



## Comparison of Political and Legal Dynamics in the Impeachment Process: A Case Study of Indonesia and Brazil

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**Abstract:** Impeachment is a constitutional mechanism in presidential systems designed to hold presidents accountable, yet its execution is often shaped by political dynamics rather than purely legal considerations. This study compares the impeachment cases of Indonesia's President Abdurrahman Wahid (2001) and Brazil's President Dilma Rousseff (2016), revealing how political interests significantly influenced both processes. In Indonesia, Wahid's removal stemmed largely from executive-legislative tensions and party-political maneuvering, with weak legal grounds. In Brazil, Rousseff's impeachment was driven by intense government-opposition conflict, amplified by media narratives and public opinion, leading to heightened polarization. Despite constitutional frameworks, both cases illustrate how impeachment can be weaponized as a political tool rather than a legal safeguard. The study highlights the blurred boundary between law and politics in impeachment proceedings and underscores its consequences for democratic stability and institutional credibility. Findings suggest that when impeachment is motivated by partisan agendas, it risks eroding public trust in legal institutions and weakening governance. To preserve democratic integrity, impeachment processes must adhere to principles of objectivity, transparency, and fairness, ensuring they serve accountability not political expediency.

**Keywords :** Impeachment; Political Dynamics; Indonesia; Brazil

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# 1. Introduction

The impeachment process in constitutional law plays a crucial role in maintaining the balance of power between state institutions, especially in countries with a presidential system of government such as Indonesia and Brazil. Impeachment becomes one of the mechanisms that can be used to address abuse of power or constitutional violations by high-ranking state officials, particularly the president. Although both countries adopt a presidential system of government, their experiences in implementing impeachment show interesting variations, both in terms of legal procedures and the political context. This research aims to explore how the impeachment process is carried out in both countries and how it reflects the political and legal dynamics that have developed in each country.<sup>1</sup>

Indonesia, which implements a presidential system based on the 1945 Constitution (UUD 1945), first gained international attention regarding the impeachment process in 1998. This moment occurred when President Soeharto resigned after significant political pressure due to the economic crisis that plagued Indonesia. Although Soeharto did not undergo a formal impeachment process, his resignation marked the end of the New Order regime that lasted for more than three decades.<sup>2</sup> This event sparked major changes in Indonesia's political system, leading to political reform and constitutional amendments, including those related to impeachment procedures. However, despite a clear legal foundation, the impeachment practice in Indonesia has not always run smoothly and is often influenced by dominant political forces. One of the significant events in Indonesia's impeachment history occurred in 2001, when President Abdurrahman Wahid was impeached by the MPR on charges of legal and constitutional violations. Although this was a legal action according to the constitution, the impeachment process was marked by intense political debates. In this case, political party dynamics often became the determining factor in the decisions made during the impeachment process, which obscured the objectivity of the law.<sup>3</sup>

Brazil, with a longer political history in applying a presidential system of government, has had more frequent experiences with impeaching its presidents. The first impeachment process took place in 1992 when President Fernando Collor de Mello was removed after a corruption scandal involving him and several government officials. While this impeachment process is clearly regulated in Brazil's constitution, with the

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<sup>1</sup> Edi Prabowo, "Mekanisme Pemakzulan (Impeachment) Presiden (Studi Perbandingan Negara Indonesia Dan Brasil)," *JIL: Journal of Indonesian Law* 1, no. 2 (2020): 119–44.

<sup>2</sup> Putra Perdana Ahmad Saifulloh, Amancik Amancik, and Sonia Ivana Barus, "Penataan Ulang Pencabutan Peraturan Pemerintah Pengganti Undang-Undang Dalam Sistem Ketatanegaraan Indonesia," *Jurnal Hukum Sasana* 10, no. 1 (June 8, 2024): 84–100, <https://doi.org/10.31599/sasana.v10i1.1226>.

<sup>3</sup> Farhan Tulus Pratama and Ninuk Wijiningsih, "Perbandingan Pemberhentian Presiden Dalam Masa Jabatan Di Indonesia Dan Brasil: Comparison of Presidential Terminations in Terms Occupations in Indonesian and Brazil," *AMICUS CURIAE* 1, no. 2 (2024): 673–85, <https://doi.org/10.25105/amicus.v1i2.19795>.

Chamber of Deputies able to file charges against the president and the Senate making the final decision, its implementation is often influenced by political debates.<sup>4</sup> In 2016, Brazil was again shocked by the impeachment process against President Dilma Rousseff, who was accused of violating the law related to manipulating the national budget. The impeachment process of Rousseff generated significant controversy both domestically and internationally, with some arguing that the charges against her were more the result of a political struggle between Rousseff and the opposition, rather than a serious legal violation. The impeachment process that led to Rousseff's removal shows how politics in Brazil heavily influences decisions related to governance, even though the constitution provides clear guidelines for the process.<sup>5</sup>

Impeachment in Indonesia and Brazil shares several similarities in terms of the mechanisms regulated by the constitution, but the different political and social contexts give the process its own unique characteristics. In Indonesia, although the impeachment procedure is regulated by the 1945 Constitution, the role of political parties and domestic political dynamics often influences the course of the process.<sup>6</sup> Political uncertainty often becomes a factor that prevents the impeachment process in Indonesia from always following the legal provisions, as seen in the impeachment of Abdurrahman Wahid. Meanwhile, Brazil has more experience with impeachment, but sharp political debates still occur, even in cases involving major scandals, such as those experienced by Collor de Mello and Rousseff. The impeachment process in Brazil often involves battles between different political parties, where the final decision depends not only on legal evidence but also on broader political calculations.

The differences in the implementation of the impeachment system in these two countries reflect the complexities of enforcing the principles of checks and balances in a presidential system of government. Although both countries have strong legal foundations for impeachment procedures, the implementation of this mechanism often involves factors beyond the law itself.<sup>7</sup> In many cases, especially in Indonesia and Brazil, the dominant political forces and the dynamics of inter-party relations play an essential role in determining whether impeachment will succeed or not. Furthermore, in both countries, although impeachment is a legitimate tool for ensuring presidential accountability, its

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<sup>4</sup> Dimas Surya Saputra, "Faktor Kegagalan Unión De Naciones Suramericana (Unasur) Terhadap Integrasi Regional Di Amerika Selatan Tahun 2008-2020," September 16, 2022, 2008-20, <https://dspace.uin.ac.id/handle/123456789/40847>.

<sup>5</sup> Widodo Budidarmo, "Dinamika Politik Pasca Amandemen UUD NRI 1945: Evaluasi Pemakzulan Presiden Berdasarkan Putusan Justisil Dan Keputusan Politik," *UNES Law Review* 6, no. 2 (2023): 7146-52.

<sup>6</sup> Damar Kristal, "Perbandingan (De)Konsolidasi Demokrasi Studi Penurunan Kualitas Demokrasi Di Indonesia Dengan Filipina Periode 2016-2020" (bachelorThesis, Fakultas Ilmu Sosial dan Ilmu Politik, Universitas Islam Negeri (UIN) Syarif Hidayatullah Jakarta, 2021), 2016-20, <https://repository.uinjkt.ac.id/dspace/handle/123456789/60020>.

<sup>7</sup> Indah Khoiril Bariyyah, "Studi Komparatif Proses Impeachment Presiden Dalam Sistem Ketatanegaraan Indonesia Dan Iran," accessed February 10, 2025, <https://repository.uinjkt.ac.id/dspace/handle/123456789/32472>.

use often leads to tensions between the objective principles of law and short-term political interests.<sup>8</sup>

It is important to note that although Indonesia and Brazil have clear constitutional procedures for impeachment, the impeachment processes in both countries show that the law does not always proceed according to the principles of objectivity and fairness, especially when political factors influence the course of the process. In this regard, the impeachment system can be a powerful tool for maintaining the integrity of governance; however, if misused, it can also serve as a means to remove a president disliked by certain parties. Therefore, it is crucial to continually evaluate the application of the impeachment system in a broader political context and ensure that this procedure is used for the public good and not solely for achieving narrow political gain.<sup>9</sup>

The impeachment processes in Indonesia and Brazil provide valuable lessons on how countries with a presidential system of government can strengthen mechanisms of accountability and checks and balances within their political structure. This comparative study can serve as a reference for other countries considering or facing impeachment situations, taking into account the political dynamics that influence major decisions in presidential systems. Thus, this study is not only relevant to the context of constitutional law but also provides deeper insights into how politics and law interact in shaping decisions that affect political stability and the life of democracy in a country.

## 2. Method

This study uses a qualitative approach with a comparative study method to analyze the impeachment system in the constitutional law of Indonesia and Brazil. This approach was chosen because the study aims to explore a deep understanding of the differences and similarities in the application of the impeachment mechanism in both countries, from legal, political, and social perspectives.<sup>10</sup>

## 3. Impeachment Procedures and Mechanisms in Indonesian and Brazilian Constitutional Laws

The impeachment process is one of the key mechanisms in a presidential system of government, aimed at ensuring the accountability of the president in carrying out their

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<sup>8</sup> H. Muhamad Rezky Pahlawan Mp, Mohamad Fandrian Adhistiano, and Bhanu Prakash Nunna, "Disobedience of Constitutional Court Decision as a Reason for Impeachment of President and Vice President," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 24, no. 1 (June 30, 2024): 70–85, <https://doi.org/10.30631/alrisalah.v24i1.1509>.

<sup>9</sup> Abdul Rahman Basri et al., "Lanskap Pemerintahan: Memahami Perbedaan Dan Implikasi Sistem Presidensial, Parlementer, Dan Semi Presidensial," *Journal of Governance and Local Politics (JGLP)* 6, no. 1 (May 15, 2024): 63–73, <https://doi.org/10.47650/jglp.v6i1.1257>.

<sup>10</sup> Ika Atikah, "Metode Penelitian Hukum," 2022, <http://repository.uinbanten.ac.id/9155/1/P%20Metode%20Penelitian%20Hukum.pdf>.

duties. This mechanism guarantees that a president can be removed from office if they are found guilty of serious legal violations or abuse of power. The impeachment procedure aims to maintain the principles of checks and balances within government, ensuring that no high-ranking official is beyond the reach of the law or the constitution. Indonesia and Brazil, as countries with a presidential system of government, provide examples of how impeachment is applied in their constitutional law. Although both countries regulate impeachment in their constitutions, there are significant differences in the procedures and implementation, influenced by the political and social dynamics in each country.<sup>11</sup>

In Indonesia, the impeachment process is regulated under Article 7B of the 1945 Constitution, which states that the president can be dismissed if found guilty of serious legal violations or failure to perform their duties in accordance with the constitution. The process involves two main stages: first, a proposal for dismissal from the People's Representative Council (DPR) which provides reasons for the president's removal, and second, a decision from the People's Consultative Assembly (MPR) that must approve the dismissal. The first impeachment process in Indonesia occurred in 2001, when President Abdurrahman Wahid (Gus Dur) was impeached by the MPR after dissatisfaction with his policies and leadership. This process involved intense debate between the executive and legislature, with many considering the impeachment decision to be more influenced by political forces than by clear legal violations. Gus Dur faced political tensions with various parties who disagreed with him, and ultimately, even though the impeachment process was based on the constitution, the decision was more influenced by domestic political dynamics than by evidence of legal violations.<sup>12</sup>

Meanwhile, in Brazil, the impeachment procedure is also regulated under the 1988 Brazilian Constitution, which grants the Chamber of Deputies the authority to file charges against a president deemed to have violated the law or the constitution. The impeachment process then continues with a trial in the Senate, which decides whether the president should be removed from office. Brazil first experienced impeachment in 1992, when President Fernando Collor de Mello was impeached following a corruption scandal involving him and several of his government officials. This process began with charges being filed by the Chamber of Deputies, followed by a trial in the Senate. Collor was eventually removed with a majority vote in the Senate, although he argued that the charges were more politically motivated than legally justified. The impeachment of Collor marked the beginning of using this mechanism as a tool to combat abuse of power

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<sup>11</sup> Asran Jalal, "Sistem Presidensial Indonesia Masa Kepemimpinan Presiden Soesilo Bambang Yudhoyono (2004-2014)," *Populis: Jurnal Sosial Dan Humaniora* 6, no. 2 (September 23, 2021): 166-84, <https://doi.org/10.47313/pjsh.v6i2.1256>.

<sup>12</sup> Arrafi Bima Guswara and Ali Imran Nasution, "Dinamika Konstitusionalitas Undang-Undang Cipta Kerja Pasca Putusan Mahkamah Konstitusi Nomor 91/PUU-XVIII/2020 dan 54/PUU-XXI/2023," *JURNAL USM LAW REVIEW* 6, no. 3 (November 24, 2023): 1052-72, <https://doi.org/10.26623/julr.v6i3.7844>.

by the president, though the process was later viewed by some as the result of political struggle.

Impeachment in Brazil gained international attention again in 2016 when President Dilma Rousseff was impeached by the Chamber of Deputies and then removed by the Senate. Rousseff faced charges of manipulating the national budget to hide a larger fiscal deficit than what was actually reported. Although these charges were serious, the impeachment process sparked intense debate within Brazil, with many arguing that the charges were more a political effort by the opposition to overthrow her government. The impeachment of Rousseff was also influenced by political tensions between the government and opposition, with many opposition members believing Rousseff no longer had the political legitimacy to lead the country. On the other hand, Rousseff's supporters argued that the charges were insufficient to justify her removal, and that the impeachment process was driven more by political interests than by clear legal violations. Ultimately, the Senate decided to remove Rousseff, but the process not only affected Brazil's political stability but also exacerbated political polarization in the country.<sup>13</sup>

From the comparison of the impeachment procedures in Indonesia and Brazil, it is evident that although both countries have clear legal foundations for the impeachment mechanism, its implementation is often influenced by strong political factors. In Indonesia, the first impeachment process in 2001 against President Abdurrahman Wahid was triggered by political dissatisfaction with his leadership. This process demonstrates that, despite clear legal provisions, political power often plays a significant role in influencing the course of the impeachment process. In Brazil, while there is a similar legal procedure in the constitution, the impeachment practice is also shaped by political struggles between the government and opposition, influencing how the process is carried out and interpreted. The impeachment cases of President Fernando Collor de Mello in 1992 and Dilma Rousseff in 2016 show how the impeachment mechanism in Brazil is often used as a political tool to oust unpopular governments or to pursue the interests of certain political parties, even if there is a legal basis for the charges.

Both countries face similar challenges in carrying out impeachment procedures in an objective and fair manner. While impeachment is a legitimate legal tool for safeguarding government integrity, the impeachment practices in Indonesia and Brazil reveal that the mechanism is often influenced by complex political calculations. One of the main challenges is ensuring that impeachment is not misused as a political tool to weaken a leader who does not align with the interests of certain parties. In both cases, the impeachment process is often colored by political battles between the executive and legislature, which can undermine the credibility of the legal system itself. Therefore, it is important for both countries to continually evaluate the implementation of the

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<sup>13</sup> Pratama and Wijiningsih, "Perbandingan Pemberhentian Presiden Dalam Masa Jabatan Di Indonesia Dan Brasil."

impeachment procedure to ensure that justice and transparency are prioritized, and that impeachment is not used as a means to achieve narrow political goals.<sup>14</sup>

In Indonesia, despite the impeachment mechanism being regulated in the constitution, there are often differences in interpretation that create uncertainty in its implementation. Political uncertainty and the dominance of political parties can influence the impeachment process, as seen in the impeachment of President Abdurrahman Wahid. In Brazil, although the impeachment process is also carried out based on constitutional provisions, the political tensions between the government and opposition often cloud the objectivity of the process, as seen in the impeachment of President Dilma Rousseff. In both countries, while impeachment can be used to ensure government accountability, the process is not immune to the influence of larger political forces, which can affect the final outcome.<sup>15</sup>

Overall, while Indonesia and Brazil share similar legal procedures for impeachment, the impeachment practices in both countries demonstrate common challenges in their application. Dominant political forces and the struggle between the executive and legislature often become the determining factors in the impeachment process. While the primary purpose of impeachment is to ensure that the head of state is held accountable for their actions, in practice, this mechanism can be used as a political tool to remove an unwanted leader. Therefore, it is crucial for both countries to ensure that the impeachment procedure is carried out with transparency, fairness, and objectivity, without being influenced by narrow political struggles.

#### **4. Political Dynamics in the Impeachment Process: Case Studies of Indonesia and Brazil**

The impeachment process, although designed as a legal mechanism to hold high-ranking state officials accountable for violating the law or the constitution, is often strongly influenced by political dynamics. While its primary goal is to address the abuse of power, in practice, the impeachment process does not always proceed smoothly and is frequently caught up in broader political struggles. This was evident in Indonesia in 2001 when President Abdurrahman Wahid (Gus Dur) was impeached by the People's Consultative Assembly (MPR). Gus Dur, the first president following the New Order era, faced numerous political challenges from the outset of his presidency. Controversial policies and tensions between the executive and legislature led to significant dissatisfaction among major political parties in the People's Representative Council (DPR). Although Indonesia's constitution provides clear procedures for impeachment, the process against

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<sup>14</sup> Fauzan Hidayat, "The Politik Uang Dalam Sistem Politik Demokratis: Studi Kasus Korea Selatan Dan Negara-Negara Eropa," *Bestuurskunde: Journal of Governmental Studies* 4, no. 2 (2024): 101–14.

<sup>15</sup> Pratama and Wijiningsih, "Perbandingan Pemberhentian Presiden Dalam Masa Jabatan Di Indonesia Dan Brasil."

Gus Dur was more influenced by political power and competition among the large parties in the DPR than by clear legal violations. This shows how domestic political dynamics can affect the legal process, where the decision to impeach a president is often not based solely on legal evidence but also on broader political calculations.<sup>16</sup>

In Brazil, the political dynamics in the impeachment process are no less interesting, particularly when President Dilma Rousseff was impeached in 2016. The charges brought against Rousseff were related to the manipulation of the national budget to hide a larger fiscal deficit than actually existed. However, like in Indonesia, the impeachment process against Rousseff was far from just a legal issue. The process was heavily influenced by political struggles between the government led by the Workers' Party and the opposition, which sought to overthrow a government that had become unpopular. The opposition, composed of major parties that disagreed with Rousseff's policies, viewed impeachment as a way to seize power. On the other hand, Rousseff's supporters argued that the charges were insufficient and that impeachment was more a political maneuver to remove a democratically elected president. This political tension was further exacerbated by the role of the media and public opinion, which played a significant role in shaping political decisions. The media played a major role in worsening societal polarization, often presenting biased opinions, and influencing how the public perceived the charges against Rousseff.

Both countries demonstrate how the impeachment process is often more influenced by politics than by objective legal reasons. Although the constitutions of both countries provide clear procedures for impeachment, in practice, the decision to impeach a president is largely determined by political struggles between various parties, both within the government and the opposition. In Indonesia, although Gus Dur faced charges of legal violations, the impeachment process was more influenced by political forces seeking to remove him from power. In Brazil, even though Rousseff faced more serious charges related to budget manipulation, the impeachment process was still seen as a way to oust an unpopular government, undermining the legal principles that should have dominated the process.<sup>17</sup>

These political dynamics highlight the importance of ensuring that the impeachment process remains objective and fair. If not, it can be misused to achieve political goals that

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<sup>16</sup> Tazkir Harun Al-Rasyid Lating, "Proporsional Keanggotaan Dewan Perwakilan Daerah Republik Indonesia Terhadap Proses Pemakzulan Presiden Dan/Atau Wakil Presiden Dalam Undang-Undang Dasar Negara Republik Indonesia Tahun 1945" (bachelorThesis, Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta, 2024), <https://repository.uinjkt.ac.id/dspace/handle/123456789/79851>.

<sup>17</sup> Pratama and Wijiningsih, "Perbandingan Pemberhentian Presiden Dalam Masa Jabatan Di Indonesia Dan Brasil."

do not align with the interests of the people and the nation. In Indonesia, the impeachment of Gus Dur was largely influenced by political tensions among parties with differing interests in governance, exacerbating the political divide in the country. Similarly, in Brazil, although the charges against Rousseff had a legal dimension, the impeachment process was more driven by political factors, which led to further polarization in society. This process worsened the relationship between the government and opposition, and created distrust in the existing governmental and legal systems. Therefore, although impeachment is a legitimate tool for ensuring the accountability of high-ranking officials, its implementation must be handled carefully to prevent it from being misused by political forces for personal or group interests.<sup>18</sup>

Moreover, the misuse of the impeachment process as a political tool can undermine the credibility of the national legal system. In both countries, despite having valid reasons to initiate impeachment, political factors often dominated in the battle for control over the government. In Indonesia, even though Gus Dur faced serious charges, many believed the impeachment process was more influenced by political power and the opposition parties that disagreed with his policies. In Brazil, although the charges against Rousseff could have been held legally accountable, many viewed the process as a political effort to overthrow an unpopular government. This raises the question of how far impeachment can be considered legitimate if it is driven by political interests rather than the desire to maintain the integrity and accountability of the government.<sup>19</sup>

An unjust or politically influenced impeachment process can potentially destabilize the political environment of a country. In Indonesia, despite Gus Dur being impeached based on legal violations, the political fragmentation that occurred during the process worsened the country's political stability. Similarly, in Brazil, the political polarization caused by the impeachment of Rousseff exacerbated tensions between the government and opposition, which further worsened Brazil's social and economic conditions. An unjust impeachment process or one driven by political maneuvering can create distrust in national institutions, ultimately damaging the foundations of democracy and governance.

Both countries show how political dynamics can obscure the primary goal of impeachment, which is to hold public officials accountable and prevent the abuse of

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<sup>18</sup> Winda Sari et al., "Presidential Inauguration: Pertanggungjawaban Presiden Indonesia Dalam Prosedur dan Materi Sumpah Jabatan," *Al-Daulah: Jurnal Hukum Pidana dan Ketatanegaraan* 12, no. 2 (December 15, 2023): 184–207, <https://doi.org/10.24252/ad.vi.41577>.

<sup>19</sup> Aditya Andela Pratama, Syaif Al Haq, and Adelia Mizani Qisti, "Urgensi Pembentukan Undang-Undang Lembaga Kepresidenan Dalam Mewujudkan Pemilihan Umum Berintegritas Di Indonesia," *JIL: Journal of Indonesian Law* 5, no. 2 (December 15, 2024): 158–78, <https://doi.org/10.18326/jil.v5i2.2601>.

power. If not implemented fairly, impeachment can become a political tool to remove an unpopular leader, thereby further undermining democracy and political stability in the country. Therefore, it is essential for Indonesia, Brazil, and other countries with a presidential system to ensure that the impeachment process is carried out with clear legal principles and transparency. Democracy must be safeguarded with integrity, and the legal system must ensure that impeachment is used wisely and not as a political tool that undermines it.

The misuse of impeachment as a political tool often creates tensions that lead to societal polarization. In both countries, although there is a clear legal mechanism for the impeachment procedure, the final outcome is often influenced by a larger political battle. Impeachment, which should be a tool for maintaining clean and accountable governance, is frequently trapped in political games that worsen public distrust in state institutions. An impeachment process that is not carried out with objectivity can destabilize the political environment, create social divisions, and lower the credibility of the existing legal system.<sup>20</sup> Therefore, it is crucial for countries to consistently uphold principles of justice, transparency, and accountability in every step of the impeachment process.

## 5. Conclusion

The political dynamics in the impeachment process in Indonesia and Brazil highlight the strong influence of politics in shaping the legal process. Although both countries have constitutions that provide a legal foundation for impeachment, in practice, this process is often more affected by political struggles between competing parties and powerful groups. In Indonesia, the impeachment of President Abdurrahman Wahid in 2001 was more influenced by political tensions and conflicting interests between the executive and legislature than by objective legal reasons. Similarly, in Brazil, even though the charges against President Dilma Rousseff related to serious legal violations, the impeachment process in 2016 was driven by sharp political tensions between the government and the opposition, with the media playing a significant role in exacerbating societal polarization. Both cases show that, although impeachment is a legitimate legal tool, in practice it often becomes a political battleground that obscures the main objective of the procedure maintaining the integrity of government and ensuring the accountability of public officials. The misuse of impeachment as a political tool can undermine political stability, erode public trust in the legal system, and worsen social polarization. Therefore, it is crucial for countries that implement impeachment mechanisms to ensure that the process is carried out with objectivity, transparency, and fairness, and that it is not misused for narrow political interests that can harm democracy and stable governance.

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<sup>20</sup> Elva Imeldatur Rohmah and Dewi Kartika Sari, "Mekanisme Pemakzulan Presiden Sebelum Dan Sesudah Terbentuknya Mahkamah Konstitusi Di Indonesia," *As-Shahifah : Journal of Constitutional Law and Governance* 2, no. 2 (December 29, 2022): 164–201, <https://doi.org/10.19105/asshahifah.v2i2.6955>.

## References:

- Atikah, Ika. "Metode Penelitian Hukum," 2022. <http://repository.uinbanten.ac.id/9155/1/P%20Metode%20Penelitian%20Hukum.pdf>.
- Bariyyah, Indah Khoiril. "Studi Komparatif Proses Impeachment Presiden Dalam Sistem Ketatanegaraan Indonesia Dan Iran." Accessed February 10, 2025. <https://repository.uinjkt.ac.id/dspace/handle/123456789/32472>.
- Basri, Abdul Rahman, Muhammad Sawir, Santrio Kamaluddin, and Rhina Pongtuluran. "Lanskap Pemerintahan: Memahami Perbedaan Dan Implikasi Sistem Presidensial, Parlementer, Dan Semi Presidensial." *Journal of Governance and Local Politics (JGLP)* 6, no. 1 (May 15, 2024): 63–73. <https://doi.org/10.47650/jglp.v6i1.1257>.
- Budidarmo, Widodo. "Dinamika Politik Pasca Amandemen UUD NRI 1945: Evaluasi Pemakzulan Presiden Berdasarkan Putusan Justisil Dan Keputusan Politik." *UNES Law Review* 6, no. 2 (2023): 7146–52.
- Guswara, Arrafi Bima, and Ali Imran Nasution. "Dinamika Konstitusionalitas Undang-Undang Cipta Kerja Pasca Putusan Mahkamah Konstitusi Nomor 91/PUU-XVIII/2020 dan 54/PUU-XXI/2023." *JURNAL USM LAW REVIEW* 6, no. 3 (November 24, 2023): 1052–72. <https://doi.org/10.26623/julr.v6i3.7844>.
- Hidayat, Fauzan. "The Politik Uang Dalam Sistem Politik Demokratis: Studi Kasus Korea Selatan Dan Negara-Negara Eropa." *Bestuurskunde: Journal of Governmental Studies* 4, no. 2 (2024): 101–14.
- Jalal, Asran. "Sistem Presidensial Indonesia Masa Kepemimpinan Presiden Soesilo Bambang Yudhoyono (2004-2014)." *Populis: Jurnal Sosial Dan Humaniora* 6, no. 2 (September 23, 2021): 166–84. <https://doi.org/10.47313/pjsh.v6i2.1256>.
- Kristal, Damar. "Perbandingan (De)Konsolidasi Demokrasi Studi Penurunan Kualitas Demokrasi Di Indonesia Dengan Filipina Periode 2016-2020." bachelorThesis, Fakultas Ilmu Sosial dan Ilmu Politik, Universitas Islam Negeri (UIN) Syarif Hidayatullah Jakarta, 2021. <https://repository.uinjkt.ac.id/dspace/handle/123456789/60020>.
- Lating, Tazkir Harun Al-Rasyid. "Proporsional Keanggotaan Dewan Perwakilan Daerah Republik Indonesia Terhadap Proses Pemakzulan Presiden Dan/Atau Wakil Presiden Dalam Undang-Undang Dasar Negara Republik Indonesia Tahun 1945." bachelorThesis, Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta, 2024. <https://repository.uinjkt.ac.id/dspace/handle/123456789/79851>.
- Mp, H. Muhamad Rezky Pahlawan, Mohamad Fandrian Adhistiano, and Bhanu Prakash Nunna. "Disobedience of Constitutional Court Decision as a Reason for Impeachment of President and Vice President." *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 24, no. 1 (June 30, 2024): 70–85. <https://doi.org/10.30631/alrisalah.v24i1.1509>.

- Prabowo, Edi. "Mekanisme Pemakzulan (Impeachment) Presiden (Studi Perbandingan Negara Indonesia Dan Brasil)." *JIL: Journal of Indonesian Law* 1, no. 2 (2020): 119–44.
- Pratama, Aditya Andela, Syaif Al Haq, and Adelia Mizani Qisti. "Urgensi Pembentukan Undang-Undang Lembaga Kepresidenan Dalam Mewujudkan Pemilihan Umum Berintegritas Di Indonesia." *JIL : Journal of Indonesian Law* 5, no. 2 (December 15, 2024): 158–78. <https://doi.org/10.18326/jil.v5i2.2601>.
- Pratama, Farhan Tulus, and Ninuk Wijiningsih. "Perbandingan Pemberhentian Presiden Dalam Masa Jabatan Di Indonesia Dan Brasil: Comparison of Presidential Terminations in Terms Occupations in Indonesian and Brazil." *AMICUS CURIAE* 1, no. 2 (2024): 673–85. <https://doi.org/10.25105/amicus.v1i2.19795>.
- Rohmah, Elva Imeldatur, and Dewi Kartika Sari. "Mekanisme Pemakzulan Presiden Sebelum Dan Sesudah Terbentuknya Mahkamah Konstitusi Di Indonesia." *As-Shahifah : Journal of Constitutional Law and Governance* 2, no. 2 (December 29, 2022): 164–201. <https://doi.org/10.19105/asshahifah.v2i2.6955>.
- Saifulloh, Putra Perdana Ahmad, Amancik Amancik, and Sonia Ivana Barus. "Penataan Ulang Pencabutan Peraturan Pemerintah Pengganti Undang-Undang Dalam Sistem Ketatanegaraan Indonesia." *Jurnal Hukum Sasana* 10, no. 1 (June 8, 2024): 84–100. <https://doi.org/10.31599/sasana.v10i1.1226>.
- Saputra, Dimas Surya. "Faktor Kegagalan Unión De Naciones Suramericana (Unasur) Terhadap Integrasi Regional Di Amerika Selatan Tahun 2008-2020," September 16, 2022. <https://dspace.uui.ac.id/handle/123456789/40847>.
- Sari, Winda, Fitra Arsil, Nurul Insi Syahrudin, and Desi Fitriyani. "Presidential Inauguration: Pertanggungjawaban Presiden Indonesia Dalam Prosedur dan Materi Sumpah Jabatan." *Al-Daulah : Jurnal Hukum Pidana dan Ketatanegaraan* 12, no. 2 (December 15, 2023): 184–207. <https://doi.org/10.24252/ad.vi.41577>.