



POST-REFORM DEFENSE SECTOR LEGAL POLICY: THE PRINCIPLE OF CIVIL SUPREMACY

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ABSTRACT

This study examines Indonesia's national defense legal politics in the post-reform era in safeguarding national sovereignty amidst the dynamics of globalization and strategic environmental changes. Utilizing a normative political law research method with a legislative and historical approach, the study analyzes the direction and nature of defense policy through the review of the 1945 Constitution of the Republic of Indonesia (after the amendments), Law No. 3 of 2002 on National Defense, and various related regulations, including policies on budgeting, military force management, and defense sector reform. The findings show that post-reform defense legal politics seeks to assert civilian supremacy over the military, return the Indonesian National Armed Forces (TNI) to its primary defense function, and build a democratic, professional, and accountable defense system. However, policy implementation still faces various challenges, including weak synchronization of legislation, budget limitations and modernization of defense equipment, suboptimal parliamentary roles in legislation and oversight, and high corruption risks in the defense sector. The novelty, recommends strengthening the defense regulatory framework, enhancing the capacity and integrity of the legislative and executive institutions, strengthening the national defense industry, and improving budget governance and transparency as prerequisites for realizing defense legal politics that can ensure national sovereignty and security in a sustainable manner.

1. Introduction

National defense is an essential function of the state, directly related to the continuity of sovereignty, territorial integrity, and national security.¹ In the Indonesian constitutional system, national defense is implemented through a comprehensive defense system, involving all citizens, territories, and other national resources. This concept emphasizes that national defense is not solely the responsibility of the military, but rather a constitutional obligation of all components of the nation, as mandated by the 1945 Constitution of the

1 Ferry Ismail., Optimization of the Total Defense System in Facing National Securities Cplenges to Defend State Sovereignty. *European Journal of Humanities and Social Sciences*, Vol.3 No.6, 2023, page.49-54.

Republic of Indonesia.²

The ever-changing dynamics of the strategic environment, both at the national and global levels, demand an adaptive and long-term national defense policy.³ Indonesia faces an increasingly complex spectrum of threats, ranging from communal conflict and separatism to terrorism and maritime security threats.⁴ Globalization and international openness have expanded the scope for non-state actors to potentially disrupt national stability and sovereignty. This situation positions national defense not only as a security issue but also as a legal and political issue requiring robust regulatory framework.⁵

From a legal perspective, the implementation of national defense cannot be separated from the legal policy adopted by the state. Legal policy is understood as the fundamental state policy in determining the direction, form, and substance of laws created and enforced to achieve state goals. Thus, national defense legal policy reflects the state's fundamental choices in formulating legal policies in the defense sector that align with the principles of popular sovereignty, the rule of law, and constitutional democracy.⁶

The reform era, which began in 1998, brought significant changes to Indonesia's political and constitutional system, including in the defense and security sector.⁷ The reforms marked efforts to restructure civil-military relations, strengthen civilian supremacy, and uphold the principles of the rule of law and human rights. However, the defense sector reform process has not yet fully resulted in effective and democratic defense governance. The relationship between political actors and defense institutions still exhibits overlapping authority, weak accountability mechanisms, and a suboptimal system of checks and balances.⁸

This problem is exacerbated by the lack of a comprehensive and operational formulation of a general national defense policy. Although Law No. 3 of 2002 concerning National Defense provides a normative framework, its implementation still faces various obstacles, both institutional and human resource-related. This situation creates a gap between the intended normative goals (*das sollen*) and the reality of national defense implementation (*das sein*).

2 Marcus Mietzner, *Defending the Constitution, But Which One? The Indonesian Military, Constitutional Change, and Political Contestation, 1945–2020*, in Melissa Crouch (ed.), *Constitutional Democracy in Indonesia*, Oxford Academic, 2022, page. 49.

3 Aris Sarjito, *Enhancing National Security: Strategic Policy Development In Defense Management. Jurnal Pelita Nusantara*, Vol.2 No.1, 2024, page. 56-68.

4 Keamanan Nasional., No. 2 (16 Februari, 2004),, Working Group on Security Sector Reform, ProPatria, Jakarta, p. 25

5 Muhammad Syaroni Rofii *Dimensi Internasional Ketahanan Nasional*. Jakarta: PT. Raja Grafindo Persada, 2023, page. 24

6 Ni'matul Huda, *. Politik Hukum dan Pembangunan Sistem Hukum Nasional*. Jakarta: Sinar Grafika, 2024, page. 4

7 Olivia Rizka Vinanda, et al., *Sistem Politik Yang Pernah Ada Dan Berlaku Di Indonesia. Jurnal Intelek Insan Cendikia*, Vol.2 No.5, 2025, page.10186-10194.

8 Ismarini Della Purnama Della, Novaranty Zura Dwiputri, and Irwan Triadi., "Supremasi Sipil Atas Militer Pasca-2024: Membaca Resistensi Institusional dalam Politik Hukum Indonesia. Jurnal Hukum Legalita, Vol.7 No.2, 2025, page. 250-262.

Furthermore, Indonesia's defense challenges are also reflected in the limited capacity of its primary weapons systems, particularly in the naval sector, as well as the suboptimal development of the national defense industry. Dependence on foreign procurement and weak defense procurement governance demonstrate the need for more systematic and sustainable legal policy arrangements. In this context, the concept of a comprehensive defense system and national defense requires a strengthened legal basis so that public involvement in national defense can be implemented in a measured, democratic, and accountable manner.⁹

Research conducted by Yusa Djuyandi,¹⁰ with the title Analysis of Civil-Military Relations in Indonesia Post-1998 Reform Analysis of Civil-Military Relations in Indonesia Post-1998 Reform. After the fall of the tyrannical regime in 1998, it was certainly the first step in the revival of military reform and towards the formation of better democratization in Indonesia. Over time, Indonesia has increasingly shown positive indications on its journey towards democracy. TNI reform and civilian control in Indonesia can actually be said to have not been fully realized and are still in the process of transition towards the expected civil society. Thus, Indonesia must remain careful and self-aware in dealing with the dynamics that may occur in the future, because the potential for conflict that harms civil-military relations may still exist and will occur. The preparation of this research article is based on the use of qualitative methods based on the collection of literature study data by producing descriptive analysis. The research results found are how the current military reform in Indonesia is, then what political policies and related institutions are in post-reform military control, and an explanation of the researcher's assessment of civil-military relations in Indonesia.

Research conducted by Ismarini Della Purnama Della,¹¹ Civilian Supremacy Over the Military Post-2024: Reading Institutional Resistance in Indonesian Legal Politics. The research also highlights the growing political and institutional dynamics, including the controversial expansion of military roles post-2024 and its implications on national security and civilian control. The findings suggest that institutional military resistance to civil supremacy has resulted in legal dualism, undermining the rule of law and democratic consolidation. The study contributes to understanding the challenges of strengthening civilian authority in Indonesia's governance and offers recommendations for legal reforms, including the integration of military and civilian judicial systems, increased civil society oversight, and sustainable policymaking. Ultimately, this research underscores the critical need to preserve civilian supremacy to protect Indonesia's constitutional democracy.

The novelty of this research lies in the shift in the focus of study from power

9 Ir Aris Sarjito., *Kebijakan Dan Strategi Pertahanan*. Yogyakarta: CV Jejak, 2023, page. 15

10 Djuyandi, Yusa, Arfin Sudirman, and Nanang Suryana., Analisis Hubungan Sipil-Militer di Indonesia Pasca Reformasi 1998. *Journal of Political Issues*, Vol.7 No.1, 2025, page. 46-56.

11 Della, Ismarini Della Purnama, Novaranty Zura Dwiputri, and Irwan Triadi., Supremasi Sipil Atas Militer Pasca-2024: Membaca Resistensi Institusional dalam Politik Hukum Indonesia. *Jurnal Hukum Legalita*, Vol.7 No.2, 2025, page. 250-262.

relations to the political construction of defense sector law. This research not only assesses whether civilian supremacy is functioning or experiencing resistance, but also examines how civilian supremacy is institutionalized in the design of national defense law.

Based on these conditions, a study of post-reform national defense legal policy is important and relevant. This research aims to analyze the development of legal policy in the field of national defense and formulate an ideal defense legal policy model to address the challenges of the times. This study is expected to provide theoretical and practical contributions to the development of constitutional law, particularly in strengthening a democratic, sovereign, and legally certain national defense policy.

2. Research Methods

This research is a normative legal study with a legal political approach.¹² The legal political approach is used to analyze the direction and characteristics of state legal policy in the defense sector in maintaining Indonesia's sovereignty post-reform. The research approaches used are a legislative approach and a historical approach. The legislative approach examines the legal provisions governing national defense, while the historical approach traces the development of national defense legal policy over time.¹³ The legal materials used include primary legal materials in the form of national defense laws and regulations, as well as secondary legal materials in the form of relevant scientific literature. The legal materials were analyzed qualitatively through content analysis to identify patterns and directions in national defense legal policy in safeguarding Indonesia's sovereignty in the era of globalization.

3. Results and Discussion

3.1 Development of Legal Politics in the Defense Sector Post-Reformation.

Following the amendments to the 1945 Constitution of the Republic of Indonesia, the Indonesian constitutional system underwent a paradigm shift from the principle of separation of powers to the principle of distribution of power.¹⁴ This change impacted the relationship of authority between state institutions, particularly in the function of formulating legislation. Although formally, legislative authority still involves the President and the House of Representatives (DPR), the construction of constitutional norms after the amendments indicates a strengthening of the DPR's role as the holder of the

12 Andri Winjaya Laksana, Muhammad Ridwan Lubis, Denny Suwondo, Muhammad Ngazis, Ratih Mega Puspa Sari., Integrating Maqasid al-Shari'ah in Contemporary Islamic Legal Reform on Drug Policy, *MILRev: Metro Islamic Law Review*, Vol.4 Issue.1, 2025, page. 416-439

13 Nadiya Levytska, L. U. T. S. Lyudmyla, and Bohdan Yakymovych., Modern scientific approaches to historical, historical and legal methodology: coincidences and parallels. *East European Historical Bulletin*, Vol.22, 2022, page. 226-239.

14 Refo Rivaldo Fransiscus Pangaribuan, Toar Neman Palilingan, and Feiby S. Mewengkang., Pembagian kekuasaan dalam sistem pemerintahan di Indonesia. *Lex Administratum*, Vol.11 No.5, 2023, page. 1-10

power to form laws.¹⁵

This strengthening is reflected in Article 20 of the 1945 Constitution of the Republic of Indonesia, which explicitly states that the DPR holds the power to form laws, while the President, as stipulated in Article 5, has the right to submit draft laws.¹⁶ This difference in wording marks a shift in the emphasis of legislative authority to the people's representative institutions. However, the formation of laws still requires joint approval between the DPR and the President as stipulated in Article 20 paragraph (2), so that the legislative process remains within the framework of the functional relationship between the two institutions.¹⁷

Theoretically, strengthening the legislative function of the DPR aligns with Montesquieu's Trias Politica, which emphasizes the separation of powers to prevent the concentration of authority and guarantee political freedom through a mechanism of checks and balances. In the Indonesian context, the strengthening of the DPR following the amendments represents a correction of the constitutional practices of the New Order era, which placed the DPR in a subordinate position to the President.¹⁸

However, empirically, the strengthening of the DPR's constitutional authority has not been fully followed by an optimization of its legislative initiative role. The government remains more dominant in submitting draft laws, partly due to its more adequate resources, budget, and technical capacity. On the other hand, the provisions of Article 20 paragraph (5) of the 1945 Constitution of the Republic of Indonesia stipulate that draft laws that have been jointly approved remain valid as laws even if they are not ratified by the President within a certain period, which further emphasizes the strengthening of the DPR's position in the national legislative system.¹⁹

The institutional and functional separation of the Indonesian National Armed Forces (TNI) and the Indonesian National Police (Polri) obtained a legal basis through MPR Decree Number VI of 2000 concerning the Separation of the TNI and Polri and MPR Decree Number VII of 2000 concerning the Role of the TNI and Polri. These provisions were then constitutionalized in the Second

15 Muhammad Farhan Nefaldy, and Tomson Situmeang., Ambiguitas Konstitusional dalam Fungsi Legislasi Presiden dan DPR di Indonesia. *Journal of Civic Education*, Vol.9 No.1, 2026, page.23-29.

16 Wiwin Taswin,. Institutional Strengthening, Function and Authority of Regional Representative Council of Republic Indonesia In The Establishment of Law. *Proceeding International Conference on Law, Economy, Social and Sharia (ICLESS)*. Vol.1 No.1, 2022. page. 445-469

17 Satria Budi Kusuma, et al., Hubungan Fungsional antara Dewan Perwakilan Rakyat (DPR) dan Presiden dalam Bidang Pengawasan di Indonesia menurut UUD 1945. *Jurnal Diskresi*, Vol.3 No.1, 2024, page. 94-193

18 Hardjanti, Dewi Krisna., Mengkaji Ulang Pembatasan Kekuasaan Presiden Dan Penguatan Kekuasaan DPR Dalam Undang-Undang Dasar Negara Republik Indonesia Tahun 1945. *DIVERSI: Jurnal Hukum*, Vol.8 No.2, 2022, page. 380-405.

19 Yultha, Tamara, and Husein Manalu., Analisis Kekuasaan Presiden dalam Proses Pembentukan Undang-Undang Ditinjau dari Perspektif Trias Politica. *As-Syar'i: Jurnal Bimbingan & Konseling Keluarga*, Vol.6 No.2, 2024, page. 2081-2100

Amendment to the 1945 Constitution of the Republic of Indonesia, specifically Article 30, which affirms the TNI as a state instrument tasked with defending, protecting, and maintaining the integrity and sovereignty of the state, while the implementation of state defense and security is carried out through a total people's defense and security system involving the TNI and Polri as the main forces.²⁰

This constitutional affirmation places the TNI clearly within the framework of national defense, while also serving as the basis for the formation of legislative products in the field of defense and security that are oriented towards democratic values after the 1998 reforms. In this context, Law Number 3 of 2002 concerning National Defense exists as a normative instrument to clarify the duties and functions of the TNI and the role of the government in the implementation of national defense. However, in practice, the law was born in a situation of political transition that was still colored by the dynamics of civil-military relations, so that its substance does not fully reflect the consolidation of established democracy.²¹

The National Defense Law shows a number of normative weaknesses, including unclear regulations, lack of detail and operational power, ambiguity of norms, the existence of regulatory gaps, and weak integration with other regulations in the field of defense and security.²² Harmonization and coherence of regulations in the defense and security sector are key prerequisites for preventing policy distortions and supporting stability and security, both at the national and global levels.

The Indonesian government has established five strategic defense policies: modernizing defense equipment to enhance deterrence, increasing the defense budget in line with economic growth, reducing dependence on weapons imports, strengthening the national defense industry, and developing diplomacy and defense cooperation with strategic partners. These five policies reflect the integration of defense, diplomacy, and economic development, as formulated in the Defense, Diplomacy, and Development (3D) approach, which serves as the foundation for the development of the Diplomacy, Information, Military, and Economic (DIME) concept.²³

The implementation of this policy is realized through the establishment of the Minimum Essential Force (MEF) as a framework for developing national military strength, which has resulted in a significant increase in the defense budget

20 Suryantoro, Putra Krisna., Perubahan UU TNI: Telaah Atas Substansi dan Dampaknya., *Juris Studia: Jurnal Kajian Hukum* 6.2 (2025), pp. 557-565.

21 Saiful Risky and Dina Kartikasaari., Supremasi Sipil Vs. Supremasi Militer: Pejabat Pembantu Presiden Non-Kementerian dalam Bingkai Reformasi Konstitusi. *Simbur Cahaya*, Vol.32 No.1, 2025, page. 101-131.

22 Propatria Institute., Kajian Kritis Paket Perundangan di Bidang Pertahanan dan Keamanan, Working Group on Security Sector Reform, Working Group on Security Sector Reform Jakarta, 12 September, 2006, *Monograph*, No.7, page. 10

23 Didik Yudha Pamungkas, Paulina Siregar, and Agung Prapsetyo., Pemberdayaan Industri Strategis Pertahanan Untuk Mendukung Pembangunan Kekuatan Pokok Minimum Tni. *Jurnal Teknik Sipil Pertahanan*, Vol.11 No.2, 2024, page. 121-138.

since 2012. The management of the MEF is regulated by the Minister of Defense Regulation Number 19 of 2012 to ensure the consistency of defense planning, implementation, and budgeting in accordance with the national defense decision-making system. Several studies have shown that the defense budget has a positive, although not linear, relationship with economic growth and is greatly influenced by the country's fiscal capacity.²⁴

In the early post-reform era, Indonesia's defense policy was not optimal, marked by the failure to realize a number of defense equipment modernization plans in the 1998–2000 period due to budget constraints and the focus on internal improvements to the TNI.²⁵ As the national economy improved, the increase in the defense budget contributed to the strengthening of Indonesia's defense diplomacy, reflected in the increase in strategic cooperation with various countries. One concrete form of this defense diplomacy is the Joint Development of the Korea Fighter Experiment/Indonesia Fighter Experiment (KFX/IFX) with South Korea, which demonstrates that fluctuations in the defense budget play a significant role as a dynamic driver of Indonesia's defense diplomacy.²⁶

The National Defense Development Program aims to gradually and proportionally build a national defense posture to achieve a professional, effective, efficient, and modern defense force with a high level of readiness and mobility.²⁷ This program positions the Indonesian National Armed Forces (TNI) as the primary component of national defense, directed at maintaining operational capability through the development of systems, personnel, materials, and facilities across all branches.²⁸

Historically, Indonesia's defense capabilities have declined from the end of the New Order era through the Reformation era, resulting in weakened deterrence and increased violations of sovereignty. This situation is exacerbated by limited personnel and professionalism, aging defense equipment, budget constraints, exchange rate fluctuations, and the impact of the arms embargo. In response, the government is encouraging the strengthening of the domestic defense industry and the diversification of defense equipment procurement sources,

24 Irsandy, Rizki Akbar, *Kerjasama Pt Dirgantara Indonesia Dengan Turkish Aerospace Industries Tahun 2010-2024. Global Insights Journal: Jurnal Mahasiswa Hubungan Internasional*, Vol.1 No.3, 2025, page.1-20

25 Dede Rusdiana, et al., *Strategi Pembangunan Industri Pertahanan Pada Negara Kepulauan Guna Mendukung Pertahanan Negara. Jurnal Academia Praja: Jurnal Magister Ilmu Pemerintahan*, Vol.4 No.2, 2021, page. 427-440.

26 Putri, Lhiedya Rohayah Sukanda., *Dampak Kerjasama Pertahanan Indonesia-Korea Selatan Dalam Joint Production Pengembangan Pesawat Tempur Kfx/Ifx Terhadap Modernisasi Militer Indonesia (2020-2024). Global Insights Journal: Jurnal Mahasiswa Hubungan Internasional*, Vol.2 No.1, 2025, page. 1-7

27 Duarte, Editha Praditya, et al., *Manajemen Pertahanan dalam Pengelolaan Sumber Daya Nasional Untuk Pertahanan Negara*. Bandung: Indonesia Emas Group, 2025. page. 38

28 Widijayanto, Rio Bhima, Wisnu Nugraha, and Sugiman Sugiman., *Implementasi Komponen Pendukung dan Cadangan dalam Operasi Militer Selain Perang. Krisna Law: Jurnal Mahasiswa Fakultas Hukum Universitas Krisnadwipayana*, Vol.7 No.2, 2025, page. 1-12.

along with the need for ongoing policy evaluation.²⁹

As security threats escalate, a strengthened regulatory framework governing the involvement of the Indonesian National Armed Forces (TNI) and the Indonesian National Police (Polri) in integrated national security management is necessary. Follow-up actions to develop national defense are aimed at validating the TNI organization in line with the new paradigm, enhancing the professionalism of soldiers, and maintaining and strengthening the operational readiness of combat and support units.

The Defense Support Development Program focuses on strengthening modern defense management through the optimization of human resources, natural and artificial resources, national infrastructure, science and technology, strategic industries, and international defense cooperation. This program is supported by the national defense policy and the National Defense White Paper, which emphasize the dominance of non-traditional threats, thus ensuring that the national defense strategy prioritizes integrated Military Operations Other Than War (OMSP).³⁰

Developing defense support also includes affirming national borders, fostering defense areas, strengthening defense research and innovation through TNI-industry-university synergy, and intensifying regional and global defense cooperation. Going forward, strengthening derivative regulations of the National Defense Law and developing defense infrastructure will be key prerequisites for achieving national defense independence and resilience.

Parliament plays a strategic role in defense sector reform, particularly through its legislative, budgeting, and oversight functions over security institutions. Members of the House of Representatives (DPR) are required to have a sufficient understanding of defense issues to be able to formulate democratic regulations, formulate defense budgets effectively and efficiently, and carry out accountable oversight. In this context, parliamentary openness to civil society participation is a crucial prerequisite for promoting security sector reform that is oriented towards the public interest and the protection of human rights.³¹

However, the implementation of parliament's oversight function in the defense sector faces various structural and institutional obstacles. The weak human resource capacity of DPR members, the limited number and quality of expert staff, low discipline and political will, corrupt practices, and political party interference in the independence of parliamentarians are key factors weakening the effectiveness of oversight. Furthermore, the limited strength of the opposition in parliament and the limited budget for oversight also narrow the scope for control over government policies and practices in the defense sector.

29 Yusa Djuyandi, Arfin Sudirman, and Nanang Suryana., Analisis Hubungan Sipil-Militer di Indonesia Pasca Reformasi 1998. *Journal of Political Issues*, Vol.7 No.1, 2025, page. 46-56.

30 Sumarlin Sumarlin, Agus Adriyanto, and I. Wayan Warka., Pertahanan Maritim: Antisipasi Ancaman Militer Melalui Kolaborasi Sumber Daya Nasional. *Journal of Industrial Engineering & Management Research*, Vol.4 No.6. 2023, page.20-27.

31 Firdaus, Muhamad Iqbal Ansori, and Irda Nur Khumaeroh., Reformasi Kelembagaan DPD RI Menuju Penguatan Peran dan Fungsi Legislasi dalam Sistem Bikameral Indonesia. *J-CEKI: Jurnal Cendekia Ilmiah*, Vol.4 No.3. 2025, page. 858-870.

External obstacles also contribute to weak parliamentary oversight, including government resistance to legislative control and low public pressure due to a lack of literacy and academic research in the defense sector. This lack of public attention to defense issues results in weak public participation and social oversight of potential deviations in defense policy.

Therefore, strengthening the role of parliament in defense sector reform requires systemic measures, including political party reform, increasing the capacity and integrity of members of the House of Representatives (DPR) and their expert staff, transparent parliamentary budget management, improving defense and security regulations, and strengthening cooperation between parliament and civil society. Furthermore, reforming the defense bureaucracy and the Indonesian National Armed Forces (TNI) and developing a clear and accountable oversight framework are essential prerequisites for realizing democratic and responsible defense sector governance.

Defense sector management and budgeting are integral parts of the national defense system, encompassing planning, implementation, supervision, and control. The law places the President as the holder of the highest authority and responsibility for establishing general national defense policy, which is further elaborated by the Minister of Defense in the defense implementation policy and implemented by the TNI Commander through strategic planning, military operations, and strength development and operational readiness. The Ministry of Defense functions as an administrative-strategic institution that supports the President in the formulation and implementation of defense policy.³²

In a democratic state, military professionalism requires strong civilian supremacy and stable political legitimacy. Indonesian history shows that military involvement in politics is influenced by political instability, a weak civilian elite, conflicts of interest, economic crises, and the historical legacy of the Indonesian Armed Forces' dual function, which positioned the military as both a defense force and a socio-political force. This practice reached its peak during the New Order era, when the military held strategic civilian positions and exerted dominant influence in state policymaking. The 1998 Reformation marked a turning point, with the military's political role declining and the defense sector reform agenda strengthening toward TNI professionalism.³³

Post-reform, the role, function, and duties of the Indonesian National Armed Forces (TNI) were reaffirmed as a state instrument in the defense sector, with the primary function of deterring, responding to, and recovering from military and armed threats, implemented through military operations for war and military operations other than war (MOOTW). This reaffirmation aims to return

32 Karolus Evantino, et al. , Analisis Implementasi Hankamrata di Indonesia ditinjau dari Aspek Anggaran Pertahanan Negara. *El-Mal: Jurnal Kajian Ekonomi & Bisnis Islam*, Vol.5 No.3 2024, page. 1915-1923.

33 Yusa Djuyandi, Arfin Sudirman, and Nanang Suryana., Analisis Hubungan Sipil-Militer di Indonesia Pasca Reformasi 1998. *Journal of Political Issues*, Vol.7 No.1, 2025, page. 46-56.

the TNI to its pure defense function and distance it from practical politics.³⁴

However, the issuance of Presidential Regulation Number 37 of 2019 concerning TNI Functional Positions has sparked new debate in the context of civil-military relations. This Presidential Regulation regulates functional positions of expertise and skills for TNI soldiers with various ranks and professional qualifications, which is normatively intended to address the TNI's organizational need for technical expertise and address the issue of officer overcrowding. On the other hand, various civil society groups believe that the Presidential Regulation has the potential to reopen space for the placement of active-duty TNI soldiers in civilian positions, thus raising concerns about a reactualization of the military's dual function practice in a new form.

The legal policy of budgeting and managing the defense sector is not only related to the effectiveness of military development, but also concerns the state's consistency in upholding the principles of civilian supremacy, the professionalism of the Indonesian National Armed Forces (TNI), and limiting the military's role in the political and civil bureaucratic spheres. Consistent regulation and democratic oversight are key to ensuring defense sector reforms do not experience normative or institutional setbacks.

The state aims to realize the *bonum publicum* (general welfare) by maintaining external security, internal security, and prosperity, encompassing order, justice, and freedom.³⁵ To this end, the state is obligated to develop an integrated national defense system involving the government and all components of the nation to confront both external and internal threats.³⁶

Strategic Aspects of National Defense, Military Organization, The Indonesian National Armed Forces (TNI), as a national defense instrument, consists of the Army, Navy, and Air Force, each with land, sea, and air defense functions. Successful defense requires synergy between the branches and the development of a modern warfare concept based on Network-Centric Warfare, Military Equipment Industry Defense industry independence is a key requirement for national strength. The superiority of defense equipment is determined by firepower, maneuverability, and tactical capabilities, so dependence on other countries must be reduced by strengthening domestic research and production, Experts, Improving defense capabilities requires the involvement of military and civilian professionals to support the sustainable modernization of the organization, defense equipment, and quality of human resources of the TNI, Facilities and infrastructure Defense facilities and infrastructure are part of the national logistics system that supports defense mobilization and operations. Their development must be planned during peacetime because of their strategic and long-term nature, Citizenship and

34 Asrudin Azwar and Mirza Jaka Suryana., Dwifungsi TNI dari Masa ke Masa. *Jurnal Academia Praja*, Vol.4 No.1, 2021, page. 154-179.

35 Butarbutar, Aloysius Sahala, and Elisabeth Nurhaini Butarbutar., Peran Hukum Dalam Mewujudkan Negara Kesejahteraan Republik Indonesia Yang Berkeadilan Sosial. *Jurnal Hukum Justice*, Vol.2 No.2, 2025, page.123-133.

36 Syaiful Anwar., *Melindungi Negara*, Pustaka Obor Indonesia, Jakarta: Cetakan Pertama, 2016, page. 3-14

National Defense Components Defense strength is determined by the quantity and quality of a nation's citizens. National defense is a primary, reserve, and supporting component, with an emphasis on physical readiness, skills, knowledge, and a fighting spirit, Natural resources Food and energy security are vital elements of national defense. Availability and equitable distribution are key pillars of national resilience, particularly in times of conflict, Universal Defense System Universal defense emphasizes the involvement of all citizens and national resources. However, a clear distinction between combatants and non-combatants is necessary, in accordance with international law, to protect civilians, Non-Military Defense, Non-military defense faces non-military threats through empowering civil institutions and society, with the main strengths in human resources, authority, knowledge, strategic assets, material resources, and law enforcement, Cold War (Ideological War), The experience of the Cold War demonstrates that defense threats are not only military but also ideological. Ideological conflicts continue to influence the dynamics of international security and disputes today.

The issue of the defense budget surfaced during the 2019 presidential election, when Prabowo Subianto assessed that Indonesia's defense budget was still low compared to neighboring countries, particularly Singapore. He stated that Indonesia's defense budget was around 0.8% of GDP and 5% of the state budget, while Singapore's was 3% of GDP and 30% of the state budget. This statement was in response to President Joko Widodo's claim that the Ministry of Defense's Rp107 trillion budget was the second largest after the Ministry of Public Works and Public Housing.³⁷

Data shows that the Ministry of Defense's budget was Rp 99.8 trillion in 2018 and Rp 108.4 trillion in 2019. In the 2019 State Budget, the defense function received a 6.63% share of Central Government Spending, an increase of approximately Rp 1.1 trillion from the previous year. Despite the increase, the defense function has not been a top priority compared to the Public Service Function and the Economic Function, which are focused on government operations, the 2019 Election, and economic and infrastructure development.³⁸

The defense budget is allocated for the procurement of defense equipment, the development of the domestic defense industry, the training and maintenance of Indonesian Army (TNI) land, sea, and air force personnel, the development of the Minimum Essential Force (MEF) and improving soldier welfare. The largest allocation in 2019 went to the Indonesian Army.³⁹

However, national defense policies and strategies are considered less comprehensive because they still focus on core military strengths and have not optimized the concept of total defense. The existing defense posture is also

37 Haris Fadhil., Prabowo Bandingkan Anggaran Pertahanan RI-Singapura, Begini Datanya, <https://news.detik.com/>. Accessed on 8 January 2026

38 CNN Indonesia., Melihat Anggaran Alutsista di Kemenhan 10 Tahun Terakhir, selengkapnya di sini: <https://www.cnnindonesia.com/> Accessed on 9 January 2026

39 Yuliana Nur Anissa and Yusa Djuyandi., Analisis Pemenuhan Kebutuhan Minimum Essential Froce (Mef) Dalam Pengadaan Alat Utama Sistem Senjata (Alutsista) Tentara Nasional Indonesia (Tni). *Scripta: Jurnal Ilmiah Mahasiswa*, Vol.3 No.1, 2021, page. 34-55.

inadequate as a reference for developing an integrated force. Therefore, strategic policies are needed in the form of a Strategic Defense Review (SDR), a comprehensive defense strategy, and the formulation of a defense posture as the basis for national defense development.

The direction for improving defense capabilities is pursued through two main programs. First, the Defense Strategy and Systems Development Program, which encompasses strategic policy formulation, management of defense equipment and assets, information systems development, regional and border mapping, and cross-sectoral national resilience evaluation. Second, the Integrative Defense Development Program, which aims to enhance the readiness and synergy of the Indonesian National Armed Forces (TNI) across its branches so that national defense can be implemented in an integrated and effective manner.

In security studies, the military remains a key sector in addressing existential threats to the state. Buzan, Wæver, and de Wilde define security as a condition where a state justifies the use of extraordinary measures, including military force, to maintain its survival. The securitization process encompasses five sectors: military, political, economic, social, and environmental, with the military holding a central position in the formulation of defense policy.⁴⁰

The formation of defense policy is inseparable from political actors, both in determining threats, formulating strategies, and allocating budgets. In the context of Indonesia as a security actor, the focus of defense is directed at developing a maritime defense posture to safeguard the sovereignty of its maritime territories, outermost islands, and the strategic Indian-Pacific Ocean region.

Under President Joko Widodo's administration, maritime defense development aligns with Indonesia's vision as a Global Maritime Axis, which is based on maritime culture, marine resource management, infrastructure and connectivity, maritime diplomacy, and strengthening maritime defense. This paradigm is supported by geopolitical analysis that views the relationship between power, politics, and policy as the basis for formulating defense strategy.

Strengthening Indonesia's maritime defense is implemented through the Minimum Essential Force (MEF) concept, which defines the Indonesian National Armed Forces (TNI) as the minimum strength standard for addressing actual threats. The MEF is aimed at building an effective and efficient defense posture, with the Indonesian Navy (TNI) playing a central role. Optimizing this role is analyzed through the Revolution in Military Affairs (RMA) approach, which encompasses modernization of defense equipment, doctrine, and institutional

40 Adzkia Rahma Sakinah and Henny Saptatia Drahati Nugrahani., The Dynamic Relations of the Northern European Countries and China Within Arctic Corridor Project in Regional Security Complex Perspective. *JISIP (Jurnal Ilmu Sosial dan Pendidikan)*, Vol.5 No.4, 2021, page. 1049-1063

management.⁴¹

Using an intermestic approach that links domestic and international dynamics, this study assumes that the implementation of the Global Maritime Axis through the MEF has not been optimal due to the limited role of the Indonesian Navy. Therefore, institutional reformation and maritime defense strategies are needed to more effectively address traditional and non-traditional threats.

3.2 The Ideal Legal Politics of the Defense Sector to Face the Challenges of Globalization

The 1998 reforms fundamentally transformed Indonesia's defense sector by eliminating the dual function of the Indonesian Armed Forces (ABRI) and separating the Indonesian National Armed Forces (TNI) and the Indonesian National Police (Polri). The TNI was positioned as a tool for national defense, while the Polri handled domestic security and order. These changes marked a transition to a democratic defense system.⁴²

However, the reforms are not yet fully complete. Indonesia still faces challenges such as the lack of a comprehensive national defense concept, budget constraints, and unclear priorities for force development. The unclear definition of defense functions impacts organizational structures and budget inefficiencies, including the retention of territorial commands with minimal strategic role in peacetime.

According to Agus Widjojo, TNI reform encompasses two main agendas: (1) refining the TNI's role in accordance with the 1945 Constitution and the principle of democratic civilian control by removing the military's socio-political role; and (2) increasing the TNI's professionalism in its national defense function, separate from its internal security function. The separation of the TNI and Polri allows each institution to develop its professionalism optimally, while still requiring a legal framework for military assistance to civilian authorities.⁴³

Thus, the defense sector reform agenda demands an affirmation of the role of the TNI, efficient structural and budgetary arrangements, and the formulation of a national defense strategy that is adaptive to geopolitical dynamics and technological developments.

Civilian supremacy is a fundamental principle of a democratic national defense system and demands the rejection of the involvement of active-duty TNI (Indonesian National Armed Forces) personnel in civilian positions. Besides contradicting the 1945 Constitution, such involvement has the potential to revive military dominance in the political and social spheres, as occurred during the ABRI's dual function era.

41 Dyah Estu Kurniawati., Pendekatan Intermestik Dalam Proses Perubahan Kebijakan: Sebuah Review Metodologis, *Jurnal Studi Hubungan Internasional*, Vol.2 No.2, Dec. 2012, page. 154-167

42 Ismarini Della Purnama Della, Novaranty Zura Dwiputri, and Irwan Triadi., Supremasi Sipil Atas Militer Pasca-2024: Membaca Resistensi Institusional dalam Politik Hukum Indonesia. *Jurnal Hukum Legalita*, Vol.7 No.2, 2025, page. 250-262.

43 Larry Diamond dan Marc F. Plattner., *Hubungan Sipil-Militer dan Demokrasi*, Jakarta: Raja Grafindo, 2000. page. 68

The government has emphasized that the ABRI's dual function will not be revived. Although there is talk of revising the TNI Law to regulate the careers of officers without structural positions, the policy is claimed not to lead to a return to the military's socio-political role. Internal TNI reforms since 1998 have included structural, doctrinal, and cultural improvements, eliminating its socio-political role and affirming the TNI as a national defense instrument, as stipulated in Law No. 3 of 2002 and Law No. 34 of 2004.

The restructuring of the Indonesian National Armed Forces (TNI) through Presidential Decree No. 66 of 2019 aims to improve defense effectiveness, including through the establishment of the Joint Regional Defense Command (Kogabwilhan) and adjustments to the command structure. The addition of officer positions was carried out proportionally while maintaining the principle of the organizational pyramid and avoiding blurring the boundaries between the military and civilian spheres.

Law has an important function as a social controller that must be applied,⁴⁴ The 1998 Reformation brought fundamental changes to civil-military relations in Indonesia by eliminating the dual function of the Indonesian Armed Forces (ABRI) and prohibiting TNI involvement in practical politics. This policy was based on the belief that military involvement in politics hinders the professionalism of soldiers and has the potential to undermine democracy. This principle was reinforced in Law No. 34 of 2004 concerning the TNI, which positions the TNI as a state instrument in the defense sector, subject to state political policy, subordinate to the President in the deployment of forces, and under the coordination of the Ministry of Defense in defense policy and strategy.

The concept of a professional military demands a clear separation between defense and political functions. In line with Huntington's thinking, military dominance in politics tends to foster personalization of power and weaken civilian control. In the Indonesian context, this dominance is rooted in the history of the independence struggle and a patrimonialist political culture that positions the military as the primary actor in maintaining national stability. As a result, post-1998 TNI reform has faced structural, cultural, and historical obstacles.

Efforts to realize TNI professionalism are carried out through strengthening the morale and ethics of soldiers, increasing integration within and between services, and formulating a national defense concept based on an objective balance between the threat spectrum and national capabilities. This defense concept is not only directed at external threats, but also at handling national crises and proportional restructuring of the TNI organization from Headquarters to lower units, accompanied by strengthening educational and training institutions through adequate budget support.

In line with global dynamics, reforming the professionalism of the Indonesian

44 Andri Winjaya Laksana, Akhmad Ikraam, and Anila Robban., The Liability of Criminal Law for Perpetrators of Goods Embezzlement, *Jurnal Justice Dialectical*, Vol.2 Issue.2, 2024, page. 70-83

National Armed Forces (TNI) requires several strategic steps, including: the development and dissemination of military science and technology through the establishment of a military college open to the public; consistent and exemplary TNI leadership in maintaining the stability of institutional regulations; strengthening the integration of education and training between the branches; and fostering national awareness to support national reconciliation. Furthermore, civil-military relations need to be built on mutual trust and respect, and strengthened through the formulation of a national security concept capable of bridging the gray area between defense and security functions, including an evaluation of the legal basis for the separation of the roles of the TNI and the Polri.

In a democratic state, development is not only oriented toward economic growth, but also encompasses the social, political, and defense and security sectors, all based on civilian interests. One of the central issues in democratization, particularly in developing countries, is upholding civilian supremacy over the military and strengthening civil society, as emphasized by Diamond and Huntington.⁴⁵

The New Order's experience demonstrates that military dominance in politics, through the ABRI (Indonesian Armed Forces) dual function doctrine, gave rise to authoritarian rule and undermined the substance of democracy. The stability and economic growth achieved were illusory because democratic institutions parliament and elections were controlled by military and pro-regime forces. This failure was rooted in the TNI's failure to develop professionalism.

The 1998 Reformation paved the way for democratic consolidation and spurred internal reform of the Indonesian National Armed Forces (TNI) to return to its role of national defense. TNI professionalism is a key prerequisite for democracy, allowing the military to focus on safeguarding sovereignty without engaging in practical politics, as is the practice in democratic countries. These reforms aimed to establish a professional, modern, effective, and efficient TNI.

According to Fattah, the TNI's professionalism is characterized by defense expertise, political neutrality, discipline and adherence to the law, military ethics, respect for the people, and recognition of civilian supremacy. This concept aligns with the vision of development that meets basic needs without disrupting the social order. However, the continued involvement of TNI personnel in practical politics demonstrates that the agenda of military professionalization and strengthening democracy in Indonesia has not been fully completed.

As a state based on the rule of law (Pancasila),⁴⁶ the administration of the defense sector must be based on the national legal system. In a modern state

45 Fathoni, Yuzak Nur, et al., Analisis Implikasi Pengesahan RUU TNI Dalam Sinergi Sipil-Militer dan Konsolidasi Demokrasi di Indonesia. *Global Komunika: Jurnal Ilmu Sosial dan Ilmu Politik*, Vol.8 No.1, 2025, page. 3-15

46 Andri Winjaya Laksana, Hendro Widodo, Moh Aris Siswanto, H.D.Djunaedi, and Setiawan Widyoko., Criticism of Legal Protection for Victims of Drug Abuse: The Disharmonyin Legal Substance Regulation, *Legality: Jurnal Ilmiah Hukum*, Vol.33 No.1, 2025, page.93-109

based on the rule of law, laws and regulations serve not only as regulatory instruments but also as a means of social engineering to direct national and state life toward constitutional goals.

Legislation is part of the legal system,⁴⁷ situated within the legal substance subsystem, along with legal structure and legal culture. Therefore, law cannot be equated solely with statutes. It also encompasses other principles such as customary law, customs, and jurisprudence. This perspective is important to avoid a narrow positivistic understanding that equates law solely with legislative products.

Synchronization of laws and regulations is defined as the process of harmonizing various regulations governing the defense sector so that they are systematically structured, non-conflicting, non-overlapping, and complementary. Synchronization aims to achieve legal certainty and effectiveness in the implementation of national defense. Normatively, laws and regulations are structured hierarchically, as stipulated in Article 7 of Law No. 12 of 2011.

The way to synchronize laws and regulations is done through two main mechanisms.

3.2.1 First, vertical synchronization, which aligns lower-level regulations with higher-level regulations in the legal hierarchy. Vertical synchronization takes into account the principle of the hierarchy of legal norms and the chronological order of regulatory enactment, ensuring that newer regulations do not conflict with higher-level norms. In addition to normative review, vertical synchronization can also be achieved through the Supreme Court's judicial review of regulations below the law.

3.2.2 Second, horizontal synchronization, which is the alignment of laws and regulations of equal standing that regulate the same or related areas. Horizontal synchronization is carried out by examining the substance of the regulations, the chronology of their formation, and the interconnectedness of norms to avoid conflicts or duplication of regulations.

Procedurally, the synchronization process begins with an inventory of laws and regulations related to the defense sector, both at the central and regional levels. The next stage is a substantive analysis to assess the appropriateness of norms, the integration of regulations, and potential conflicts between regulations. Harmonization should ideally begin at the regulatory drafting stage, but it is also necessary for existing regulations due to the dynamics of new regulatory development.

In the context of national defense, regulatory synchronization is crucial because defense matters fall under the absolute authority of the central government, as stipulated in Law No. 23 of 2014 concerning Regional Government.

47 Akili, Rustam HS., The Role Of The Legislature, In Maintaining The Balance Of Power In The Constitutional Legal System. *Jurnal Multidisiplin Sahombu*, Vol.3 No.01, 2023, page.77-85.

Nevertheless, the role of regional governments remains strategic in supporting non-military defense, particularly in addressing multidimensional non-military threats.

Corruption in the defense sector has a direct impact on weakening defense equipment and the quality of human resources, increasing Indonesia's vulnerability to external threats. Further impacts are evident in the weak oversight of national jurisdictions, particularly in the Exclusive Economic Zone (EEZ), which leads to significant economic losses due to theft of marine resources by foreign parties. Thus, corruption not only harms state finances but also threatens national sovereignty and security.⁴⁸

Imparsial's research confirms that the high allocation of the defense budget, particularly in the procurement and operations sectors, makes the military vulnerable to irregularities. Corruption in defense equipment procurement has the potential to produce defense equipment that does not meet specifications, poses a high risk to soldier safety, and reduces the country's combat readiness. The corruption cases surrounding the procurement of Strategic Sealift Vessels (SSVs) by PT PAL and the Bakamla satellite monitoring project demonstrate that the defense sector is a strategic area vulnerable to systemic corruption.

Normatively, corruption eradication in the defense sector faces structural obstacles. The provisions of Law No. 31 of 1997 concerning Military Justice mean that alleged crimes involving TNI members tend to be resolved through military courts, thereby limiting the role of the Corruption Eradication Commission (KPK). However, under Law No. 30 of 2002, the KPK has the authority to coordinate and supervise the eradication of corruption, including through a connected justice mechanism that allows for joint handling between general and military courts.

A Transparency International report reinforces the urgency of law enforcement reform in the defense sector. Indonesia is categorized as having a very high level of defense corruption risk (category E), on par with a number of countries experiencing serious security sector governance issues. This risk encompasses political, financial, personnel, operational, and procurement aspects. This high risk reflects weak civilian control, minimal budget transparency, and ineffective parliamentary oversight.

From a democratic perspective, weak law enforcement in the defense sector is directly proportional to the suboptimal civilian supremacy over the military. The experience of countries that have successfully reduced the risk of corruption in defense sectors demonstrates the need for two key steps. First, strengthening public oversight through the role of parliament, civil society, the media, and non-governmental organizations in promoting transparency and accountability in the defense sector. Second, improving the overall governance of defense institutions, encompassing political, financial, personnel, operational, and defense equipment procurement aspects, by establishing an integrated

48 Mohamad Ikhsan Nurulloh, Luhut Simbolon, and George Royke Deksino., *Membangun Akuntabilitas Industri Pertahanan Indonesia. Jurnal Education and Development*, Vol.10 No.2, 2022, page. 339-344.

corruption prevention system.

The novelty of this discussion lies in the conceptual construction that integrates defense legal politics with the principle of civil supremacy not only at the normative-constitutional level, but also in the implementation dimension which includes the restructuring of the TNI structure after the abolition of the dual function, military professionalization, synchronization of defense regulations vertically and horizontally, strengthening civil-military relations based on democratic trust, to reforming budget governance and eradicating corruption in the defense sector as a prerequisite for the effectiveness of state sovereignty amidst the challenges of globalization and the dynamics of multidimensional threats.

4. Conclusion

Based on the discussion outlined, it can be concluded that the post-reform defense sector legal policy is based on the principle of civil supremacy as stipulated in the post-amendment 1945 Constitution of the Republic of Indonesia. Defense power rests with the President as the holder of executive power, with a mechanism of checks and balances through the role of the House of Representatives (DPR) as a representative of popular sovereignty. In this context, the DPR carries out legislative, budgeting, and oversight functions in the defense sector. To ensure effective and efficient management of the defense sector in accordance with the defense legal policy, increasing the capacity and professionalism of DPR members is a crucial prerequisite. Furthermore, the complexity of global challenges demands that the state pay greater attention to the defense sector through adequate and balanced budget policies. Strengthening the national defense industry is a necessity to support defense modernization and reduce external dependence. Indonesia's current defense legal policy is geared toward responding to developments in technology and the information industry, and efforts are being made to integrate it with other legal sectors, including social, economic, business, cultural, and educational sectors, particularly in addressing the dynamics of openness and the involvement of foreign interests in Indonesia.

BIBLIOGRAPHY

- Adzkia Rahma Sakinah and Henny Saptatia Drahati Nugrahani., The Dynamic Relations of the Northern European Countries and China Within Arctic Corridor Project in Regional Security Complex Perspective. *JISIP (Jurnal Ilmu Sosial dan Pendidikan)*, Vol.5 No.4, 2021;
- Akili, Rustam HS., The Role Of The Legislature, In Maintaining The Balance Of Power In The Constitutional Legal System. *Jurnal Multidisiplin Sahombu*, Vol.3 No.01, 2023;
- Andri Winjaya Laksana, Akhmad Ikraam, and Anila Robban, The Liability of Criminal Law for Perpetrators of Goods Embezzlement, *Jurnal Justice Dialectical*, Vol.2 Issue.2, 2024;

- Andri Winjaya Laksana, Hendro Widodo, Moh Aris Siswanto, H.D.Djunaedi, and Setiawan Widyoko., Criticism of Legal Protection for Victims of Drug Abuse: The Disharmonyin Legal Substance Regulation, *Legality: Jurnal Ilmiah Hukum*, Vol.33 No.1, 2025;
- Andri Winjaya Laksana, Muhammad Ridwan Lubis, Denny Suwondo, Muhammad Ngazis, Ratih Mega Puspa Sari, Integrating Maqasid al-Shari'ah in Contemporary Islamic Legal Reform on Drug Policy, *MILRev: Metro Islamic Law Review*, Vol.4 Issue.1, 2025;
- Aris Sarjito., Enhancing National Security: Strategic Policy Development In Defense Management. *Jurnal Pelita Nusantara*, Vol.2 No.1, 2024, page. 56-68.
- Asrudin Azwar and Mirza Jaka Suryana., Dwifungsi TNI dari Masa ke Masa. *Jurnal Academia Praja*, Vol.4 No.1, 2021;
- Butarbutar, Aloysius Sahala, and Elisabeth Nurhaini Butarbutar., Peran Hukum Dalam Mewujudkan Negara Kesejahteraan Republik Indonesia Yang Berkeadilan Sosial. *Jurnal Hukum Justice*, Vol.2 No.2, 2025;
- Dede Rusdiana, et al., Strategi Pembangunan Industri Pertahanan Pada Negara Kepulauan Guna Mendukung Pertahanan Negara. *Jurnal Academia Praja: Jurnal Magister Ilmu Pemerintahan*, Vol.4 No.2, 2021;
- Della, Ismarini Della Purnama, Novaranty Zura Dwiputri, and Irwan Triadi. "Supremasi Sipil Atas Militer Pasca-2024: Membaca Resistensi Institusional dalam Politik Hukum Indonesia. *Jurnal Hukum Legalita*, Vol.7 No.2, 2025;
- Didik Yudha Pamungkas, Paulina Siregar, and Agung Prapsetyo., Pemberdayaan Industri Strategis Pertahanan Untuk Mendukung Pembangunan Kekuatan Pokok Minimum Tni. *Jurnal Teknik Sipil Pertahanan*, Vol.11 No.2, 2024;
- Djuyandi, Yusa, Arfin Sudirman, and Nanang Suryana., Analisis Hubungan Sipil-Militer di Indonesia Pasca Reformasi 1998. *Journal of Political Issues*, Vol.7 No.1, 2025;
- Dyah Estu Kurniawati, Pendekatan Intermestik Dalam Proses Perubahan Kebijakan : Sebuah Review Metodologis, *Jurnal Studi Hubungan Internasional*, Vol.2 No.2, Dec. 2012;
- Fathoni, Yuzak Nur, et al., Analisis Implikasi Pengesahan RUU TNI Dalam Sinergi Sipil-Militer dan Konsolidasi Demokrasi di Indonesia. *Global Komunika: Jurnal Ilmu Sosial dan Ilmu Politik*, Vol.8 No.1, 2025;
- Ferry Ismail., Optimization of the Total Defense System in Facing National Securities Cplenges to Defend State Sovereignty. *European Journal of Humanities and Social Sciences*, Vol.3 No.6, 2023;
- Firdaus, Muhamad Iqbal Ansori, and Irda Nur Khumaeroh, Reformasi Kelembagaan DPD RI Menuju Penguatan Peran dan Fungsi Legislasi

- dalam Sistem Bikameral Indonesia. *J-CEKI: Jurnal Cendekia Ilmiah*, Vol.4 No.3, 2025;
- Hardjanti, Dewi Krisna., Mengkaji Ulang Pembatasan Kekuasaan Presiden Dan Penguatan Kekuasaan Dpr Dalam Undang-Undang Dasar Negara Republik Indonesia Tahun 1945. *DIVERSI: Jurnal Hukum*, Vol.8 No.2, 2022;
- Ir Aris Sarjito., 2023, *Kebijakan dan Strategi Pertahanan*. CV Jejak, Yogyakarta;
- Irsandy, Rizki Akbar., Kerjasama Pt Dirgantara Indonesia Dengan Turkish Aerospace Industries Tahun 2010-2024. *Global Insights Journal: Jurnal Mahasiswa Hubungan Internasional*, Vol.1 No.3, 2025;
- Ismarini Della Purnama Della, Novaranty Zura Dwiputri, and Irwan Triadi., Supremasi Sipil Atas Militer Pasca-2024: Membaca Resistensi Institusional dalam Politik Hukum Indonesia. *Jurnal Hukum Legalita*, Vol.7 No.2, 2025;
- Ismarini Della Purnama Della, Novaranty Zura Dwiputri, and Irwan Triadi., Supremasi Sipil Atas Militer Pasca-2024: Membaca Resistensi Institusional dalam Politik Hukum Indonesia. *Jurnal Hukum Legalita*, Vol.7 No.2, 2025;
- Karolus Evantino, et al., Analisis Implementasi Hankamrata di Indonesia ditinjau dari Aspek Anggaran Pertahanan Negara. *El-Mal: Jurnal Kajian Ekonomi & Bisnis Islam*, Vol.5 No.3, 2024;
- Marcus Mietzner., Defending the Constitution, But Which One? The Indonesian Military, Constitutional Change, and Political Contestation, 1945–2020', in Melissa Crouch (ed.), *Constitutional Democracy in Indonesia*, Oxford Academic, 23 Feb. 2023;
- Mohamad Ikhsan Nurulloh, Luhut Simbolon, and George Royke Deksin., Membangun Akuntabilitas Industri Pertahanan Indonesia. *Jurnal Education and Development*, Vol.10 No.2, 2022;
- Muhammad Farhan Nefaldy, and Tomson Situmeang., Ambiguitas Konstitusional dalam Fungsi Legislasi Presiden dan DPR di Indonesia. *Journal of Civic Education*, Vol.9 No.1, 2026;
- Nadiya Levytska, L. U. T. S. Lyudmyla, and Bohdan Yakymovych., Modern Scientific Approaches To Historical, Historical And Legal Methodology: Coincidences And Parallels. *East European Historical Bulletin*, Vol.22, 2022;
- Olivia Rizka Vinanda, et al., Sistem Politik Yang Pernah Ada Dan Berlaku Di Indonesia. *Jurnal Intelek Insan Cendikia*, Vol.2 No.5, 2025;
- Propatria Institute., Kajian Kritis Paket Perundangan di Bidang Pertahanan dan Keamanan, Working Group on Security Sector Reform, *Monograph*, No. 7, 2006;
- Putri, Lhiedya Rohayah Sukanda., Dampak Kerjasama Pertahanan Indonesia-Korea Selatan Dalam Joint Production Pengembangan Pesawat Tempur

- Kfx/Ifx Terhadap Modernisasi Militer Indonesia (2020-2024). *Global Insights Journal: Jurnal Mahasiswa Hubungan Internasional*, Vol.2 No.1, 2025;
- Refo Rivaldo Fransiscus Pangaribuan, Toar Neman Palilingan, and Feiby S. Mewengkang., Pembagian kekuasaan dalam sistem pemerintahan di Indonesia. *Lex Administratum*, Vol.11 No.5, 2023;
- Saiful Risky and Dina Kartikasaari., Supremasi Sipil Vs. Supremasi Militer: Pejabat Pembantu Presiden Non-Kementerian dalam Bingkai Reformasi Konstitusi. *Simbur Cahaya*, Vol.32 No.1, 2025;
- Satria Budi Kusuma, et al., Hubungan Fungsional antara Dewan Perwakilan Rakyat (DPR) dan Presiden dalam Bidang Pengawasan di Indonesia menurut UUD 1945. *Jurnal Diskresi*, Vol.3 No.1, 2024;
- Sumarlin Sumarlin, Agus Adriyanto, and I. Wayan Warka., Pertahanan Maritim: Antisipasi Ancaman Militer Melalui Kolaborasi Sumber Daya Nasional. *Journal of Industrial Engineering & Management Research*, Vol.4 No.6, 2023;
- Suryantoro, Putra Krisna., Perubahan UU TNI: Telaah Atas Substansi dan Dampaknya. *Iuris Studia: Jurnal Kajian Hukum*, Vol.6 No.2, 2025;
- Widijayanto, Rio Bhima, Wisnu Nugraha, and Sugiman Sugiman., Implementasi Komponen Pendukung dan Cadangan dalam Operasi Militer Selain Perang. *Krisna Law: Jurnal Mahasiswa Fakultas Hukum Universitas Krisnadwipayana*, Vol.7 No.2, 2025;
- Wiwin Taswin,. Institutional Strengthening, Function and Authority of Regional Representative Council of Republic Indonesia In The Establishment of Law." *Proceeding International Conference on Law, Economy, Social and Sharia (ICLESS)*. Vol.1 No.1, 2022;
- Yuldha, Tamara, and Husein Manalu., Analisis Kekuasaan Presiden dalam Proses Pembentukan Undang-Undang Ditinjau dari Perspektif Trias Politica. *As-Syar'i: Jurnal Bimbingan & Konseling Keluarga*, Vol.6 No.2, 2024;
- Yuliana Nur Anissa and Yusa Djuyandi., Analisis Pemenuhan Kebutuhan Minimum Essential Froce (Mef) Dalam Pengadaan Alat Utama Sistem Senjata (Alutsista) Tentara Nasional Indonesia (Tni). *Scripta: Jurnal Ilmiah Mahasiswa*, Vol.3 No.1, 2021;
- Yusa Djuyandi, Arfin Sudirman, and Nanang Suryana., Analisis Hubungan Sipil-Militer di Indonesia Pasca Reformasi 1998. *Journal of Political Issues*, Vol.7 No.1, 2025;
- Yusa Djuyandi, Arfin Sudirman, and Nanang Suryana., Analisis Hubungan Sipil-Militer di Indonesia Pasca Reformasi 1998. *Journal of Political Issues*, Vol.7 No.1, 2025;

Books:

Duarte, Editha Praditya, et al., 2025, *Manajemen Pertahanan dalam Pengelolaan Sumber Daya Nasional Untuk Pertahanan Negara*. Indonesia Emas Group, Bandung;

Keamanan Nasional., *Monograph*, Working Group on Security Sector Reform, ProPatria, Jakarta;

Larry Diamond dan Marc F. Plattner., 2000. *Hubungan Sipil-Militer dan Demokrasi*, RajaGrafindo, Jakarta;

Muhammad Syaroni Rofii., 2023, *Dimensi Internasional Ketahanan Nasional*. PT. RajaGrafindo Persada, Jakarta;

Ni'matul Huda., 2024, *Politik Hukum dan Pembangunan Sistem Hukum Nasional*. Sinar Grafika, Jakarta;

Syaiful Anwar., 2016, *Melindungi Negara*, Pustaka Obor Indonesia, Cetakan Pertama, Jakarta;

Websites:

CNN Indonesia., Melihat Anggaran Alutsista di Kemenhan 10 Tahun Terakhir, selengkapnya di sini: <https://www.cnnindonesia.com/>;

Haris Fadhil., *Prabowo Bandingkan Anggaran Pertahanan RI-Singapura*, Begini Datanya, <https://news.detik.com/>.