, *Hukum Acara Mahkamah Konstutusi*, Revision (Jakarta: Kepaniteraan dan Sekretariat Jenderal Mahkamah Konstitusi, 2019), 37.
[35] Janpatar Simamora, "Comparison of Constitutional Court Authority Between Indonesia and South Korea," Jurnal Dinamika Hukum 15, no. 3 (September 10, 2015): 332–333, <https://doi.org/10.20884/1.jdh.2015.15.3.446>.

D. Suggestion

Based on the experience of Indonesian Constitutional Court, the state auxiliary organ can be a Legal Standing if it has constitutional importance. Thus, the state auxiliary organ without constitutional importance (state auxiliary organ which depends on constitutional state organ) can be resolved by constitutional state organ which forms it. A Authority dispute among the ministry can be resolved by the president. Furthermore, for the Authority dispute among state auxiliary organs, which depend on state auxiliary organ with constitutional importance, can be resolved by the Indonesian Constitutional Court, with special methods that depends on state auxiliary organ with constitutional importance. That concept can be used as a reference to revise Constitutional Court Regulation Number 08/PMK/2006 so that certain state auxiliary organs can become parties to disputes in the Constitutional Court.

References

A. **Book**

Ahmad, Sukardja. *Hukum Tata Negara & Hukum Administrasi Negara: Dalam Perspektif Fikih Siyasah*. Jakarta: Sinar Grafika, 2012.

Arifin, Firmansyah. *Lembaga Negara Dan Sengketa Kewenangan Antarlembaga Negara*. *Konsorsium Reformasi Hukum Nasioanal Bekerjasama Dengan Mahkamah Konstitusi Republik Indonesia*. Jakarta, 2005.

Asshiddiqie, Jimly. *Perkembangan Dan Konsolidasi Lembaga Negara Pasca Reformasi*. Jakarta: Sinar Grafika, 2017.

———. *Sengketa Kewenangan Antarlembaga Negara*. Jakarta: Konstitusi Press, 2005.

Busroh, Abu Daud. *Ilmu Negara*. Jakarta: Bumi Aksara, 2017.

Fadjar, Abdul Mukthie. *Hukum Konstitusi Dan Mahkamah Konstitusi*. Jakarta: Partnership Penerbit Konstitusi Press & Citra Media, Yogyakarta, 2006.

Harding, Andrew. *The Fundamentals of Constitutional Court*. Stockholm: International IDEA Constitutional Brief, 2017.

Huda, Ni'matul. *Sengketa Kewenangan Lembaga Negara Dalam Teori Dan Praktek Di Mahkamah Konstitusi*. Yogyakarta: FH UII Press, 2016.

Jeddawi, Murtir. *Hukum Administrasi Negara*. Yogyakarta: Total Media, 2012.

Lutfi, Mustafa, and M Iwan Satriawan. *Meneropong Komisi Informasi Publik*. Malang: Universitas Brawijaya Press, 2014.

Manan, Bagir. "Lembaga-Lembaga Didalam Dan Diluar UUD 1945." In *Interaksi Konstitusi Dan Politik: Kontekstualisasi Pemikiran Sri Soemantri*, edited by Susi Dwi Harijanti, 1st ed., 8. Bandung: Pusat Studi Kebijakan Negara FH Universitas Padjajaran, 2016.

Mochtar, Zainal Arifin. *Lembaga Negara Independen: Dinamika Perkembangan Dan Urgensi Penataannya Kembali Pasca-Amandemen Konstitusi, Jakarta, PT*. Jakarta: Raja Grafindo Persada, 2016.

Munir, Ernawati. "Laporan Akhir Pengkajian Hukum Tentang Hubungan Lembaga Negara Pasca Amandemen UUD NRI 1945." *Departemen Hukum Dan Hak Asasi Manusia Badan Pembinaan Hukum Nasioanal Tahun*, 2005.

Safaat, M. Ali. *Hukum Acara Mahkamah Konstutusi*. Revision. Jakarta: Kepaniteraan dan

Sekretariat Jenderal Mahkamah Konstitusi, 2019.

Sidharta, B Arief. *Refleksi Tentang Struktur Ilmu Hukum: Sebuah Penelitian Tentang Fundasi Kefilsafatan Dan Sifat Keilmuan Ilmu*. Bandung: Mandar Maju, 2009.

B. Journal

Aryani, Nyoman Mas, and Bagus Hermanto. "Gagasan Perluasan Lembaga Negara Sebagai Pihak Pemohon Dalam Sengketa Kewenangan Antar Lembaga Negara Di Mahkamah Konstitusi Republik Indonesia." *Jurnal Legislasi Indonesia* 16, no. 2 (2019): 173–89.

Eddyono, Luthfi Widagdo. "Progresivitas Putusan Sengketa Kewenangan Lembaga Negara Dan Pembaharuan Hukum Acara." *Jurnal Konstitusi* 16, no. 1 (April 1, 2019): 127–47. https://doi.org/10.31078/jk1617.

Huda, Ni'matul. "Potensi Sengketa Kewenangan Lembaga Negara Dan Penyelesaiannya Di Mahkamah Konstitusi." *Jurnal Hukum IUS QUIA IUSTUM* 24, no. 2 (2017): 193–212. https://doi.org/10.20885/iustum.vol24.iss2.art2.

Iswandi, Kelik, and Nanik Prasetyoningsih. "Kedudukan State Auxiliary Organ Dalam Sistem Ketatanegaraan Di Indonesia." *Jurnal Penegakan Hukum Dan Keadilan* 1, no. 2 (2020): 138–65. https://doi.org/https://doi.org/10.18196/jphk.1208.

———. "Penyelesaian Sengketa Kewenangan Lembaga Negara Independen Di Indonesia." *SASI* 26, no. 4 (December 20, 2020): 434–46. https://doi.org/10.47268/sasi.v26i4.283.

Kosariza, Kosariza, Netty Netty, and Meri Yarni. "Analisis Penyelesaian Sengketa Kewenangan Lembaga Negara Oleh Mahkamah Konstitusi." *Sains Sosio Humaniora* 4, no. 2 (2020): 547–56.

Pratama, Prila Wahyu, and Maria Madalina. "Tinjauan Yuridis Dalam Memutuskan Perkara Sengketa Kewenangan Lembaga Negara Di Mahkamah Konstitusi." *Souvereignty* 1, no. 4 (2022): 701–5.

Ridlwan, Zulkarnain. "Cita Demokrasi Indonesia Dalam Politik Hukum Pengawasan Dewan Perwakilan Rakyat Terhadap Pemerintah." *Jurnal Konstitusi* 12, no. 2 (May 20, 2016): 305. https://doi.org/10.31078/jk1226.

Satriawan, Iwan, and Khairil Azmin Mokhtar. "The Role of Indonesian Constitutional Court in Resolving Disputes among the State Organs." *Hasanuddin Law Review* 5, no. 2 (August 14, 2019): 159. https://doi.org/10.20956/halrev.v5i2.1669.

Siallagan, Haposan. "Problematics on Separation of Powers Theory Implementation." *Jurnal Dinamika Hukum* 15, no. 3 (September 10, 2015): 324–30. https://doi.org/10.20884/1.jdh.2015.15.3.415.

Simamora, Janpatar. "Comparison of Constitutional Court Authority Between Indonesia and South Korea." *Jurnal Dinamika Hukum* 15, no. 3 (September 10, 2015): 331–38. https://doi.org/10.20884/1.jdh.2015.15.3.446.

Sukma, Gardha Galang Mantara. "Open Legal Policy Peraturan Perundang-Undangan Bidang Politik Dalam Putusan Mahkamah Konstitusi (Studi Terhadap Putusan MK Bidang Politik Tahun 2015-2017)." *Lex Renaissance* 5, no. 1 (2020): 1–19.

Sunarto, Sunarto. "Prinsip Checks and Balances Dalam Sistem Ketatanegaraan Indonesia." *MASALAH-MASALAH HUKUM* 45, no. 2 (April 19, 2016): 157. https://doi.org/10.14710/mmh.45.2.2016.157-163.

Triningsih, Anna, and Nuzul Qur'aini Mardiya. "Interpretasi Lembaga Negara Dan Sengketa Lembaga Negara Dalam Penyelesaian Sengketa Kewenangan Lembaga Negara." *Jurnal Konstitusi* 14, no. 4 (February 9, 2018): 778. https://doi.org/10.31078/jk1444.

C. Regulation

Constitutional Court Decision No. 3/SKLN-X/2012 (n.d.).
Constitutional Court Decision No. 3/SKLN-XI/2013, Pub. L. No. 3/SKLN-XI/2013 (n.d.).