

## The Legitimacy of Fractions in the People's Representative Council: Constitutional Criticism and Reconstruction of the Representative System from the Perspective of People's Sovereignty

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### ABSTRACT

The existence of factions in the House of Representatives is an important element in the institutional practice of parliament in Indonesia. Factions function as a means of political coordination for members of the House of Representatives who come from the same political party in carrying out legislative, oversight, and budgeting functions. This study aims to analyze the position of factions in the Indonesian constitutional system and assess the institutional legitimacy of factions from the perspective of the principle of people's sovereignty. This research uses a normative legal research method with legislative, conceptual, and comparative approaches. The results of the study show that factions are not explicitly regulated in the 1945 Constitution of the Republic of Indonesia but constitute an institutional construction established through laws and regulations governing the organization of the House of Representatives. The dominance of factions in parliamentary institutional practice has the potential to shift the representative function of the House of Representatives from representation of the people to representation of political parties. Therefore, it is necessary to reconstruct the position of factions in the Indonesian constitutional system to ensure a balance between the role of political parties and the principle of people's sovereignty. From a more progressive perspective, this research also opens discursive space regarding the possibility of a parliamentary model that provides greater room for the independence of legislative members, including the idea of a parliament without factions as a conceptual alternative within a representative democratic system.

**Keywords:** house of representatives; people's sovereignty; representative democracy; political parties; parliament without factions

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### INTRODUCTION

In the modern democratic system, the legislative institution plays a crucial role as a representation of the people in the process of state governance (Aristovnik et al., 2022; Odibo, 2023; Stenling et al., 2023; Suparto et al., 2024; Zolak Poljašević et al., 2025). Through representative institutions, the people exercise their sovereignty indirectly by electing their representatives in general elections to carry out legislative, oversight, and budgeting functions. This principle constitutes one of the main foundations of the Indonesian constitutional system, as affirmed in the 1945 Constitution of the Republic of Indonesia, which states that sovereignty rests in the hands of the people and is implemented according to the Constitution (Undang-Undang Dasar Negara Republik Indonesia Tahun 1945).

As a representative institution of the people, the House of Representatives has a strategic role in the process of lawmaking and in supervising the conduct of government (Gunawan et al., 2023; Putra & Mochtar, 2024; Syam et al., 2024). Members of the House of Representatives

are elected directly by the people through general elections; therefore, in theory, they possess a political mandate to advocate for the interests of the people they represent. The relationship between the people and members of the House of Representatives in a representative democratic system is essentially a representative relationship based on political trust granted through the electoral mechanism (Pitkin, 1967).

In the institutional practice of the Dewan Perwakilan Rakyat (DPR), members of parliament organize themselves into factions formed based on political parties that obtain seats in parliament. The existence of factions is intended as a means of political coordination for members of the House of Representatives who come from the same political party. Through factions, political parties can organize the political activities of their members in parliament and maintain the consistency of the party's political stance in various legislative decision-making processes (Sartori, 1976).

However, the institutional practices of factions in the House of Representatives often demonstrate strong dominance in political decision-making. In many cases, the political positions of members of the House of Representatives during the deliberation of bills and other parliamentary decisions are determined more by factional decisions than by the individual judgment of legislators as representatives of the people. This condition raises questions regarding the extent to which factional institutional practices remain consistent with the principle of people's sovereignty in a representative democratic system. If members of the House of Representatives are more bound by factional decisions than by the aspirations of their constituents, there is a potential shift in the representative function of the legislature—from representing the people to representing political parties. From the perspective of constitutional law, this condition raises concerns regarding the institutional legitimacy of factions within the Indonesian constitutional system, particularly when viewed in relation to the fundamental principles of constitutional democracy that place the people as the ultimate source of legitimacy for state power.

The urgency of this research stems from growing concerns about the quality of Indonesian democracy and the responsiveness of representative institutions to citizens' aspirations. As political parties increasingly dominate parliamentary processes through factional mechanisms, questions arise as to whether the House of Representatives genuinely functions as an institution of people's representation or has instead become an arena for aggregating party interests. With ongoing discussions regarding constitutional amendments and institutional reforms, understanding the constitutional position and legitimacy of factions becomes essential for informed policymaking.

The novelty of this research lies in its systematic constitutional analysis of factional legitimacy from the perspective of people's sovereignty, integrating international theoretical frameworks with the specific characteristics of Indonesian constitutional law. Unlike previous studies that have examined parliamentary procedures descriptively, this research provides a normative evaluation of whether factional dominance aligns with constitutional principles. Additionally, the exploration of a "parliament without factions" as a conceptual alternative opens new discourse on possible institutional reforms that could strengthen representative democracy in Indonesia.

This issue becomes even more significant when considering that the Indonesian Constitution does not explicitly regulate the existence of factions within the legislature. This

situation raises normative questions about whether factions are constitutionally necessary elements within Indonesia's parliamentary system or merely institutional constructs that have developed through parliamentary political practice.

Departing from these concerns, this study seeks to analyze the position of factions within the Indonesian constitutional system and assess their institutional legitimacy from the perspective of the principle of people's sovereignty. Furthermore, this research aims to formulate a reconstruction of the position of factions within the Indonesian parliamentary system so that it more closely aligns with the principles of representative democracy, which place the people as the ultimate source of legitimacy for political power.

From a more progressive perspective, this research also opens discursive space for considering a parliamentary institutional model that provides greater autonomy for legislative members as representatives of the people. One idea emerging from this discourse is the possibility of a parliamentary model that is not based on a formal factional structure within the legislature. Although this idea still requires further study, such an approach may serve as a reflection in efforts to strengthen the principle of people's sovereignty within Indonesia's representative democratic system.

This study concludes that the dominance of factions in parliamentary practice has the potential to distort the principle of people's representation; therefore, reconstruction of the parliamentary representation system is necessary to strengthen the independence of people's representatives in carrying out their representative functions.

## **RESEARCH METHODS**

This research used a normative legal research method to analyze legal norms related to the position of factions in the Indonesian constitutional system and to assess their institutional legitimacy from the perspective of the principle of people's sovereignty. The research focused on the analysis of laws and regulations, legal concepts, and theories related to representative democracy and legislative institutions (Asshiddiqie, 2020).

The study applied a statute approach by examining various laws and regulations related to the position and function of legislative institutions in the Indonesian constitutional system. The analysis focused on provisions governing the House of Representatives and its internal organization as stipulated in the 1945 Constitution of the Republic of Indonesia and in Law Number 17 of 2014 concerning the MPR, DPR, DPD, and DPRD and its amendments. Through this approach, the research examined how the existence of factions was regulated within Indonesia's positive legal framework and how they were positioned within the organizational structure of legislative institutions.

The research also employed a conceptual approach to analyze concepts related to democracy, people's sovereignty, political representation, and the relationship between political parties and legislative institutions. In this context, the study referred to theories of political representation developed by scholars, including the concept of representation proposed by Hanna Fenichel Pitkin and the theory of party systems developed by Giovanni Sartori (Pitkin, 1967; Sartori, 1976).

In addition, the study applied a comparative approach to examine how the relationship between political parties and parliamentarians operates in other democratic systems. The comparison considered parliamentary practices in countries such as the United Kingdom and

the United States, where legislators are provided varying degrees of independence in political decision-making processes (Dahl, 1998).

The legal materials used in this study consisted of primary and secondary legal materials. Primary legal materials included constitutional provisions and legislation governing legislative institutions and political parties. Secondary legal materials consisted of constitutional law literature, books on democratic theory, and scholarly articles discussing representative and party systems. These materials were analyzed qualitatively to understand the position of factions in the Indonesian constitutional system and their implications for the principle of people's sovereignty (Budiardjo, 2021).

## **RESULTS AND DISCUSSION**

### **Faction Arrangements in the Indonesian Legal System**

Factions are institutions that are formally recognized in the institutional system of the House of Representatives. In Indonesian constitutional practice, factions function as a grouping of members of the House of Representatives based on the affiliation of the same political party. Through factions, members of the House of Representatives coordinate political attitudes in carrying out legislation, budget, and supervision functions.

Regulations regarding factions can be found in various laws and regulations that regulate people's representative institutions, especially in Law Number 17 of 2014 concerning the MPR, DPR, DPD, and DPRD as amended several times. This law emphasizes that members of the House of Representatives meet in factions as a vehicle to optimize the implementation of the duties and authorities of the House of Representatives (Undang-Undang Nomor 17 Tahun 2014).

In addition, further arrangements regarding the position and function of factions are also contained in the DPR Regulation on the Rules of Procedure of the DPR which regulates the formation of factions, faction leadership structures, and the role of factions in various DPR fittings.

In this normative framework, factions are positioned as an important element in the working mechanism of the DPR. Every member of the House of Representatives is required to be a member of one of the factions, so in practice almost all political activities in the House of Representatives take place through the faction mechanism.

However, it should be noted that the existence of factions is not explicitly mentioned in the 1945 Constitution of the Republic of Indonesia. The Constitution only regulates the existence of the House of Representatives as a representative institution without mentioning the mechanism for grouping members of the House of Representatives in the form of factions.

This condition raises constitutional questions about the extent of the legitimacy of the faction as an institution that has a significant influence in the political decision-making process in the House of Representatives.

### **The Relationship between Factions and Political Parties**

In practice, factions are an extension of political parties in parliament. Members of the House of Representatives who come from certain political parties automatically become part of the faction formed by that party in the House of Representatives.

This relationship cannot be separated from the electoral system adopted by Indonesia, namely the political party-based election system. In this system, legislative candidates are proposed by political parties and elected by the people through a general election mechanism.

The role of political parties in the Indonesian democratic system is also affirmed in Law Number 2 of 2011 concerning Political Parties which states that political parties are a means of political participation of the community in democratic life.

Through factions, political parties can coordinate the political attitudes of DPR members in various decision-making processes in parliament. Factions are an internal forum for members of the House of Representatives from the same party to determine political positions on a draft law, budget policy, and oversight agenda for the government.

However, the very strong relationship between factions and political parties also has the potential to cause problems in the practice of political representation. In some cases, members of the House of Representatives are more tied to the decisions of factions or party policies than to the aspirations of the people they represent.

This phenomenon is often associated with the practice of party discipline or party discipline that requires lawmakers to follow the party's policy line in every political decision-making.

### **The Role of Factions in the Process**

#### **Legislation**

Factions have a very significant role in the legislation process in the House of Representatives. In practice, almost all stages of the discussion of the draft law involve factions as the main actors in political decision-making.

At the discussion stage of the draft law, the faction plays a role in conveying the faction's views on a draft law. The views of this faction are usually conveyed in plenary meetings and in discussion forums at the commission or special committee level.

In addition, factions also play a role in determining the composition of the membership of the DPR fittings such as commissions, legislative bodies, and special committees. This determination is usually made based on the proportion of the political power of each faction in the DPR.

Thus, the faction has a very large influence in determining the direction of legislation policies in the DPR.

However, the dominance of factions in the legislation process has also caused criticism from various circles. Some observers consider that the faction mechanism can cause the legislative process to be dominated by the interests of political parties rather than the interests of the public at large.

In this context, questions arise about the extent to which factions play a role as an instrument of people's representation or as an institutional mechanism that strengthens the dominance of political parties in the legislature.

#### **Factional Constitutional Problems**

Although factions have a very important position in the work practices of the House of Representatives, their existence raises a number of constitutional issues that need to be critically examined.

First, the existence of factions does not have an explicit constitutional basis in the 1945 Constitution of the Republic of Indonesia. The Constitution only regulates the House of

Representatives as a representative institution without specifically regulating the mechanism for grouping members of the House of Representatives in the form of factions.

Second, the dominance of factions in the political decision-making process in the House of Representatives has the potential to shift the principle of people's representation. Members of the House of Representatives who are supposed to act as representatives of the people in some situations are actually more attached to the interests of political parties through the faction mechanism.

Third, the obligation of members of the House of Representatives to join a faction can limit the independence of members of the House of Representatives in carrying out the function of political representation. In certain situations, members of the House of Representatives may face a dilemma between following the policy line of the faction or fighting for the aspirations of their constituents.

These problems show that the existence of factions in the Indonesian constitutional system is not only an administrative or organizational problem, but also related to the basic principles of representative democracy and people's sovereignty.

Therefore, a more in-depth study is needed on the institutional legitimacy of factions in the Indonesian constitutional system, including the possibility of reconstructing the parliamentary working system to be more in line with the principles of people's sovereignty.

The absence of factions in the draft of the Constitution One of the fundamental problems in the faction system in the House of Representatives is the absence of an explicit constitutional basis regarding the existence of such institutions. Within the framework of Indonesian constitutional law, factions are not directly regulated in the 1945 Constitution of the Republic of Indonesia. The Constitution only regulates the existence of the House of Representatives as a representative body that carries out the functions of legislation, budget, and supervision.<sup>1</sup>

This provision emphasizes that the main legitimacy of the House of Representatives comes from the people's mandate through the general election mechanism. Thus, members of the House of Representatives are basically representatives of the people who gain legitimacy directly from voters.

However, in the institutional practice of the DPR, almost all political activities take place through a faction mechanism. Every member of the House of Representatives is required to be a member of one of the factions, so that political relations in parliament are more mediated by faction organizations than direct relations between the people's representatives and their constituents.

This condition raises a fundamental constitutional question: does the existence of factions as institutions that have great influence in the legislative process have legitimacy in line with the design of the constitution?

From a constitutional theoretical perspective, institutions that have an important role in the state's decision-making process should have a clear basis of legitimacy within the constitutional framework. When an institution has great influence but is not explicitly regulated in the constitution, a critical study of the legitimacy of the institution is required.

### **Dominance of Political Parties in Parliament**

Another problem that is often criticized for the faction system is the dominance of political parties in the decision-making process in parliament. Through factions, political

parties can consolidate the political attitudes of members of the House of Representatives who come from the same party.

In practice, factions often function as an instrument of political coordination for parties to determine attitudes towards various legislative and public policy agendas. Members of the House of Representatives are expected to follow the political decisions that have been set by the faction, which in turn reflect the policies of political parties. This phenomenon is closely related to the concept of party discipline in the modern parliamentary system. Party discipline is seen as a mechanism that allows political parties to maintain the consistency of political attitudes of parliamentarians in the decision-making process.

However, party discipline that is too strong can cause problems for the principle of people's representation. Members of the House of Representatives who are formally elected by the people have the potential to lose their independence in fighting for the aspirations of their constituents if they must always follow the party's policy line through factions.

An analysis of the potential dominance of political organizations in the modern democratic system was once put forward by Robert Michels through the concept of the iron law of oligarchy. Michels argues that political organizations tend to evolve towards oligarchic structures dominated by organizational elites.<sup>2</sup>

In the context of the faction system in parliament, the concept can be used to understand how the organizational structure of the party has the potential to concentrate political power on the party elite who control the direction of the faction's policies.

### **Distortion of Political Representation**

One of the main functions of the people's representative institution is to carry out the function of political representation. Within this framework, parliamentarians are expected to act as representatives of the public who voice the public interest in the policy-making process.

However, in the practice of the faction system, the relationship of representation between the people's representatives and the community is often distorted. Members of the House of Representatives who are supposed to act as representatives of the people are actually more attached to the organizational structure of factions and political parties.

In the theory of political representation, the relationship between the representative and the party represented demands the political responsibility of the people's representative to the people who give him the mandate. This view is comprehensively explained by Hanna Fenichel Pitkin who emphasizes that political representation is not only formal, but must also be substantive, that is, it truly reflects the interests of the society represented.<sup>3</sup>

If parliamentarians are more tied to the interests of the party organization than to the aspirations of the people, then the function of substantive representation can be weakened. In this kind of situation, the legislative institution has the potential to change from an institution of people's representation to an arena of competition for the interests of political parties.

### **Critical Questions on Faction Legitimacy**

Based on these various issues, a number of critical questions have arisen regarding the legitimacy of factions in the Indonesian constitutional system.

First, if members of the House of Representatives are directly elected by the people through general elections, does the obligation to join a faction not limit the independence of the members of the House of Representatives as representatives of the people?

Second, if the faction functions as an instrument of a political party in parliament, does the dominance of the faction in the legislative process not have the potential to shift the function of the House of Representatives as an institution of people's representation?

Third, if the existence of factions is not explicitly regulated in the constitution, is the working system of the House of Representatives that is highly dependent on factions still in line with the principle of people's sovereignty?

These questions show that the faction system is not just an organizational mechanism in parliament, but a constitutional issue related to the basic principles of representative democracy.

In this context, the study of the faction system is not only limited to positive legal analysis, but also needs to consider the possibility of reconstructing a representative system that is more in line with the principle of people's sovereignty.

Therefore, the discourse on the possibility of a parliamentary model without factions is relevant to be studied as a conceptual alternative in the development of a representative democracy system in Indonesia.

### **The Idea of a Parliament Without Factions**

Criticism of the dominance of factions in the legislature opens up space for discourse on the possibility of reconstructing the parliamentary work system. One of the ideas that can be put forward in this context is the concept of a parliament without a faction, which is an institutional model of the House of Representatives that no longer makes the faction the main unit in organizing political activities in parliament.

In this model, members of the House of Representatives are no longer bound by the organizational structure of the factions that represent political parties in parliament. On the contrary, each member of the House of Representatives carries out his or her representation function directly as a representative of the people who obtains a mandate through general elections.

This idea basically departs from the principle of people's sovereignty which places the people as the main source of legitimacy of political power. In this perspective, the relationship of political representation should take place directly between the people's representatives and the people they represent, without being predominantly mediated by certain political organizations.

The concept is closely related to the idea of political representation which emphasizes the independence of the people's representatives in carrying out the function of substantive representation, as put forward by Hanna Fenichel Pitkin in her theory of political representation (Michels, 1911).

Thus, the reconstruction of the parliamentary system without factions is intended to strengthen the position of members of the House of Representatives as representatives of the people who have political freedom in voicing the interests of their constituents.

### **Parliamentary Working Mechanism Without Factions**

Although the idea of a factionless parliament negates the faction structure as a unit of political organization in parliament, it does not mean that political coordination in the House of Representatives becomes disorganized. Instead, an alternative institutional mechanism is needed that allows the legislative process to continue to run effectively.

In the parliamentary model without factions, the organization of the work of the House of Representatives can be carried out through the following mechanisms:

First, the grouping of members of the House of Representatives in the House of Representatives fittings is carried out based on expertise, policy interests, or the distribution of electoral areas, not based on political party affiliation.

Second, in the process of discussing the bill, each member of the House of Representatives has the right to express his views individually without having to represent the attitude of a particular faction.

Third, political decision-making in the plenary meeting is carried out through an individual voting mechanism, so that each member of the House of Representatives is directly responsible for his or her political attitude in front of the public.

This model allows the legislative process to take place more openly and transparently because the political position of each member of the House of Representatives can be clearly known by the public.

This principle of individual accountability is also in line with the idea of deliberative democracy which emphasizes the importance of an open public discussion process in political decision-making, as developed in Jürgen Habermas's thought on democratic public spaces (Michels, 1911).

### **Constitutional Implications**

The implementation of a parliamentary system without factions certainly has constitutional implications that need to be seriously considered. One of the main implications is related to changes in the regulation regarding the internal organization of the House of Representatives in laws and regulations.

As previously explained, the existence of factions is regulated in Law Number 17 of 2014 concerning the MPR, DPR, DPD, and DPRD and its amendments. Therefore, the reconstruction of the parliamentary system without factions requires changes to the provisions of the law.

However, because factions are not explicitly regulated in the 1945 Constitution of the Republic of Indonesia, theoretically changes to the faction system can be carried out through legislative reform without having to make constitutional changes.

Another implication that needs to be considered is the relationship between members of the House of Representatives and political parties. In a party-based democratic system, political parties still have an important role in the process of nominating legislative members as well as in electoral competitions.

Therefore, the elimination of factions does not mean eliminating the role of political parties in the political system, but rather limiting the dominance of party organizations in the decision-making process in parliament.

### **Implementation Challenges**

Although the idea of a parliament without factions has the potential to strengthen the principle of people's representation, its implementation certainly faces various challenges both politically and institutionally.

First, the faction system has become a very well-established part of the institutional practice of the DPR. Changes to the system require a strong political commitment from political actors in parliament.

Second, political parties are likely to reject the idea of eliminating factions because factions are an important instrument for parties to maintain their political influence in the legislature.

Third, without an effective political coordination mechanism, parliament has the potential to face difficulties in building political consensus in the legislative process.

In the study of political institutions, institutional change often faces resistance from actors who have benefited from existing institutional structures. This phenomenon is in line with the institutional analysis of the resilience of political institutions that has been widely discussed in modern political studies, including by Douglass C. North on the role of institutions in shaping political behavior (Habermas, 1996).

Thus, the idea of a parliament without factions cannot be understood solely as a proposal for technical changes in the organization of the House of Representatives, but rather as part of a broader effort to reform the system of representative democracy to be more in line with the principles of people's sovereignty.

### **Factions as Constitutional Anomalies**

Based on the previous description, the existence of factions in the work system of the House of Representatives shows a unique character in the structure of the Indonesian constitution. On the one hand, factions have a very dominant role in the process of legislation, supervision, and political decision-making in the House of Representatives. But on the other hand, the existence of this institution is not explicitly regulated in the 1945 Constitution of the Republic of Indonesia.

The Constitution only regulates the existence of the House of Representatives as a representative institution of the people without mentioning the grouping of members of the House of Representatives in the form of factions. This creates a condition that can be called a constitutional anomaly, namely when an institution has a very large role in the practice of the constitution, but does not have clear legitimacy in the design of the constitution.

In the perspective of constitutional theory, the institutional design of the state should reflect the basic principles contained in the constitution. If an institutional mechanism develops so dominant without an explicit constitutional basis, a critical evaluation of its legitimacy and relevance in the constitutional system is needed.

In this context, the dominance of factions in the activities of the House of Representatives has the potential to shift the focus of political representation from the people to the political party organizations behind the faction.

### **Party Factions and Oligarchs**

Another criticism that often arises of the faction system is related to the tendency of power oligarchism in political parties. In modern political practice, political parties often develop into organizations controlled by certain elites who have great influence in determining the direction of party policies.

This phenomenon has long been analyzed by Robert Michels through the concept of the iron law of oligarchy, which states that large organizations, including political parties, tend to evolve towards oligarchic structures in which power is concentrated in a particular elite group.<sup>1</sup>

In the faction system in parliament, this tendency can be seen from how the political decisions of members of the House of Representatives are often determined through the internal mechanisms of the faction which ultimately reflect the decisions of the party elite.

Thus, factions not only serve as a means of political coordination in parliament, but also as an instrument for political parties to maintain control over legislative members.

As a result, the space for independence of DPR members in carrying out the function of people's representation has become increasingly limited. Members of the House of Representatives who are formally elected by the people can be subjected to political pressure to follow the party's policy line through faction, even when the policy is not fully in line with the aspirations of the constituents it represents. C. Parliament Without Factions: Utopia or Alternative?

The idea of a parliament without factions is often considered a utopian concept in modern political party-based democratic systems. In many contemporary democratic systems, political parties play an important role in organizing political activities in parliament.

However, criticism of the dominance of political parties in the legislature is also not a new phenomenon in the study of democracy. Some political thinkers have long highlighted the potential conflict between the interests of political parties and the public interest in a representative democratic system.

In his analysis of pluralist democracy, Robert A. Dahl emphasizes the importance of maintaining a balance between the various political forces in a democratic system so that there is no excessive concentration of power in certain groups.

Within this framework, the idea of a parliament without factions can be understood as an effort to restore a balance between the role of political parties and the principle of people's representation in the legislature.

This kind of model should not be understood as a total elimination of the role of political parties in the political system, but rather as a restriction on the dominance of party organizations in the decision-making process in parliament.

In other words, a parliament without factions is not an attempt to abolish the party system, but to strengthen the independence of the people's representatives in carrying out the function of political representation.

### **Reflections on Representative Democracy in Indonesia**

The discourse on the faction system ultimately leads to a broader reflection on the quality of representative democracy in Indonesia. In the theory of modern democracy, the legislative institution has an important role as a forum for public deliberation where various public interests are brought together and rationally considered.

The idea of the importance of deliberation spaces in democracy was widely developed by Jürgen Habermas who emphasized that the legitimacy of political decisions in a democracy should be based on an open and rational discourse process in the public sphere.

If the decision-making process in parliament is too dominated by the internal organizing mechanism of the party through factions, then the open space for deliberation in parliament can be limited. Political decisions are potentially more determined through internal party negotiations than through open discussions in parliamentary forums.

In this context, criticism of the faction system is not solely aimed at rejecting the existence of political parties in a democratic system, but at questioning whether the current institutional structure of parliaments has fully supported the principles of deliberative democracy and people's representation.

Therefore, the discourse on the possibility of reconstructing the parliamentary working system, including the idea of a parliament without factions, can be seen as part of a broader effort to strengthen the quality of representative democracy in Indonesia.

## CONCLUSION

Based on the analysis presented in this study, several conclusions can be drawn regarding the position and role of factions in the Indonesian constitutional system. The study found that the existence of factions in the House of Representatives constitutes an institutional construction that developed through statutory regulation, particularly Law Number 17 of 2014 concerning the MPR, DPR, DPD, and DPRD and its amendments, rather than through explicit provisions in the 1945 Constitution of the Republic of Indonesia. This situation creates a constitutional anomaly in which factions play a dominant role in parliamentary practice despite lacking clear constitutional recognition. In institutional practice, factions have become central mechanisms in organizing parliamentary activities, including the formation of parliamentary organs, coordination of members' political positions, and decision-making processes in legislative deliberations. Such dominance indicates that factions significantly shape the working system of the House of Representatives. At the same time, this dominance may potentially distort the principle of political representation, as members of the House—although formally elected by citizens through general elections—may become more bound by factional policies that reflect the interests of political parties. Consequently, the orientation of representation may shift from the interests of the people toward the interests of political party organizations. Future research should therefore explore alternative institutional models or reforms that could balance the role of political parties with the independence of legislators in order to strengthen the principle of people's sovereignty in Indonesia's representative democratic system.

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