

THE ROLE AND IMPACT OF AMICUS CURIAE IN CONSTITUTIONAL COURT DECISIONS: A PERSPECTIVE FROM PARTICIPATION THEORY

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Abstrak

Penelitian ini menganalisis peran dan dampak amicus curiae dalam mendorong proses peradilan yang partisipatif di Mahkamah Konstitusi melalui teori partisipasi. Sebagai mekanisme non-litigasi, amicus curiae memperkaya perspektif peradilan, khususnya dalam kasus-kasus kepentingan publik, dengan memberikan pandangan hukum yang imparial. Temuan menunjukkan bahwa amicus curiae meningkatkan kualitas putusan, transparansi, dan akuntabilitas, sehingga memperkuat peran Mahkamah dalam mempromosikan sistem hukum yang demokratis dan inklusif. Penelitian ini menyoroti bagaimana amicus curiae mendukung proses peradilan yang partisipatif di Mahkamah Konstitusi dengan menggunakan teori partisipasi. Awalnya berkembang dalam perencanaan kota, teori ini menekankan pada inklusivitas dan akuntabilitas dalam pengambilan keputusan. Diakui dalam Pasal 5 Ayat (1) Undang-Undang Nomor 48 Tahun 2009, amicus curiae memberikan pandangan imparial yang berbeda dari Para Pihak Terkait, sehingga memastikan keterwakilan masyarakat yang beragam dalam proses hukum. Kehadiran amicus curiae meningkatkan transparansi, akuntabilitas, dan kualitas putusan peradilan. Teori partisipasi selaras dengan perannya dalam mendorong masukan publik yang beragam untuk mencapai hasil hukum yang seimbang. Kasus-kasus penting, seperti persidangan Soeharto, menunjukkan nilai praktisnya dalam memastikan keadilan peradilan. Institusionalisasi amicus curiae memperkuat nilai-nilai demokrasi dan partisipasi publik dalam peradilan. Amicus curiae memainkan peran strategis dalam meningkatkan transparansi, akuntabilitas, dan inklusivitas peradilan di Mahkamah Konstitusi.

Kata kunci: *Mahkamah Konstitusi, Amicus curiae, Partisipasi Publik, Transparansi, Akuntabilitas*

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Abstract

This study analyzes the role and impact of *amicus curiae* in fostering participatory judicial processes within the Constitutional Court through participation theory. As a non-litigation mechanism, *amicus curiae* enrich judicial perspectives, particularly in cases of public interest, by providing impartial legal insights. Findings reveal that *amicus curiae* enhances decision quality, transparency, and accountability, reinforcing the Court's role in promoting a democratic and inclusive legal system. This study highlights how *amicus curiae* support participatory judicial processes within the Constitutional Court, using participation theory. Initially rooted in urban planning, this theory emphasizes inclusivity and accountability in decision-making. Recognized under Article 5 Paragraph (1) of Law Number 48 of 2009, *amicus curiae* provide impartial insights distinct from Related Parties, ensuring diverse societal representation in legal processes. The inclusion of *amicus curiae* enhances judicial transparency, accountability, and decision quality. Participation theory aligns with its role in fostering diverse public input for balanced legal outcomes. Notable cases, such as the Soeharto trial, demonstrate its practical value in ensuring judicial fairness. Institutionalizing *amicus curiae* strengthens democratic values and public participation in the judiciary. *Amicus curiae* plays a strategic role in enhancing judicial transparency, accountability, and inclusivity in the Constitutional Court. Its alignment with participation theory underscores its importance in promoting constitutional justice and addressing public interest cases.

Keywords: Constitutional Court; *Amicus curiae*; Public Participation, Transparency, Accountability

INTRODUCTION

Amicus curiae, meaning "friend of the court," refers to an individual or group not directly involved in a case but capable of providing relevant opinions, information, or legal arguments to the court. Originating from the tradition of ancient Roman law, *amicus curiae* later evolved within the legal systems of England and the United States. Many modern jurisdictions, including Indonesia, have adopted this concept as a vital component of their judicial systems. *Amicus curiae* is primarily utilized in cases involving public interest or legal issues that lack clear regulation. Their presence aids in clarifying legal or technical aspects that may not be fully understood by the court (Krisnalita et al., 2022). The position of *amicus curiae* in Indonesia's judicial system has not been clearly regulated. This lack of clarity results in the absence of definitive guidelines on how and when *amicus curiae* can participate in a case. Consequently, the application of *amicus curiae* depends on the discretion and policies of judges in accommodating input from third



parties. This regulatory gap creates uncertainty regarding the procedures and legal consequences of *amicus curiae* involvement.

Implicitly, the existence of *amicus curiae* is reflected in Article 5, Paragraph 1 of Law Number 48 of 2009, which states: "Judges and constitutional justices are obligated to explore, adhere to, and understand the legal values and sense of justice that live within society." In the Constitutional Court's regulations, the spirit of *amicus curiae* aims to encourage judges to act wisely and fairly when rendering decisions on cases. According to these provisions, judges are required to explore and gather information and opinions from various parties, including those directly involved in the case and those not directly involved, such as research findings, expert testimonies, or consultations with individuals knowledgeable about the case. The openness of judges' minds and the breadth of information gathered assist them in making prudent and well-considered decisions. On the other hand, Constitutional Court Regulation Number 2 of 2021 on Judicial Review explains that: "*In certain circumstances, the Constitutional Court may request information from other parties positioned as Related Parties (Pihak Terkait).*" (Peraturan Mahkamah Konstitusi, 2 C.E.)

Related Parties (Pihak Terkait) are individuals or entities that, while not direct litigants in a case, have a tangible or legal interest in its outcome, either directly or indirectly. In contrast, *amicus curiae* (friends of the court) play a distinct role by offering impartial legal insights or expertise to assist the court in understanding complex issues, without holding a direct interest in the case. Unlike Related Parties, whose involvement stems from their connection to the subject matter of the dispute, *amicus curiae* act as neutral contributors whose purpose is to aid the judicial process by broadening perspectives on legal or factual questions. This study examines the role and impact of *amicus curiae* in fostering participatory judicial processes within the Constitutional Court, framed through the lens of participation *theory*. Participation theory highlights the importance of involving diverse stakeholders such as academics, civil society, and non-governmental organizations in decision-making processes that affect public interest. This inclusion fosters transparency, accountability, and legitimacy in judicial outcomes.

Amicus curiae serves as a non-litigation mechanism that enriches judicial perspectives, particularly in cases with substantial societal implications. Distinct from Related Parties, who have a direct or indirect interest in the outcome of a case, *amicus curiae* provides *impartial* legal insights, allowing third parties to contribute to judicial processes without bias. This mechanism reflects the Constitutional Court's commitment to



democratic principles by enabling public participation in decisions that influence societal welfare. Historically, the roots of participation theory in urban planning and policy-making underscore its relevance to modern judicial practices. The Participation Ladder, initially applied to address the welfare of underprivileged communities, emphasized public *involvement* in policy decisions. In contemporary contexts, this principle has expanded to legal systems worldwide, including Indonesia, where mechanisms like *amicus curiae* ensure balanced and democratic judicial processes.

The findings of this study reveal that *amicus curiae* improves decision-making quality by fostering transparency and inclusivity. For example, its application in high-profile cases, such as the Soeharto trial, demonstrated its potential to enhance judicial *accountability* and legitimacy. This mechanism underscores the Constitutional Court's role in reinforcing democratic values, making *amicus curiae* indispensable for upholding constitutional justice in Indonesia. To maximize its impact, the management of *amicus curiae* must emphasize transparency and integrity, ensuring it contributes meaningfully to judicial transparency, accountability, and the public's trust in the legal system. Ultimately, this mechanism aligns with the principles of justice, legal certainty, and utility, solidifying its role as a cornerstone of participatory democracy in Indonesia. "The Existence of *Amicus Curiae* in Constitutional Court Decisions: A Perspective of Participation Theory." This issue focuses on the existence of *amicus curiae* in *Constitutional Court* decisions based on Participation Theory.

THEORETICAL BASIS

Legal theory serves as a foundation for analyzing legal policies, including in the context of the urgency of reappointing Land Deed Officials (PPAT) who are *sentenced* to crimes under five years. In this case, the theories of responsive law and legal certainty provide important guidance for understanding the regulatory aspects of the post-criminal sanction PPAT profession. (Hamidi et al., 2022)

Participation Ladder Theory

The Participation Ladder theory originated in the United States as a framework for promoting participatory processes in urban planning and policy-making. Its primary purpose was to enhance the welfare of underprivileged communities by involving them in decision-making processes related to urban development, highways, transit, and other public infrastructure projects. This participatory approach was institutionalized through the Cities and Metropolitan Development Act of 1966, a legislative milestone that emphasized the necessity of public involvement in federally



funded urban redevelopment initiatives. Over time, the principles of participation theory have transcended their initial application in urban policy to influence modern legal and governance frameworks. Today, this theory underpins practices such as legislative drafting and judicial processes, providing a foundation for ensuring transparency, accountability, and inclusivity in decision-making. By connecting its historical roots in urban development to contemporary applications in the legal domain, participation theory continues to serve as a vital tool for fostering democratic and equitable governance.

President Lyndon B. Johnson, who initiated the expansion of federal grant programs for construction projects, emphasized in his address that the process of building our cities is fundamentally about people, not just bricks and mortar. However, after this legislation was enacted, no participatory mechanisms were found, and even the meaning of citizen participation itself remained undefined. This led to a national confusion within the White House, resulting in inconsistent responses (Tigan, 2005). In response to this turmoil, the Department of Housing and Urban Development (HUD) appointed Sherry Arnstein as the head advisor for citizen participation in 1967, tasked with improving the participatory components of the program (Arnstein, 2020).

The lowest rungs of the ladder are (1) Manipulation and (2) Therapy. These two rungs represent levels of "non-participation" or participation that is merely a formality. The actual purpose is not to enable the community to participate in planning or implementing programs but to allow those in power to "educate" the public.

Rungs 3 and 4, namely Notification and Consultation, progress to the level of "tokenism," providing an opportunity for underprivileged citizens to be heard and to have a voice. However, at these levels, citizens lack the power to ensure that their views will be considered by those in authority. When participation is implemented at these levels, there are no guarantees or follow-ups to alter the status quo. The fifth rung, (5) Placation, represents a higher degree of tokenism, as the basic rules allow marginalized groups to provide advice, though the powerholders still retain the right to make final decisions.

Further up the ladder are levels of citizen power, where the degree and influence of citizen decision-making increase. Citizens can engage in (6) Partnerships, allowing them to negotiate and participate directly in the exchange of ideas with powerholders. At the highest rungs, (7) Delegation of Power and (8) Citizen Control, lie the highest levels of participation, where citizens have significant influence and control over decisions.



RESEARCH METHODS

This study employs a normative legal research method, a research approach that views law as a structured system of norms. This normative structure encompasses principles, norms, rules derived from legislation, court decisions, agreements, and doctrines (Muhaimin, 2020). This method examines law from an internal perspective, with its research object being legal norms. The approaches used in this research include the statute approach, which involves examining laws and regulations related to the authority of the Constitutional Court, and the conceptual approach, which is based on legal scholars' perspectives that have developed within the field of legal science (Diantha, 2016).

RESULTS AND DISCUSSION

Amicus curiae, meaning "friend of the court," is a legal concept that allows third parties to provide input to the court without having a direct interest in the case being adjudicated. In the context of the Constitutional Court (CC), *amicus curiae* serve as a form of public participation in the judicial process, particularly in cases involving public interest. *Amicus curiae* play a significant role in the judicial process and litigation strategy due to its contribution in diversifying arguments and enhancing the quality of court decisions (Ayu Pralampita, 2020). There are three categories of *amicus curiae*:

- a) Submitting a request or application to become an interested party in the proceedings.
- b) Providing an opinion at the request of the judge.
- c) Offering information or opinions on the case independently.

In Indonesia, *amicus curiae* is not clearly regulated but is implicitly recognized in Article 5 Paragraph (1) of Law Number 48 of 2009 concerning Judicial Power. This article requires judges to explore and comprehend the legal values and sense of justice that live within society (Husein, 2016). This indicates that the role of *amicus curiae* is not limited to providing opinions but also serves as a source of information that can assist judges in making fair and wise decisions while taking public participation into account (Bagashka et al., 2024).

the trial of Time magazine involving President Soeharto. Based on the Supreme Court's decision directory, there are thirty-two decisions related to *amicus curiae* submitted by civil society, academics, and state institutions. The Supreme Court acknowledges that *amicus curiae* has become an integral part of the legal systems in various countries. Consequently, there is a significant opportunity to adapt this concept to



Indonesia's judicial system to provide benefits for justice seekers. Therefore, this presents both a certainty and an opportunity to align with the conditions of Indonesia's judicial system (Zuhdi & Kamula, 2024). The presence of *amicus curiae* also supports the principles of accountability and transparency within the judicial system. Through the involvement of third parties, the Constitutional Court receives input from a variety of more objective perspectives, resulting in decisions that are more open and accountable to the public (Sucipta & Darma, 2022).

The Constitutional Court (CC) was established as a crucial institution within Indonesia's constitutional system to ensure the enforcement of the principles of a democratic rule of law. As the guardian of the Constitution, the CC plays a primary role in upholding and fulfilling the constitutional rights of citizens through its attributive authority as stipulated in Article 24C Paragraph (1) of the 1945 Constitution. This authority includes judicial review of laws against the 1945 Constitution, resolving disputes over authority between state institutions, dissolving political parties, and settling disputes over election results. With these duties, the Constitutional Court functions to ensure that all policies and legal products align with the Constitution while protecting the fundamental rights of citizens from potential violations (Johnson et al., 2021). This ensures the creation of a legal system that is fair, democratic, and consistent with the values of Pancasila and the 1945 Constitution.

Based on Article 24C Paragraph (1) of the 1945 Constitution, the decisions of the Constitutional Court (CC) are of the first and final instance, meaning they are *final and binding*. This provision indicates that CC decisions cannot be appealed, cassated, or reviewed by other judicial institutions. The finality of these decisions ensures legal certainty and prevents differing interpretations of the Constitution (Montoya, 2024).

The *final and binding* nature of these decisions aligns with the Constitutional Court's role as the guardian of the constitution and the enforcer of democratic rule-of-law principles. As the institution providing the final interpretation of the 1945 Constitution, the CC ensures that it can carry out its duties effectively without being hindered by protracted judicial processes (Thomas & Liman, 2024).

Furthermore, the binding nature of Constitutional Court decisions applies to all parties (*erga omnes*), not just those directly involved in the case. Thus, any legal product or policy deemed unconstitutional by the CC must be immediately followed up by relevant parties, such as lawmakers or the government, to uphold constitutional supremacy and protect citizens' constitutional rights. Article 5 Paragraph (2) of Constitutional Court



Regulation Number 2 of 2021 on Judicial Review essentially states that: “*In certain circumstances, the Constitutional Court may request information from other parties positioned as Related Parties (Pihak Terkait).*”

This article states that, in certain circumstances, the Constitutional Court may request information from other parties positioned as Related Parties. This enables the Court to gain additional perspectives from parties with an interest in the issues being adjudicated.

In the context of Articles 5 and 6 of Constitutional Court Regulation No. 2 of 2021, *amicus curiae* can be considered a form of participation by other parties with an indirect interest. Although *amicus curiae* is not explicitly mentioned in these articles, the principle of involving other parties is relevant, as the Constitutional Court can request input from specific parties that can provide information or perspectives to assist in resolving cases (Farber, 2024c). The presence of Related Parties or *amicus curiae* helps the Court examine an issue from multiple perspectives, particularly in cases involving numerous stakeholders or significant public interest.

The Constitutional Court itself has frequently accepted *amicus curiae* in examining cases. For example, in the 2024 Presidential Election Dispute, the Constitutional Court received 52 *amicus curiae* submissions for this case (Doerfler, 2023). Of these, 14 were considered by the panel of judges. Many academics and organizations submitted *amicus curiae* to provide insights on the electoral process and the legal implications of the results. This demonstrates active public participation in the legal process. Constitutional judges have also used the opinions of *amicus curiae* as considerations in deciding cases (Farber, 2024).

In deciding a case, Constitutional Judges bear a significant responsibility to achieve the three fundamental values of law, namely:

- a. Legal Certainty: In this context, judges must refer to clear, logical, and applicable legal rules, ensuring that their decisions align with the prevailing laws and regulations.
- b. Justice: Judges are required to consider substantive justice, which often necessitates input from diverse perspectives to understand the broader impact of their decisions. Particularly for Constitutional Judges, whose rulings are binding on all parties, not just the litigants. Thus, Constitutional Court decisions must reflect justice for all citizens.
- c. Utility: Refers to the extent to which a judge's decision provides benefits to society, both individually and collectively. Constitutional



Judges must also consider the impact of their rulings, both in the short and long term.

To achieve a balance among these three values, judges often require in-depth and objective additional input. This is where the role of *amicus curiae* becomes relevant. As an independent party providing legal opinions to the court, *amicus curiae* can assist judges in understanding complex or controversial issues that may not be fully addressed by the litigating parties (O'Brien et al., 2022). This input offers new perspectives or additional data that are valuable in assessing the legal, social, or economic impacts of the decision to be made. The role of *amicus curiae* in achieving these three values is as follows:

a. Legal Certainty

The opinions of *amicus curiae* help judges ensure that decisions remain consistent with applicable legal principles, including relevant international or comparative rules, thereby providing a strong legal foundation.

b. Justice

The input from *amicus curiae* aids judges in considering diverse perspectives and understanding the broader implications of their decisions, ensuring that the rulings reflect fairness not only to the parties involved but also to society at large. This contribution is crucial in addressing complex issues and balancing competing interests to achieve substantive justice.

c. Utility

Amicus curiae can provide analyses on the long-term impacts of a decision on the broader community, assisting judges in considering the social utility of their rulings. This helps ensure that decisions contribute positively to societal welfare, both in the immediate and extended future.

Amicus curiae can provide analyses on the long-term impacts of a decision on the broader community, assisting judges in considering the social utility of their rulings. This helps ensure that decisions contribute positively to societal welfare, both in the immediate and extended future (Dias Simões, 2021). On the other hand, there are challenges for the panel of judges in accepting *amicus curiae* opinions. The greatest challenge faced by the court is ensuring that the arguments presented are truly relevant and valid. This is crucial because, although *amicus curiae* aims to provide additional perspectives, they may present arguments that are not aligned with the context of the case being discussed or exhibit a tendency toward bias (Mulia, 2024).



Amicus Curiae from the Perspective of Participation Theory

Amicus curiae is a form of public participation in the judicial system, particularly in cases with significant societal impact. As a "friend of the court," amicus curiae provides perspectives, analyses, or additional relevant information to judges without representing any specific litigating party. In modern legal systems, this mechanism reflects active public involvement in ensuring that legal processes are conducted transparently, inclusively, and fairly (Farber, 2024a). According to Josef R. Koho, public participation can occur at four levels, namely: (Kearney & Merrill, 1999)

a. Participation in Decision-Making Processes

In this level of participation, the public actively engages in the planning or policymaking stages. They provide input, ideas, or perspectives on what should be done. This form of participation is crucial to ensure that the decisions made reflect the needs and aspirations of the community.

b. Participation in the Implementation of Activities

After decisions are made, the public is also involved in the execution or implementation of programs or development projects. They can directly participate in carrying out the planned activities or programs.

c. Participation in Monitoring and Evaluation of Development

The public plays a role in overseeing the implementation of activities and providing evaluations of their outcomes. They can monitor whether the execution aligns with the planning and assess the impact of the activities.

d. Participation in the Utilization of Development Outcomes

After a program or activity is completed, the public can engage in utilizing the results of the development. This involvement ensures that the benefits of development are felt and enjoyed broadly by the community.

When linked to these four levels of participation, the role of *amicus curiae* in the Constitutional Court of Indonesia represents public participation in the decision-making process. The public monitors the judicial process in the Constitutional Court by providing new perspectives and enriching the judges' information to achieve justice (McCammon et al., 2022). Considering that Constitutional Court decisions are *erga omnes* applicable generally and binding on all parties, not just the litigants such decisions must reflect justice for society at large.

Public participation is a key element that cannot be overlooked in efforts to reform the judicial system, particularly in establishing a system that is transparent, accountable, and just. In this context, the public is not



merely a beneficiary of the legal system but also plays an active role in ensuring that judicial processes align with the principles of a democratic rule of law (Krislov, 1962). Judicial reform requires public involvement to identify weaknesses, provide input, and monitor the functioning of the legal system to ensure it consistently upholds substantive justice.

One form of public participation is through mechanisms such as *amicus curiae*, where individuals or groups provide legal opinions to the court in specific cases. Additionally, the public can contribute by monitoring court proceedings, reporting legal violations by judicial officials, and advocating for progressive legal policies. This participation serves as an effective social control tool to curb practices that deviate from the principles of justice, such as corruption, collusion, and nepotism within judicial institutions (Hasannudin & Rahayu, 2022).

Amicus curiae enables individuals, civil society organizations, academics, or other institutions to contribute to cases that are deemed to have an impact on public interest. This mechanism expands the scope of public participation in the legal domain, particularly in strategic cases such as judicial reviews of laws against the constitution or electoral disputes. The opinions provided by *amicus curiae* often address not only formal legal aspects but also substantive justice, such as the social, economic, or environmental impacts of a decision (Krenn, 2022). This contribution aids judges in resolving cases by considering various dimensions of justice. Public involvement also enhances the quality of judicial decisions, as public perspectives often bring new insights that may not be immediately apparent to law enforcers. Thus, judicial reform is not solely the responsibility of state institutions but a shared agenda that requires active collaboration between the government, judicial bodies, and the broader society. Public participation is a crucial foundation for ensuring the success of reforms toward a better, fairer judicial system that upholds truth and justice.

Furthermore, public participation is fundamentally an essential element of democracy. Its existence benefits the state in various ways. These benefits generally include the opportunity for the state to educate its citizens. At the same time, the state gains advantages from public participation in building trust and public legitimacy for the policies it implements (Canelo, 2022). From the perspective of participation theory, *amicus curiae* can be seen as a mechanism to strengthen public involvement in judicial processes. This aligns with the principles of democracy and transparency, where the public has the right to monitor and contribute to legal processes that affect them. Through *amicus curiae*, voices from various



elements of society can be heard and considered by judges (DeMatteo & Wiltsie, 2022).

The presence of *amicus curiae* reflects a form of non-litigation participation, where individuals or groups without direct interests in a case are still given the opportunity to express their opinions. This demonstrates that the legal system, particularly the Constitutional Court, is open to active public participation in judicial processes (Sulistiyowati et al., 2024). In the context of democracy, *amicus curiae* contributes to strengthening an inclusive system by involving various societal elements, such as academics, non-governmental organizations, or professional associations. This aligns with the essence of participation theory, which emphasizes the importance of active public involvement in decision-making processes that impact their lives.

Amicus curiae is accepted by judges as a form of public oversight in law enforcement. Thus, *amicus curiae* is recognized by judges as a form of public participation in monitoring a case with the aim of achieving justice. (Abi-Hassan et al., 2023) Overall, in the context of Indonesia's Constitutional Court, the role of *amicus curiae* is not only significant in assisting judges in understanding various complex legal issues but also serves as a form of public participation in the judicial process. Participation theory emphasizes that the active involvement of various parties in the legal process creates a more inclusive, transparent, and fair system, ultimately strengthening the legitimacy of the Constitutional Court as the guardian of the Constitution.

Nevertheless, participation theory also highlights the challenges in ensuring that *amicus curiae* participation is inclusive and not dominated by specific groups. The selection and evaluation process of submitted opinions must be conducted objectively to avoid bias or conflicts of interest.

CONCLUSION

This study examines the role and impact of *amicus curiae* in fostering participatory judicial processes within the Constitutional Court of Indonesia, emphasizing its alignment with the principles of participation theory. As a "friend of the court," *amicus curiae* serves as a non-litigation mechanism that provides impartial legal opinions and analyses, offering additional perspectives that enrich judicial decision-making. Unlike Related Parties, who have a direct or indirect interest in the case, *amicus curiae* functions as an independent contributor to the legal process, focusing on enhancing the quality of decisions.



From the perspective of participation theory, *amicus curiae* represents a form of public involvement that strengthens the legitimacy of judicial processes, particularly in cases with significant societal impact. By facilitating broader societal participation, it fosters transparency, accountability, and inclusivity in decision-making, ensuring that rulings adhere to the principles of justice, legal certainty, and utility. For instance, its application in high-profile cases, such as the Soeharto trial, demonstrated its practical benefits in promoting judicial openness and public trust.

Participation theory underscores the importance of diverse societal engagement in decision-making processes to achieve balanced and democratic governance. This theoretical framework, initially applied in urban planning and policy-making, finds contemporary relevance in legal systems by advocating mechanisms like *amicus curiae* to enhance institutional accountability. The findings reveal that *amicus curiae* contributes significantly to judicial transparency and the quality of decisions, aligning with the broader goals of democratic participation.

In conclusion, the role of *amicus curiae* within Indonesia's Constitutional Court underscores its relevance in reinforcing democratic values and judicial inclusivity. This mechanism enhances decision-making quality while reflecting the legal system's openness to constructive input. To maximize its impact, the transparency and integrity of its management are crucial, ensuring it continues to serve as an indispensable tool for upholding constitutional justice.

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