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JUDICIAL DEFIANCE UNMASKED: SEMA 3/2023 vs MK 34/2013

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Abstract

This research aims to explore whether SEMA NO. 3/2023 indeed functions as a legal constitutional dialogue or an administrative constitutional defiance against binding MK Decision NO. 34/2013. The research problem is twofold, drawn doctrinal: is the reintroduction of PK limitation through SEMA an administrable implementation doctrinally applicable, or it reverses the similar administrative reversibility of constitutional content determined by the Court? Conceptual disambiguation is performed based on a normative juridical method, combined with a doctrinal comparative method. Systematic document study with constitutional text extraction and hierarchical norm-testing are instrumentalized in determining whether the problem is interpretive disagreement or bureaucratic contravention. The results of the research paper found that SEMA3/2023 does not operate as hermeneutic interpretation but as operational bureaucratic command in MK jurisprudence bypassance, and consequently produces constitutional consequence without constitutional adjudication. The key-findings of the research procure found that the normative effect of SEMA 3/2023 doctrinally functions as an administrative constitutional reversal since it reopens the legal path that the Constitution Court has already closed. Comparative analysis with Germany, Italy, and Singapore indicates that civil-law jurisdictions in their design structurally bar administrative constitutional re-constitution of established constitutional meaning. The research thus concludes that SEMA 3/2023 is not a judicial dialogue but an administrative constitutional sabotage in the dual apex configuration formalism of Indonesia.

Keywords: *administrative defiance; constitutional supremacy; dual apex courts; SEMA 3/2023; MK 34/2013.*

Abstrak

Penelitian ini bertujuan untuk mengeksplorasi apakah SEMA No. 3/2023 benar-benar berfungsi sebagai dialog konstitusional hukum atau pembangkangan konstitusional administratif terhadap daya Putusan MK No. 34/2013 yang mengikat. Masalah penelitian ini ada dua, yang ditarik secara doktrinal: apakah pembatasan peninjauan kembali melalui SEMA merupakan implementasi yang dapat dikelola secara administratif dan dapat diterapkan secara doktrinal, ataukah hal itu membalikkan administratif yang serupa dari konten konstitusional yang telah diputuskan oleh Mahkamah Konstitusi. Penjelasan konsep dilakukan berdasarkan metode hukum normatif, dikombinasikan dengan metode perbandingan doktrinal. Studi dokumen sistematis dengan ekstraksi teks konstitusional dan pengujian norma hierarkis diinstrumentasikan untuk menentukan apakah masalah ketidaksepakatan interpretatif atau pelanggaran birokrasi. Hasil penelitian ini menemukan bahwa SEMA3/2023 tidak berfungsi sebagai interpretasi hermeneutik, melainkan sebagai

perintah birokrasi operasional yang memotong putusan MK, dan akibatnya menghasilkan konsekuensi konstitusional tanpa pengadilan konstitusional. Temuan utama penelitian ini menunjukkan bahwa efek normatif SEMA 3/2023 secara doktrinal berfungsi sebagai pembalikan konstitusional administratif karena membuka kembali jalur hukum yang telah ditutup oleh Mahkamah Konstitusi. Analisis komparatif dengan Jerman, Italia, dan Singapura menunjukkan bahwa yurisdiksi civil law secara struktural mencegah rekonstruksi makna konstitusional melalui instrumen administratif. Penelitian ini menyimpulkan bahwa SEMA 3/2023 bukanlah dialog yudisial, melainkan sabotase konstitusional administratif dalam formalisme konfigurasi dua puncak peradilan Indonesia.

Kata Kunci: pembangkangan konstitusional administratif; supremasi konstitusi; dua pengadilan puncak; SEMA 3/2023; MK 34/2013.

I. INTRODUCTION

The conceptual history of "judicial defiance" in comparative constitutionalism epitomizes the post-authoritarian paradox: as courts achieve institutional independence, they also develop new forms of resistance to the very constitutional supremacy. Especially in civil law systems, this resistance is not only developed through judicial justification, but through vocational utilization of administrative legal tools circulars, internal guidelines, or regulatory instructions, that politically re encode constitutional boundaries without formal adjudicative interpretation. Within the arch of this development, Indonesia serves as an extreme case-study. Constitutional amendments post-Reformasi structured a dual apex: Constitutional Court (MK) as guardian of the 1945 Constitution versus Supreme Court (MA) as an apex of ordinary judicial review. This double configuration was constitutionally invented as an antithesis to interpretive monopolies. However, structurally, it also creates excessive pressures, especially in a politically deviated policy-production when the two apices have differing policy preferences. This structurally constructed tension serves as a dogmatic nursery for constitutional revolt disguised as bureaucratic invention. Constitutional Cour Decision MK No. 34/PUU-XI/2013 was a direct constitutional settlement nullity of the boundaries of extra ordinary review (peninjauan kembali). The Indonesian Constitutional Court ruled that the statutory restriction of the number of applications for review was unconstitutional considering the constitutional right to justice separatim, ergo quantifying a certain constitutional instrument derogated the constitution. In other words, MK 34/2013 artificialized a constitutional demarcation extra ordinary review pertained to constitutional guarantee rather than to procedural policy. In effect, in abstract powers, MK 34/2013 resolved this tension by further consolidating the constitutional suprema in an ordinary cloak. Supreme Court Circular Letter (SEMA) 3/2023, however, reframes this conflict. Rather than

challenge MK 34/2013' s interpretation of the constitution, SEMA 3/2023 reintroduces limitation strategically. The doctrinal distinction is that this is not an interpretive confrontation. It is an institutional one. The MA does not argue with MK at the level of the constitutional argument, it simply reframes the boundary of extra ordinary review through an internal bureaucratic process that seems formal but is procedurally, not normatively, re constitutionalizing the legal limit. As a result, SEMA 3/2023 presents a mode of constitutional encroachment that is administratively singular. Its legal effect is that of the normative repeal there is no form of invalidation. It is an administrative order not a judicial decree. That is the crux of judicial defiance. Gap analysis reveals the fundamental conflict between das sollen and das sein. Das sollen: the constitutional structure requires that the Constitution is superior and that MK interpretations are binding on all branches including the MA. Das sein: SEMA 3/2023 constitutes boundary shifting but does not explicitly do so by unconstitutional mandate. The defiance lies in the method circumvention rather than invalidation. Classical theories of judicial dialogue assume interpretive disagreement within formal constitutional reasoning. But the hermeneutic here is administrative, not judicial. As a result, the body of legal scholars on this issue yields little light in the presence of this type of constitutional shadow dance. This is the difference between the new (state of the art) work and the prior investigation. Hence the research questions are these:

1. Is SEMA 3/2023 a legitimate constitutional discourse, or is it a disobedience?
2. What kind of damage does this inflict on the theory of civil law constitutional supremacy with dual apex authority?

This research is oriented for several contributions. First, it conceptualizes administrative judicial defiance as a category distinct from ordinary interpretive disagreement. Second, this research will also situate Indonesian dual apex structure not merely as institutional plurality but as a vulnerability of normative sabotage conducted through non-adjudicative instruments. Third, the author reconsiders SEMA 3/2023, not as internal technical policy, but as a constitutional mechanism with its capacity to reverse constitutional effect not through adjudication but indirectly. As a part of global transformation, the above-mentioned contributions are transnational. The civil law jurisdictions worldwide are increasingly resorting to internal guidelines and administrative instruments to shape judicial behaviour. Thus, the Indonesian case also provides global theoretical insight on how post-authoritarian autonomy can transform into constitutional

rebellion through bureaucratic modality. Therefore, the main research question is as follows: does SEMA 3/2023 constitute administrative constitutional defiance and what is the theoretical framework to distinguish constitutional dialogue from bureaucratic sabotage in post-authoritarian civil law systems?

II. THEORETICAL STUDIES

Classical constitutional theory indexes judicial supremacy in the apex-interpreter of the Basic Law, typically the constitutional court; administrative judicial hierarchy theory conceives of internal judicial circulars and administrative instruments as intra-court governance rather than sources of constitutional authority. In civil law systems, "constitutional fidelity" connotes the doctrinal duty of all sub constitutional institutions to abide by constitutional meaning as articulated by the constitutional court. Germany, Italy, and South Korea exhibit institutional architecture in which conflicts between apex courts are settled by formal interpretive dialogue, conflict-settlement doctrines, or inter-court reference procedures, rather than administrative circulars with normative effect. Hierarchical deference to the BVerfG in Germany safeguards constitutional supremacy by proscribing administrative instruments from overruling constitutional jurisprudence. Italy's Corte Costituzionale further constrains judicial circulars by requiring their subordination to constitutional pronouncements, and South Korea deploys constitutional referral mechanisms to forestall administrative circumvention. Although extant Indonesian scholarship predominantly positions SEMA as an "internal procedural order"mere technical instruction in the administrative hierarchy of the Supreme Court rather than theoretically exploring SEMA as a weapon of constitutional authority assertion or constitutional effectuation, scholarship has failed to theorize SEMA as a prospective modality of constitutional sabotage. Consequently, the gap is a doctrinal model that expounds how administrative judicial instruments eviscerate constitutional boundaries extrajudicially. This research fills the doctrinal gap by repositioning SEMA not as a neutral procedural circular, but as a normative instrument capable of managing.

III. RESEARCH METHODS

This research uses a normative juridical method in combination with a doctrinal comparative methodology, where the research specification is characterised as a prescriptive doctrinal research that aims to classify, identify and prescriptively evaluate whether SEMA 3/2023 is a permissible administrative implementation of procedural norms or an

impermissible reversal of constitutional meaning set by MK 34/2013. The research type is doctrinal legal research with a cumulative character of conceptual, statute, case and comparative lines of investigation of primary legal sources such as MK Decisions especially MK 34/2013 SEMA instruments including SEMA 3/2023 and PERMA, and secondary sources from Scopus Q1 journals and academic writings on constitutional supremacy, administrative judicial governance and apex court conflict resolution in civil lawurisdictions. Data collection is carried out exclusively by means of systematic document study, quantitative constitutional text extraction and the chronological classification of normative propositions embedded in judicial circulars and constitutional adjudications. Data analysis employs a layered analytical framework based on the contrast of constitutional hierarchy MK as apex constitutional interpreter and administrative hierarchy MA as administrative judicial governor to doctrinally determine whether SEMA 3/2023 is productive of legal consequences that breach constitutional territory. The technical method of analysis is a deductive-hierarchical norm testing whereby it is ascertained whether a sub-constitutional administrative circular can legally transform, reorganise or abridge a constitutional right formerly accepted by MK jurisprudence, thus distinguishing doctrinally between rational constitutional conversation and administrative constitutional contravention.

IV. RESEARCH RESULTS

ANATOMY OF DEFIANCE MK DECISION NO. 34/2013: FINALITY AND CONSTITUTIONAL CLOSURE OF PK

The above assertion of the jurisprudential significance of MK Decision No. 34/2013 is not hyperbolic. First and foremost, this ruling meant that the right to seek extra ordinary review (PK) has been upgraded from an ordinary matter of statutory policy to a constitutionally enshrined one. The MK rendered PK, doctrinally speaking, as an institution defined by its legal haecceitas, not just any tool of procedural review. This means that the frequency of PK submission has become not just something that can be quantified by the legislative branch or by the government as an administrative convenience. In short, the MK turned the idea of repetitiveness as part of due process itself and anchored it in constitutional law. Thus, the MK 2013 closing process in the incorporation of constitutional content has three main implications for the rule of law. At the meta-theory level, the closure is that there is no legitimate more substantial debate over whether PKs can be limited. Any future limitation would be an unconstitutional shift. Secondly, the ruling outputs closure: the state

could no longer exercise its closure power over the definition of PK within the framework of legal state. The most essential is the closure effect on the research findings, the decision closes off further efforts at the concept. In other words, the MK 2013 ruling writes the final page of the peninjauan kembali history because such frequency cannot a priori limit by the legislature or the legislature because it's a way to ensure legal certainty per se, regardless of the number of submissions legitimately exists.

SEMA No. 3/2023: Bureaucratic Resurrection of Closed Legal Pathway

An MA issued SEMA No. 3/2023 not as judicial adjudication, but as administrative circular. This is crucial, because SEMA as an instrument type is not designed to change the constitutional meaning, but to produce guidance outside for internal operational pieces. Yet SEMA 3/2023 produced a regulatory outcome, a material normative event that reopens a sphere of possibility closed by the constitutional scope of PK frequency bounded by MK 34/2013. The research shows that SEMA accomplishes normative undoing not through interpretive disagreement, but bureaucratic rulemaking. The MA did not disagree with the MK at the constitutional reasoning level. Instead, it bypassed constitutional reasoning entirely, by restating the PK limitation as administrative governance. This means that the legal defiance is not happening at the doctrinal plane, wherein axiological and epistemic claims pivot each other. It happens at the plane of operational command, wherein an administrative hierarchy claims to have jurisdiction in excess of constitutional hierarchy. The research shows that SEMA 3/2023 operates as bureaucratic counterconstitution, because it reopens liberation that is extra-constitutional regarding the constitutional closure set by MK 34/2013. In the doctrinal senses, this authorizes a proof of a legal path that the Constitution already closed. This is what defiance is: clawing back sculptural power at the plane of administrative beside when constitutional authority accomplished terminal closure. The research here negates Indonesian scholarship's assumption that SEMA remains strictly an internal, technical tool. The research here shows that SEMA in this case is a tool of normative fabrication that vies directly in competition with constitutional meaning. The administrative frame of the instrument masks this by purporting to modify constitutional meaning without formal adjudication, thereby voiding constitutional supremacy through the bureaucratic plane.

However, in this case, the epistemology of defiance is not hermeneutic, but operational command. Firstly, SEMA 3/2023 does not consist of judicial reasoning, judicial balancing or

constitutionality hermeneutics, as the MA only operationalizes a bureaucratic instruction reclassifying PK as an internal administrative quota category, without supplying its change of frequency with normative justification demonstrated in a justificatory chain, similar to MK 34/2013 or any other case. It is not interpretation, but execution. Here the study discovers the executive bureaucratic logic of SEMA 3/2023, but not any judicial interpretive logic. Second, this is not a semantic, but an epistemic distinction, since the epistemology of judicial interpretation requires legal reasoning, justification, testing against the ideal of proportionality, and demonstration of normative coherence. Bureaucratic logic requires only hierarchical command. This is the point where the peril of dual apex courts broadens. Here the bureaucratic instrument displaces the constitutional instrument not by argument but only by execution. Thus, the study demonstrates that the constitutional supremacy collapses not next to disputed constitutional interpretation, but next to bypassed constitutional interpretation. This bypass is the kind of defiance detected here; an act of constitutional subversion across different vertical constraints, where normativistic parenthetical closure is reopened not by legal argument, but by administrative regulation. It suggests a new kind of constitutional risk in post authoritarian civil law systems: administrative constitutional reversal. In the doctrinal context of the study, SEMA 3/2023 is, therefore, classified not as internal operating guidance, but as a bureaucratic reconfiguration of constitutional meaning, as its target is not normative dialogue, but structural reset of jurisdiction.

CONSTITUTIONAL DIALOGUE OR CONSTITUTIONAL INSURGENCE

Based on the discussion of the doctrinal question raised by the antagonism between MK's Decision 34/2013 and SEMA 3/2023, the question is often approached on the grounds of inter-judicial dialogue. However, none of the necessary concepts of constitutional dialogue seems to be present since, as described above, constitutional dialogue refers to a process of reciprocal interpretive exchange. In this context, MK 34/2013 interpreted the Constitution by liberalizing the limits to PK quota out of the necessity to protect the essential constitutional value of legal certainty. In dialogue, the MA's interpretation would have to be its own counter interpretation to MK 34/2013, interpreting the Constitution in a different legitimization friendly way or articulating the plurivocity of the constitutional opening to the point where the hermeneutical structure of MK's jurisprudence was denied legitimation. However, none of these happened, not presenting a competition between legitimate interpretations of constitutional text. Instead, violating interpretive plurality, SEMA 3/2023 is

an operationalization of an administrative instruction.In other words, this separation reveals that the necessary structural conditions to pluralist exchange did not occur. Thus, the research described as a conflict is not a dialogue, but this absence makes it defiance. This is not an interpretive dispute but a rejection because the substance of SEMA 3/2023 actively denies the constitutionally finalized negationism. The defiance, however, is not quantitative obfuscation but effective reversal. Illegalization occurs in the ways in which administrative instructions not only relegalize the limit of PK but bypass the constitutional criticism of those limitations simultaneously. The defiance is this MA, an inferior institution, reinstates a limitation already quashed by MK through administrative instructions. The overturning of constitutional pronunciation on previous mechanisms of constitutional remediation formally proves defiance. Because the legal effect is not textual disagreement, but an actual overriding of constitutional meaning namely, the prohibition it cannot be called disagreement. It is replacement. Therefore, this research establishes that the act of the MA is in a precise doctrinal situation of constitutional insurgence because it refuses the binding effect of constitutional adjudication not argumentatively but executively, defying constitutional supremacy at the operational, and not hermeneutical, plane. The epistemic result of this defiance is soft rebellion. SEMA 3/2023 is not anti-constitutional in form, refusing to use open anti-constitutional language. The text speaks in procedure, using a bureaucratic tone, and repeatedly referring to compliance with managerial legality. However, under this parody of bureaucratic legitimacy, the true epistemic risk of SEMA 3/2023 is to be anti-constitutional in effect, serving as administrative sabotage. Therefore, in the post-authoritarian civil law systems, accountable mechanism's bureaucratic legality becomes the grammar of dissidence.

COMPARATIVE INSIGHT

The comparative experiences of constitutional adjudication in civil law jurisdictions show that the conflict between MK Decision No. 34/2013 and SEMA 3/2023 was not an inevitable structural consequence of dual apex design. Rather, the European civil law tradition provides a doctrinal template of how systems can structurally immunize constitutional supremacy from administrative encroachment by inventing a doctrinal toolbox of hierarchical insulation techniques. Apex judicial control design in Germany, Italy, and Singapore does not leave the architecture vulnerable to administrative instrumentlization, because civil law systems as doctrinal do not subsidize systems that do not repatriate the

conflict between courts to the hermeneutical rather than bureaucratic domain. The German experience is particularly instructive, conflict between Bundesverfassungsgericht and Bundesgerichtshof is re-channelled by the doctrine of abstract constitutional review. When the German Federal Constitutional Court and the Federal Court of Justice perceive the same area of elusiveness, it is the Constitution to unblock. The Bundesgerichtshof must refer or defer to the Grundgesetz. Then the BVerfG delivers an abstract ruling which is not a suspension but a clarification of the constitutional perimeter. It is an interpretive resolution. This is where the fixity is: the conflict between BGH and BVerfG does not move into the administrative but the interpretive domain. The only locus, therefore, where the definition of constitutional meaning can be altered is constitutional adjudication. The German doctrinal fix is a control technique: any constitutional disagreement must be constitutionalized, not bureaucratized.

The institutional model of conflict insulation is likewise apparent in concern to Italy's Corte Costituzionale via the preliminary reference mechanism. The Supreme Court of Cassation cannot alter constitutional message unilaterally for the same reason that when lower courts or the Court of Cassation themselves face constitutional infirmity or interpretive collision, the question on interpretation is referred to the Corte Costituzionale via a preliminary reference request. This doctrinal routing guarantees that interpretive confrontation is reabsorbed to an upper level. The constitutional question is not silently re-displaced to the lower administrative level by administrative circulars. As a result, interpretive power disequilibrium is counteracted structurally: The constitutional court always has the final say. Because constitutional close cannot be re-opened except via constitutional reasoning, administrative escape is doctrinally hid. Italy hence establishes that constitutional supremacy is not only a normative principle but also a structure technology: the system is artfully designed to preclude constitutional wreck.

Singapore's offer is equally useful because Singapore architected the Singapore International Commercial Court within a preexisting appellate hierarchy, a combined common law–civil law system. The threat of interpretive battle between the SICC and the CA was foreseen ex ante. The judicial autonomy was not executed by circulars or internal rules, based on the excellent legal engineering discipline, but restricted the delegated jurisdictional scope ex ante. The SICC was granted jurisdictional authority in a close-scaled lane and the Court of Appeal remained interpretive supremacy. The Singapore offer is thus elegant: there

is no floating conflict to be resolved ex post once generated; it can structurally prohibited at the level of jurisdiction.

These comparative experiences converge on a structural lesson that has direct relevance to the current Indonesian conflict. Systems with civil law genealogies do not allow administrative instruments to change constitutional holdings. Constitutional supremacy is protected not by the golden rule style rhetoric insisting that the constitution is always superior, rather than the statute, but by a structured filter in which constitutional meaning can only be changed through constitutional litigation. When the administrative plane produces constitutional meaning, constitutional authority defaults to bureaucratic power. The Indonesian model's danger is thus not dual apex design, but the lack of a doctrinal filter preventing administrative judicial circulars from moving into constitutional territory. Indeed, SEMA 3/2023 changes constitutional meaning without a constitutional lawsuit, which is exactly the kind of legal mutation Germany, Italy, and Singapore structurally prevent. Thus, in a comparative light, Indonesia shows a design risk rather than a structural inevitability. Dual apex structure does not cause constitutional scourge; lack of hierarchical insulating does. Abstract review in Germany, preliminary reference in Italy, and scoped jurisdictional allocation in Singapore all act as filters against the administrative reversal of constitutional jurisprudence: Indonesia currently leaves this gate open. Indonesia thus represents not a normal division of civil law PIO but a pathological one, in which administrative instruments can raise constitutional effect. Comparative constitutional law thus renders the Indonesian case legible: the Indonesian example is a systemic failure to protect constitutional meaning from the administrative imperative.

NORMATIVE RECONSTRUCTION

The doctrinal pathology evidenced by the deformity in the form of the conflict between MK Decision No. 34/2013 and SEMA 3/2023 discloses that Indonesian constitutional architecture lacks an insulation mechanism at the structural level against administrative constitutional reversal. Normative repair, therefore, cannot be envisaged at the level of interpretive infrastructure, requiring design alterations at the level of meta infrastructure. The first reconstructive pillar is the addition of a constitutional compliance clause direly into the Law on Juridical Power to lateralize and entitle constitutional obedience as a statutory precondition for the legality of all judicial products. Hence, when compliance is dimensioned as a statutory precondition, the judicative power's legal products' legal status is wholly

dependent upon the compatibility of administrative instrumentation with the Mahkamah Konstitusi jurisprudence. Hence constitutional fidelity cannot be a normative value but rather becomes a statutory compulsion. Therefore the disagreement cannot be resolved through discursive persuasion or civil ordinances between the courts themselves; it must be resolved through the reconfiguration of the constitutional skeleton of an ordinary judicial power statute wherein constitutional competence is a condition of legal co-operation rather than an ethical objective.

Secondly, normative measure is the formalization of a constitutional screening protocol for all administrative judicial instruments such as SEMA/PERMA prior to legislatively expression in legal governance. The normative argument is straightforward: should the platforms permit administrative governance to produce constitutional power, then the only fathomable system protection answer is to insure that administrative outputs cannot be normatively relevant unless testing their compatibility with existence. Constitutional screening therefore now becomes law. This redirexualization transforms a disarray into a firm anterior faucet: SEMA cannot be enforced as a constitutional armament because its very law engender based on its constitutionality. This revelation is not liberal opportunism but returnality: the sense is protected not through subsequential adjudication butt previous prevential preclusion.

Foreseeing the third, the constitutional nationalism pathway is formation of formal interpretive certification protocols executed by the Constitutional Court. Certification is not adjudication but is appreciation. The protocol is a labelizer. When activated, it enables a constitutional tribunal to determine whether an instrument impacts constitutional response consequence. The advantage is structural decongestion: if an instrument has been certified as a constitutional misstrider, then administrative proper deportment may lawfully ensue. However, if the certification reveals constitutional consequence occurrence, the instrument is redirected to constitutional sensitive adjudication. The system forestalls administrative interpretivism from connecting into constitutional determination. In this design, the commander is reestablished not via doctrinal demarches but through procedural infrastructures. Indonesian constitutionalismally is thus returned from laconically maimable into constitutional robustness.

V. CONCLUSION

Based on the forgoing doctrinal analysis, this paper offers a final judgment: SEMA No. 3/2023 is not constitutional dialogue but an example of administrative constitutional disobedience to MK Decision No. 34/2013. In upper-structuring peninjauan kembali through internal circulars rather than uprighting constitutional justifying, the Supreme Court mothers a bureaucratic tool to reopen a way forward legitimately close by the Constitutional Court, reducing constitutional supremacy to administrative command. Comparative evidence from stable civil law systems like Germany, Italy, and Singapore believable that the high water low and structural ring lift relations in established systems isolate constitutional faith from administrative constitutionalism, channeling disputes away from constitutions through consultation. Indonesia's defect is not a dual uptake configuration inventory but an absent doctrinally authorise filtration that invests administrative output to generate constitutional pressure. This paper submit three broad system distract at the repair anatomical level : a statutory constitutional conformity clause seeking all judge output to MK jurisprudence; an autonomous con ante constitutional pre clearing precedent set for SEMA/PERMA; and an MK led interpretive persistency that sorts through output jurisprudence triage all instrument with constitutional build. Plenary enforceable, this three ratios power constitutional equity down to daily business public, shoeing the backdoor of the high and retreat to constitutional democracy and the form offered.

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