

Presidential Authority and National Legal Policy Formation: A Comparative Constitutional Analysis of Indonesia and the United States

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Abstract

Presidential systems allocate executive and legislative authority through different constitutional arrangements, yet the practical capacity of a president to shape national legal policy cannot be inferred from formal powers alone. This article compares presidential authority in Indonesia and the United States by examining four dimensions of legal-policy capacity: agenda initiation, participation in ordinary legislation, unilateral rule-making, and institutional control. Using normative legal research and a functional comparative-law method, the study analyzes constitutional provisions, legislation, constitutional jurisprudence, and relevant scholarship on presidentialism and executive–legislative relations. The analysis shows that the Indonesian President operates as a constitutionally integrated co-legislator. Although the House of Representatives formally holds legislative power, bills require joint deliberation and approval, while the President may initiate bills and issue government regulations in lieu of law under constitutionally specified emergency conditions. By contrast, legislative power in the United States is vested in Congress, and the President primarily shapes statutes through agenda leadership, partisan bargaining, presentment and veto, and administrative directives. The difference is therefore not a simple contrast between a strong and a weak presidency. Indonesia concentrates presidential influence within the ordinary legislative process and multiparty coalition bargaining, whereas the United States channels presidential influence through interbranch bargaining and unilateral administration constrained by statutes, Congress, courts, and bureaucratic implementation. The article argues that democratic legal-policy formation requires not merely balanced textual powers, but also transparent coalition management, meaningful public participation, reasoned emergency lawmaking, and effective legislative and judicial review.

Keywords:

presidential authority;
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INTRODUCTION

Presidential government is commonly defined by the separate electoral origin and fixed tenure of the executive and legislature. These features provide institutional stability, but they also create a recurring constitutional problem: how can an independently elected president pursue a coherent governing program without displacing the legislature or weakening legal accountability? Classical criticism emphasizes the risk of dual democratic legitimacy and institutional conflict, particularly where party systems are fragmented (Linz, 1990; Mainwaring, 1993). Later scholarship, however, demonstrates that presidential systems are more diverse and adaptable than the classical critique suggests. Coalition formation, party organization, constitutional veto points, and the availability of unilateral instruments substantially affect governmental performance (Cheibub, 2007; Cheibub et al., 2004; Samuels & Shugart, 2010).

Indonesia and the United States provide a useful comparison because both identify the president as the chief executive but allocate law-making authority in

markedly different ways. The post-amendment 1945 Constitution states that the House of Representatives (Dewan Perwakilan Rakyat, DPR) holds the power to make laws, while simultaneously granting the President the right to introduce bills and requiring every bill to be jointly deliberated and approved by the DPR and the President (Republic of Indonesia, 1945, arts. 5(1) and 20). The United States Constitution, in contrast, vests legislative power in Congress and assigns the President a recommending, presentment, approval, and veto role rather than membership in the ordinary legislative process (United States, 1787, art. I, §§ 1 and 7; art. II, § 3).

These textual differences are reinforced by distinct political environments. Indonesia combines presidentialism with a multiparty system in which executives usually depend on broad and frequently oversized legislative coalitions. Coalition management can facilitate legislative coordination, but it may also blur the boundary between governmental support and parliamentary oversight (Chaisty et al., 2018; Mietzner, 2008; Tomsa, 2018). The United States operates through a two-party system and a more rigid separation of personnel and legislative authority. Presidents therefore rely heavily on party leadership, bargaining, veto threats, and administrative action, especially when divided government or legislative polarization obstructs statutory agreement (Fisher, 2014; Moe & Howell, 1999; Rudalevige, 2021).

Existing Indonesian legal scholarship has carefully examined the constitutional transfer of formal legislative power from the President to the DPR, the continuing presidential role in joint law-making, and the contrast with the United States (Azzahra, 2021; Maziyah & Nugraha, 2020; Sunarto, 2019; Wiyanto, 2015). Nevertheless, three analytical limitations remain. First, formal legislative competence is often treated as a complete measure of presidential strength, although presidents may compensate for weak initiation powers through vetoes, directives, party leadership, or administrative control. Second, the category of “presidential leadership” is sometimes used without distinguishing personal leadership style from constitutionally structured authority. Third, comparative analysis frequently describes institutional differences without specifying their consequences for the quality, accountability, and democratic legitimacy of national legal policy.

This article addresses those limitations by conceptualizing presidential legal-policy capacity through four dimensions: (1) agenda initiation, (2) participation in ordinary legislation, (3) unilateral or delegated rule-making, and (4) institutional controls. It asks two questions. First, how do the constitutional systems of Indonesia and the United States structure presidential authority in the formation of national legal policy? Second, what are the democratic and rule-of-law implications of the different institutional configurations? The central argument is that Indonesia gives the President greater formal integration into ordinary legislation, while the United States gives the President stronger incentives to influence legal policy indirectly through veto bargaining and administrative action. Neither configuration is inherently superior; each produces different risks that must be controlled through institutional transparency, public participation, legislative capacity, and judicial review.

Literature Review and Analytical Framework

The comparative literature on presidentialism has moved from regime-type generalization toward analysis of institutional variation. The fixed tenure and separate origin of executive and legislature may create conflict, yet democratic outcomes depend on party systems, electoral incentives, coalition-building mechanisms, and the distribution of legislative and non-legislative powers (Cheibub, 2007; Mainwaring,

1993). Research on government coalitions further shows that presidents without single-party legislative majorities are not necessarily incapable of achieving legislative success. Coalition government is common under presidentialism, and its effectiveness depends on how political support is organized and maintained (Cheibub et al., 2004; Chaisty et al., 2018).

Party organization is especially important because constitutional separation of powers does not eliminate political coordination. It changes its form. Samuels and Shugart (2010) argue that presidentialized party organization adapts to the separate electoral mandate of the executive. In Indonesia, constitutional reform and direct presidential election increased the personalization and presidentialization of party competition, while coalition politics remained pragmatic and ideologically flexible (Ufen, 2018; Mietzner, 2008). This combination can reduce overt executive–legislative deadlock, but it may also weaken the autonomy of parliamentary scrutiny when most major parties participate in government.

A second body of scholarship concerns unilateral presidential action. In the United States, the President does not possess a general constitutional power to legislate. Nevertheless, executive orders, proclamations, memoranda, and administrative directives allow presidents to shape policy within constitutional and statutory authority. Unilateral action is attractive because it can alter the status quo without securing new legislation, but it remains vulnerable to statutory restriction, judicial invalidation, bureaucratic resistance, and reversal by a successor (Howell, 2003; Moe & Howell, 1999; Rudalevige, 2021). Recent scholarship warns that extensive reliance on executive directives can displace interbranch bargaining and weaken the norm of legislating together, particularly under conditions of severe partisan conflict (King, 2026).

Indonesian constitutional scholarship highlights a different institutional pattern. The amendments to the 1945 Constitution formally repositioned the DPR as the holder of legislative power, but the President retained extensive participation in planning, initiating, deliberating, approving, and implementing legislation (Azzahra, 2021; Isra, 2018; Wiyanto, 2015). The President also possesses authority to issue a Government Regulation in Lieu of Law (Peraturan Pemerintah Pengganti Undang-Undang, Perppu) in a compelling emergency, subject to approval by the DPR at its next session (Republic of Indonesia, 1945, art. 22). Consequently, Indonesian presidential influence is embedded both in ordinary legislation and in constitutionally recognized emergency lawmaking.

For analytical clarity, this article defines presidential legal-policy capacity as the constitutionally and politically structured ability of the President to place issues on the legal agenda, determine or negotiate the content of binding norms, and sustain their implementation. The concept does not equate capacity with unconstrained power. Capacity is assessed together with accountability. The four dimensions are therefore paired with four controls: legislative deliberation, transparency of political bargaining, judicial review, and meaningful public participation. This framework permits functional comparison even where the formal legal instruments differ.

METHOD

This study uses normative legal research with constitutional, conceptual, and comparative-law approaches. The primary legal materials are the 1945 Constitution of the Republic of Indonesia, the Constitution of the United States, relevant constitutional

jurisprudence, and official constitutional commentary. Secondary materials include books and peer-reviewed journal articles on presidentialism, executive–legislative relations, coalition government, legislative authority, and unilateral executive action.

The comparative method is functional rather than merely textual. It asks how each system performs equivalent legal-policy functions: initiating an agenda, converting proposals into statutes, responding to legislative disagreement, issuing executive norms, and controlling executive action. This approach avoids assuming that identical labels—such as “presidential system” or “checks and balances”—produce identical institutional effects. The analysis proceeds in three stages. First, it identifies the constitutional allocation of authority. Second, it examines how party systems and institutional practice alter the operation of those powers. Third, it evaluates the implications for democratic accountability, legality, and the quality of legal-policy formation.

The study is limited to national law-making and generally applicable executive norms. It does not compare foreign affairs, military command, appointments, impeachment, or subnational government except where those matters clarify the broader structure of executive–legislative relations. Because the research is normative and comparative, its conclusions concern institutional design and legal accountability rather than causal estimates of legislative productivity.

RESULTS AND DISCUSSION

1. Constitutional Allocation of Law-Making Authority

Indonesia's post-amendment constitutional structure combines a formal legislative vesting rule with mandatory executive participation. Article 20(1) provides that the DPR holds the power to make laws. Article 5(1), however, authorizes the President to submit bills, and Article 20(2) requires every bill to be discussed by the DPR and the President to obtain joint approval. The President subsequently signs the jointly approved bill, although a failure to sign within thirty days does not prevent it from becoming law (Republic of Indonesia, 1945, art. 20(4)–(5)). These provisions reject both executive monopoly and exclusive parliamentary lawmaking. Ordinary statutes are institutionally co-produced.

The constitutional amendments were intended to correct the executive-heavy structure of the pre-reform era, yet the resulting model does not fully separate legislative and executive functions. Indonesian scholars therefore disagree on how to characterize the President's position. One view treats presidential involvement as a legitimate checks-and-balances device that prevents unilateral legislative dominance. Another argues that mandatory joint approval gives the executive a *de facto* legislative veto and allows government priorities to dominate the legislative program, particularly when the governing coalition controls a large parliamentary majority (Azzahra, 2021; Sunarto, 2019; Wiyanto, 2015). Both interpretations capture part of the institutional reality: the President is not the formal holder of legislative power, but is a necessary constitutional participant in ordinary lawmaking.

The United States begins from a more categorical separation. Article I vests legislative power in Congress. A bill becomes law after bicameral passage and presentment to the President, who may sign or veto it; Congress may override a veto by a two-thirds vote in each chamber (United States, 1787, art. I, § 7). Article II requires the President to recommend measures considered necessary and expedient and to ensure faithful execution of the laws. The President therefore has substantial

legislative leadership but does not deliberate and grant joint approval as a constitutionally required co-legislator (Library of Congress, n.d.).

This distinction changes the location of bargaining. In Indonesia, bargaining occurs within the constitutionally mandated process of joint deliberation between the DPR and presidential representatives. In the United States, bargaining usually occurs before and around congressional passage through agenda-setting, party negotiation, public appeals, statements of administration policy, and veto threats. The formal separation is therefore stronger in the United States, but political interaction remains unavoidable. Constitutional separation relocates negotiation; it does not eliminate it (Fisher, 2014; Chemerinsky, 2019).

2. Indonesia: Integrated Lawmaking and Coalitional Presidentialism

Indonesia's multiparty environment makes coalition management central to presidential legal-policy capacity. A directly elected president rarely enters office with a single-party majority in the DPR. Coalition building is therefore a rational response to institutional fragmentation. Comparative research indicates that coalition presidentialism can support stable government and legislative success, provided that agreements are credible and the distribution of political resources is manageable (Chaisty et al., 2018; Cheibub et al., 2004). Indonesia's post-Suharto party system has also displayed centripetal and pragmatic tendencies that facilitate broad cooperation among parties (Mietzner, 2008).

The same arrangements may, however, produce accountability costs. When the coalition encompasses most parliamentary parties, legislative disagreement can be displaced into elite negotiation rather than open institutional contestation. Oversized coalitions may reduce the incentive of governing parties to exercise scrutiny, while opposition parties may lack the numerical capacity to demand extensive deliberation. Tomsa (2018) links coalitional presidential politics to broader concerns about democratic stagnation, and more recent analysis of the post-2024 transition identifies a risk of legislative institutions facilitating rather than constraining executive-centered political arrangements (Wadipalapa et al., 2025). These observations do not prove that coalition government is inherently undemocratic. They show that coalition breadth must be distinguished from effective oversight.

The President's formal involvement in the entire legislative chain magnifies the importance of transparency. Government ministries possess technical expertise, regulatory data, and implementation capacity that can improve statutory design. Yet informational advantage can become agenda dominance if legislative committees and the public do not have adequate time, documentation, and access to deliberation. The Constitutional Court's Decision Number 91/PUU-XVIII/2020 emphasized meaningful participation in law-making, understood through the public's rights to be heard, to have submissions considered, and to receive explanations regarding the treatment of those submissions (Constitutional Court of the Republic of Indonesia, 2021). This jurisprudence is especially relevant where executive and legislative majorities are politically aligned.

Article 22 adds an emergency dimension to Indonesian presidential authority. A Perppu may be issued in a compelling emergency and must be submitted to the DPR for approval at the next session. This mechanism is constitutionally stronger than an ordinary executive regulation because it operates at the level of statute until accepted or rejected. Its legitimacy therefore depends on a reasoned demonstration of urgency, temporal necessity, and the inadequacy of ordinary legislative procedures. Ex post

parliamentary review should not become a formality, and judicial review must remain available to test whether emergency authority has been used within constitutional limits (Asshiddiqie, 2020; Mahfud MD, 2022).

The core Indonesian challenge is thus not simply excessive or insufficient presidential power. It is the concentration of agenda influence, technical resources, coalition support, and mandatory co-approval in the same executive institution. Strengthening the presidential system requires institutional counterweights that preserve governmental effectiveness while improving the DPR's independent research capacity, committee scrutiny, legislative drafting resources, and public accountability (Isra, 2018; Azzahra, 2021).

3. United States: Veto Bargaining and Unilateral Administration

The United States President influences national legal policy through a different combination of instruments. Legislative proposals are formally introduced by members of Congress, but modern presidents act as national agenda setters. The State of the Union, budget proposals, party leadership, administrative expertise, and negotiations with congressional leaders allow the executive to shape legislative priorities. The veto and the credible threat of veto further allow the President to bargain over statutory content even before presentment (Fisher, 2014; Library of Congress, n.d.).

Unlike the Indonesian requirement of joint approval, a United States President may be excluded from the drafting process and confronted with a completed bill. Conversely, Congress may enact legislation over presidential objection if it assembles the constitutionally required supermajorities. This structure gives each branch a distinct institutional base and makes disagreement visible. Its democratic advantage is clearer attribution of responsibility. Its practical cost is the possibility of prolonged gridlock, particularly under divided government or polarized party competition.

When legislation is unavailable, presidents may turn to executive orders and other directives. These instruments do not create a general law-making power equivalent to Congress. Their legal validity must rest on constitutional authority, statutory delegation, or the management of the executive branch. Nevertheless, unilateral action can change policy quickly and can shift the status quo in ways that require Congress, courts, agencies, or future presidents to respond (Howell, 2003; Moe & Howell, 1999). The capacity is significant precisely because the boundaries of delegated and inherent authority often require interpretation.

Unilateral action is also less autonomous than it appears. Executive orders must be drafted, reviewed, and implemented through administrative institutions. Agencies may encounter statutory constraints, procedural duties, resource limits, and professional resistance. Courts can invalidate executive action, Congress can restrict funding or amend governing statutes, and successors can revoke prior directives. Rudalevige (2021) therefore describes executive orders as instruments of bureaucratic management as well as presidential command. Their effectiveness depends on legal foundation and administrative execution.

The recent expansion of governing by decree illustrates the democratic risk of substituting directives for legislation. Where presidents repeatedly respond to congressional inaction through unilateral instruments, policy may become unstable, easily reversible, and less deliberative. King (2026) argues that such practices can weaken the convention that the President and Congress legislate together through bargaining. The United States model thus controls direct executive participation in

statutes more strictly than Indonesia, but it can generate incentives for presidential unilateralism when interbranch cooperation collapses.

4. Functional Comparison

The comparison demonstrates that presidential strength is multidimensional. Indonesia gives the President a stronger formal role inside ordinary law-making, whereas the United States gives the President a more external role supported by veto power, national agenda leadership, and administrative instruments. The following table summarizes the principal differences and their legal-policy implications.

Table 1. Functional comparison of presidential legal-policy capacity

Dimension	Indonesia	United States	Legal-policy implication
Legislative vesting	DPR formally holds legislative power.	Congress holds all constitutionally vested legislative power.	Formal vesting does not by itself measure presidential influence.
Bill initiation	President may submit bills; DPR members also initiate bills.	Bills are introduced in Congress; President recommends measures and submits policy proposals.	Indonesia gives the President a direct constitutional entry point.
Ordinary deliberation	Joint DPR–President deliberation and approval are constitutionally required.	Congress deliberates and passes bills; presidential influence occurs through bargaining and party leadership.	Indonesia integrates the executive; the U.S. separates formal decision sites.
Blocking power	President may withhold agreement before joint approval; no post-approval pocket veto because of automatic enactment after 30 days.	President may veto after presentment; Congress may override by two-thirds in each chamber.	Indonesia has an ex ante co-approval position; the U.S. has an express ex post veto.
Rapid executive norms	Perppu in a compelling emergency, subject to DPR approval.	Executive orders and directives based on constitutional or statutory authority.	Both enable speed, but legal rank, triggers, and review differ.
Party environment	Multiparty and coalition-based, often with broad governing coalitions.	Two-party competition; unified or divided government.	Party structure changes oversight incentives and bargaining costs.
Primary controls	DPR approval, Constitutional Court review, administrative courts, and public participation requirements.	Congressional legislation and funding, judicial review, administrative procedure, and bureaucratic implementation.	Effective checks require institutional capacity, not text alone.

5. Implications for National Legal Policy

First, the constitutional location of presidential influence affects transparency. Indonesia's integrated model can produce efficient coordination because the executive participates throughout the legislative process. However, coordination may obscure the distinction between legislative judgment and government preference, especially when coalition discipline is strong. The United States model separates institutional responsibility more clearly, but much of the decisive bargaining may occur informally before a bill reaches the floor or the President.

Second, each system contains a different form of executive veto. The United States Constitution provides an express post-enactment veto that Congress can

override by supermajority. Indonesia does not provide an equivalent veto after joint approval, but the requirement of joint approval allows the President to withhold agreement during deliberation. Functionally, this is a powerful *ex ante* blocking position. The thirty-day automatic enactment rule prevents a President from defeating an already approved bill through refusal to sign, but it does not remove presidential bargaining power before approval.

Third, party systems transform constitutional authority. The two-party structure of the United States can produce disciplined interbranch conflict under divided government and disciplined cooperation under unified government. Indonesia's multiparty system encourages coalition bargaining across a larger number of parties. Broad coalitions may improve governability, yet they can also weaken opposition and reduce visible contestation. The relevant question is not whether coalition exists, but whether coalition management preserves parliamentary autonomy, transparent reasons, and meaningful opportunities for dissent (Chaisty et al., 2018; Ufen, 2018).

Fourth, unilateral instruments generate distinct legality concerns. A United States executive order normally operates within executive or delegated authority and may be challenged for exceeding statutory or constitutional limits. An Indonesian Perppu temporarily occupies the level of statute and is justified by compelling emergency. Because the instruments differ in legal rank and triggering conditions, they should not be treated as direct equivalents. Functionally, however, both allow rapid executive norm production and therefore require clear reasons, temporal discipline, legislative review, and judicial control.

Fifth, legal-policy quality depends on procedure as much as institutional allocation. A statute adopted quickly through executive–legislative coordination may still be deficient if evidence is incomplete, affected groups are excluded, or revisions are not explained. Conversely, a highly separated system may produce accountability but fail to respond promptly to urgent social needs. Democratic legal policy therefore requires a combination of capacity and restraint: expert preparation, genuine deliberation, public participation, transparent compromise, and reviewable reasons.

6. Normative Recommendations for Indonesia

The comparative analysis supports five institutional recommendations for Indonesia. First, the DPR should strengthen independent legislative expertise. Committee staff, nonpartisan research services, budget analysis, and professional legislative drafting reduce informational dependence on ministries and allow parliamentary actors to evaluate government proposals on their merits.

Second, coalition agreements affecting the legislative agenda should be more transparent. Political parties may legitimately coordinate support for a governing program, but major commitments concerning priority bills, institutional appointments, and allocation of committee influence should not be concealed from public scrutiny. Transparency would help distinguish programmatic coalition from transactional distribution of office.

Third, meaningful public participation should be operationalized through minimum consultation periods, publication of current bill texts, accessible explanatory memoranda, and reasoned responses to substantial public submissions. The principles articulated in Decision Number 91/PUU-XVIII/2020 should be treated as continuing constitutional standards rather than one-time procedural corrections.

Fourth, the use of Perppu should be accompanied by a public statement of constitutional necessity addressing the existence of an urgent legal problem, the

inadequacy of ordinary procedures, and the proportionality of the chosen measures. DPR review should include evidentiary hearings and should occur within a clearly defined timetable. Judicial review should remain available during the period before parliamentary approval or rejection.

Fifth, reforms should focus on accountability rather than mechanically copying the United States. A two-party system, presidential veto, or stricter separation of legislative personnel cannot simply be transplanted into Indonesia's constitutional and social context. Comparative law is most useful when it identifies functions and safeguards, not when it assumes that foreign institutional forms will produce identical outcomes (Maziyah & Nugraha, 2020; Wuisang & Abiyoso, 2022). Indonesia's constitutional model should be improved through stronger deliberative institutions, not through imitation detached from domestic political structure.

CONCLUSION

Indonesia and the United States share the basic architecture of presidential government, including an independently legitimated chief executive and constitutional mechanisms of interbranch control. Their presidents, however, shape national legal policy through different institutional routes. The Indonesian President is integrated into ordinary statutory formation through bill initiation, joint deliberation, joint approval, implementation, and emergency law-making authority. The United States President remains institutionally outside Congress but influences legislation through agenda leadership, partisan negotiation, presentment, veto, and the use of executive directives within constitutional and statutory authority.

The comparison shows that formal separation does not necessarily mean limited presidential influence, and formal participation does not necessarily mean executive domination. Presidential legal-policy capacity emerges from the interaction of constitutional text, party organization, coalition structure, administrative resources, and judicial and legislative control. Indonesia's principal risk is the fusion of executive expertise, broad coalition support, and mandatory co-approval, which may reduce parliamentary autonomy and public deliberation. The United States' principal risk is the migration of policy-making from legislation to unilateral administration when interbranch bargaining fails.

Accordingly, the strengthening of democratic presidentialism should not be measured by the quantity of presidential power. It should be measured by whether institutions convert political mandates into lawful, reasoned, participatory, and reviewable policy. For Indonesia, the priority is to reinforce independent legislative capacity, meaningful participation, transparent coalition governance, and rigorous review of emergency lawmaking. These measures would preserve governmental effectiveness while ensuring that presidential leadership remains constitutionally accountable and oriented toward the public interest.

References

- Asshiddiqie, J. (2020). *Pengantar Ilmu Hukum Tata Negara* (Edisi revisi). Rajawali Pers.
- Azzahra, F. (2021). Rekonstruksi kewenangan presiden dalam pembentukan undang-undang sebagai upaya penguatan sistem presidensial Indonesia. *Jurnal Legislasi Indonesia*, 18(2), 153–167. <https://doi.org/10.54629/jli.v18i2.719>

- Chaisty, P., Cheeseman, N., & Power, T. J. (2018). *Coalitional Presidentialism in Comparative Perspective: Minority Presidents in Multiparty Systems*. Oxford University Press. <https://doi.org/10.1093/oso/9780198817208.001.0001>
- Cheibub, J. A. (2007). *Presidentialism, Parliamentarism, and Democracy*. Cambridge University Press. <https://doi.org/10.1017/CBO9780511813344>
- Cheibub, J. A., Przeworski, A., & Saiegh, S. M. (2004). Government coalitions and legislative success under presidentialism and parliamentarism. *British Journal of Political Science*, 34(4), 565–587. <https://doi.org/10.1017/S0007123404000195>
- Chemerinsky, E. (2019). *Constitutional Law: Principles and Policies* (6th ed.). Wolters Kluwer.
- Constitutional Court of the Republic of Indonesia (2021). Decision Number 91/PUU-XVIII/2020. <https://www.mkri.id/>
- Fisher, L. (2014). *The Law of the Executive Branch: Presidential Power*. Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780199856213.001.0001>
- Howell, W. G. (2003). *Power without Persuasion: The Politics of Direct Presidential Action*. Princeton University Press.
- Isra, S. (2018). *Pergeseran Fungsi Legislasi: Menguatnya Model Legislasi Parlementer dalam Sistem Presidensial Indonesia*. Rajawali Pers.
- King, D. (2026). Governing by decree: The Trump presidency and the decline of “legislating together”. *Political Science Quarterly*, 141(1), 29–38. <https://doi.org/10.1093/psquar/qqaf091>
- Library of Congress (n.d.). The President's legislative role: Constitution Annotated, Article II, Section 3. https://constitution.congress.gov/browse/essay/artII-S3-1/ALDE_00013550/
- Linz, J. J. (1990). The perils of presidentialism. *Journal of Democracy*, 1(1), 51–69. <https://doi.org/10.1353/jod.2005.0022>
- Mahfud MD, M. (2022). *Politik Hukum di Indonesia* (Edisi revisi). Rajawali Pers.
- Mainwaring, S. (1993). Presidentialism, multipartism, and democracy: The difficult combination. *Comparative Political Studies*, 26(2), 198–228. <https://doi.org/10.1177/0010414093026002003>
- Maziyah, D. S., & Nugraha, X. (2020). Komparasi kewenangan eksekutif dalam pembentukan undang-undang pada sistem pemerintahan presidensial: Antara Indonesia dengan Amerika. *Jurnal Selat*, 8(1), 42–66. <https://doi.org/10.31629/selat.v8i1.2781>
- Mietzner, M. (2008). Comparing Indonesia's party systems of the 1950s and the post-Suharto era: From centrifugal to centripetal inter-party competition. *Journal of Southeast Asian Studies*, 39(3), 431–453. <https://doi.org/10.1017/S0022463408000337>
- Moe, T. M., & Howell, W. G. (1999). Unilateral action and presidential power: A theory. *Presidential Studies Quarterly*, 29(4), 850–873. <https://doi.org/10.1111/1741-5705.00070>
- Republic of Indonesia (1945). *The 1945 Constitution of the Republic of Indonesia* (as amended). <https://en.mkri.id/library/constitution>
- Rudalevige, A. (2021). *By Executive Order: Bureaucratic Management and the Limits of Presidential Power*. Princeton University Press. <https://doi.org/10.23943/princeton/9780691194363.001.0001>

- Samuels, D. J., & Shugart, M. S. (2010). Presidents, Parties, and Prime Ministers: How the Separation of Powers Affects Party Organization and Behavior. Cambridge University Press. <https://doi.org/10.1017/CBO9780511780882>
- Sunarto, S. (2019). The dynamics of relationship between legislative and executive in post-reformation era: A critical thinking for amendment of the 1945 Constitution. *Politik Indonesia: Indonesian Political Science Review*, 4(1), 138–157. <https://doi.org/10.15294/ipsr.v4i1.17455>
- Tomsa, D. (2018). Regime resilience and presidential politics in Indonesia. *Contemporary Politics*, 24(3), 266–285. <https://doi.org/10.1080/13569775.2017.1413502>
- Ufen, A. (2018). Party presidentialization in post-Suharto Indonesia. *Contemporary Politics*, 24(3), 306–324. <https://doi.org/10.1080/13569775.2017.1413499>
- United States (1787). Constitution of the United States. <https://constitution.congress.gov/constitution/>
- Wadipalapa, R., Nainggolan, P., & Katharina, R. (2025). Protecting two presidents: Legislative decline in Indonesia's post-2024 election transition. *The Journal of Legislative Studies*. <https://doi.org/10.1080/13572334.2025.2484488>
- Wiyanto, A. (2015). Kekuasaan membentuk undang-undang dalam sistem pemerintahan presidensial setelah perubahan Undang-Undang Dasar 1945. *Negara Hukum: Membangun Hukum untuk Keadilan dan Kesejahteraan*, 6(2), 131–148. <https://doi.org/10.22212/jnh.v6i2.251>
- Wuisang, A., & Abiyoso, Y. (2022). Perbandingan sistem pemerintahan presidensial Amerika Serikat dan Indonesia: Sebuah pencarian presidensialisme yang efektif. *Pakuan Law Review*, 8(1), 294–308. <https://doi.org/10.33751/palar.v8i1.4812>