
LEGAL POLITICS AND POWER DOMINANCE IN THE FORMATION OF NATIONAL STRATEGIC REGULATIONS: THE CRISIS OF CHECKS AND BALANCES IN INDONESIAN DEMOCRACY

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Abstract

The formation of national strategic regulations in Indonesia demonstrates increasing attention to the relationship between legal politics and the use of power in the process of state governance. Regulations that play a crucial role in supporting the national agenda are often influenced not only by development needs and government interests but also by the power relations that develop in the decision-making process. This situation raises concerns about the implementation of checks and balances mechanisms, particularly when the policy-making process shows a tendency towards a concentration of influence among certain actors within the government system. This study aims to analyze the influence of legal politics and the dominance of power in the formation of national strategic regulations and their implications for the implementation of checks and balances in Indonesia's democratic system. This study uses a qualitative approach with a literature study method through the utilization of various relevant sources, such as scientific articles, previous research results, books, and various documents related to the research focus. The results show that the direction of legal politics in the formation of national strategic regulations is closely related to various state interests and policy orientations that develop in governance. The dominance of power in the legislative process has been shown to influence the effectiveness of the oversight function between state institutions, the balance of authority, and institutional independence in the implementation of the control function over policy. This situation has implications for the quality of Indonesian democracy through its influence on public participation, public trust, representation, and accountability in state administration.

Keywords: *Legal Politics, Power Dominance, National Strategic Regulation, Checks and Balances, Indonesian Democracy.*

A. INTRODUCTION

The development of the Indonesian government system over the past few decades has demonstrated significant changes in the pattern of national policy and regulatory formation. These changes have occurred in line with various national development agendas that increasingly demand policies deemed capable of addressing economic needs, investment, infrastructure development, institutional transformation, and various other strategic interests. Amidst the growing need to accelerate national development, the regulatory formation process is no longer viewed solely as an administrative stage producing legal products, but has also evolved into an arena that brings together various political, economic, bureaucratic, and power interests. This situation has led to the formation of national strategic regulations receiving significant attention, as the resulting policies have a broad impact on governance, relations between state institutions, and the social life of society as a whole (Boolaky et al., 2018).

In the Indonesian context, various strategic policies that have emerged in recent years demonstrate a tendency toward increasing intervention by power in the regulatory drafting process. This situation can be observed through increasing public discussion regarding the direction of policy formation, which is perceived as increasingly focused on particular interests.

Various regulations that have significant consequences for the state system and public life often generate considerable debate, both in academic circles, civil society, professional organizations, and other community groups. The debate arose not only because of the substance of the regulations being formed, but also related to the process of forming the regulations, which was deemed to have experienced various problems, such as limited public participation, short discussion time, and the emergence of various indications of unequal relations between the actors involved in it (Buyse, 2018).

The increased public attention to the process of formulating national regulations is inextricably linked to various political developments that have occurred since the reformation era. Changes to the governance system, previously aimed at strengthening the distribution of authority among state institutions, have in reality faced new challenges in the practice of state governance. The emergence of large political coalitions, the increasing consolidation of power, and the strengthening of political relations between the executive and legislative branches during various policy-making periods have raised questions about the balance of relations between state institutions. This situation has drawn increasing attention when important decisions can be resolved in a relatively short time, even though they involve issues with broad consequences for society (Fanani et al., 2020).

The various developments of national strategic regulations in recent years have demonstrated that the legislative process often faces issues that are not solely administrative or procedural. A number of regulations have received mixed responses from the public, perceived as creating a tendency to increasingly limit the space for public discussion during their development. In some cases, the public has only learned about changes in the substance of regulations when the deliberations have reached the final stages. This situation has given rise to the perception that regulation formation occurs largely within political spaces that are difficult for the wider public to access. This situation, in turn, raises questions about the extent to which the policy-making process truly represents the needs of the community or is instead influenced by the interests of particular groups (García-Quevedo et al., 2020).

Another issue that has garnered attention is the increasing tendency to use an accelerated approach in the formation of national regulations. The drive to accelerate economic development and attract investment is often the primary rationale for strategic policymaking. While accelerated policies serve the specific purpose of supporting national development, their implementation also raises a number of issues when the legislative process is deemed too short. In some situations, this acceleration has led to criticism regarding the limited opportunity for the public to provide adequate input. As a result, the resulting policies have sparked resistance in various regions and given rise to widespread social conflict (Grinin et al., 2022).

This situation has drawn increasing attention when the formation of national regulations is no longer understood as a neutral process. Various interest groups have varying capacities to influence the policymaking process. Some groups have greater access to policymakers, while others have limited access to convey their aspirations and interests. This unequal access can ultimately result in a situation where the legislative process is more influenced by certain actors with greater political resources than others. As a result, regulatory formation can develop into a space that displays differences in influence and position among the actors involved (König et al., 2018).

On the other hand, attention to the quality of democracy in Indonesia has also increased in recent years. Various international and national studies have identified a number of indicators that demonstrate challenges to the quality of democracy, particularly those related to public participation, civil liberties, and the effectiveness of oversight institutions. This situation is crucial because democracy is not only measured by the regular implementation of general elections, but also by how the government process operates and how power is exercised in the practice of state administration. When the policy-making process tends to be centralized

by certain actors, concerns arise about the declining quality of oversight of the use of state power (Aspinall et al., 2020).

The relationship between state institutions, which at the beginning of the reform era were aimed at mutual oversight, also faces various challenges in practice. The increasing tendency for large political coalitions within the government has often led to the perception that oversight institutions are not functioning optimally. This situation has created a situation where the process of oversight of government policy has become increasingly limited because the actors who should be carrying out oversight functions are in relatively close political positions. The impact is not only visible in the regulatory formation process but can also influence the quality of decision-making in state administration more broadly (Jansen & Kalas, 2020).

Furthermore, various public responses to a number of strategic regulations demonstrate a gap between the policy-making process and public expectations for open government. Protests, academic criticism, lawsuits, and various other forms of resistance demonstrate that the formation of national regulations still faces quite complex challenges. This situation indicates that the problem lies not only in the content of the policies, but also in the process underlying their creation. Public trust in state institutions can decline if the regulatory formation process is perceived as not providing adequate space for public involvement (Mu & Wang, 2022).

These developments demonstrate that the issue of the formation of national strategic regulations cannot be separated from the influence of evolving power relations within the government system. When the regulatory formation process is increasingly influenced by the concentration of particular interests, there is the potential for changes in the patterns of relationships between state institutions. This situation can create a situation that affects the effectiveness of oversight and reduces the balance in the use of power. If this situation persists, the impact will not be limited to the legislative process alone but could also affect the quality of democracy and the direction of the future development of the Indonesian constitutional system (Hüseyin et al., 2021).

This research aims to analyze the tendencies of power dominance that emerge in the process of formulating national strategic regulations in Indonesia and their impact on the implementation of checks and balances within a democratic system. This research also aims to examine the relationship between legal politics, power relations, and the policy-making process, which plays a strategic role in state governance.

B. LITERATURE REVIEW

1. Power Domination

Power domination refers to a situation where the influence of a particular group grows to the point where it shapes the perspectives, relationship patterns, and behavior of other groups within a social or political structure. In practice, domination does not always occur through the direct use of force; such influence can be formed through social relationships that develop continuously, resulting in acceptance from those in lower positions. This condition gives one group greater power to shape decisions and establish relationship patterns that tend to maintain its position within the established structure. Thus, power domination is not only related to control over certain resources or authority, but also relates to the ability to influence how society understands and accepts the conditions surrounding it (Topp et al., 2021).

Power domination also indicates an unequal relationship between groups with more powerful positions and those in lower positions. This relationship can be formed through structures that develop within social life, creating different divisions of roles, functions, and positions between groups. In such situations, groups with greater influence tend to have greater power to influence decisions that affect other groups. Conversely, groups with lower positions

often find themselves in situations that limit their ability to influence decisions. This creates a pattern of relationships that can gradually strengthen the dominant group's position and maintain its influence over other groups (Cheng, 2020).

Furthermore, power domination does not always occur through directly visible forms of control, but can also develop through processes that generate compliance from the influenced group. This influence can arise when a particular group holds a higher position, so that its decisions, views, and interests receive greater acceptance in social life. In such circumstances, power relations can develop more broadly because the group in the lower position not only accepts this influence through certain pressures but also through the formation of the belief that the prevailing conditions are in accordance with the prevailing structure. Such a situation can ultimately result in a relationship that maintains a group's dominant position continuously (Cartensen & Schmidt, 2018).

On the other hand, power domination also demonstrates that in every social relationship, there is always the possibility of a response or form of resistance from the group in the dominated position. Although the influence of a dominant group can form a strong relationship within a structure, this condition does not eliminate the possibility of efforts to establish a more balanced position. This demonstrates that power domination does not exist as a completely fixed and unchanging relationship, but develops through ongoing interactions between the group with dominant influence and the group in the influenced position. Therefore, power domination can be understood as a relationship that shows how influence, social position, and relations between groups work to shape the broader patterns of social life (Avelino, 2021).

2. Check and Balance

The mechanism of checks and balances has developed as a crucial component of the modern state system, placing the relationship between state institutions in a position of interconnectedness and mutual oversight. The development of the government system demonstrates that the exercise of state power is no longer understood through a rigid separation of powers, as in practice, the relationship between the legislative, executive, and judicial branches always involves interaction in the implementation of government functions. This situation demonstrates that state administration requires a mechanism that can maintain a balanced relationship between institutions, preventing the exercise of authority from being centralized in the hands of a single party. Therefore, the relationship between state institutions is fundamentally built not only to carry out their respective institutional functions but also to create a supervisory process that allows for reciprocal control in the use of state power (Von Bogdandy, 2020).

The relationship formed through the mechanism of checks and balances demonstrates that each state institution has a relatively equal position in exercising its authority. This equality does not mean that all institutions have the same function, but rather indicates a division of duties and interrelated responsibilities in the process of governance. In such circumstances, each institution is given the space to exercise its authority independently, but remains in a relationship that allows for oversight of the implementation of other institutions' duties. The existence of this mechanism is crucial because the use of power without oversight can lead to a tendency for the concentration of influence in certain institutions, which can ultimately affect the balance within the government system (Holcombe, 2018).

The implementation of checks and balances is also related to efforts to maintain institutional independence within the state system. This independence is necessary so that each institution can carry out its functions and authorities without excessive interference from other institutions. In the practice of state governance, relations between institutions are not directed at weakening or reducing each other's authority, but rather to ensure that every decision-making

process is subject to adequate oversight. Therefore, the balance established through checks and balances mechanisms is not intended to limit the implementation of state institutions' duties, but rather to create relationships that maintain stability in the exercise of state authority (Elbasani & Šabić, 2018).

Furthermore, checks and balances are not understood as the ultimate goal of state governance, but rather as part of a democratic system of government that supports better governance. Their existence is aimed at building balanced working relationships between state institutions so that the governance process can proceed more accountably and prevent excessive power domination. In this context, the implementation of checks and balances plays a crucial role in maintaining the quality of institutional relations, strengthening the implementation of oversight functions, and supporting the creation of a more proportional and sustainable government system (Mazepus & Toshkov, 2022).

C. METHOD

This study uses a qualitative approach with the aim of gaining a deeper understanding of legal politics and the tendency of power dominance in the process of forming national strategic regulations in Indonesia and their implications for the implementation of checks and balances mechanisms in a democratic system. This approach was chosen because the problems studied relate to the process, relationships between actors, and various conditions that develop in state administration, thus requiring a more in-depth analysis, and cannot be explained solely through numerical measurements. Through this approach, the study is directed at understanding the various issues that arise in the formation of national strategic regulations in a more comprehensive manner based on the conditions that develop in state administration practices in Indonesia. Research data was obtained through a literature review utilizing various sources relevant to the research focus, such as the results of previous research, scientific articles, policy documents, and various literature related to legal politics, power, and the formation of national regulations. After the research data were successfully collected, the next stage was carried out through a systematic process of data processing and analysis by identifying, categorizing, and interpreting the various information obtained to produce findings that are in line with the research focus and can provide a more in-depth picture of the problems studied (Kusumastuti & Khoiron, 2019).

D. RESULT AND DISCUSSION

1. Direction of Legal Policy in the Formation of National Strategic Regulations

The development of national strategic regulations reflects the evolving approach adopted by the state in establishing priorities across different sectors of national development. The formation of national regulations does not essentially occur in isolation from the needs of governance, as each resulting policy is always linked to the goals the state seeks to achieve within a specific period. In practice, regulatory development is frequently designed to accommodate development objectives, preserve the continuity and stability of government administration, improve bureaucratic performance, and adapt to changing social, economic, and political conditions. Consequently, the process of formulating regulations is not driven solely by administrative considerations but is also shaped by a range of interests that emerge and develop within a particular context and period. As a result, national strategic regulations often function as important instruments that support the realization of state agendas considered to have significant implications for governance systems and broader societal life.

The formation of national strategic regulations also demonstrates that policy orientation in the legislative process is adapting to various demands arising from the nation's development. The need to increase economic growth, expand infrastructure development, improve bureaucratic governance, and enhance national competitiveness drives the state to produce

various policies deemed capable of accelerating the achievement of development goals. In situations like this, regulations are positioned not only as legal instruments governing social relations but also as tools to support the broader implementation of state policies. This situation demonstrates that the formation of national regulations is increasingly geared toward achieving outcomes deemed strategic, so their formulation is often carried out with various medium- and long-term needs in mind.

The policy orientation in the formation of national regulations is also closely related to how the state determines which sectors receive greater attention in the policymaking process. During various government periods, there has been a tendency for certain sectors to be positioned as a top priority over others. This situation has led to the formation of regulations being directed more toward areas deemed to have a significant influence on the implementation of the government agenda. As a result, the legislative process does not proceed evenly across all public issues, as state attention is more focused on specific areas deemed to support the achievement of national development targets. This situation indicates that the direction of national regulations is heavily influenced by considerations regarding which sectors are deemed to have strategic value for the state.

On the other hand, the prioritization of state interests in the development of strategic regulations also demonstrates a strong relationship between development needs and political decisions made by the government. Every policy formulated fundamentally has specific objectives related to the interests of the state administration. However, in practice, determining these priorities is not always a completely simple process, as various factors influence decision-making. Various administrative, economic, social, and institutional interests often coexist in the regulatory formation process, resulting in a negotiation process involving many actors. This situation has caused the development of strategic regulations as a process that brings together various interests that have different levels of influence.

The relationship between state interests and strategic regulatory development becomes increasingly apparent when the government places the development agenda as a key component in the implementation of national policies. Various development targets require regulatory support that can provide certainty for the implementation of government programs. In such situations, regulations are often used as an instrument to accelerate the implementation of various development agendas deemed important. This situation leads to regulatory development being more directed at supporting the implementation of priority state programs, so that the legislative process often moves in line with ongoing development needs. This situation demonstrates that the direction of regulatory development is not solely related to legal aspects but is also influenced by the objectives to be achieved through the implementation of development policies (Meckling, 2018).

The link between the development agenda and policy development also demonstrates that national regulations play a significant role in determining the successful implementation of various state programs. National development requires a policy foundation that can provide certainty in the implementation process and support coordination between institutions involved in its implementation. Therefore, various strategic regulations are often designed to strengthen the effectiveness of development programs that have a significant impact on governance. However, this situation can also lead to a tendency for regulatory development to be directed more towards accelerating the achievement of specific targets rather than considering various other aspects that also impact society more broadly.

Besides being influenced by development needs, the direction of national regulations is also related to the prevailing political conditions within the state administration. Political conditions have a significant influence on the policy-making process because various decisions are inseparable from the relationships between actors involved in the legislative process. Changes in the political situation often result in shifts in policy priorities set by the government.

Shifts in government orientation, changes in the configuration of political support, and the increasing need to maintain the stability of state administration can influence the direction of regulations formulated within a given period.

Developing political conditions can also influence the policy-making process through the relationships formed between state institutions. When relations between political actors are relatively supportive, the regulatory formation process can proceed more quickly because there is a commonality of interests in decision-making. Conversely, when significant differences in interests arise, the legislative process can encounter various obstacles, causing policy formulation to take longer. This situation demonstrates that the formation of national regulations is influenced not only by administrative and development needs but also by the prevailing political conditions within the government.

The influence of political conditions on the direction of national regulations is also evident in the changing relationship between the legislative process and the decision-making process. In various developments in state administration, there has been a tendency for the policy-making process to increasingly emphasize effectiveness and acceleration in the implementation of government programs. This situation has led to significant changes in the decision-making process within the legislative process. Whereas previously, policy-making often involved relatively lengthy stages involving various parties, the trend has emerged toward more expedited resolution so that various government agendas can be implemented immediately.

This change in decision-making patterns has significant consequences for the national regulation-making process. Accelerating the legislative process can provide benefits in supporting the implementation of state policies, as various planned programs can be implemented immediately. However, at the same time, this change can also create various problems if the regulation-making process proceeds with limited space for discussion and the involvement of various stakeholders. In certain situations, an orientation toward effectiveness can lead to a tendency for the legislative process to emphasize the result more than the policy-making process itself.

2. The Influence of Power Dominance on the Regulation Formation Process

The regulatory formation process at the national level essentially reflects not only the formal stages of policy development but also the relationships of influence formed among the various actors involved in state governance. Regulations produced through the legislative process often emerge from a series of interactions involving state institutions, political actors, bureaucracies, interest groups, and various other elements related to the substance of the policy being discussed. In practice, this process does not always occur on an equal footing, as each actor possesses varying capacities, resources, access, and levels of influence in influencing the direction of policy formation. These differences cause the legislative process to develop into a space that exhibits an uneven distribution of influence, often influencing decisions by parties with stronger positions than others.

This situation is increasingly serious to address because the formation of national strategic regulations has far-reaching consequences for state governance and public life. Various regulations concerning economic issues, development, governance, investment, and other important sectors generally involve complex interests. Amidst this complexity, the policy-making process is not only about finding solutions to public problems, but also about how various interests gain space to influence the decisions made. As a result, the legislative process often tends to favor certain groups with strategic positions within the power structure to exert greater influence.

Concentration of influence in the policy-making process is a common occurrence in the formation of national strategic regulations. This concentration can be seen when the policy

formulation process is largely confined to certain actors with greater power to shape the direction of decisions. This situation can arise because some actors possess stronger political positions, greater access to policymakers, or the ability to direct the deliberations according to their particular interests. When influence is concentrated in certain groups, the legislative process has the potential to experience a narrowing of the space for participation, resulting in inadequate consideration of diverse perspectives from other parties (Dulio et al., 2018).

The tendency for centralized influence in the policymaking process can also influence how regulations are designed and decided upon. In situations where the majority of decisions are under the influence of specific actors, regulatory formation often occurs through more closed and concentrated mechanisms. The discussion process can be more limited because key decisions are essentially guided by pre-established agreements. This situation causes regulatory deliberations in some situations to occur only as a formal process to gain legitimacy for agreed-upon decisions. As a result, the legislative process can lose the space that should be used to bring together various interests in a more balanced manner.

Besides the concentration of influence, the regulatory formation process is also influenced by the position and level of involvement of the participating actors. Each actor has different interests, goals, and capacities to influence policy direction. State institutions have formal authority in formulating regulations, while other groups, such as community organizations, academics, business actors, and various interest groups, have a more significant role in providing input and influencing the substance of policies. Although formally, various parties have the opportunity to be involved, in practice, this level of involvement is not always evenly distributed.

Differences in the level of involvement between actors create a situation where some parties hold a more dominant position than others. Some groups may have closer access to the policymaking process, making it easier to accommodate their views and interests in the legislative process. Conversely, some groups experience limitations in expressing their aspirations or obtaining information regarding regulatory developments. This situation means that involvement in the legislative process does not always occur through a balanced relationship. As a result, the policymaking process can develop into a space that is more influenced by actors close to the decision-making center.

This situation ultimately relates to the issue of unequal access in the decision-making process. Inequality of access manifests not only in the form of differing opportunities to express views but also in the ability of each actor to influence the substance of policy. In various situations, certain actors may have greater access to information, political networks, and the consultation process that takes place during the drafting of regulations. Meanwhile, other groups are often in a more limited position, resulting in their participation having no significant influence on the final policy outcome.

This unequal access can have various consequences in the regulatory formation process. When some parties have greater opportunities than others to influence decision-making, the resulting policies have the potential to reflect the interests of certain groups. Such a situation can lead to the perception that the legislative process does not operate through an open and equitable mechanism. In the longer term, this situation can affect public trust in the policy-making process because there is a perception that the resulting decisions do not fully represent the needs of the broader public.

On the other hand, the process of formulating national strategic regulations also demonstrates a tendency towards strengthening power within the legislative process. This strengthening can be seen through the increased capacity of certain actors to determine the direction of policy formation and control the decision-making process. In some circumstances, the legislative process is used not only to produce regulations that support governance but can also develop as an instrument that strengthens the position of certain actors within the power

structure. This situation means that regulations not only have an administrative function but can also have broader consequences for power relations within the state.

The tendency to strengthen power in the legislative process often develops through relationships formed between various political actors with similar interests. These relationships can generate greater support for a policy, resulting in a faster development process with relatively few obstacles. While this situation can increase the effectiveness of policy implementation, it can also lead to a tendency to reduce the space for alternative views that differ from the policy direction being formulated. When the legislative process is more influenced by strong power relationships, the opportunity for more critical discussion of the substance of the regulation can become increasingly limited.

The influence of political relationships on the formation of strategic regulations also demonstrates that the legislative process is never completely separate from the relationships between actors within the government system. Political relationships can influence various stages of policy formation, from agenda setting and deliberation to final decision-making. Close relationships between certain actors often create patterns of cooperation that can expedite the completion of a regulation. However, at the same time, this situation can also give rise to situations where decisions are influenced more by the interests of political relationships than by broader considerations.

In a more far-reaching development, the influence of political relationships on the formation of strategic regulations can result in changes to the overall pattern of national policy implementation. When political connections exert too much influence over the legislative process, regulatory formation has the potential to shift from a process that prioritizes the public interest to one that is more influenced by the evolving power configurations of a given period. This situation demonstrates that the dominance of power in regulatory formation is not simply related to who holds formal authority in policymaking, but also to how influence, access, political connections, and the position of certain actors influence the direction of decisions made.

3. Weakening of the Checks and Balances Mechanism in the State Institutional System

The checks and balances mechanism within the state institutional system plays a crucial role in maintaining relationships between government institutions to prevent the exercise of authority from becoming centralized in the hands of a single party. In the practice of state governance, relationships between institutions are not only directed at carrying out their respective functions but also at creating an oversight process capable of maintaining balance in the use of authority. This oversight is crucial because each state institution has the capacity to influence policy direction and the decision-making process within the government. Therefore, the existence of an inter-institutional oversight mechanism is not only related to the administrative division of tasks but also concerns efforts to ensure the use of power remains within the boundaries consistent with the principle of balanced state governance.

Changes in government administration over the past few years demonstrate that the implementation of oversight functions between state institutions faces increasingly complex challenges. These challenges arise with the increasing need for the government to implement various strategic agendas that require stronger coordination between institutions. In such situations, closer relationships between actors in government are often seen as supporting the effectiveness of policy implementation. However, at the same time, this situation also raises problems when the established relationships result in a tendency for a decrease in the intensity of oversight of the use of authority. As a result, the oversight function, which should be carried out optimally, can experience changes in its implementation.

The effectiveness of the oversight function between state institutions is not only determined by the formal authority held by each institution, but also by how that authority is exercised in practice. In various situations, an institution may have considerable capacity to oversee policy implementation, but its effectiveness is not always determined by the rules governing that authority. Factors such as political relations, power support, institutional interests, and policy orientation can influence the implementation of the oversight function. This situation demonstrates that the existence of formal oversight mechanisms does not necessarily result in effective oversight if various conditions in practice limit their implementation.

The issue of effective oversight becomes increasingly important when the governance process involves various decisions that have broad impacts on society. Optimally functioning oversight can provide space for evaluation of policies being implemented, allowing decisions to receive input and correction from various parties. However, if the oversight function is impaired, the policy evaluation process can become more limited. This situation can reduce opportunities to identify issues that arise during policy implementation and narrow the space for critical assessments of government decisions (Sari, 2023).

Besides being related to oversight effectiveness, the implementation of checks and balances mechanisms is also related to the balance of authority in the governance process. A balance of authority is necessary so that each state institution has a proportional position in carrying out its duties and responsibilities. In a government system, this balance is crucial because each institution has distinct functions, preventing excessive concentration of authority in any one party. Through this balance, relationships between institutions are expected to foster a decision-making process that is guided by adequate oversight and consideration.

However, in practice, this balance of authority does not always remain stable. Various political and policy developments can influence the relationships formed between state institutions. In some situations, some institutions tend to exert greater influence in determining policy direction than others. When this situation persists, relationships between institutions can change, leading to a diminished balance in the use of authority. Consequently, the implementation of oversight functions, which should be carried out reciprocally, can become less effective.

This situation is also related to various obstacles that arise in the implementation of the policy oversight function. These obstacles do not always stem from limited formal authority, but can also arise from factors developing in the relationships between government actors. Overly close political ties, shared interests, or an orientation toward government stability can impact the implementation of the oversight function. In some circumstances, institutions with oversight functions may face limitations in carrying out their duties due to specific considerations that influence the decision-making process.

Obstacles to the implementation of the oversight function can also be seen through limited opportunities for expressing criticism or evaluating ongoing policies. When relationships between institutions are too close, the oversight process is likely to be directed more toward maintaining relationship stability than optimally implementing the oversight function. This situation can lead to limited policy evaluation and reduce opportunities for improvements to the policies being implemented. In the long term, such conditions can impact the quality of government administration because oversight, which should be a crucial part of policy implementation, decreases in effectiveness.

Another issue that impacts the implementation of checks and balances is the power relations that develop within the government system. These power relations have the capacity to influence how state institutions carry out their functions and authorities. In some situations, these relationships can create patterns of cooperation that support effective policy implementation. However, on the other hand, power relations can also affect the level of

independence of an institution in carrying out its duties. When an institution is overly influenced by certain power relations, the implementation of institutional functions may no longer be fully independent.

The influence of power relations on institutional independence can be seen through changes in the orientation of the implementation of the duties and functions of state institutions. Institutions that should objectively carry out their oversight role can experience changes in their implementation if there are excessively strong power relations with certain parties. This situation can lead to a lack of independence in the decision-making process because various considerations are not fully based on the needs of the institution's function. As a result, the implementation of oversight and control tasks can become increasingly limited (Ruggie, 2018).

In subsequent developments, power relations that affect institutional independence can result in changes in the overall pattern of relationships between state institutions. Relationships previously built on the principles of balance and reciprocal oversight can shift toward relationships that emphasize political cooperation and specific interests. These changes can result in conditions where the implementation of the oversight function no longer functions optimally, as inter-institutional relationships become more focused on supporting the implementation of a jointly determined agenda.

The implementation of checks and balances in state institutional systems is closely associated with the effectiveness of oversight mechanisms among state institutions in maintaining balance in the exercise of power. In practice, the relationship among institutions does not only involve the distribution of authority and responsibilities, but also reflects patterns of interaction that influence policy formulation and implementation processes. The increasing concentration of influence within certain actors or institutions may affect supervisory functions and alter the relationship among state institutions. Therefore, understanding the process through which institutional oversight mechanisms experience weakening becomes important for identifying broader implications for governance and democratic quality. The following figure illustrates the process and factors contributing to the weakening of checks and balances within the state institutional system.

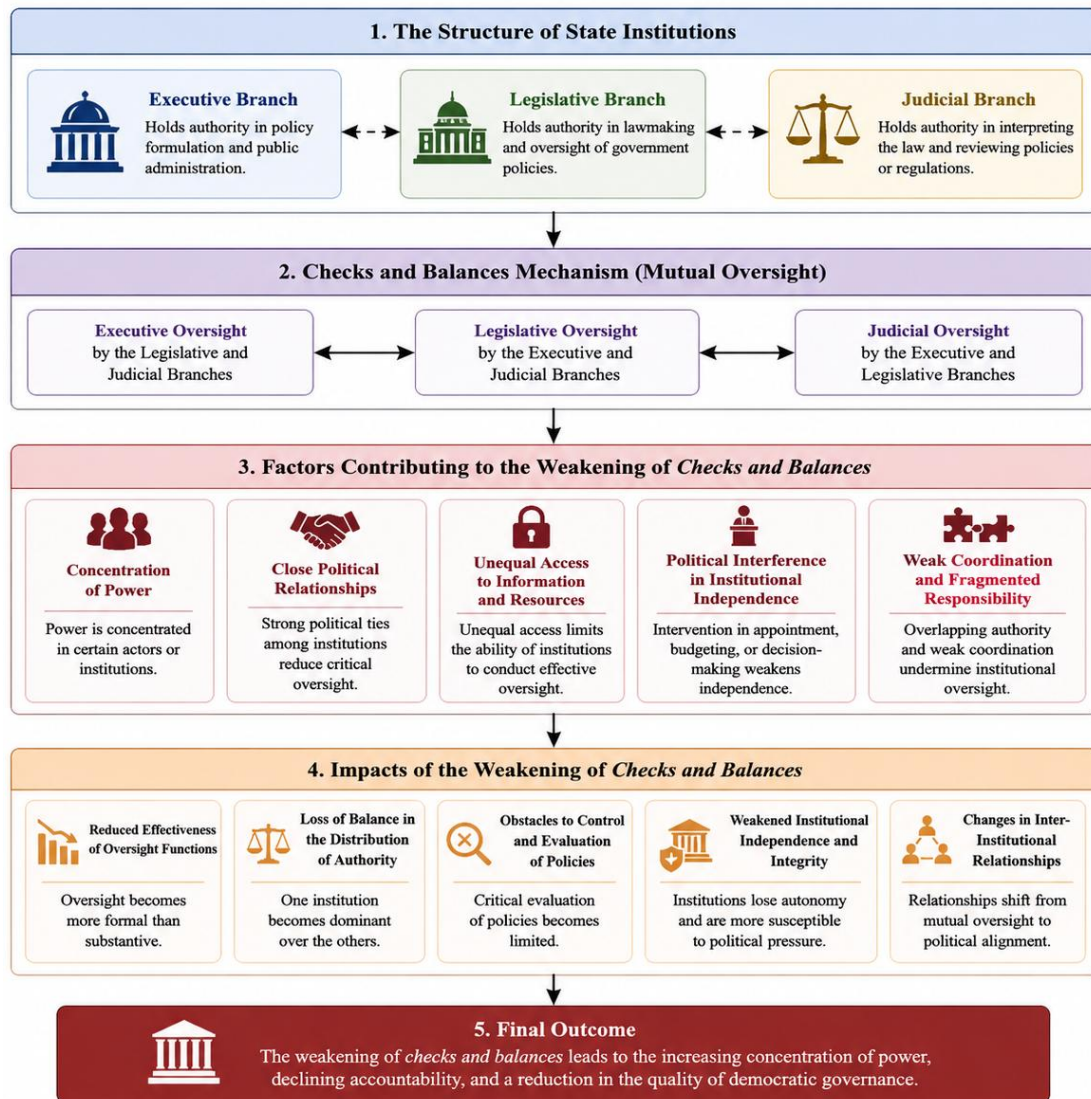


Figure 1. Framework of the Weakening of Checks and Balances within the State Institutional System

Figure 1 demonstrates that the weakening of checks and balances does not emerge as an isolated condition but develops through interconnected processes involving institutional relationships, political influence, and patterns of authority distribution. The figure indicates that changes in the interaction among executive, legislative, and judicial institutions may reduce the effectiveness of reciprocal oversight mechanisms. Furthermore, several contributing factors, including the concentration of power, close political relationships among institutions, unequal access to information and resources, and limitations on institutional independence, may create conditions that weaken supervisory functions. Such conditions eventually affect institutional balance and may influence broader aspects of governance, including accountability, institutional effectiveness, and the overall quality of democratic processes.

Changes in the pattern of relationships between state institutions also indicate a shift in the decision-making process in governance. While previously, inter-institutional relationships were characterized by active discussion and oversight, the trend has shifted toward more decision-making processes based on shared political interests. This situation can accelerate policy implementation because decisions can be made through a relatively simpler process. However, at the same time, this situation can also reduce the intensity of oversight that should be carried out as part of the checks and balances mechanism.

4. The Implications of Power Dominance on the Quality of Indonesian Democracy

The implications of power dominance for the quality of Indonesian democracy have become a topic of concern in various discussions on the development of state governance. This arises because the use of power in the government system is not only related to the exercise of administrative authority but also influences how the political process is conducted, how policies are formulated, and how the relationship between the state and society is formed. In a democratic system, the use of power is fundamentally expected to occur through mechanisms that maintain balance between institutions, provide adequate space for participation, and ensure that decision-making processes are conducted through accountable procedures. However, when the influence of power tends to be concentrated in certain actors, this condition can result in changes to various elements that support the implementation of democracy itself.

Attention to power dominance becomes increasingly important because the quality of democracy is not only determined by the existence of formal political procedures but also relates to how the relationship between the state and society unfolds in the practice of governance. Democracy requires a space that allows various interests to have relatively equal opportunities to participate in the decision-making process. When the influence of power becomes greater in the hands of certain groups, the policy-making process can undergo changes that affect the involvement of various parties outside the power structure. As a result, the resulting decisions are potentially more influenced by power relations than by processes that reflect the broader diversity of societal aspirations.

One significant implication of the dominance of power can be seen through its influence on public participation in the policy process. Public involvement in policymaking plays a crucial role because various government decisions ultimately directly impact people's lives. Therefore, participation spaces serve as a means for the public to express their views, needs, and aspirations regarding policies being formulated. Through this involvement, the policymaking process can gain the diverse perspectives necessary to produce decisions that better align with public needs (Carvalho et al., 2019).

However, in situations where the decision-making process is heavily influenced by the dominance of power, public involvement can experience various limitations. Formally available participation spaces do not necessarily result in equal influence in the policy-making process. In some circumstances, public involvement may occur only as part of the procedural stages without significantly influencing the direction of decisions taken. This situation can give rise to the perception that public involvement does not have a strong enough position to influence the substance of policy, resulting in participation being seen as not producing meaningful changes to the decision-making process.

If this situation persists over a long period of time, there may be a tendency for public involvement to decline in various public policy processes. This decline is not always marked by a decrease in public attendance at participatory forums, but can also be seen in a decline in confidence that their aspirations will receive adequate attention. When the public perceives that decisions are largely influenced by the interests of certain groups, their desire to actively participate in the policy process can decline. This situation can impact the quality of relations between the state and society because the communication process, which should be reciprocal, becomes increasingly limited.

In addition to its relationship with public participation, the dominance of power also influences the level of public trust in state institutions. Public trust is a crucial element in governance because it is related to public acceptance of various state policies. A high level of trust can support effective policy implementation, as the public tends to support government decisions. Conversely, if trust levels decline, policy implementation can face various obstacles stemming from low public support.

The relationship between power dominance and public trust can be seen in how the public assesses the decision-making process within state governance. In situations where the policy process is perceived as being transparent and providing adequate space for various parties, the public tends to have greater confidence in state institutions. However, if the process is perceived as being heavily influenced by the interests of certain powerful parties, public trust can shift. This decline in trust is not limited to a specific institution but can develop into a broader assessment of the state governance system as a whole (Webler & Tuler, 2021).

This condition is also related to changes in the quality of representation within a democratic system. Representation plays a crucial role because a democratic system fundamentally grants certain institutions the authority to represent public interests in the decision-making process. Through this mechanism, public aspirations are expected to be translated into policies that benefit the wider community. However, in practice, the quality of representation can change if the policy-making process is heavily influenced by the dominance of power concentrated in certain groups.

Changes in the quality of representation can be seen when institutions, whose function is to channel public aspirations, experience a shift in orientation in carrying out their roles. In some situations, the decision-making process can be more influenced by political connections and power interests than by the broader needs of society. As a result, the resulting decisions may not fully reflect the aspirations of the community as a whole. This situation can create a gap between public expectations of representative institutions and the implementation of their representational functions in practice.

On the other hand, the dominance of power can also impact accountability in state governance. Accountability plays a crucial role because it relates to the ability of state institutions to explain and be accountable to the public for their decisions. Through effective accountability, the public has the opportunity to assess policy implementation and respond to government decisions. However, when the influence of power becomes increasingly dominant in the state governance process, accountability can face various obstacles.

These obstacles can arise when the oversight process for policy implementation is not optimal. When power relations influence the governance process too strongly, various control mechanisms can become less effective. This situation can narrow the scope for evaluating ongoing policies and reduce the opportunity for various parties to critically assess the implementation of state institutions' duties. Consequently, the ability to ensure that every decision is accountable to the public becomes increasingly limited.

More broadly, these conditions ultimately present challenges to the sustainability of Indonesia's democratic system. Democracy requires not only the implementation of formal political procedures but also a balanced relationship between the use of power, oversight, public involvement, and accountability for state governance. When one element experiences significant change due to the dominance of power, other elements can also experience similar effects. This demonstrates that various aspects of the democratic system are interconnected and influence one another.

To provide an overview of the quality of Indonesian democracy in recent years, data is needed that can more measurably demonstrate the development of democracy indicators. The data in the following table presents Indonesia's democracy scores for the period 2019–2023, which can be used to observe trends in the quality of democracy in the context of state governance.

Table 1. Indonesia Democracy Index Score (2019–2023)

Year	Democracy Index Score	Regime Classification
2019	6.48	Flawed Democracy
2020	6.30	Flawed Democracy
2021	6.71	Flawed Democracy
2022	6.71	Flawed Democracy
2023	6.53	Flawed Democracy

Source: Adapted from Economist Intelligence Unit (EIU), Democracy Index Reports (2019–2023)

The data presented in Table 1 indicate that Indonesia experienced fluctuations in its democracy score during the 2019–2023 period. Although Indonesia consistently remained within the category of flawed democracy, the overall pattern demonstrates that the quality of democratic performance did not experience substantial improvement and instead showed a tendency toward stagnation and decline in certain periods. The decrease in the index score may reflect broader challenges associated with institutional effectiveness, political participation, public trust, and the implementation of oversight mechanisms within democratic governance. These conditions suggest that maintaining democratic quality requires not only procedural electoral processes but also the strengthening of institutional accountability and balanced power relations within the state system.

Challenges to the sustainability of democracy become increasingly significant when these changes occur continuously and impact various aspects of state governance. Declining public participation, diminishing trust in state institutions, changes in the quality of representation, and weakening accountability can lead to broader changes in the quality of democracy. These conditions do not always manifest themselves as drastic changes, but can occur gradually through various processes that develop within the day-to-day running of government. Therefore, the dominance of power needs to be understood not only as a problem related to the use of authority but also as a condition that influences the direction of Indonesia's democratic development in the long term.

E. CONCLUSION

The formation of national strategic regulations in Indonesia demonstrates that the direction of legal policy does not occur independently of the various interests developing in state governance. Policy orientations aimed at implementing the development agenda, increasing government effectiveness, and achieving various national targets are also, in practice, influenced by the power relations established in the decision-making process. This situation demonstrates that the regulatory formation process is not merely a space for formal policy formulation but also an arena that brings together various interests with varying degrees of influence. This situation results in the legislative process tending to the concentration of influence in certain actors with stronger access and positions in determining policy direction. The dominance of power in regulatory formation impacts the implementation of checks and balances mechanisms within the state institutional system. Increasingly strong power relations can impact the effectiveness of oversight functions between institutions, reduce the balance of authority in governance, and present various obstacles to the implementation of control functions over policy. Under these conditions, institutional independence has the potential to change, resulting in relationships between state institutions no longer functioning optimally in carrying out their oversight and control functions regarding the use of state authority. Furthermore, the various implications arising from power dominance indicate a broader impact on the quality of Indonesian democracy. Limited public participation in the policy process, changes in public trust in state institutions, declining quality of representation, and diminished effectiveness of accountability in state administration could pose challenges to the

sustainability of the democratic system in the future. Therefore, efforts to maintain a balanced relationship between state institutions, strengthen oversight, and expand public involvement in the policy process are crucial to maintaining the quality of democracy and ensuring that state administration continues to be more balanced and sustainable.

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