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Reorientation of Judicial Review in Upholding the Principles of the Rule of Law: An Analysis of the Strengthening of Constitutional Review in Indonesia

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Abstract

This study examines the reorientation of judicial review in strengthening constitutional review in Indonesia as an instrument for upholding the rule of law. Focusing on the dynamics between the Constitutional Court and the Supreme Court, fragmentation of constitutional interpretation, and the effectiveness of rights protection. The research employs normative legal research with statutory, conceptual, case, and comparative approaches. Findings indicate that the dualistic judicial review system creates interpretative inconsistency and weakens constitutional unity. The Constitutional Court has evolved into a constitutional standard setter through progressive decisions, while the Supreme Court maintains a legal conformity approach. This condition is exacerbated by the absence of an effective judicial dialogue mechanism. Comparative analysis shows that countries with centralized constitutional review systems achieve higher interpretative consistency. This study recommends an integrative constitutional review model based on structural, substantive, and cultural dimensions to strengthen constitutional supremacy

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and the effectiveness of the democratic rule of law. The model also emphasizes institutional coordination, legislative quality improvement, and constitutional culture development as essential pillars of sustainable constitutional governance in Indonesia and rule of law consolidation theoretical and practical framework.

Keywords:judicial review, constitutional review, rule of law, Constitutional Court, Supreme Court

INTRODUCTION

The principle of the rule of law is a fundamental pillar in the implementation of a democratic state as explicitly stated in Article 1 paragraph (3).(1945 Constitution of the Republic of Indonesia, 1945)This provision emphasizes that all actions of state administrators must be based on law and subject to the constitution as the highest norm (constitutional supremacy).(Jimly, 2006),(Asshiddiqie, 2006),(Haryoko Bambang Widjayanto & Yoga Tri Hartanto, 2025)Within this framework, state power is not absolute, but is limited by the principles of the supremacy of law, respect for human rights, equality before the law, and the existence of a monitoring mechanism for the use of state power.(Ginting et al., 2024),(Criddle & Fox-Decent, 2012).

In the perspective of modern constitutionalism, the constitution is no longer understood solely as a political document, but rather as the highest legal norm that provides legitimacy and serves as an evaluative parameter for all state actions.(Kelsen, 2024)places the constitution at the top of the hierarchy of legal norms in the Stufenbau des Recht theory, which determines the validity of the norms below it. In line with that,(Hirschl, 2020)emphasizes that the development of constitutional review is an essential characteristic of modern constitutional democracy, in which the judiciary plays a strategic role as the guardian of the supremacy of the constitution. Thus, the effectiveness of a state based on the rule of law is determined not only by the formal existence of a constitution, but also by the capacity of the judiciary to ensure consistency between norm formation, state governance practices, and constitutional values.(Tushnet, 2017), (Advanced Introduction to Comparative Constitutional Law', 2014).

The main instrument in upholding the supremacy of the constitution is the judicial review mechanism.*(Constitutional Court of the Republic of Indonesia, 2026)*. Its development shows that judicial review is no longer understood narrowly as the authority to annul norms that conflict with the constitution, but also as a corrective instrument against abuse of power as well as a means of protecting citizens' constitutional rights.(Gellhorn & Cappelletti, 1972). Further,(Sweet,

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2000)explains that the practice of constitutional adjudication has evolved from a merely negative function of legislators to become part of constitutional governance, namely the process that establishes constitutional standards for lawmakers and government administrators. In this context, judicial review contributes not only to correcting norms but also to improving the quality of legislation, strengthening checks and balances, and ensuring democratic control remains within the constitutional framework.(Asshiddiqie, 2018).

The amendments to the 1945 Constitution of the Republic of Indonesia have significant implications for the design of normative review in Indonesia through the division of authority between the Constitutional Court and the Supreme Court. The Constitutional Court is authorized to conduct constitutional review of laws against the Constitution, while the Supreme Court conducts legal review of laws subordinate to the law. Although this division is intended to strengthen the system of normative oversight, in practice, various problems remain, such as fragmentation of authority, differences in legal interpretation parameters, inconsistent constitutional arguments, and the suboptimal harmonization of decisions between judicial institutions.(Maslul, 2023),(Winda Indah Wardani & Laga Sugiarto, 2023)This condition shows the difference with countries that implement a centralized constitutional review model, which places the authority to test norms in one institution to ensure consistency in constitutional interpretation and legal certainty.(Kelsen, 2024),(Sweet, 2000).

This problem can be observed in a number of important decisions, including Constitutional Court Decision No. 137/PUU-XIII/2015.(Constitutional Court of the Republic of Indonesia, 2015)For example, it strengthens the Supreme Court's position in reviewing regional regulations through mechanisms under the law. Meanwhile, Decision Number 91/PUU-XVIII/2020 introduces a standard for meaningful participation in the lawmaking process as part of strengthening the principles of constitutional democracy.(Constitutional Court of the Republic of Indonesia, 2020)On the other hand, Decision Number 90/PUU-XXI/2023 has sparked widespread debate regarding the limits of judicial activism, the independence of the judiciary, and legitimacy in constitutional democracy.(Constitutional Court of the Republic of Indonesia, 2023)In parallel, the Supreme Court continues to exercise its legal review function over various regulations under the law. This dynamic demonstrates that the issue of constitutional review is not only related to the division of institutional authority, but also concerns the quality of constitutional reasoning, the protection of constitutional rights, and the direction of national law formation that aligns with the principles of the rule of law.(Umar & Sofyan, 2023).

Academic studies on judicial review in Indonesia generally develop along three main lines:

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studies on the Constitutional Court as guardian of the constitution and judicial activism, analyses of the dualism of authority between the Constitutional Court and the Supreme Court, and studies on the implications of judicial review decisions for the formation of national law and the protection of constitutional rights. Despite making significant contributions, most of this research still focuses on institutional aspects and the hierarchy of laws and regulations. Meanwhile, studies integrating the ratio deciden in judicial decisions with theories of constitutionalism, constitutional governance, legislative quality, consistency of constitutional interpretation, and legal culture are still relatively limited.(Hirschl, 2020),(Ginsburg C, 2003).

Based on these conditions, there is a research gap in the form of the lack of a conceptual model capable of integrating the institutional dimensions, normative substance, and legal culture in strengthening the constitutional review system in Indonesia. To address this gap, this study combines the approach of modern constitutionalism theory, analysis of decisions of the Constitutional Court and the Supreme Court, and comparative perspectives from various countries with different constitutional review systems. The novelty of this research lies in the formulation of an Integrative Model of Constitutional Review that encompasses structural, substantial, and cultural dimensions. This model emphasizes the interconnectedness between the institutional design of the Constitutional Court and the Supreme Court, the quality of legislation, consistency of constitutional reasoning, legal culture, meaningful public participation, and constitutional governance as the foundation for strengthening the norm review system in Indonesia. Thus, this study is expected to not only provide a theoretical contribution to the development of constitutional law but also offer a normative framework that can be used to strengthen the practice of constitutional review in order to realize a democratic rule of law based on constitutional supremacy.

RESEARCH METHODS

Types and Types of Research

This research is a normative legal research that focuses on the analysis of the reorientation of judicial review in strengthening the constitutional review system as the main instrument for enforcing the principles of the rule of law in Indonesia.(Suyanto, 2022). The normative approach is used because the object of this research study is based on legal norms, constitutional principles, constitutional law doctrine, and the practice of testing statutory regulations as reflected in the decisions of the Constitutional Court and the Supreme Court.

In this context, research not only examines the law on the books but also examines judge-

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made law as part of the dynamic development of constitutional law. This approach is crucial for understanding how judicial interpretation contributes to the formation of living constitutional norms in Indonesian constitutional practice.(Suyanto, 2022).

Research Approach

This research uses a multi-methodological legal approach (multiple legal approaches), which includes a statutory approach, a conceptual approach, a case approach, and a comparative approach.(Gstrein & Beaulieu, 2022)The statutory regulatory approach is used to analyze the normative framework governing judicial and constitutional review, particularly the 1945 Constitution of the Republic of Indonesia, the Constitutional Court Law, the Judicial Power Law, and the Law on the Formation of Legislation. Meanwhile, the conceptual approach is used to examine various key concepts in constitutional law, such as constitutionalism, constitutional supremacy, rule of law, judicial review, constitutional review, judicial activism, judicial restraint, separation of powers, and checks and balances, which serve as the theoretical basis for understanding the dynamics of norm testing.(Asshiddiqie, 2018),(Hirschl, 2020)The case approach focuses on analyzing important Constitutional Court decisions, including Decisions No. 005/PUU-IV/2006, 137/PUU-XIII/2015, 91/PUU-XVIII/2020, and 90/PUU-XXI/2023, as well as Supreme Court decisions regarding judicial review of laws and regulations under the law. The analysis is conducted with an emphasis on the ratio decidendi and the construction of constitutional reasoning used in each decision.

A comparative approach is used to compare the constitutional review system in Indonesia with that of several countries, such as Austria, Germany, and South Korea. The comparison focuses on institutional design, distribution of authority, and norm-testing mechanisms to gain a more comprehensive perspective on the ideal constitutional review model.(Sweet, 2000), (Ginsburg C, 2003).

Legal Materials and Data Collection

The legal materials used in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, various laws and regulations governing judicial power and the formation of laws and regulations, as well as decisions of the Constitutional Court and the Supreme Court relevant to the issue of judicial review.*(Suyanto, 2022)*Secondary legal materials include academic literature such as constitutional law textbooks, reputable national and international journal articles, dissertations,

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and legal doctrines discussing judicial review, constitutional review, and constitutional governance.*(Suyanto, 2022)*Meanwhile, tertiary legal materials include legal dictionaries and encyclopedias which are used to clarify technical terms in legal studies.(R Arif Muljohadi, 2025).

All legal materials were obtained through library research using documentation techniques. The data were then classified based on the main research themes: the rule of law, constitutional review, legislative quality, constitutional reasoning, protection of constitutional rights, and constitutional governance, to facilitate systematic analysis.

Legal Material Analysis Techniques

The analysis of legal materials was conducted using a qualitative-prescriptive approach. The analysis process was carried out in stages, starting with an inventory of norms and decisions, identifying legal issues, analyzing the ratio decidendi and constitutional reasoning, and then conducting a comparative analysis of constitutional review systems in various countries.

These stages are then followed by a synthesis process to formulate an Integrative Model of Constitutional Review as a conceptual contribution to the research. Through this approach, the research is not only oriented towards describing and evaluating the effectiveness of the judicial review system in Indonesia but also produces a normative model that can be used to strengthen the design of norm testing within the framework of a democratic state based on constitutional supremacy.

RESEARCH RESULT

1. Dynamics of Judicial Review in the Indonesian Constitutional System

The research results show that after the amendment to the 1945 Constitution of the Republic of Indonesia, the design of normative review in Indonesia experienced a division of authority between the Constitutional Court (MK) and the Supreme Court (MA). The MK has the authority to review laws against the 1945 Constitution (constitutional review), while the MA has the authority to review laws and regulations below the law against the law (legal review).

This division creates a dualistic character for the norm testing system, with fundamental differences in terms of the object, testing parameters, and decision orientation. These differences can be summarized in Table 1 below.

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Table 1. Comparison of the Authorities of the Constitutional Court and the Supreme Court in the Indonesian Judicial Review System

Aspect	Constitutional Court	Supreme Court
Basis of authority	Article 24C of the 1945 Constitution	Article 24A of the 1945 Constitution
Test object	Constitution	Regulations under the Act
Test parameters	1945 Constitution (constitutional value test)	Law (legal conformity test)
Nature of the decision	Final and binding	Final at the Supreme Court level
Orientation	*Constitutional review*	*Legal review*
Model	*Value-based adjudication*	*Formal-legal adjudication*

Based on Table 1, Indonesia's judicial review system exhibits a dualistic character that has not yet integrated all norm-testing mechanisms into a single institutional unit. The research also indicates that Constitutional Court decisions not only serve as instruments for invalidating norms that conflict with the constitution but also play a role in establishing new constitutional standards in state practice.

This development is reflected in a number of important decisions that have made a significant contribution to strengthening constitutional review, as presented in Table 2.

Table 2. Constitutional Court Decisions Contributing to Strengthening Constitutional Review

No.	Decision	Constitutional Issues	*Ratio Decidendi*	Impact
1	005/PUU-IV/2006	Testing of the Corruption Eradication Commission Law	Strengthening the independence of state institutions	Strengthening judicial review
2	137/PUU-XIII/2015	Authority to test Perppu	The Perppu can be tested by the Constitutional Court	Expansion of the authority of the Constitutional Court
3	91/PUU-XVIII/2020	Job Creation Law	Conditionally unconstitutional	Meaningful participation standards

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4	90/PUU-XXI/2023	Requirements for presidential and vice presidential candidates	*Open legal standing*	Changes to election law

Table 2 shows that the problems of judicial review are not only juridical-institutional in nature, but also closely related to the quality of lawmaking and the political dynamics of legislation. The fragmentation of authority between the Constitutional Court and the Supreme Court has implications for potential differences in interpretive approaches, with the Constitutional Court tending to use a value-oriented constitutional reasoning approach, while the Supreme Court emphasizes a formal-legalistic approach. This situation contributes to variations in the application of the law and the suboptimal harmonization of norms within the legal system.

On the other hand, the intensity of judicial review, particularly regarding the Job Creation Law, shows that judicial review functions not only as a judicial corrective mechanism, but also as an evaluative instrument for the quality of the legislative process, including aspects of public participation and the preparation of academic papers.

2. The Effectiveness of Constitutional Review in Upholding the Principles of the Rule of Law.

The effectiveness of constitutional review in Indonesia cannot be measured solely by the number of cases or the frequency of Constitutional Court decisions, but must be seen from the extent to which the mechanism is able to realize the protection of constitutional rights, legal certainty, constitutional supremacy, and strengthening the checks and balances mechanism in state administration practices.

The research results show that effectiveness is largely determined by the quality of the argumentation in the decision, the level of compliance of state institutions with court decisions, and the consistency of implementation within the national legal system. A summary of these findings is presented in Table 3.

Table 3. Effectiveness of Constitutional Review in Enforcing the Principles of the Rule of Law

Aspect	Research Findings	Key Indicators
Protection of Constitutional Rights	The Constitutional Court acts as the main forum for protecting constitutional rights through testing laws and determining conditional decisions.	Conditionally constitutional & conditionally

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		unconstitutional decisions
Legal certainty	The Constitutional Court's decision is a normative reference in the formation and application of law, but implementation is still experiencing delays.	Consistency in implementing the Constitutional Court's decisions
Supremacy of the Constitution	The Constitutional Court functions as the guardian of the constitution, but there are still differences in interpretation due to the separation of authority between the Constitutional Court and the Supreme Court.	Unity of interpretation of norms
Checks and Balances	Constitutional review limits legislative and executive authority, but its effectiveness depends on the compliance of state institutions.	Level of compliance with Constitutional Court decisions

Based on Table 4, the effectiveness of constitutional review shows significant achievements in the protection of constitutional rights, legal certainty, constitutional supremacy, and checks and balances, although there are still challenges in the consistency of implementation and unity of interpretation between judicial institutions.

3. Comparison of Constitutional Review Models in Various Countries

The research results show that there are variations in constitutional review models across countries, both in terms of institutional aspects and mechanisms for access to constitutional review. A comparison of Austria, Germany, South Korea, and Indonesia reveals two main trends: a centralized model and a hybrid model. Indonesia, on the other hand, still employs a dualistic model. This comparison is summarized in Table 4.

Table 4. Comparison of Constitutional Review Models

Country	Model	Institution	Access Mechanism	Main Features
Austria	Centralized	Constitutional Court	Referral system	Testing is centralized at one institution
German	Hybrid-expansive	Federal Constitutional Court	Constitutional complaint & referral	Strong individual rights protection

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South Korea	Hybrid-integrated	Constitutional Court	Constitutional complaint	Wide public access and variety of authorities
Indonesia	Dualistic model	MK and MA	Limited access	Separation of norm testing

Based on Table 5, countries with a centralized or hybrid model tend to have higher consistency in constitutional interpretation because the authority for judicial review is centralized or integrated, while Indonesia still shows fragmentation due to the separation of authority between the Constitutional Court and the Supreme Court.

4. Reorientation of Judicial Review as a Model for Strengthening Constitutional Review in Indonesia

The research findings demonstrate that the problem of judicial review in Indonesia is multidimensional and cannot be resolved solely through normative changes or restructuring of the Constitutional Court's and Supreme Court's authorities. These weaknesses include institutional fragmentation, inconsistent interpretations, suboptimal legislative quality, and a weak culture of compliance with court decisions. Furthermore, previous studies have tended to be partial, failing to integrate the relationship between the Constitutional Court and the Supreme Court into a single normative review system.

Based on these findings, this study formulates the Reorientation of Judicial Review as a model for strengthening constitutional review that positions it as an integrated constitutional management system, encompassing the cycle of formation, testing, implementation, and evaluation of law.

This model consists of four main dimensions: Structural, Substantial, Cultural, and Constitutional Governance. These four dimensions demonstrate that constitutional review functions not only as a norm-testing mechanism but also as part of the national legal management cycle. A synthesis of previous research and the novelty of this research are summarized in Table 5.

Table 5. Research Gap Matrix in Judicial Review and Constitutional Review Studies

Aspect	Previous Research	Weakness	This research
Judicial review	Focus on MK	Not integrating MK–MA relations	Integration of MK–MA in the norm testing system

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Comparative review	Partial study of a specific country	Not systemic	Comparison of Austria, Germany, South Korea, Indonesia
Analysis model	Normative descriptive	Does not produce an integrative model	Integrative Model of Constitutional Review
Perspective	Separate (legal/political/institutional)	Not holistic	Multidimensional approach (structural–substantial–cultural–governance)

Based on Table 6, this study confirms that previous studies have been partial and therefore unable to fully explain the relationship between judicial institutions, legislative quality, and constitutional governance. Therefore, this study proposes an Integrative Constitutional Review Model as a new framework for strengthening the principle of the rule of law in Indonesia.

DISCUSSION

1. Dynamics and Design of Judicial Review in the Indonesian Constitutional System

The research results show that after the amendment to the 1945 Constitution of the Republic of Indonesia, the judicial review system in Indonesia developed in a dualistic model, where the Constitutional Court (MK) reviews laws against the 1945 Constitution, while the Supreme Court (MA) reviews regulations below the law against the law. This condition confirms the existence of a dual-track constitutional review system that is not integrated into a single norm-testing forum.(Amanda et al., 2025),(Chalid, 2017),(Bradlow, 1988).

The findings of this study are in line with the theory of judicial review which places the judiciary as a control mechanism for legislative products so that they do not conflict with the constitution (Marbury v. Madison tradition in the concept of judicial supremacy).https://supreme.justia.com/cases/federal/us/5/137/,(Qc, 2020). In addition, the results of this study are also the same as the theory(Kelsen, 2024)in Stufenbau des Recht, which emphasizes that the constitution is the highest norm in the legal hierarchy.

However, the absence of a unified testing body has led to fragmentation of constitutional interpretation authority. This condition is in line with the view(Sweet, 2000)which explains that the separation of adjudication forums has the potential to result in interpretive fragmentation in the norm testing system. The Constitutional Court tends to use a constitutional value-based

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reasoning approach, while the Supreme Court is more dominant in the hierarchical legal-formal approach.(Butt, 2015).

Furthermore, the Constitutional Court functions not only as a negative legislator but also as a constitutional standard setter. Decision No. 91/PUU-XVIII/2020 expands judicial review to the procedural aspects of legislation through the doctrine of meaningful participation.(Constitutional Court of the Republic of Indonesia, 2020),*(Butt, 2015).*This is the same as the theory(Ginsburg C, 2003)regarding procedural constitutionalism, which emphasizes that the quality of law is also determined by the process of its formation.

2. Fragmentation and Problems of Constitutional Review Design in Indonesia

The research results show that the design of constitutional review in Indonesia is still fragmented due to the separation of the authority of the Constitutional Court and the Supreme Court which run in parallel without an integration mechanism.(Butt, 2015)The absence of constitutional referral or judicial dialogue causes each institution to develop interpretation standards independently.(Butt, 2015),('Constitutions in OECD Countries: A Comparative Study', 2022)

This finding is in line with the theory(Kelsen, 2024)which emphasizes the importance of unity in interpreting the highest norms in a legal system. In addition, the results of this study are also in line with the views of(Sweet, 2000)which states that the dual-track adjudication system has the potential to create interpretative fragmentation.

As a result, an institutional interpretative bifurcation occurred, where the Constitutional Court used a constitutional value-based approach, while the Supreme Court tended to be positivistic-formal.(Lina Sinaulan et al., 2025)This condition has an impact on the inconsistent application of constitutional principles and weakens legal certainty in the state system.(Lina Sinaulan et al., 2025),(Tamanaha, 2021).

Furthermore, the research findings indicate that the high frequency of judicial review reflects the persistently weak quality of national legislation. Constitutional Court Decision No. 91/PUU-XVIII/2020 emphasized that procedural flaws in the formation of laws can lead to their conditional unconstitutionality. Therefore, this finding aligns with the concept of modern constitutional governance, which argues that judicial review functions not only as an ex-post correction but also as part of legislative quality control.

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3. The Role of the Constitutional Court and the Transformation of the Constitutional Review Function

The research results show that the Constitutional Court's function has shifted from merely examining norms to establishing constitutional standards. The Constitutional Court's decisions are not only negative (annulment of norms) but also normative, establishing new standards for lawmakers.

This finding is in line with the theory(Sweet, 2000)which states that the modern constitutional court functions as a policy-shaping institution. In addition, the results of this study are also in line with the theory(Ginsburg C, 2003)regarding procedural constitutionalism, which emphasizes that legal legitimacy is determined by the quality of the norm-formation process.

However, the expansion of the MK's role also gave rise to institutional tensions that reflected the judicialization of politics ((Hirschl, 2020), namely the increasing role of judicial institutions in the realm of public policy. In the Indonesian context, this phenomenon can be understood as a response to the weak quality of national legislation.

4. Effectiveness of Constitutional Review in a Constitutional Rule of Law State

The research results show that the effectiveness of constitutional review is not only determined by the number of Constitutional Court decisions, but by its contribution to the protection of constitutional rights, legal certainty, constitutional supremacy, and the mechanism of checks and balances.

This finding is in line with the theory of the rule of law (Rechtsstaat) which places the judiciary as the guardian of the constitution.(Kelsen, 2024)The Constitutional Court functions as a guardian of the constitution in ensuring that all norms are within the corridor of the 1945 Constitution of the Republic of Indonesia.

However, its effectiveness is still limited by the fragmentation of authority within the Supreme Court and inconsistent levels of institutional compliance. This condition is similar to the theory.(Hirschl, 2020)that the effectiveness of the constitutional court is highly dependent on political compliance with its decisions.

5. Comparison of Constitutional Review Models and Implications for Indonesia

The research results show variations in constitutional review models across countries. Austria implements a centralized constitutional review, resulting in a unified interpretation of the constitution. Germany uses a hybrid-expansive model that strengthens individual access through

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constitutional complaints. South Korea implements a hybrid-integrated model that combines constitutional review with dispute resolution between state institutions.

This finding aligns with the Kelsenian constitutional court model, which emphasizes the centralization of judicial review authority to maintain consistent constitutional interpretation. The German and South Korean models also align with the development of modern constitutional democracy theory, which emphasizes accessibility and citizen participation in constitutional review.

In contrast, Indonesia still employs a dualistic review system that separates the powers of the Constitutional Court and the Supreme Court without any interpretive integration mechanism. This situation has led to fragmented constitutional interpretation and a decline in the consistency of constitutional rights protection.

6. Research Gaps and the Need for Reorientation of Constitutional Review

The research findings show that judicial review studies in Indonesia are still dominated by a fragmented institutional approach focused on the Constitutional Court. This approach fails to integrate the role of the Supreme Court and the legislative process within a single constitutional governance framework.

These findings align with critiques of modern constitutionalism literature, which argue that judicial review analysis cannot be separated from the cycle of lawmaking, implementation, and evaluation of state policy. Furthermore, the research findings align with the theory of integrated legal systems, which emphasizes the importance of inter-institutional integration in maintaining the effectiveness of the rule of law.

7. Integrative Model of Constitutional Review in Indonesia

The research findings indicate that the problems of constitutional review in Indonesia are systemic and cannot be resolved through partial reform. Therefore, a reorientation of judicial review toward an integrative model of constitutional review is necessary, placing judicial review as part of the constitutional governance cycle.

This model reconstructs the function of judicial review from an ex post corrective mechanism into an integrated cycle encompassing law formation, norm testing, implementation, and evaluation of legal policy. This integrative model encompasses four main interrelated dimensions:

First, the structural dimension is in the form of MK-MA integration through judicial dialogue and

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harmonization of jurisprudence. Second, the substantial dimension through strengthening the quality of legislation and constitutional impact assessment. Third, the cultural dimension through strengthening constitutional culture and compliance with court decisions. Fourth, the governance dimension through strengthening checks and balances and consistency in implementing decisions.

These four dimensions are in line with the theory of modern constitutional governance, which views constitutional review not merely as a mechanism for testing norms, but as part of a cyclical and integrated system of governance of the rule of law.

CONCLUSION

This study confirms that strengthening constitutional review in the Indonesian constitutional system is an urgent need to uphold the principle of a rule of law based on constitutional supremacy. The dynamics of judicial review after the amendment to the 1945 Constitution show significant progress, particularly through the role of the Constitutional Court in developing more progressive constitutional standards. However, its effectiveness is still limited by institutional fragmentation between the Constitutional Court and the Supreme Court, which has resulted in a lack of unity in constitutional interpretation and weakened legal certainty. Therefore, a reorientation of the judicial review paradigm toward a more integrative model is needed, focusing not only on correcting norms but also on strengthening sustainable constitutional governance. Based on the discussion, it can be concluded that the judicial review system in Indonesia is still in a transitional phase toward full constitutional governance. The dualism of authority between the Constitutional Court and the Supreme Court creates fragmented interpretations that have implications for inconsistent constitutional law enforcement. Although the Constitutional Court has developed as a guardian of the constitution and a set of normative standards, its effectiveness is still suboptimal due to weak integration with the Supreme Court and the low quality of legislative harmonization. Thus, strengthening constitutional review must be directed at structural, substantial, and cultural integration so that the principle of the rule of law can be realized consistently.

Based on the research findings, strengthening the constitutional review system in Indonesia requires comprehensive and sustainable measures. The government and the House of Representatives (DPR) need to improve the quality of legislative formulation through the application of constitutional impact assessments, regulatory harmonization, and the consistent implementation of the principle of meaningful participation from the planning stage to the

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enactment of laws to minimize the emergence of unconstitutional norms. Meanwhile, the Constitutional Court and the Supreme Court need to strengthen institutional coordination through the development of judicial dialogue mechanisms, the harmonization of jurisprudence, and the development of integrated constitutional interpretation guidelines to prevent fragmentation of interpretation, increase the consistency of decisions, and strengthen legal certainty. Furthermore, the government, universities, and legal professional organizations need to encourage the strengthening of constitutional culture through legal education oriented towards constitutional values, increasing public constitutional literacy, and strengthening compliance of all state institutions with the implementation of Constitutional Court and Supreme Court decisions as prerequisites for realizing a democratic rule of law based on constitutional supremacy. As for further research, it is recommended to develop an empirical approach or socio-legal research to evaluate the implementation of judicial review decisions, the level of compliance of state institutions with court decisions, the effectiveness of institutional relations between the Constitutional Court and the Supreme Court, and to examine the opportunities for implementing constitutional complaint, constitutional question, and judicial dialogue mechanisms through comparative studies with countries that have implemented a centralized constitutional review model, so as to enrich the development of a more adaptive constitutional review strengthening model to the characteristics of the Indonesian state system.

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