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Evaluation of Policies on Mass Organizations in Indonesia from the Perspective of Freedom of Association and Public Order

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Abstract: The issue of restricting the operational space of mass organizations (*ormas*) has recently become a significant concern in Indonesia's democratic discourse. The tension between the need to maintain public order and the obligation to uphold freedom of association has become increasingly evident, particularly amid the rise of coercive administrative policies. This article aims to comprehensively evaluate policies governing mass organizations in Indonesia by examining three purposively selected evaluative dimensions: policy effectiveness, responsiveness to civil society, and their impact on the social order. The study employs a qualitative-descriptive approach through a literature review, analyzing legal documents, institutional reports, and relevant academic literature. The document review focuses on policy dynamics, particularly following the enactment of Law No. 16 of 2017. The analytical method applied is thematic and evaluative document analysis. The findings indicate that policies on mass organizations in Indonesia remain partial and are predominantly characterized by an administrative-repressive approach. In terms of effectiveness, the policies emphasize formal legality rather than the substantive strengthening of organizational capacity. Their responsiveness is also limited due to the lack of public participation in both policy formulation and evaluation processes. From the perspective of social impact, these policies have the potential to constrain civic space and exacerbate social polarization. This study recommends the reformulation of mass organization policies based on the principles of due process, meaningful participation, and the strengthening of constitutional rights protection. Furthermore, insights from international practices—such as the model of militant democracy in Germany and the challenges observed in India—are presented to enrich the discourse on developing more democratic and accountable policy frameworks in Indonesia.

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I. Introduction

One of the key actors in the public policy ecosystem is mass organizations (*organisasi kemasyarakatan / ormas*). As a representation of civil society, these organizations play a role in articulating public aspirations, overseeing the conduct of government, and serving as partners in social development. Within the framework of participatory democracy, their existence reflects the degree of a state's openness to deliberative and participatory public mechanisms (Rahman et al., 2023, p. 1468; Herdiansah & Randi, 2016, p. 54).

Nevertheless, the dynamics of interaction between the state and mass organizations (*ormas*) often reflect underlying tensions. Data from the Ministry of Home Affairs indicate that the number of *ormas* increased sharply from approximately 65,577 in mid-2012 to 420,381 in July 2019, of which 25,812 organizations possessed a Certificate of Registration (*Surat Keterangan Terdaftar / SKT*), while the remainder were legally incorporated under the Ministry of Law and Human Rights or the Ministry of Foreign Affairs (Kompas, 2019). This dataset constitutes the most comprehensive reference currently available in official publications and is employed in this study to illustrate the scale of *ormas* governance as a policy analysis context that remains relevant to the present.

Of this number, several *ormas* have been reported to deviate from their social mandate (Berliana et al., 2022, p. 3112), engage in activities that potentially disrupt social order (Saragih et al., 2022, pp. 134–135), and disseminate ideologies that are not aligned with national values (Sari et al., 2022, p. 20; Maasum, 2017, p. 6; Sholihah, 2016, p. 1). In response to these conditions, the government has adopted restrictive policies, including the administrative dissolution of *ormas* without judicial process, as stipulated in Government Regulation in Lieu of Law (Perppu) No. 2 of 2017, which was subsequently enacted as Law No. 16 of 2017 (Kurniawan, 2018, p. 456; Salim, 2018, p. 312).

In recent years, the issue of mass organizations (*ormas*) has once again come under public scrutiny. This is due not only to the potential social disturbances they may cause, but also

to their impact on the investment climate, legal certainty, and the stability of local governance (Pertiwi et al., 2023, p. 1; Herdiansah & Randi, 2016, p. 60; Wibowo & Harefa, 2015, p. 6). The establishment of the Integrated Task Force for the Eradication of Thuggery and Problematic Mass Organizations by the government indicates that this issue has shifted from being merely a legal concern to becoming part of a broader strategy for national security and development policy.

This condition has generated intense debate within the realm of public policy: How can policies governing mass organizations (*ormas*) be designed to balance the protection of freedom of association with the need to maintain public order? To what extent have existing policies been formulated in a participatory manner, implemented effectively, and evaluated in an accountable way? How can the practices of other countries serve as references in formulating more adaptive and democratic policies?

Various studies have highlighted the dynamics of policies concerning mass organizations (*ormas*) in Indonesia, particularly in balancing the constitutional right to freedom of association with the need to maintain public order. For instance, Wardani & Riwanto (2020) both examine the issue of *ormas* dissolution within the context of the rule of law. They criticize the government's absolute authority to revoke the legal status of *ormas* without the involvement of judicial institutions. This mechanism, as stipulated in Law No. 16 of 2017, is considered to be inconsistent with the principle of checks and balances and to undermine the protection of human rights.

Warong et al. (2020) further examine the human rights dimension from the perspective of freedom of expression, particularly through social media. Their study indicates that the expressive freedom of mass organizations (*ormas*) remains constrained by regulatory ambiguity and weak law enforcement capacity. Article 59 of Law No. 16 of 2017 is considered to disproportionately restrict the expressive space of *ormas*, especially when the interpretation of "ideological deviation" is entirely vested in executive authorities without adequate legal avenues for clarification.

At the local level, a study by Pertiwi et al. (2023) examines the oversight of mass

organizations (ormas) through a case study of the National Unity and Political Agency (Kesbangpol) of Semarang City. Although administratively, the oversight is considered to function well, the study reveals limitations in institutional capacity as well as the suboptimal effectiveness of the monitoring system for 343 registered ormas. The oversight remains technocratic in nature and has not yet addressed substantive evaluation aspects, such as internal governance, the quality of accountability, and the contribution of ormas to local democratic life.

Although various studies have addressed issues related to mass organizations (ormas), most of them tend to focus on specific dimensions in isolation, such as legal aspects, human rights, or administrative oversight mechanisms. As a result, the analyses produced have not provided a comprehensive evaluative picture of how policies governing ormas are designed and implemented in practice. Moreover, the policy evaluation approaches employed in previous studies have generally not explicitly integrated the dimensions of effectiveness, responsiveness, and social impact within a single, systematic analytical framework.

Another limitation that remains evident is the limited use of international comparative perspectives in evaluating policies on mass organizations (ormas) in Indonesia. In fact, the experiences of other countries in managing mass organizations, particularly in balancing civil liberties and social stability, can serve as an important source of learning to identify existing shortcomings while also informing the formulation of more adaptive and accountable policy improvements.

Accordingly, this article aims to comprehensively evaluate policies governing mass organizations (ormas) in Indonesia by highlighting three main dimensions: effectiveness, responsiveness, and their impact on the social order. These dimensions are purposively selected from Dunn's (2018) evaluative framework, taking into account methodological considerations—namely that a literature-based study has limitations in accessing primary field data—as well as substantive considerations, in that these aspects are the most relevant for assessing the balance between the protection of civil liberties,

social stability, and state accountability. This approach not only strengthens the analysis of state–civil society relations within the context of public policy democratization, but also offers practical contributions in the form of evidence-based recommendations and insights drawn from international practices.

II. Methods

This study employs a qualitative-descriptive approach using a library research method to evaluate policies governing mass organizations (ormas) in Indonesia. The data utilized are derived from secondary sources selected purposively to ensure relevance and credibility, including: (1) primary regulations such as Law No. 17 of 2013 on Mass Organizations, Government Regulation in Lieu of Law (Perppu) No. 2 of 2017, and Law No. 16 of 2017; (2) institutional reports from the National Commission on Human Rights (Komnas HAM) and the International Center for Not-for-Profit Law (ICNL); (3) relevant academic literature and policy articles; and (4) reports from mainstream online media outlets such as Kompas and Tempo, which are used to reconstruct policy chronology and the dynamics of public response.

The selection of documents was conducted purposively using a set of explicitly defined criteria. First, documents were selected based on their type, including official regulations (laws and government regulations), institutional reports, and academic publications relevant to policies on mass organizations (ormas). Second, the documents had to be directly related to issues concerning the regulation, oversight, or dissolution of ormas in Indonesia. Third, in terms of credibility, priority was given to documents originating from official government sources, reputable academic journals, and publications that have undergone academic review processes. Fourth, the selected documents fall within a time frame relevant to recent policy developments, particularly following the enactment of Law No. 16 of 2017. Documents that did not meet these criteria were excluded from the analysis.

Data analysis was conducted using a thematic document analysis technique that emphasizes a critical reading of document content and the relationships among documents (Bowen, 2009, p. 34). The interpretation of findings was guided by

Dunn's (2018) Policy Evaluation model, particularly focusing on the dimensions of effectiveness, responsiveness, and policy impact. Through this framework, findings from various documents were classified and analyzed according to these three dimensions to assess the extent to which policies governing mass organizations (ormas) achieve their objectives, respond to societal dynamics, and generate implications for the governance of mass organizations.

The selection of documents was conducted purposively by considering their relevance to policies on mass organizations (ormas), the credibility of their sources, and their alignment with the study's evaluative focus. Data analysis was carried out using a thematic document analysis technique that emphasizes a critical reading of document content and the relationships among documents (Bowen, 2009, p. 34). The interpretation of findings was guided by Dunn's (2018) Policy Evaluation model, particularly focusing on the dimensions of effectiveness, responsiveness, and policy impact. Through this framework, findings from various documents were classified and analyzed according to these three dimensions to assess the extent to which policies governing mass organizations (ormas) achieve their objectives, respond to societal dynamics, and generate implications for the governance of mass organizations.

III. Results and Discussion

This section presents the results of the analysis of various policy documents related to the governance of mass organizations (ormas) in Indonesia. The data analyzed include key regulations such as Law No. 17 of 2013 on Mass Organizations, Government Regulation in Lieu of Law (Perppu) No. 2 of 2017, and Law No. 16 of 2017, which are critically examined alongside institutional reports and relevant policy literature. The analysis is conducted using a thematic document analysis technique (Bowen, 2009) to identify patterns in policy objectives, regulatory instruments, and policy implications for civil society. The findings are then interpreted with reference to Dunn's (2018) policy evaluation framework, particularly focusing on the dimensions of effectiveness, responsiveness, and policy impact. Through this approach, the discussion not only describes the

content of the regulations but also evaluates how policies governing mass organizations (ormas) are designed, implemented, and influence the dynamics of the relationship between the state and civil society.

A. Formal Objectives and Policy Instruments

Based on an analysis of the principal regulatory documents governing mass organizations (ormas) in Indonesia—particularly Law No. 17 of 2013, Government Regulation in Lieu of Law (Perppu) No. 2 of 2017, and Law No. 16 of 2017—the formal objectives of policies regulating ormas can be identified through the considerations and regulatory instruments outlined in these provisions. Normatively, these policies aim to maintain public order, protect the state ideology, and ensure the continuity of democratic life. In its considerations, Perppu No. 2 of 2017, which was subsequently enacted as Law No. 16 of 2017, emphasizes that the existence of ormas must be aligned with Pancasila and must not pose a threat to national unity.

In principle, these policies embody two orientations: first, to guarantee freedom of association as a constitutional right; and second, to safeguard national security against potential threats posed by deviant ormas. However, in practice, the policy approach tends to shift from the protection of civil liberties toward control over security and ideology, as reflected in a number of legal and institutional instruments presented in Table 1 below:

The policy instruments governing mass organizations (ormas) outlined above do not merely encompass control mechanisms, but also include administrative and institutional aspects, such as registration processes, oversight, and organizational development. However, in practice, the implementation of these policies tends to emphasize the control dimension more than the strengthening of ormas' institutional capacity. This tendency is reflected in the provisions of Article 59 of Law No. 16 of 2017, which grants broad authority to the government to impose administrative sanctions, including the dissolution of ormas, without judicial process. Such a mechanism positions the executive authority as the primary actor in determining the continuity of an organization, particularly when an ormas

Table 1. Legal and Institutional Instruments in the Governance of Mass Organizations (Ormas) in Indonesia

Instrument	Form of Regulation	Purpose and Function	Criticism
Law No. 16/2017	Law	Accelerates the dissolution of ormas without judicial process	Disregards the principles of due process and checks and balances
Perppu No. 2/2017	Government Regulation in Lieu of Law (Perppu)	Legal basis for the dissolution of HTI	Limited public participation
Article 59 of the Ormas Law	Legal Provision	Prohibition of activities of ormas opposing Pancasila	Subjective interpretation
Ormas Registration Certificate (SKT)	Administrative permit	Administrative legality	Lack of transparency
Integrated Task Force (Satgas Terpadu)	Cross-sectoral team	Suppression of problematic ormas	Lacks formal legal basis

Source: Compiled from various sources (2025).

is deemed to be in conflict with Pancasila or to disrupt public order.

The cases of the dissolution of Hizbut Tahrir Indonesia (HTI) in 2017 and the Front Pembela Islam (FPI) in 2020 illustrate how administrative instruments have been used as rapid responses to organizations deemed problematic. However, on the other hand, the use of such mechanisms has also sparked debate regarding the balance between the effectiveness of policy enforcement and the protection of the principle of due process of law within a democratic system. The National Commission on Human Rights (Komnas HAM, 2020) and Elfudlatsani et al. (2019, p. 53) also regard this as a form of delegitimization of legal processes and as potentially violating the right to freedom of association as guaranteed under Article 28E of the 1945 Constitution. Even at the international level, a report by the International Center for Not-for-Profit Law states that:

"Indonesia is among a number of procedural democracies that dissolve mass organizations (ormas) administratively without judicial process, a practice that is inconsistent with principles of international law" (ICNL, 2024).

The government argues that such an approach is necessary to maintain national stability. However, the dominance of administrative mechanisms without stringent judicial oversight risks eroding public trust, narrowing civic space, and delegitimizing the principle of checks and balances in a democratic system. Critically, it can

be concluded that although the formal objectives of the policy are understandable, the design and implementation instruments reveal an imbalance between the protection of freedom of association and the effort to maintain public order.

B. Implementation and Outcomes in Practice

Based on a document analysis of reports from the National Commission on Human Rights (Komnas HAM), policy publications from the International Center for Not-for-Profit Law (ICNL), and academic studies on ormas regulations—analyzed thematically using Dunn's evaluative framework—it is found that the implementation of policies governing mass organizations (ormas) in Indonesia still exhibits a gap between normative design and practical execution in the field. Although the regulatory framework has established procedures for registration, verification, and even the dissolution of ormas, implementation across various regions remains largely procedural and technocratic in nature. Policy orientation tends to focus more on aspects of administrative legality rather than on strengthening institutional capacity and the substantive role of ormas within a democratic system.

This condition is further exacerbated by weak inter-agency coordination, limited involvement of civil society in both oversight and capacity-building processes, and the absence of a performance-based institutional evaluation system. Implementing authorities at the regional level often carry out primarily

administrative functions, such as issuing ormas registration certificates (SKT) and conducting formal monitoring. As a result, the role of ormas as intermediary actors between the state and citizens is diminished, and they may even be perceived as threats to public order when they express criticism.

This phenomenon can be observed concretely through a case study in Semarang City, as examined by Pertiwi et al. (2023), which reveals similar challenges at the local level. The National Unity and Political Agency (Kesbangpol) has only a limited team to oversee more than 300 ormas. The absence of an integrated database, the high administrative burden, and a passive reporting approach render the oversight function largely a formality, lacking a collaborative, capacity-building strategy. Administrative instruments such as the ormas registration certificate (SKT) often function merely as symbols of legality rather than as tools for institutional development.

From a policy evaluation perspective, this condition reflects a phenomenon of “policy drift” (Béland & Howlett, 2016, p. 222), namely a deviation in implementation from the original policy objectives due to weak implementing capacity and the lack of operational control mechanisms. Local governments are burdened with significant responsibility to implement the policy without adequate technical and regulatory support. As a result, oversight of mass organizations (ormas) becomes fragmented and insufficiently adaptive to local dynamics.

Ideally, policies governing mass organizations (ormas) should not merely emphasize registration and legal compliance, but also foster a developmental ecosystem that promotes public participation, transparency, and the constructive role of ormas in social development. In reality, however, an overly administrative approach risks overlooking the strategic potential of ormas as partners of the state. Without capacity-building interventions, such policies may instead function as instruments of exclusion and covert political control.

Thus, the implementation outcomes of this policy remain far from ideal. In addition to disparities in capacity across regions, the policy has also failed to establish a system of oversight and capacity-building that is reflective, participatory,

and dialogue-based. If left unaddressed, policies governing mass organizations (ormas) will continue to be characterized by an imbalance between the democratic intent embodied in the regulations and the exclusionary practices evident in their implementation.

C. Effectiveness Analysis

Based on a document analysis of Law No. 17 of 2013, Government Regulation in Lieu of Law (Perppu) No. 2 of 2017, Law No. 16 of 2017, as well as reports from the National Commission on Human Rights (Komnas HAM) and the International Center for Not-for-Profit Law (ICNL)—analyzed thematically using Dunn’s evaluative framework—an overview of the effectiveness of policies governing mass organizations (ormas) in Indonesia can be obtained. In public policy evaluation, effectiveness is understood as the extent to which policy objectives are achieved in terms of outputs, outcomes, and systemic change (Dunn, 2018). In the context of ormas governance, the primary objectives of the policy are to maintain public order and to ensure that mass organizations operate in accordance with the values of Pancasila and the Constitution. However, effectiveness is not solely measured by administrative success, but also by the accountability of implementation and its implications for civic space and democratic dynamics.

From an administrative perspective, these policies have established a formal registration system through ormas registration certificates (SKT) and legal entity status. However, such legalization has not been proportionate to improvements in governance quality, as many ormas remain outside active oversight, indicating weak and unsustainable capacity-building efforts. From an instrumental perspective, the regulatory framework also tends to be repressive in nature. Article 59 of Law No. 16 of 2017 grants broad authority to the government to prohibit ormas activities deemed contrary to Pancasila, without clearly defined and objectively verifiable indicators. Furthermore, the dissolution of ormas without judicial mechanisms, as seen in the cases of Hizbut Tahrir Indonesia (HTI) and the Front Pembela Islam (FPI), has generated criticism regarding weak procedural accountability and reinforced the perception that the policy functions

more as a tool of control rather than as a means of strengthening civil society.

The effectiveness of these policies must also be assessed in terms of their impact on social stability. To date, there is no strong empirical evidence indicating that the administrative dissolution of mass organizations (ormas) significantly reduces intolerance, horizontal violence, or radicalism. On the contrary, several studies suggest that coercive approaches may drive group activities into private spheres that are more difficult to monitor (Smidt et al., 2024; Setiawan & Tomsa, 2023). Moreover, policies governing ormas are not integrated with capacity-building or development programs for civil society organizations, such as training initiatives or partnership schemes in social governance.

Overall, these findings indicate that policies governing mass organizations (ormas) in Indonesia remain partial in nature. Although they have succeeded in establishing a legal framework for organizational oversight, their implementation reveals weak legitimacy, fragmented execution, and a limited orientation toward strengthening civil society. Within Dunn's (2018) evaluative framework, this condition can be categorized as pseudo-effectiveness, namely a situation in which policies operate formally but fail to produce substantive and sustainable social change.

D. Policy Responsiveness to Civil Society

Based on a document analysis of Law No. 17 of 2013, Government Regulation in Lieu of Law (Perppu) No. 2 of 2017, Law No. 16 of 2017, reports from the National Commission on Human Rights (Komnas HAM) and the International Center for Not-for-Profit Law (ICNL), a number of academic publications, as well as national media reports—analyzed thematically using Dunn's evaluative framework—an overview of the level of responsiveness of policies governing mass organizations (ormas) to the dynamics of civil society in Indonesia can be obtained. This analysis assesses the extent to which these policies are able to respond to the needs, aspirations, and roles of mass organizations within democratic life.

In public policy evaluation, responsiveness is understood as the capacity of the state to respond to social dynamics in an adaptive, inclusive, and participatory manner (Dunn, 2018). This dimension

is determined not only by the substance of the policy, but also by the openness of the policy formulation process, the existence of public consultation mechanisms, and the availability of avenues for revising policies with broad impacts. In the context of governing mass organizations (ormas) in Indonesia, responsiveness serves as an important indicator for assessing the extent to which the state positions civil society as a strategic actor in democratic practice.

The results of the document analysis indicate that the limited responsiveness of the policy is reflected in the issuance process of Government Regulation in Lieu of Law (Perppu) No. 2 of 2017, which substantially revised Law No. 17 of 2013. This regulation was enacted under relatively urgent political circumstances without broad public consultation, open academic review, or regulatory impact analysis—procedures that are commonly expected in democratic legislative practices—despite addressing the fundamental right to freedom of association. The subsequent enactment of this Perppu into Law No. 16 of 2017 marked a significant turning point in policies governing mass organizations (ormas), particularly with the shift in dissolution mechanisms from judicial processes to an administrative approach dominated by executive authority.

Criticism of this process has emerged from various stakeholders. The National Commission on Human Rights (Komnas HAM) assessed that the issuance of the regulation did not involve adequate public consultation, thereby raising concerns regarding the accountability and democratic legitimacy of the policy (Tempo, 2017). Similar assessments have been expressed by the International Center for Not-for-Profit Law (ICNL, 2024) as well as a number of scholars who regard the removal of judicial mechanisms as a regression in procedural democracy (Rosyadi, 2022; Suteki & Jalil, 2021).

Moreover, responses to this policy demonstrate the significant role of non-state actors in correcting the direction of policy. Institutions such as the National Commission on Human Rights (Komnas HAM) and various civil society organizations not only articulate normative criticisms, but also engage in monitoring policy implementation, advocating for the protection of freedom of association,

and promoting regulatory improvements through policy recommendations. The presence of these actors is crucial in strengthening horizontal accountability mechanisms, particularly when formal processes within the policy system tend to be dominated by executive authority.

The limited availability of participatory channels not only weakens horizontal accountability, but also reflects the state's failure to build social legitimacy for the policy. In policy literature, this pattern is often referred to as emergency-driven policymaking, namely the rapid formulation of policy in crisis situations at the expense of deliberative processes and legal prudence (Staroňová & Gajduschek, 2019).

This condition indicates that the responsiveness of policies governing mass organizations (ormas) is not only weak in substance, but also procedurally. Without genuine public participation, such policies risk losing social support and provoking resistance from civil society, which should otherwise function as a partner of the state. Within the framework of policy evaluation, this condition can be categorized as pseudo-responsiveness, namely a situation in which policies appear to maintain stability while simultaneously restricting access to open and democratic processes.

Moreover, the absence of a feedback loop mechanism—namely, channels for conveying criticism, evaluating policy impacts, and correcting policy direction—indicates weak reflexive capacity in the design of policies governing mass organizations (ormas). In democratic governance, such mechanisms are essential to ensure that policies remain adaptive to societal dynamics and do not become entrenched in coercive approaches that constrain civic space (Howlett, 2024).

E. Policy Impact on the Social Order

Based on a document analysis of Law No. 17 of 2013, Government Regulation in Lieu of Law (Perppu) No. 2 of 2017, Law No. 16 of 2017, reports from the National Commission on Human Rights (Komnas HAM) and the International Center for Not-for-Profit Law (ICNL), as well as academic publications—analyzed using a thematic document analysis technique within Dunn's evaluative framework—an overview of the

impact of policies governing mass organizations (ormas) on social dynamics and state–society relations in Indonesia can be obtained. This analysis examines both the direct and indirect consequences of these policies on civil society life and the democratic order.

In public policy evaluation, impact analysis is essential for understanding the real consequences of an enacted policy, both in terms of direct and indirect effects. Policy impact reflects the social, political, and institutional changes that arise from policy implementation, including its influence on state–society relations, social cohesion, and the quality of democracy (Dunn, 2018; Abdelghani et al., 2024).

The analysis shows that policies governing mass organizations (ormas) in Indonesia produce a relatively complex set of impacts. On the one hand, these policies are normatively intended to maintain public order and social stability. On the other hand, their implementation raises concerns regarding the narrowing of democratic space and potential restrictions on freedom of association. This condition reflects an ambiguity between the normative objectives of the policy and its practical implications in socio-political life, thereby creating a tension between the stability pursued by the state and the civil liberties that constitute the foundation of democracy.

F. Positive Impact: Stability in Relation to Radical Groups

Based on a thematic analysis of policy documents on mass organizations (ormas), including Government Regulation in Lieu of Law (Perppu) No. 2 of 2017 and Law No. 16 of 2017, as well as reports from the National Commission on Human Rights (Komnas HAM) and the International Center for Not-for-Profit Law (ICNL), it is found that policies governing ormas also produce several positive impacts in the context of national security stability.

For instance, these policies provide legal legitimacy for the government to take action against mass organizations (ormas) that are systematically deemed to threaten national security or disseminate ideologies that contradict the Constitution. A prominent example is the dissolution of the two ormas discussed earlier,

which the government viewed as a measure to curb the potential for intolerant and exclusionary political agitation.

The government has also utilized this policy as an instrument for maintaining order at the local level, for instance through the establishment of a Task Force for Handling Problematic Mass Organizations, which is tasked with monitoring organizations suspected of engaging in thuggery, violence, or intolerant practices. However, claims of success remain limited and are largely based on institutional reports or official government statements, and are therefore not yet fully supported by a national monitoring system grounded in measurable social indicators. The absence of longitudinal data on the dynamics of mass organizations (ormas) means that the social effectiveness of this policy has not been fully empirically confirmed.

G. Negative Impact: Contraction of Civic Space and Social Polarization

Based on a thematic analysis of documents, including Government Regulation in Lieu of Law (Perppu) No. 2 of 2017 and Law No. 16 of 2017, reports from the National Commission on Human Rights (Komnas HAM), as well as academic publications and case studies examining civil society dynamics in Indonesia, it is found that policies governing mass organizations (ormas) also generate a number of problematic social impacts, particularly related to the contraction of civic space and the intensification of social polarization.

These impacts are reflected, among others, in the emergence of concerns among civil society organizations regarding the ambiguity of the criteria for being “in conflict with Pancasila” used in the regulation of mass organizations (ormas). This lack of clarity places even those organizations with no affiliation to radical groups in a vulnerable position, as they may still be subject to monitoring or restrictions on their activities.

This condition ultimately creates a situation of uncertainty that may suppress freedom of expression and encourage self-censorship in public advocacy activities. Several reports and case studies also indicate that the regulation of mass organizations (ormas) at the local level is not

always based on objective legal considerations, but in some cases is influenced by local political pressures or narrowly defined security concerns. In certain instances, regulatory actions have even targeted small religious organizations and agrarian communities advocating sensitive issues without clear legal violations (Baihaqi, 2020; Poli et al., 2023).

Moreover, the dynamics of this policy have also contributed to increasing social polarization in the public sphere. In a number of cases, narratives framing certain organizations as ideological threats have the potential to generate social stigmatization, thereby weakening mutual trust among citizens. This impact not only affects the relationship between the state and civil society, but also contributes to a decline in public trust in democratic processes, which are expected to ensure open and inclusive spaces for participation.

H. Evaluative Analysis: Imbalance between Order and Freedom

Based on a synthesis of document analysis of Government Regulation in Lieu of Law (Perppu) No. 2 of 2017 and Law No. 16 of 2017, reports from the National Commission on Human Rights (Komnas HAM) and the International Center for Not-for-Profit Law (ICNL), as well as various academic publications on the dynamics of civil society in Indonesia—analyzed thematically using Dunn’s policy evaluation framework—an overall tendency of imbalance can be identified between the objective of maintaining public order and the protection of civil liberties in policies governing mass organizations (ormas).

From a public policy evaluation perspective, the impacts of policies governing mass organizations (ormas) reflect a tension between the state’s efforts to maintain social stability and the principle of respecting civil liberties. The state indeed possesses the legitimacy to regulate social actors that violate the law. However, in practice, the implementation of these policies often blurs the boundary between legitimate security needs and the potential for repressive actions against civil society organizations.

From the perspective of deliberative policy theory, such conditions can be understood

as a form of deliberative distortion, namely a situation in which social stability is constructed through mechanisms of exclusion and ideological homogenization rather than through open dialogue and negotiation (Fischer, 2003, p. 46; Fung, 2006, p. 66). Consequently, such policies may generate long-term implications for the quality of democracy in Indonesia.

If not accompanied by more participatory and transparent policy correction mechanisms, such patterns in governing mass organizations (ormas) risk institutionalizing fear within civic space and weakening society's capacity to organize in a healthy and constructive manner. In the long term, this condition may also hinder the development of civil society as a strategic partner of the state in advancing inclusive and democratic development.

I. Lessons from International Practices

Lessons from international practices in this study are derived from a document analysis of regulations governing civil society organizations, such as the Grundgesetz and the Unlawful Activities (Prevention) Act, reports from Human Rights Watch, as well as academic studies examining the handling of radical organizations in various democratic countries. These documents are analyzed using a thematic analysis technique with a comparative policy approach to identify governance principles for mass organizations (ormas) that are relevant to the Indonesian context.

In public policy studies, cross-national comparison serves to generate contextual learning and identify best practices that can enrich the evaluation of domestic policies. Although policies governing mass organizations (ormas) are highly contextual, there are a number of general principles that can be adopted to strengthen the balance between state stability and the protection of civil liberties.

For this purpose, this study examines the experiences of two democratic countries, namely Germany and India, both of which have historical experience in regulating organizations considered to pose potential threats to the constitutional order.

Based on an analysis of the Grundgesetz, publications from the Federal Office for the Protection of the Constitution (Bundesamt für Verfassungsschutz / BfV), as well as official documents from the German Federal Ministry of the Interior (BMI), it is evident that the handling of radical organizations in that country places strong emphasis on the principle of legality and transparent judicial mechanisms.

Germany is known for having a stringent legal system in addressing far-right organizations and radical groups deemed to be in conflict with the democratic constitutional order (Jesse, 2017). However, the dissolution of such organizations cannot be carried out unilaterally by the government. The process must proceed through clear legal mechanisms that are subject to judicial review.

In practice, the Bundesamt für Verfassungsschutz (BfV) is responsible for monitoring organizations considered to threaten the constitution, but it does not have direct authority to dissolve such organizations. Decisions on dissolution are generally carried out through administrative mechanisms that remain subject to judicial review. One example is the ban on the Islamisches Zentrum Hamburg in July 2024 by the German Federal Ministry of the Interior (BMI), which was implemented through an administrative decision based on German association law (BMI, 2024).

The German Constitution, through the Grundgesetz (Basic Law), explicitly states that freedom of association may be restricted, but only through a court decision and on the basis of clear legal grounds, as stipulated in Article 9(2) (Brandmann, 2022, p. 421). This provides assurance that legal mechanisms remain in place, even when dealing with groups considered to be in conflict with the fundamental values of the state. Meier (2025, p. 466) refers to this practice as militant democracy, in which the state takes legal action against extremist actors while remaining within a legal framework grounded in judicial decisions.

In contrast to the approach in Indonesia, which places the executive authority as the primary actor, practices in Germany demonstrate a mechanism that is more firmly grounded in judicial oversight within the framework of

militant democracy. In the German legal system, the dissolution of organizations deemed to be in conflict with the constitution can only be carried out through a decision of the Federal Constitutional Court (Bundesverfassungsgericht), rather than through administrative decisions by the government. This mechanism ensures that restrictions on freedom of association remain within the framework of due process of law and are subject to strict judicial supervision.

In principle, this approach emphasizes two main aspects: the protection of the democratic constitutional order and the limitation of executive authority in determining the legal status of an organization. Compared to Indonesia, there are fundamental differences in institutional structures and legal traditions, particularly regarding the role of the judiciary in reviewing administrative actions taken by the government.

In the Indonesian context, the direct adoption of such mechanisms is not feasible, given differences in legal system characteristics and socio-political dynamics. Nevertheless, there is room for adaptation that can be considered, for example by strengthening judicial review mechanisms over decisions to dissolve mass organizations (ormas), or by requiring judicial verification prior to the imposition of final administrative sanctions. Such an approach has the potential to create a balance between the need to maintain social stability and the protection of civil liberties, without entirely eliminating the role of the state in regulating mass organizations (ormas).

Based on an analysis of the Unlawful Activities (Prevention) Act (UAPA), reports from Human Rights Watch, and academic publications examining the implementation of policies restricting civil society organizations in India, these documents are analyzed thematically using a comparative policy approach to understand how democratic states address the dilemma between safeguarding national security and protecting civil liberties.

India, as the world's largest democracy, also has experience in regulating civil society organizations, particularly those suspected of involvement in violence, extremism, or anti-national activities. Legislation such as the Unlawful Activities (Prevention) Act (UAPA) is used to ban

organizations considered to threaten national security. However, despite the necessity of addressing extremist groups, its implementation has been subject to significant criticism.

Several reports indicate that the Unlawful Activities (Prevention) Act (UAPA) grants broad authority to the government to dissolve organizations, even on the basis of peaceful expression, thereby affecting freedom of association and assembly (Human Rights Watch, 2023). The use of UAPA has also been criticized for enabling the detention of activists, journalists, and human rights defenders without strong evidence, accompanied by limited access to bail and a reversal of the presumption of innocence (The Wire, 2024). In addition, the Foreign Contribution Regulation Act (FCRA) is often used to freeze the funding of civil society organizations, thereby constraining advocacy efforts and public participation (Junpath, 2024). Criticism of UAPA has intensified due to weak judicial oversight mechanisms. Human Rights Watch (2022) notes that the designation of organizations as "unlawful" is frequently carried out without transparency, while courts tend to remain passive in reviewing executive decisions. This condition has drawn criticism as it risks shifting the balance between the need to safeguard national security and the protection of civil liberties.

Compared to Indonesia, there are similarities in the use of administrative instruments as tools for regulating organizations. However, practices in India demonstrate a more systematic level of intervention, particularly through sustained control over organizational funding and activities. In this context, the lesson to be drawn lies not merely in the restrictive aspects, but rather in the design of oversight instruments that are more layered and preventive in nature.

Nevertheless, the adoption of such an approach in Indonesia must be undertaken selectively. Strengthening administrative oversight—particularly in terms of funding transparency and organizational accountability—may serve as an alternative to reduce reliance on dissolution mechanisms. However, without robust judicial oversight and policy transparency, this approach risks generating similar challenges, namely the expansion of executive authority that may, in turn, constrain civil liberties.

J. Relevance and Implications for Indonesia

The relevance of international lessons for Indonesia in this study is derived from a comparative synthesis of findings from the analysis of policies governing mass organizations (ormas) in Indonesia, as well as case studies of similar policies in Germany and India. The analysis is conducted using a thematic synthesis of regulatory documents, institutional reports, and academic studies discussed in the previous sections, guided by Dunn’s (2018) public policy evaluation framework. This approach is employed to identify governance principles that can serve as lessons for Indonesia in balancing the need to maintain social stability with the protection of civil liberties within a democratic system.

The two countries discussed above represent two contrasting approaches. Germany reflects a model of militant democracy grounded in the rule of law and institutional accountability, where the dissolution of mass organizations (ormas) is carried out through strict, evidence-based judicial mechanisms. In contrast, India illustrates the potential excesses of an overly centralized approach, characterized by dominant state intervention that often overlooks the principles of due process and public deliberation. In this context, Indonesia appears to be closer to the Indian pattern, namely a regulatory approach that is administrative and centralized, yet paradoxically not supported by a proportionate system of judicial oversight. The absence of judicial mechanisms in the process of evaluating and dissolving ormas renders the policy vulnerable to power bias and weakens the principle of checks and balances. Therefore, it is essential for Indonesia not merely to adopt one model, but

to formulate a context-sensitive approach that aligns with national socio-political dynamics while upholding the principles of legality, participation, and accountability.

At least three key lessons can be drawn for Indonesia from the two countries discussed above:

1. The importance of judicial mechanisms in governing mass organizations (ormas), to ensure legal legitimacy and prevent abuse of power.
2. The need for objective and transparent criteria in determining whether an ormas is considered “problematic” or “prohibited.”
3. The importance of social dialogue and periodic policy reflection as forms of substantive accountability, rather than merely procedural compliance.

From a public policy perspective, the adoption of these principles aligns with a governance approach grounded in deliberation and the rule of law (Gora & de Wilde, 2022, p. 349). This is important to ensure that policies governing mass organizations (ormas) in Indonesia are not only formally valid, but also substantively and democratically legitimate. The following table presents the policy implications for governing ormas in Indonesia based on international practices:

K. Evaluative Synthesis and Key Findings

The evaluative synthesis in this study is constructed through the integration of findings derived from document analysis of regulations governing mass organizations (ormas) in

Table 2. Comparison of Policies Governing Mass Organizations (Ormas) and Their Implications for Indonesia

Key Principle	Germany (Militant Democracy)	India (UAPA and FCRA)	Recommendation for Indonesia
Due Process	Dissolution of ormas only through court decisions	Administrative freezing of organizations	Restore authority to the judicial domain
Transparency & Accountability	BfV only collects data, without authority to impose bans	Regulatory framework lacks transparency, affecting civil society	Establish objective criteria and ensure public access to information
Protection of Civic Space	Radical ormas are monitored, while space for criticism is preserved	Arbitrary arrests occur	Protect moderate ormas and facilitate civil empowerment

Source: Compiled from various sources (2025).

Indonesia, institutional reports, and academic studies examining the implementation and impact of these policies. The analysis is conducted using a thematic synthesis technique to identify consistent patterns across multiple data sources, employing Dunn's (2018) public policy evaluation framework as the primary analytical tool. This approach enables the formulation of key findings regarding policy effectiveness, the level of responsiveness to civil society, and the social impacts generated by policies governing mass organizations (ormas) within the context of democracy in Indonesia.

The evaluation of policies governing mass organizations (ormas) in Indonesia reveals a structural imbalance between administrative effectiveness and democratic legitimacy. While these policies have succeeded in establishing a firm regulatory framework, they remain weak in ensuring public participation, procedural accountability, and the protection of civic space. The three evaluative dimensions—effectiveness, responsiveness, and social impact—appear to operate in a misaligned manner, and in some cases, even undermine one another.

Policy effectiveness tends to be pseudo in nature. Although the dissolution of several mass organizations (ormas) demonstrates the state's assertiveness, such measures have been taken without adequate institutional capacity-building and comprehensive oversight of all registered ormas. At the same time, the lack of public participation renders these policies unresponsive, both procedurally and substantively.

The absence of responsiveness further exacerbates the social impact. Policies that are intended to create order instead generate fear, restrict freedom of association, and increase the potential for polarization. In public policy evaluation, this condition indicates an integrative failure, namely the inability of a policy to bridge the gap between state control and citizen participation. The following table summarizes the inconsistencies between the formal and substantive dimensions of the policy, while also illustrating a pattern of integrative failure that requires systemic correction.

Table 3. Evaluative Synthesis Findings of Policies Governing Mass Organizations (Ormas)

Dimension	Key Findings	Policy Impact
Effectiveness	Achieved administratively, but without capacity-building	Low implementation legitimacy
Responsiveness	Non-participatory and closed to correction	Weak democratic legitimacy
Social Impact	Short-term stability, but constrains civic space	Declining public trust

Source: Compiled from various sources (2025).

IV. Conclusion

This study demonstrates that policies governing mass organizations (ormas) in Indonesia have formally established a regulatory framework aimed at maintaining public order and ensuring that the activities of mass organizations are aligned with Pancasila and the Constitution. However, the design of these policies places greater emphasis on administrative control than on strengthening the role of civil society in democratic governance.

From the perspective of implementation and effectiveness, policies governing mass organizations (ormas) have established formal systems of registration and oversight. However, their effectiveness remains limited due to a predominantly procedural and repressive approach, which places greater emphasis on administrative legality rather than on strengthening the capacity of mass organizations. Furthermore, from the perspective of responsiveness and social impact, these policies still exhibit limitations in terms of civil society engagement and policy feedback mechanisms. The lack of public consultation and the dominance of a control-oriented approach risk narrowing civic space and generating criticism regarding the democratic legitimacy of the policy.

These findings indicate the need to strengthen procedural accountability in policies governing mass organizations (ormas) through more operational measures. First, enhancing judicial oversight by involving the judiciary in

the process of dissolving ormas, either through legal verification or by expanding access to judicial review of executive decisions. Second, institutionalizing public participation through greater transparency in assessment processes and the establishment of consultation mechanisms in ormas oversight. Third, reorienting policy from a reactive approach toward a preventive one by emphasizing capacity-building, organizational development, and the strengthening of monitoring systems.

These measures are essential to reduce the dominance of an executive-centered approach while maintaining a balance between social stability and the protection of civil liberties within a democratic rule-of-law framework. These findings indicate the need to strengthen procedural accountability in policies governing mass organizations (ormas), including through the incorporation of judicial mechanisms in the process of organizational dissolution, the enhancement of public participation throughout the policy cycle, and a shift in approach from control-oriented oversight toward capacity-building and the institutional strengthening of mass organizations.

This study has certain limitations, as it is based on the analysis of policy documents and academic literature, and therefore does not fully capture the dynamics of implementation at the local level or the perspectives of civil society actors directly. Future research may adopt an empirical approach through field studies and cross-national comparative analysis to better understand the impact of policies governing mass organizations (ormas) on the development of civil society and the quality of democracy.

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