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## Dynamics of the History of Indonesian Legal System in Legal Transformation in Various Periods

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### Abstrak

Penelitian ini mengkaji pengaruh hukum kolonial Belanda terhadap perkembangan tata hukum Indonesia pasca-kemerdekaan serta penerapan nilai-nilai lokal dan global dalam pembentukan kebijakan hukum nasional pada setiap periode sejarah. Masalah utama yang dihadapi adalah dualisme hukum antara hukum Belanda dan hukum adat, serta tantangan dalam menciptakan sistem hukum nasional yang mandiri. Penelitian ini menggunakan metode hukum normatif dengan pendekatan berbasis literatur untuk menganalisis evolusi tata hukum dari masa kolonial hingga era reformasi. Hasil penelitian menunjukkan bahwa meskipun Indonesia telah merdeka, warisan hukum kolonial masih mendominasi sistem hukum, terutama dalam ranah perdata dan pidana. Namun, reformasi hukum yang dimulai pada akhir 1990-an berupaya untuk menghapus pengaruh kolonial dan mengintegrasikan nilai-nilai lokal serta standar global. Tantangan yang dihadapi dalam menjaga keseimbangan antara kedua aspek ini masih menjadi perdebatan utama dalam reformasi hukum Indonesia.

Kata Kunci: *hukum kolonial, dualisme hukum, reformasi hukum*

## Abstract

The impact of Dutch colonial law on post-independence Indonesian legal system growth and the role of global and local values in shaping national legal policy are both examined in this historical context. The difficulties in developing a separate national legal system and the inherent duality of Dutch law and customary law are the primary obstacles. Examining the development of the legal system from the colonial to the reform era, this research employs a normative legal technique with a literature-based approach. The study's findings reveal that, despite Indonesia's independence, the country's legal system is heavily influenced by colonial law, particularly in the areas of civil and criminal law. On the other hand, changes to the law that started in the late 90s sought to include both local and international norms and values while eradicating colonial effects. There is ongoing discussion in Indonesian law reform over the difficulties of balancing these two factors.

Keywords: *Colonial Law, Legal Dualism, Legal Reform*

## INTRODUCTION

State has two meanings. First, the state is a unique social organisation in both the primary and secondary volunteer sectors. Indonesia has long developed its legal system. Dutch colonial law was applied in Indonesia, which changed this legal system. From the 1945 Constitution of the Unitary State of the Republic of Indonesia, which was amended multiple times, the Indonesian legal system changed significantly after independence. Additional laws regulate criminal, civil, and state administration (Muhtar, Tribakti, et al., 2023).

The PPKI (Preparatory Committee for Indonesian Independence) released the Jakarta Charter on August 18, 1945, establishing the Indonesian state. This charter inspired the nation's constitution. The Preparatory Committee for Indonesian Independence created the 1945 Constitution of the Unitary State of the Republic of Indonesia the same day. The 1945 Constitution of the Unitary State of the Republic of Indonesia became Indonesia's supreme law, controlling state principles and human rights (Harahap et al., 2023).

Indonesia began developing a colonial-free legal system after independence. The 1945 Constitution of the Unitary State of the Republic of Indonesia, adopted on August 18, 1945, underpinned the Indonesian legal system. This constitution governs state concepts including power division, human rights, and the executive, legislative, and judicial branches (Aspan, 2020). Despite multiple amendments, the 1945 Indonesian Constitution provides a solid legal underpinning for state sovereignty and citizen rights.

Indonesia struggled to replace the Dutch colonial legal system in the early years after independence. This meant adapting colonial rules to the ideals and demands of independent Indonesian society (Salim, 2008). These improvements include regulatory reform and governmental institutions that enforce law and justice.

The Indonesian legal system has evolved due to political, social, and economic developments. The Old Order administration under President Soekarno stressed nationalism and independence in constructing a legal system that reflected the Indonesian Revolution. During the New Order under President Soeharto, political and economic stability were prioritized, which led to increasingly centralistic regulations (Muhtar, Maranjaya, et al., 2023).

Indonesia changed its legal system again in 1998 when the New Order collapsed and the Reformation began. The 1945 Indonesian Constitution was amended in phases, which was one of the largest revisions (Agustina et al., 2024). This amendment seeks to promote government, democracy, and human rights. Regional autonomy offers local governments additional freedom to manage legal and government matters as part of legal reform (Jamaluddin, 2020). Indonesia must adapt its legal system to global trends, notably in commerce, human rights, and the environment.

Political, social, and economic factors shaped the Indonesian legal system from colonial to reform. Colonial law dominated the Dutch colonial legal system, with European law applied to settlers and customary law to indigenous people (Razak et al., 2023). This colonial ordinance produced legal duality in Indonesia, which became a significant issue following independence. After colonialism ended, Indonesia strove to replace colonial law with a national legal system that reflected its independence (Indra et al., 2023). Nationalism, the necessity to establish law's sovereignty before the world community, and internal needs to construct a fair and democratic legal system influence legal system reforms.

The New Order under Soeharto concentrated legal matters to ensure political and economic stability. However, this led to weak legal supremacy and law enforcement corruption. With genuine attempts to fix the legal system's flaws, the 1998 reforms changed Indonesia's legal history (Maksum & Bustami, 2014). After the reformation, the 1945 Indonesian Constitution was amended to improve democracy, transparency, and human rights. Political and societal considerations, such as popular calls for fairer legal changes, shaped legal policy throughout this century.

The application of local and global principles has also shaped national legal policy throughout Indonesian history. Local values like customary law were respected by the colonial legal system, although not as much as European law. After independence, customary law and local wisdom principles were taken more seriously in agricultural and family law (Muhtar & Kasim, 2023). Indonesia's participation in international forums and adoption of international norms is strengthening global principles. Indonesia is adopting international commercial, human rights, environmental, and governance norms. In the face of globalization and technological growth, balancing local values with global needs is

difficult.

Local principles underpin Indonesia's legal identity, but global influences drive legal system innovation. Each phase of Indonesian legal order has tried to merge these two aspects to produce a legal system that can fulfill society's requirements and international problems. Despite these problems, Indonesia continues to build legal rules that are more responsive to changing times while preserving local values.

Based on explanation, issue formulation: (1) What forces shaped the Indonesian legal system from colonial to reform? (2) How have local and global principles shaped national legal policy throughout Indonesian legal history?

## RESEARCH METHOD

This study employed the normative legal research technique, a literature-based methodology to analyze Indonesian legal norms (Ishaq, 2017). This study will investigate fundamental legal sources such the 1945 Constitution, associated laws and regulations, and other legal texts that shaped the Indonesian legal system. Secondary legal resources including books, scientific papers, journals, and other academic works will also be utilized to discuss the two issue formulations.

The study will examine the Indonesian legal system from colonial to reform to solve the first issue formulation. This research will examine how the Dutch colonialists' legal system shaped Indonesia's legal system in the early days of independence and how national law was adapted after independence. This normative descriptive study will map key legislative changes in each time and their social, political, and economic causes. This study will analyze legal papers from each time and evaluate how historical ideals shaped them.

This research will explore how local and global values have shaped national legal policy throughout Indonesia's legal history to address the second issue formulation. The juridical-analytical technique will be utilized to evaluate the integration of local values like customary law and cultural traditions with global values like the international legal system and globalization. This examination will examine how national legal systems are established in the face of expanding societal changes and how to reconcile traditional values and global pressures. This research will examine how these dynamics affect Indonesian legal policy and if there are effective ways to balance both.

## RESULT AND DISCUSSION

### 1. The Influence of Dutch Colonial Law on the Post-Independence Indonesian Legal System

The impact of Dutch colonial law on Indonesia's post-independence legal system is crucial to understanding its development. After independence, Indonesia inherited a legal system shaped by Dutch colonization for almost three centuries (Cribb, 2010). The Dutch East Indies' legal system was founded on European legal ideas that favored colonial interests and local customary law. European law applied to colonial people, but customary law was somewhat acknowledged for natives. Indonesia's complicated legacies following independence in 1945 include these.

Indonesia struggled to create a national legal system to replace the colonial one after independence. Indonesia's newly independent state could not totally shake colonial law's grip on legal practice and administration. Mahfud MD, a leading figure in Indonesian legal studies, claims that many Dutch colonial legal standards were still applied and implemented in Indonesian law at the start of independence (Manurung, 2020). Despite independence, Indonesia lacked the resources and legal professionals to create a new legal system free of colonial effects.

Legal analyst Mochtar Kusumaatmadja similarly sees political pragmatism and legal stability as the legacy of colonial law applied after independence. Mochtar Kusumaatmadja stressed that a contemporary Indonesian legal system needs a protracted transition process, starting with colonial law to provide legal stability and predictability. He also thinks that legal continuity is essential for developing and administering the newly established state (Fadillah, 2022).

Indonesia struggled to establish a legal identity that reflected its beliefs and goals due to colonial law. Soetandyo Wignjosoebroto, a legal historian, said Indonesia's biggest problem after independence was integrating customary law and local values into a European-dominated legal system. He said Indonesia relied on colonial law since there was no indigenous national law (Wignjosoebroto, 2014). The ratification of the 1945 Constitution of the Republic of Indonesia and the creation of new laws that better reflected Indonesian conditions occurred here during the early independence period.

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The main issue with Dutch colonial law's impact on Indonesia's legal system after independence is how to manage its legacy while building a legal system that better reflects local values and independence aspirations (Widodo et al., 2023). The Dutch colonial legal

system in Indonesia shaped the legal structure and laws and imported European legal culture and practices that frequently clashed with local demands. This made it difficult to create a national legal system that reflected an independent country (Abqa et al., 2023).

Colonial legal dualism is an issue. Colonial law is based on Western legal concepts, particularly formal and organised European law. However, indigenous customary law is still recognised within limitations. This dichotomy produces legal ambiguity, particularly because customary law, which is more flexible and consensus-based, is generally not regarded equivalent to Western law (Yudhanegara et al., 2024). Indonesia struggled after independence to incorporate customary law and build a unified national legal system in a colonial-dominated system.

Colonial rules and regulations that remain in effect after independence can cause issues. As indicated, the colonial Civil and Criminal Codes are still applied with minor changes. This illustrates that Indonesia is still reliant on colonial law despite independence. This legal system was not totally replaced or updated due to Indonesia's legislative and legal administration capability. Indonesia operates under a legal framework that does not entirely reflect its post-independence principles.

Internal problems also exist in developing an independent national legal system. Soetandyo Wignjosoebroto says Indonesia's biggest challenge is incorporating local norms like customary law into a colonial-influenced legal system. This issue is connected to the incompatibility of Western legal standards with local norms and the government's and society's ability to create a new, equitable legal system (Amin et al., 2023). Creating a legal system that respects Indonesian sovereignty is difficult due to colonial history and lack of legal alternatives.

Global impact also affects Indonesia's legal system following independence. Indonesia must comply with international law, including human rights, economic, and environmental treaties, after joining the international community. Indonesia must choose between national legal sovereignty and global rules that may not fit its circumstances. This complicates the legislative process, particularly as Indonesia must balance global demands with local values.

Due to the complexity and depth of Dutch colonial law in Indonesia's post-independence legal system, addressing its effect demands a complete approach. To establish a judicial system that better matches the nation's requirements and identity, modest and large changes have been made. Addressing the effects of colonial law requires replacing old laws with new ones and making sure the new legal system works efficiently, equitably, and in line with Indonesian ideals. The following study examines some of the tactics explored and the procedures required to solve this challenge.

Indonesia started legal reform by rewriting its constitution. During Reformasi in the late 1990s, Indonesia's 1945 Constitution was amended to make it more democratic and inclusive. Indonesia implemented contemporary governance ideas such as limiting executive authority, strengthening representative institutions, and defending human rights via four revisions. Due to its contemporary democratic approach and recognition of the constitution as the supreme law, these amendments laid the groundwork for legal reform in Indonesia. This constitutional revision began Indonesia's liberation from authoritarian and centralistic colonial law.

Although the constitutional amendment passed, colonial law continuity in civil and criminal law remains a problem. The colonial Civil and Criminal Codes remain in effect with minor changes. This can be solved by codifying and harmonising the legislation. The Indonesian government has tried to reform the Criminal Code to suit national values and current legislation. The Criminal Code's latest modification is a major step towards removing its colonial history. This codification tries to minimise colonial effects by making laws more sensitive to local culture and society.

However, even though the Criminal Code has been revised, the problem is more than just replacing old rules with new ones. There is a fundamental problem about how law enforcement in Indonesia is still haunted by colonial patterns, where laws are often applied unevenly and justice is not always achieved. According to legal experts such as Daniel Lev, the main problem in the Indonesian legal system is the inefficiency of law enforcement agencies, which often still maintain colonial practices that tend to be authoritarian and non-transparent.(Arief et al., 2023). This shows that structural reform at the substantive legal level must be followed by deep institutional reform, including in the fields of justice, police, and legal administration. This reform does not only focus on changing laws, but also on increasing the capacity of legal institutions to be more professional, transparent, and accountable.

Local values like customary law must also be incorporated into the national legal system to overcome colonial law (Abdussamad et al., 2023). Customary law, which was restricted under colonialism, now plays a larger role in agricultural and family law. The 1960 Basic Agrarian Law, which recognises indigenous land rights, successfully integrates customary law. The application of this customary law likewise struggles to harmonise consistent national legislation with regional legal norms. A pluralistic approach to lawmaking that respects customary law yet upholds the constitution and human rights may solve this challenge. This suggests that local values should be properly integrated into national legislation to prevent customary law disputes.

However, global influence is essential to overcoming colonial legislation. Globalisation has changed several nations' legal systems, including Indonesia's. Indonesia has ratified and accepted international trade, environment, and human rights accords (Rs et al., 2023). Indonesia must adapt global norms to local realities without compromising legal autonomy. In this scenario, national and international legislation on environmental protection and human rights are harmonised (Muhtar et al., 2024). This harmonisation procedure must take into account local values and Indonesian society's unique traits to avoid resistance or incompatibility.

Colonial law must be overcome in Indonesia's legal system by thorough reform at multiple levels. To establish a more fair, democratic, and nationalistic legal system, constitutional modifications, legislation revision, institutional reform, customary law integration, and global norm harmonisation are part of a long-term endeavour. The largest problem is implementing these changes in everyday legal practice as well as officially. The government, law enforcement, and community must work together to develop a legal system free from colonial legacies and capable of addressing global issues.

## 2. Implementation of Local and Global Values in the Formation of Indonesian National Legal Policy in Each Period of Legal History

Indonesian law was substantially impacted by Dutch colonial law from the 17th century until independence in 1945. European legal systems, primarily the Netherlands, shaped law in the Dutch East Indies. But local law, particularly customary law, nevertheless shaped the community's everyday life. During this time, legal syncretism (combining Dutch and customary law) grew common, albeit Dutch law dominated in practice. When the VOC (Vereenigde Oostindische Compagnie) ruled the Dutch East Indies, one of its greatest colonies, the Dutch colonial legal system developed in the 17th century. Trade, government, and justice in the lands they controlled were regulated by Dutch law by the VOC. In the early 19th century, the Civil Code (Kitab Undang-Undang Hukum Perdata) and Criminal Code in the Dutch East Indies strengthened the legal system after the VOC (Vereenigde Oostindische Compagnie) was replaced by the Royal Dutch Government. In 1848 and 1918, the Civil Code and Criminal Code established the region's official legal system, notably in civil and criminal matters .(Pujayanti et al., 2024).

Centralization characterized the colonial judicial system. Legal and administrative systems were intended to keep colonial power in the hands of the Dutch colonial administration. Colonial legal philosophy said Dutch East Indies inhabitants were not equal to Dutch nationals, hence the legal system was based on ethnicity and social rank. European

citizens and certain indigenous elites were ruled by Dutch civil and criminal laws, but most indigenous people lived under customary law. This produced a legal dualism that divided Dutch East Indies residents by class and ethnic status.

Dutch law shaped the court, legal administration, and legal rules worldwide. The colonial judicial system followed the Dutch paradigm of hierarchy and central power. The Dutch East Indies' judiciary was harsh, with the Supreme Court in Batavia (now Jakarta) being the highest. The colonial government selected judges and typically employed Dutch officials or European lawyers to run these tribunals. This deprived indigenous people, who depended more on customary law than the colonial government's official court system, of justice. Since many legal judgments were decided by Dutch courts or under Dutch law, this legal administration system strengthened the Dutch East Indies' dependency on the Netherlands.

Indigenous people still use customary law everyday. Local customs shape customary law, which governs family, inheritance, marriage, and property ownership. Customary law arises from local agreement and conventions, unlike European law (Muhtar, Kasim, et al., 2023). In many parts of Indonesia, customary law governs social and economic ties. For instance, customary law determines individual and communal land rights, which sometimes clashes with Dutch civil law concepts that emphasize private ownership.

Legal syncretism happens when Dutch and customary law are combined. The colonial legal system recognized customary law, notably in indigenous people's everyday life (Amer et al., 2024). The colonial courts oversaw customary courts, which tried customary law disputes. While customary law was acknowledged, colonial officials had ultimate say over its implementation. Dutch law dominated formal proceedings, particularly those involving European nationals or local elites who had integrated into colonial society (Muhtar, Tribakti, et al., 2023).

Marriage and inheritance illustrate this legal syncretism. Europeans and Dutch citizens must follow Dutch civil law for marriage and inheritance. Indigenous people still follow customary law, which governs marriage and inheritance. Two legal systems coexist, although Dutch law has more power.

The colonial legal system shaped Indonesian law following independence. The legal duality between customary law and Dutch law persisted after independence, including numerous colonial-era restrictions. Even after considerable revisions following independence, the Indonesian legal system is founded on formal law based on the Civil Code and Criminal Code, however customary law is still recognised in land and family affairs. The function of customary law in the national legal system and how to incorporate it into a contemporary, universal legal framework are also debated.

Thus, the colonial era left Indonesia with a complicated legal heritage mixing Dutch world law and local customary law. Dutch law dominated the official system, while customary law was vital in people's everyday lives, generating a legal dualism and syncretism that persisted after independence. This division represented colonial social and ethnic status and the significant obstacles Indonesia faced in constructing a sovereign and inclusive legal system following independence.

## CONCLUSION

This analysis indicates that Dutch colonial law strongly influenced the post-independence Indonesian legal system, notably via the Civil Code and Criminal Code. Colonial law produced a legal duality between Western and customary law, making it difficult to develop a national legal system that represents the nation's character. Indonesia has tried to eliminate colonial influence following independence, but its legal system still depends significantly on colonial foundations.

The application of local and global values to national legal policy also shows complicated dynamics. Local norms like customary law were taken more seriously following independence, particularly in agriculture and family matters. However, international treaties and global legal norms have strengthened global impacts in the reform age. The biggest problem is balancing local values with global needs to create relevant legal regulations without neglecting local expertise. Legal reform, particularly following the reform period, has focused on upgrading colonial-influenced institutions and balancing national legal identity with international law.

## REFERENCES

- Abdussamad, Z., Apripari, A., Muhtar, M. H., Ahmad, A., Bakung, D. A., & Imran, S. Y. (2023). PENDEKATAN CULTURAL STUDIES PERLINDUNGAN HUKUM BAGI PENYANDANG DISABILITAS DI KABUPATEN BOALEMO. *Community Development Journal : Jurnal Pengabdian Masyarakat*, 4(6), 11518–11526. <https://doi.org/10.31004/cdj.v4i6.16043>
- Abqa, M. A. R., Junaidi, Hutabarat, S. A., Suhariyanto, D., Fauziah, N. M., Khilmi, E. F., Meliana, Y., & Muhtar, M. H. (2023). *HUKUM TATA NEGARA: Sebuah Konsep Dasar dalam Menata Bangsa*. PT. Sonpedia Publishing Indonesia.
- Agustina, E., Irvita, M., Saharuddin, S., Rahim, E. I., & Muhtar, M. H. (2024). Finding a new direction for Indonesian democracy: Analysis of limitations of the president's powers in the amendments to the constitution. *LEGAL BRIEF*, 13(1), Article 1. <https://doi.org/10.35335/legal.v13i1.929>
- Amer, N., Lubis, A. F., Muhtar, M. H., Saija, V. J. E., Putri, V. S., & Setiawan, B. (2024). IMPLICATIONS OF THE CONSTITUTION FOR POLITICAL NEUTRALITY IN THE DYNAMICS OF LAW AND

<https://doi.org/10.36277/jurnaldefacto.v10i2.189>

- Amin, F., Susmayanti, R., Fuqoha, Faried, F. S., Suwandoko, Zaelani, M. A., Agustiw, A., Herlina, Permana, D. Y., Yudianto, D., Muhtar, M. H., Hadi, A. M., Widodo, I. S., & Rizaldi, M. (2023). *Ilmu Perundang-Undangan*. Sada Kurnia Pustaka.
- Arief, S., Muhtar, M. H., & Saragih, G. M. (2023). UPAYA PEMBELAAN DIRI DALAM PERSPEKTIF PERSAMAAN DI HADAPAN HUKUM. *Jurnal Yudisial*, 16(1), Article 1. <https://doi.org/10.29123/jy.v16i1.475>
- Aspan, H. (2020). The Role of Legal History in the Creation of Aspirational Legislation in Indonesia. *International Journal of Research and Review (IJRR)*, 7(6), 40–47.
- Cribb, R. (2010). Legal Pluralism and Criminal Law in the Dutch Colonial Order. *Indonesia*, 90, 47–66.
- Fadillah, N. (2022). Tinjauan Teori Hukum Pembangunan Mochtar Kusumaatmadja dalam Undang-Undang Ibu Kota Negara (IKN). *Supremasi Hukum: Jurnal Kajian Ilmu Hukum*, 11(1), Article 1. <https://doi.org/10.14421/sh.v11i1.2559>
- Harahap, T. K., Prayuti, Y., Latianingsih, N., Damanik, A., Maheni, T., Farida, I., Muhtar, M. H., & Mustaqim. (2023). PENGANTAR ILMU HUKUM. *Penerbit Tahta Media*. <https://tahtamedia.co.id/index.php/issj/article/view/255>
- Indra, M., Saragih, G. M., & Muhtar, M. H. (2023). Strength of Constitutional Court Decisions in Judicial Review of the 1945 Constitution in Indonesia: Kekuatan Putusan Mahkamah Konstitusi dalam Pengujian Undang-Undang terhadap Undang-Undang Dasar 1945 di Indonesia. *Jurnal Konstitusi*, 20(2), 279–299.
- Ishaq, H. (2017). *Metode penelitian hukum dan penulisan skripsi*. ALFABETA.
- Jamaluddin, M. N. (2020). The role of the people in the Amendment of the 1945 Constitution based on democratic constitution making: Future prospects. *Padjadjaran Jurnal Ilmu Hukum*, 7, 19–42.
- Maksum, A., & Bustami, R. (2014). The 1965 coup and reformasi 1998: Two critical moments in Indonesia-Malaysia relations during and after the Cold War. *SpringerPlus*, 3(1), 45. <https://doi.org/10.1186/2193-1801-3-45>
- Manurung, L. W. (2020). CRITICISM STRATEGY BY MAHFUD MD IN INDONESIA LAWYERS CLUB. *TELAGA BAHASA*, 8(2), 213–228.
- Muhtar, M. H., & Kasim, N. M. (2023). *Peraturan Daerah Syariah dalam Sistem Hukum Indonesia*. Eureka Media Aksara. <https://repository.penerbiteurka.com/tr/publications/559654/>
- Muhtar, M. H., Kasim, N. M., & Suryani, I. (2023). Islamic Law In The Constitution Of Indonesia (a Study of Characteristics Sharia Local Regulations). *TSAQAFAH*, 19(1), 236–263.
- Muhtar, M. H., Khasanah, D. D., Anita, A. A., Abas, M., Bagus, M., Cahyandari, D., Setiawan, E. B., Jenar, S., Putri, F. A. W., Taufik, A., Widodo, M. F. S., & Susmayanti, R. (2024). *Menimbang Keadilan: Dinamika Hukum dan Demokrasi Di Persimpangan Zaman*. Sada Kurnia Pustaka.
- Muhtar, M. H., Maranjaya, A. K., Arfiani, N., & Rahim, E. (2023). *TEORI & HUKUM KONSTITUSI: Dasar*

- Pengetahuan dan Pemahaman serta Wawasan Pemberlakuan Hukum Konstitusi di Indonesia.* PT. Sonpedia Publishing Indonesia.
- Muhtar, M. H., Tribakti, I., Salim, A., Tuhumury, H. A., Ubaidillah, M. H., Imran, S. Y., Laka, I., Saragih, G. M., Iping, B., & Amin, F. (2023). Konsep Hukum Indonesia. *Global Eksekutif Teknologi*. [https://www.researchgate.net/profile/Mohamad-Hidayat-Muhtar/publication/370583612\\_SEJARAH\\_TATA\\_HUKUM\\_INDONESIA/links/64573db95762c95ac378e471/SEJARAH-TATA-HUKUM-INDONESIA.pdf](https://www.researchgate.net/profile/Mohamad-Hidayat-Muhtar/publication/370583612_SEJARAH_TATA_HUKUM_INDONESIA/links/64573db95762c95ac378e471/SEJARAH-TATA-HUKUM-INDONESIA.pdf)
- Pujayanti, L. P. V. A., Nugrahayu, Z. Z., Rahim, E. I., Muhtar, M. H., & Yassine, C. (2024). Indonesia's Constitutional Court: Bastion of Law Enforcement and Protector of Human Rights in The Reform Era. *Jurnal Pamator: Jurnal Ilmiah Universitas Trunojoyo*, 17(1), Article 1. <https://doi.org/10.21107/pamator.v17i1.24128>
- Razak, A., Muhtar, M. H., Rivera, K. M., & Saragih, G. M. (2023). Balancing Civil and Political Rights: Constitutional Court Powers in Indonesia and Austria. *Journal of Indonesian Legal Studies*, 8(2), Article 2. <https://doi.org/10.15294/jils.v8i2.70717>
- Rs, I. R., Muhtar, M. H., Harun, A. A., Bakung, D. A., & Junus, N. (2023). Protection of Human Rights Against the Environment in the Indonesian Legal System. *Journal of Law and Sustainable Development*, 11(10), e570–e570. <https://doi.org/10.55908/sdgs.v11i10.570>
- Salim, A. (2008). *Challenging the Secular State: The Islamization of Law in Modern Indonesia*. University of Hawaii Press.
- Widodo, I. S., Muhtar, M. H., Suhariyanto, D., Permana, D. Y., Bariah, C., Widodo, M. F. S., Monteiro, J. M., Rachmatulloh, M. A., EM, E. N. F., Abqa, M. A. R., Fuqoha, Agustiwi, A., Amin, F., Kamil, H., Gustaliza, R. B., Sukma, D. P., Bidari, A. S., & Susmayanti, R. (2023). *Hukum Tata Negara*. Sada Kurnia Pustaka.
- Wignjosoebroto, S. (2014). Dari hukum kolonial ke hukum nasional: Dinamika sosial-politik dalam perkembangan hukum di Indonesia. *Raja Grafindo*. <https://cir.nii.ac.jp/crid/1130282270189471744>
- Yudhanegara, F., Arifuddin, Q., Muhtar, M. H., Yani, M. A., Amalia, M., Judijanto, L., & HR, M. A. (2024). *Pengantar Filsafat Hukum: Sebuah Ontologi, Epistemologi, dan Aksiologi Ilmu Hukum*. PT. Sonpedia Publishing Indonesia.