



Revision Of The Tni Law And Limitations On Military Involvement In Civil Affairs: The Perspective Of Constitutional Supremacy

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ABSTRACT

The 2025 amendment to the Law on the Indonesian National Armed Forces (TNI Law) represents a significant phase in the evolution of civil-military relations in Indonesia, particularly with regard to the regulation of military involvement in civilian affairs. This article aims to examine the implications of the amended TNI Law for the principles of constitutional supremacy and civilian supremacy within the framework of a democratic state governed by the rule of law. The analysis primarily focuses on provisions concerning the appointment of active-duty military personnel to certain civilian positions and their compatibility with the principle of functional separation between the military domain and civilian governance. This study employs a normative juridical method, utilizing statutory and conceptual approaches, combined with qualitative analysis of legal norms, constitutional doctrines, and scholarly perspectives drawn from national academic journals. The findings indicate that while the amendment seeks to normatively adapt the role of the TNI to contemporary security challenges, it simultaneously raises constitutional concerns regarding potential overlaps between civilian and military functions. Although the legislature emphasizes the existence of limitations and civilian oversight mechanisms, the provisions governing civilian positions accessible to active military personnel remain sufficiently broad to allow varied interpretations in practice. Such conditions may generate tension between the demands of national defense effectiveness and the principle of constitutional supremacy, which requires the military to operate under democratic civilian control. Accordingly, the amendment to the TNI Law must be critically assessed to ensure that it does not undermine the security sector reform paradigm established in the post-Reformasi era. This article underscores the importance of normative clarity, strengthened oversight mechanisms, and consistent legal implementation to ensure that military involvement in civilian affairs remains aligned with constitutional mandates and the principles of the rule of law.

INTRODUCTION

The constitutional reform process initiated in Indonesia since 1998 has brought about fundamental changes in the relationship between the military and civilian authority. One of the most significant achievements of this reform era is the reaffirmation of the principle of civilian supremacy, which positions the Indonesian National Armed Forces as a state instrument in the field of defense that operates under the policies and control of democratically elected civilian authorities. This principle is consistent with the mandate of the 1945 Constitution of the Republic of Indonesia, which places all state power under constitutional supremacy while upholding the values of the rule of law and democracy. Within this framework, the role and functions of the TNI are strictly circumscribed to prevent a return to the dominant involvement of the military in civilian governance, as occurred during the pre-reform period (Paryanto, 2025).

Nevertheless, the dynamics of national legal and political development demonstrate that civil-military relations are not static. Changes in the global strategic environment, the emergence of non-traditional security threats, and the demand for greater effectiveness in state administration are frequently invoked as justifications

for revising regulations governing the military's role. It is within this context that the amendment of Law Number 34 of 2004 on the Indonesian National Armed Forces through the 2025 TNI Law becomes a critical subject of analysis. The amendment has reignited fundamental debates concerning the permissible boundaries of military involvement in civilian affairs and its implications for the principles of constitutional supremacy and civilian control within a democratic state governed by law (Ujung et al., 2025).

Historically, military involvement in Indonesia's civilian sphere has deep and enduring roots. During both the Old Order and the New Order regimes, the doctrine of *dwifungsi* (dual function) of the Armed Forces positioned the military not only as a defense institution but also as a socio-political actor directly involved in governance. This arrangement resulted in military dominance across various civilian sectors, including the bureaucracy, the legislature, and the economy, ultimately leading to deviations from democratic principles and the rule of law. The 1998 reform movement marked a decisive turning point through the abolition of the *dwifungsi* doctrine, the separation of the TNI and the National Police, and the enactment of legal frameworks emphasizing the political neutrality of the military.

Law Number 34 of 2004 on the TNI was designed as a central legal instrument to consolidate military professionalism and to restrict the TNI's activities beyond its core defense function. The law explicitly prohibited active-duty military personnel from holding civilian positions unless they resigned or retired from military service. This provision aimed to ensure that civilian governance remained fully under the authority of civilian institutions, while simultaneously preventing military intervention in political processes and public administration (Anwar et al., 2024).

However, the 2025 amendment to the TNI Law introduces new norms that allow active-duty military personnel to occupy certain civilian positions under specific criteria and limitations prescribed by law. This development raises serious questions regarding the consistency of security sector reform and the state's commitment to civilian supremacy. On the one hand, the government and lawmakers argue that such changes are necessary to address contemporary security challenges, including cyber threats, terrorism, and national disaster management, which require closer integration between military and civilian institutions. On the other hand, many scholars and civil society actors contend that this policy risks reopening pathways for the remilitarization of civilian governance if it is not narrowly defined and effectively supervised (Hartati, 2025).

The principle of constitutional supremacy constitutes a cornerstone of Indonesia's constitutional system. It affirms that all exercises of state power, including military authority, must conform to constitutional norms. In a democratic state based on the rule of law, the constitution functions both as a mechanism for limiting power and as a safeguard for human rights and democratic values. Consequently, any legal policy that potentially expands the military's role within civilian domains must be rigorously assessed for its compatibility with constitutional supremacy (Amin, 2025).

From the perspective of civil-military relations theory, constitutional supremacy is closely linked to the concept of democratic civilian control. This concept emphasizes that the military must remain subordinate to legitimate civilian authorities, both normatively and operationally. Civilian control is not limited to formal political oversight but also encompasses substantive restrictions on military involvement in areas of public policy that are inherently civilian in nature. Accordingly, military participation in civilian affairs should be regarded as a narrowly defined exception rather than a general norm in governance.

The 2025 amendment to the TNI Law places Indonesia at a critical juncture between the need to adapt to contemporary security challenges and the constitutional obligation to safeguard civilian supremacy. Provisions concerning the appointment of active-duty military personnel to civilian positions raise concerns about overlapping authorities and the blurring of boundaries between defense functions and civilian governance. If these boundaries are not clearly articulated and rigorously enforced, there is a tangible risk of eroding the principle of civilian supremacy that has been a central pillar of post-1998 constitutional reform (Razaq, 2024).

Moreover, from a legal-political perspective, the amendment reflects the state's broader orientation regarding the role of the military within a democratic framework. A legal policy that affords the military greater flexibility in civilian roles may be interpreted as a pragmatic effort to enhance state effectiveness, yet it simultaneously carries the potential for democratic regression if not accompanied by robust accountability mechanisms. Therefore, analysis of the amended TNI Law cannot be separated from broader concerns about democratic quality, the rule of law, and the protection of civil liberties in Indonesia (Djuyandi et al., 2025).

Debates surrounding the limits of military involvement in civilian affairs also reveal an inherent tension between security-oriented and constitutional approaches. While the security approach prioritizes stability and the effective management of threats, the constitutional approach emphasizes power limitation and democratic accountability. In a democratic state governed by law, these approaches should not be positioned in opposition to one another but rather harmonized through balanced and accountable legal policy formulation (Rubaidi & Setianingsih, 2021).

Based on these considerations, the 2025 amendment to the TNI Law constitutes a significant and relevant object of study from the perspective of constitutional supremacy. This analysis is necessary to evaluate the extent to which the new legal norms align with the foundational principles of a democratic rule-of-

law state, particularly with respect to the separation between civilian and military functions. Furthermore, the study seeks to identify the potential juridical and constitutional implications of military involvement in civilian affairs, both in the short and long term.

This article aims to contribute to academic discourse by critically and objectively examining the amended TNI Law within the theoretical framework of constitutional supremacy and civil–military relations. Employing a normative juridical approach, the study analyzes relevant provisions of the revised TNI Law and compares them with constitutional principles and doctrines of constitutional law. It is expected that this analysis will provide deeper insights into the challenges and prospects for strengthening constitutional supremacy in the context of military law reform in Indonesia.

RESEARCH METHODOLOGY

This study adopts a normative juridical research method, which conceptualizes law as a set of binding norms operating within the statutory legal system. This method is selected because the analysis focuses on the 2025 amendment to the Law on the Indonesian National Armed Forces (TNI Law) as a legal product, particularly in relation to the regulation of military involvement in civilian affairs and its conformity with the principle of constitutional supremacy. Normative legal research is considered appropriate for assessing the coherence of positive legal norms with the foundational principles of a democratic state governed by the rule of law as enshrined in the 1945 Constitution of the Republic of Indonesia (Saebani, 2021).

To achieve the research objectives, several legal approaches are employed. First, a statutory approach is applied through a systematic examination of Law Number 34 of 2004 on the Indonesian National Armed Forces and its subsequent amendment enacted in 2025. This approach is used to identify and interpret legal norms governing the appointment of active-duty military personnel to civilian positions and the limits of military authority beyond the defense function. In addition, the study analyzes the interrelationship between the TNI Law and constitutional provisions under the 1945 Constitution, particularly those relating to the rule of law, constitutional supremacy, and civilian oversight of the military.

Second, the study utilizes a conceptual approach by engaging with legal doctrines and theoretical concepts concerning constitutional supremacy, civilian supremacy, and civil–military relations in democratic systems. This approach serves as an analytical framework for evaluating whether the amended TNI Law aligns with the principle of democratic civilian control and the separation of military and civilian spheres. The relevant concepts are derived from scholarly works in constitutional law and civil–military studies that are pertinent to the Indonesian context.

Third, a limited historical approach is employed to provide contextual understanding of the regulation of military roles in civilian affairs before and after the 1998 Reform era. This approach facilitates an examination of the legal-political background of the TNI Law amendment and helps to identify continuity or shifts in the policy paradigm from earlier frameworks that emphasized military professionalism and political neutrality.

The sources of legal materials used in this research are categorized into primary, secondary, and tertiary legal materials. Primary legal materials consist of the 1945 Constitution of the Republic of Indonesia, Law Number 34 of 2004 on the Indonesian National Armed Forces, and the 2025 Law amending the TNI Law. Secondary legal materials include peer-reviewed national academic journals, constitutional law textbooks, research reports, and scholarly articles addressing constitutional supremacy, civil–military relations, and security sector reform in Indonesia. Tertiary legal materials are used as supplementary references, such as legal dictionaries and legal encyclopedias, to clarify terminology and conceptual definitions.

The collection of legal materials is conducted through library-based research by identifying, reviewing, and analyzing relevant legal literature. All collected materials are then examined qualitatively using a descriptive-analytical method. This analysis involves explicating the legal norms introduced by the amended TNI Law and evaluating them against the principles of constitutional supremacy and democratic civilian control within a rule-of-law framework.

The findings of the analysis are presented in the form of structured and logical legal arguments that elucidate the juridical and constitutional implications of military involvement in civilian affairs as regulated under the revised TNI Law. Through this methodological framework, the study seeks to provide a comprehensive assessment of the position of the TNI Law amendment within the constitutional order and its implications for strengthening or potentially weakening the principle of civilian supremacy in Indonesia.

DISCUSSION

The Context of the Amendment to the TNI Law and Civilian Supremacy

The amendment to the Law on the Indonesian National Armed Forces (TNI Law) forms part of the state's broader effort to recalibrate defense policy in response to an increasingly complex strategic environment. The evolving nature of security threats both military and non-military such as terrorism, cybercrime, natural disasters, and humanitarian crises, has necessitated a more adaptive and responsive role for the TNI through the framework of Military Operations Other Than War (MOOTW). Within this context,

lawmakers argue that the previous regulatory framework was insufficient to accommodate the operational demands placed on the TNI in addressing multidimensional threats that transcend sectoral and institutional boundaries (Quddus & Firdaus, 2025).

The government and the House of Representatives (DPR) maintain that the amendment to the TNI Law does not aim to revive the political role of the military characteristic of the pre-reform era. Rather, it is presented as an effort to enhance national defense effectiveness while preserving the principle of civilian supremacy. This principle is reaffirmed through the assertion that all military authority, including the conduct of MOOTW and assignments beyond the formal military structure, remains subject to the control of constitutionally legitimate civilian authorities. From this standpoint, the amended TNI Law is positioned as a legal instrument intended both to constrain and to guide military roles so that they remain compatible with democratic governance and the rule of law.

Despite these assurances, academic analysis highlights a number of conceptual and normative concerns arising from the amendment, particularly with respect to revisions to Article 47, which introduce the possibility for active-duty military personnel to occupy certain civilian positions. Constitutional law scholars argue that this provision creates broad interpretive space regarding the types, criteria, and scope of civilian offices that may be filled by active military officers. Such normative ambiguity carries the risk of functional overlap between military institutions and the civilian bureaucracy, potentially blurring the previously established boundary between defense functions and civilian governance (Razi, 2025).

From the perspective of civilian supremacy, the placement of active-duty military personnel in civilian posts poses a structural risk to the principle of institutional separation. Civilian supremacy should not be understood solely as political oversight of the military, but also as a normative affirmation that civilian governance must be conducted by civil servants who are accountable through democratic mechanisms, public oversight, and merit-based administrative systems. When active military officers are permitted to occupy civilian positions without strict regulatory safeguards, there is a heightened risk that military values characterized by hierarchy and command structures may permeate civilian bureaucratic institutions that are intended to function in an administrative, participatory, and non-militarized manner.

Scholars publishing in various national law journals have further observed that the amended TNI Law does not yet provide sufficiently clear normative parameters regarding the permissible scope of military involvement in civilian affairs. The absence of objective indicators concerning the urgency of deployment, the duration of assignments, and evaluation mechanisms for placing active-duty personnel in civilian offices may lead to legal uncertainty. Over time, such uncertainty risks weakening the principle of civilian supremacy by facilitating the gradual normalization of military presence within civilian governmental structures.

Moreover, from the standpoint of legal politics, the amendment to the TNI Law reflects an underlying tension between the state's pragmatic need for flexible defense capabilities and its normative commitment to constitutional democracy. On one hand, the state requires a defense apparatus capable of responding swiftly and effectively to national crises. On the other hand, the constitution demands clear limitations on military power to prevent its expansion beyond the defense sector. This tension illustrates that civilian supremacy is not merely a declarative principle, but one that must be concretely realized through precise legal formulation and consistent implementation.

Constitutional Supremacy and Civil–Military Relations under the Amended TNI Law

Constitutional supremacy constitutes a foundational principle of Indonesia's constitutional system, affirming that all exercises of state power must conform to constitutional norms. Within the framework of civil–military relations, this principle positions the military as a state instrument operating in the field of national defense and subject to the authority of legitimate civilian institutions, particularly the President as the holder of executive power and the House of Representatives as the body responsible for legislation and oversight. This arrangement is consistent with the characteristics of a democratic rule-of-law state, which rejects the existence of any form of power including military power that stands outside or above the constitution (Muin, 2025).

The amendment to the Law on the Indonesian National Armed Forces (TNI Law) seeks to reaffirm this constitutional position by stipulating that any assignment of active-duty military personnel outside the formal military structure must be grounded in statutory provisions and remain under civilian supervision. This normative framework is intended to ensure that the expansion of the TNI's role in addressing contemporary security challenges does not exceed constitutional limits. Through such regulation, lawmakers attempt to emphasize that military involvement in non-defense affairs is exceptional, conditional, and does not undermine the principle of civilian control that defines democratic governance.

Nonetheless, from a juridical perspective, several scholars argue that the amended TNI Law continues to present unresolved normative issues concerning the clarity of boundaries governing military participation in civilian domains. The expansion of the TNI's mandate in addressing non-traditional threats such as cyber security and national stability may invite broader interpretations of "defense functions" that encroach upon areas traditionally managed by civilian institutions. In the absence of precise legal formulations, this situation

risks generating practical ambiguity and fostering overlapping authority between military bodies and civilian governmental agencies (Nasoha et al., 2025).

From the standpoint of constitutional supremacy, such normative ambiguity has the potential to conflict with the principle of separation of powers. Separation of powers is not limited to the distribution of legislative, executive, and judicial functions, but also encompasses the requirement that the military refrain from exercising civilian administrative and public policy functions. When active-duty military personnel are authorized to occupy civilian offices or perform civilian functions without robust legislative oversight, the system of checks and balances may be weakened, thereby diminishing the practical effectiveness of constitutional supremacy (Risky & Kartikasaari, 2025).

Juridical critiques further highlight that the involvement of the TNI within civilian governmental institutions may give rise to dual loyalties and accountability dilemmas. As active-duty officers, military personnel remain bound by a hierarchical command structure, while civilian positions require administrative and political accountability to civilian authorities and the public. Tensions between these two accountability regimes may create constitutional challenges, particularly if oversight mechanisms governing such assignments are not clearly articulated in implementing regulations.

Moreover, from a legal-political perspective, the amendment to the TNI Law reflects the state's effort to balance national security imperatives with its commitment to constitutional democracy. Such a balance, however, can only be sustained if the expansion of the military's role is accompanied by strengthened civilian control mechanisms. These include effective parliamentary oversight, clearly defined limits on the duration of assignments, and periodic evaluations of both the effectiveness and the broader implications of military involvement in civilian affairs. In the absence of adequate oversight instruments, what is initially conceived as an exceptional measure risks evolving into an institutionalized practice, thereby undermining the foundational principles of constitutional supremacy and civilian governance.

Academic Criticism and Mitigation Strategies: Maintaining Constitutional Democracy as well as the Effectiveness of MOOTW

A number of academic studies and policy briefs highlight that amendments to the TNI Law need to be accompanied by the formulation of more operational limits so that the principle of civilian supremacy is maintained. This critical note is basically aimed at the design of norms, accountability mechanisms, and governance of the TNI's involvement in civil affairs—not to negate the role of the TNI as a state tool that has a constitutional mandate in maintaining sovereignty, territorial integrity, and national safety. Thus, the developing legal discourse should be read as an effort to strengthen the rule of law and procedural certainty when the TNI implements MOOTW, including in handling non-military and hybrid threats.

Some experts emphasize that the assignment of active soldiers in certain civilian positions must meet the principle of strict needs, be temporary, based on clear assignments, and not shift the principles of military professionalism and the merit system in the civilian bureaucracy. Detailed arrangements regarding prerequisites, scope of authority, prohibition of conflicts of interest, and exit strategy mechanisms are important so that the assignment is understood as a support for state capacity, not as a substitution for the function of civil institutions.

The lack of regulatory clarity in the revised TNI Law was also criticized because it had the potential to weaken the principles of good governance. Democratic governance requires transparency, accountability, and a clear division of authority among state institutions. If military involvement in the civilian sector is not strictly restricted, public policies in certain areas can be overly influenced by security considerations, thus ruling out a civilian approach based on public participation, human rights protection, and the broader public interest (Della et al., 2025).

Therefore, regulatory clarity is needed regarding the request for assistance procedure, chain of command and control of operations, duration of assignments, standards for the use of resources, and coordination across ministries/agencies and local governments. In the context of multidomain non-military and hybrid threats, the TNI's transparent engagement parameters will help ensure a clear division of roles: civilian authorities lead policy, while the TNI provides capacity support in areas relevant to its competencies (e.g. logistics, command-control, engineering, communications, and emergencies).

Academic criticism also highlights the importance of the quality of the legislative process, including openness, meaningful participation, and traceability of legal arguments. An inclusive process will strengthen the legitimacy of regulations while maintaining public trust in civilian institutions and the military, as policies that have a broad impact on civil-military relations require a strong socio-political basis.

From the perspective of constitutional democracy, strengthening the governance of the TNI's involvement in civil affairs can actually be positioned as a protective measure: ensuring that state actions remain legitimate, proportionate, and supervisable. When the rules of the game are clear, the implementation of MOOTW will be more effective and at the same time minimize excessive interpretation space, so as not to cause unnecessary stigma or accusations against the role of the TNI.

Therefore, in addition to the formulation of substantive norms, periodic evaluation and reporting instruments are needed: for example, the obligation to report MOOTW to the DPR, audits on budget use, operational accountability standards, and complaint and recovery mechanisms in the event of violations. This mitigation framework is important so that the TNI's involvement in the civilian sphere remains within the legal corridor, supports humanitarian and public safety goals, and is consistent with the principles of civil supremacy.

Reinforcing Boundaries and Mechanisms of Civilian Control

In response to academic critiques and concerns regarding the potential erosion of democratic governance, the amendment to the Law on the Indonesian National Armed Forces (TNI Law) also incorporates normative efforts to reaffirm limits on military involvement in civilian affairs through the strengthening of civilian control mechanisms. Lawmakers emphasize that the expansion of the TNI's role beyond the defense sector is not intended to signal military dominance, but rather to function as a narrowly defined and task-specific exception. Accordingly, the assignment of active-duty military personnel outside the military structure is, in principle, subject to specific legal requirements and must remain under the supervision of legitimate civilian authorities.

One of the principal instruments for safeguarding civilian supremacy lies in the reaffirmation of the roles of the President and the House of Representatives (DPR) as civilian institutions vested with constitutional authority over defense and security policy. The President, as the chief executive, holds the power to determine strategic policies related to the deployment of the TNI, while the DPR exercises legislative and oversight functions to ensure that such policies are aligned with public interests and the rule of law. Within this framework, civilian control extends beyond administrative supervision and encompasses political and constitutional accountability (Firdausi & Djuyandi, 2024).

Nevertheless, a number of scholars contend that the effectiveness of civilian control is heavily dependent on the clarity and precision of the legal norms governing the boundaries of military roles. For this reason, the amended TNI Law requires comprehensive implementing regulations that clearly define the categories of civilian positions accessible to active-duty personnel, the procedures for appointment and dismissal, and the temporal limits of such assignments. In the absence of detailed technical regulations, civilian control risks becoming merely formalistic and may fail to prevent the de facto expansion of military influence within civilian bureaucratic institutions.

Beyond normative clarification, civilian control must also be operationalized through transparent accountability mechanisms. The placement of active-duty military officers in civilian posts should be accompanied by clearly articulated obligations of accountability to civilian authorities and the public. Periodic evaluations of both performance and institutional impact serve as essential tools to ensure that military involvement remains temporary, necessity-based, and proportionate, rather than evolving into a mechanism for the institutionalization of military roles within civilian governance.

The strengthening of civilian control further necessitates the active involvement of non-executive oversight bodies, including the judiciary and civil society. The Constitutional Court plays a strategic role in reviewing the constitutionality of provisions within the TNI Law that may conflict with the principles of constitutional supremacy and separation of powers. At the same time, engagement by civil society organizations and academic communities functions as a form of social oversight, promoting transparency and accountability in the implementation of the amended TNI Law.

From the perspective of constitutional democracy, the effective delineation of limits on military involvement in civilian affairs depends not only on written legal norms but also on the political commitment and legal culture of state officials. The professionalism of the TNI as a national defense institution must be accompanied by institutional awareness of its constitutional boundaries. In this way, civilian supremacy is not merely articulated as a normative principle, but becomes internalized in the everyday practices of democratic governance.

Civil–Military Integration to Confront Non-Military and Hybrid Threats: Comparative Lessons and Implications for Indonesia

The contemporary threat landscape shows that disruptions to national security do not always take the form of conventional military strikes. Hybrid threats generally combine military and non-military instruments—for example, cyberattacks, disinformation, sabotage of critical infrastructure, economic coercion, and the use of disasters or health crises as triggers for instability. Due to its cross-sectoral and multidomain nature, an effective response requires the integration of policies and capacities of all components of the state (whole-of-government) and whole-of-society, including measurable synergies between civilian and military authorities (Giannopoulos et al., 2021; Advisory Council on International Affairs [AIV], 2024).

A number of countries translate the need for integration through the "total defence" and "comprehensive security" models. Studies of total defence Sweden show that civil–military collaboration is at the core of national resilience and is built through networks of actors, clear division of roles, and repetitive

coordination mechanisms (Tillberg et al., 2025). At the same time, Finland's comprehensive security model emphasizes trust-based cooperation among public authorities, the private sector, civil society organizations, and citizens, with the military as one of the components in the broader resilience ecosystem (Valtonen & Branders, 2021; Hyvönen & Juntunen, 2021; Räisänen et al., 2021; Jauhiainen & Schiffing, 2025).

The implication for Indonesia is that the need for civil-military integration is in line with the spirit of the Universal Defense System/universal defense, but it must be operationalized through accountable governance. In disaster and emergency situations, for example, a number of studies have confirmed that the involvement of the TNI through OMSP can accelerate crisis handling in the aspects of logistics, command-control, and humanitarian support — with the record of remaining led by civilian authorities according to their mandate (Amiruddin et al., 2024; Samudro et al., 2022).

Thus, the limitation of the TNI's role in civil affairs should not be interpreted as a "contribution limitation", but as an effort to ensure that the contribution is on target, proportional, and accountable. Recent literature emphasizes the importance of shared procedural standards, integrated training, constructive alignment, and post-incident evaluation to strengthen civil-military collaboration in crisis management (Hedlund & Alvinus, 2025; Metis Institute for Strategy and Foresight, 2024). In the context of asymmetric and hybrid threats, collaboration like this is also seen as a prerequisite for the adaptation of an effective defense strategy without blurring the line of accountability between civilian and military functions (Pramono, 2025).

CONCLUSION

The amendment to the TNI Law is a legal development with significant strategic implications for civil-military relations () in the Indonesian constitutional system. These regulatory changes are driven by the need for the state to adjust the role of the TNI in response to the ever-evolving strategic environment and the emergence of multidimensional security threats that go beyond conventional military challenges. Within this framework, lawmakers seek to position the TNI as a more adaptive defense tool while at the same time reaffirming their commitment to the principles of civil supremacy and constitutional supremacy as basic elements of a democratic state governed by law.

However, the findings of this study show that the revised TNI Law still raises judicial and constitutional concerns, especially related to the provisions governing the placement of active military personnel in civilian positions. The absence of a specific and precise legal formulation creates the risk of overlapping functions between military institutions and civilian governments, while opening up a space for interpretation that could erode the principle of separation of powers. This emphasizes that the key issue lies in the need to clarify operational limitations, assistance request mechanisms, command-control chains, and accountability standards when the TNI is involved in civilian affairs. This affirmation is important so that the involvement of the TNI is understood as support for state capacity based on law (rule of law), not as a substitution for the function of civil institutions.

From the perspective of constitutional supremacy, military involvement in civilian affairs should be considered a limited and conditional exception, subject to strict civilian oversight. Therefore, strengthening the civilian oversight mechanism through strong legislative oversight, clear and detailed implementing regulations, executive accountability, and the active role of judicial institutions and civil society are essential prerequisites for the implementation of the revised TNI Law. So that civilian supremacy can go hand in hand with the need for civil-military integration to face non-military and hybrid (Contemporary) threats. Without these guarantees, the expansion of the military's role risks shifting from a functional necessity to an institutionalized practice.

In the end, amendments to the TNI Law can only be in harmony with the principles of a democratic state of law if they are implemented consistently within the framework of constitutional supremacy. Clear normative boundaries and the effective functioning of civilian oversight should remain top priorities to ensure that security sector reforms continue to run in accordance with democratic direction and do not blur the separation between the civilian and military spheres in Indonesian governance. The effectiveness of amendments to the TNI Law depends on the consistency of implementing regulations, SOPs across ministries/institutions, integrated exercises, periodic reporting and audits, as well as political commitment to maintain the boundaries of role and accountability. The framework will strengthen military professionalism, clarify military support to civilian authorities, and at the same time enhance national resilience through legal, measurable, and responsive civilian-military synergies.

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