

Review of: "The Contradiction of Populism and Judicial Independence (Unraveling Alexander Bickel's Counter-Majoritarian Dilemma in the Context of the Indonesian Constitutional Court)"

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This article, as long as the discussion offered is interesting, examines the contradictions of populism and judicial independence with a focus on Alexander Bickel in the context of the Indonesian Constitutional Court (ICC), more specifically focusing on how the ICC maintains its independence while strengthening its legitimacy amidst populist decisions.

According to the author, the ICC has an important role in upholding independence and justice in the Indonesian legal system. Its autonomy is often threatened by the influence of politics and populism in decision making. Based on Alexander Bickel's Counter-Majority Dilemma theory, it provides insight into this challenge that emphasizes the importance of basing court decisions on objective constitutional principles. Populism can have an impact on the ICC's independence because it must consider the interests of the people, but the erosion of independence due to political influence continues to endanger the ICC's autonomy and the fairness of the legal system. The ICC must establish itself as an independent and fair institution, strengthening public trust in the legal system and democracy in Indonesia.

The way of thinking and conclusions above attract attention amidst the legal gradations that exist in Indonesia, including the ICC. However, fundamental deficiencies were found behind it, especially the absence of examples of contradictory ICC decisions. It would be best for the author to present examples of contradictory decisions to strengthen the assumptions built as a framework for thinking in this article.

Furthermore, in the method, the author must explain how many cases discussed involve conflicting ICC decisions, when these decisions were taken, and in what cases. This is important to describe the legal objects and subjects studied. Subsequently, how can these cases be investigated in depth? Methods are critical to understanding how research is conducted.

Even though this discussion is philosophical and analytical in focus, emphasizing rational views, critical analysis, and what philosophy should be, the main points of Alexander Bickel's thoughts are placed in the background rather than the results. The discussion section starts with the subtitle "Contradictions of Populism and the Independence of the Constitutional Court" and the following explanation continues until the conclusion at the end.

The conclusion noted at the end will feel separated from the context that accompanies it. This is caused by the lack of clarity in the cases discussed, which is explained in the research background. If so, this article is more accurately described as the author's opinion rather than a systematic and academic review of legal cases, especially those of the ICC.