



Exploring the Lived Experiences and Meaning-Making of Citizens Pursuing Judicial Review at the Indonesian Constitutional Court

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ABSTRACT

Judicial review is a crucial mechanism for protecting constitutional rights and ensuring democratic accountability, yet citizens' subjective experiences in pursuing this process remain underexplored. This study addresses this gap by examining how citizens experience and make sense of defending their constitutional rights through judicial review at the Indonesian Constitutional Court. Using a phenomenological approach with Interpretative Phenomenological Analysis (IPA), data were drawn from twelve petitioners interviewed between 2020 and 2024. The analysis revealed four key themes: perceived procedural barriers, emotional struggles, transformation of constitutional awareness, and evolving trust in legal institutions. By integrating phenomenological insights into constitutional law research, the study contributes to socio-legal scholarship and underscores practical implications for improving access to justice and institutional transparency. However, the findings are limited by the small sample size and focus on a single national context, suggesting the need for broader comparative and longitudinal studies.



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INTRODUCTION

The judicial review mechanism plays a central role in safeguarding constitutional rights and ensuring the supremacy of the Constitution within a democratic legal framework (Sung, 2020; Walker & Menon, 2024). In Indonesia, the Constitutional Court serves as the ultimate authority in reviewing the constitutionality of laws and protecting citizens from potential violations of their fundamental rights. This judicial function has gained increasing attention in recent years, particularly as citizens become more aware of their constitutional entitlements and seek legal remedies to address perceived injustices. Within this context, judicial review is not merely a technical legal process but a social and human phenomenon that reflects how individuals experience the justice system and engage with state institutions.

Across many societies, including Indonesia, citizens' direct participation in constitutional litigation has grown as part of broader democratic transformation (Mukhlis, 2025a; Mukhlis & Saidah, 2025). Judicial review offers an avenue for citizens to challenge legislation that affects their rights, but this process also exposes them to complex legal procedures, institutional dynamics, and social expectations. While existing legal scholarship has predominantly analyzed judicial review from a doctrinal perspective, focusing on constitutional interpretation and procedural frameworks, much less attention has been paid to how individuals experience and make sense of this process. The subjective dimension of judicial review how citizens perceive obstacles, negotiate emotional challenges, and interpret their engagement with legal institutions remains underexplored within both legal and socio-political research.

Understanding these lived experiences is critical, as the pursuit of constitutional justice extends beyond legal outcomes to shape individuals' perceptions of rights, justice, and citizenship

(Nyekwere et al., 2023; Zhang & Shen, 2024). Citizens often encounter emotional and psychological challenges during judicial review, including uncertainty, hope, frustration, and resilience, all of which influence their broader trust in democratic governance and institutional legitimacy. These personal journeys highlight the need to investigate the phenomenon from the perspective of the participants themselves, capturing the meanings they attach to their experiences rather than solely examining procedural frameworks or legal doctrines.

Given this context, there is a pressing need to explore the subjective meanings underlying citizens' engagement with judicial review (Lin, 2023; Vermeule, 2024). A phenomenological approach is particularly relevant for addressing this gap, as it prioritizes understanding individuals' interpretations of their experiences within specific social, cultural, and institutional contexts. By focusing on how citizens perceive, construct, and give meaning to their struggles for constitutional rights, the study contributes to a deeper comprehension of the relationship between law, justice, and lived experience in Indonesia. Such an exploration not only enriches the theoretical understanding of constitutional justice but also offers practical insights into improving citizens' access to fair and inclusive legal remedies.

Research on citizens' lived experiences within the judicial review process has increasingly gained attention as scholars seek to understand how individuals interact with legal institutions when defending their constitutional rights (Mukhlis, Janwari, et al., 2023; Mukhlis & Abdullah, 2025). While studies in constitutional and administrative law have extensively addressed judicial review from a doctrinal and procedural perspective, only a limited number of investigations have explored the subjective experiences of those directly involved in such proceedings. The phenomenological dimension of judicial review—how citizens perceive, experience, and assign meaning to their engagement with constitutional litigation—remains a relatively underdeveloped area in both legal and socio-political scholarship.

One of the critical challenges in this field lies in methodological limitations. Much of the existing literature has relied on quantitative approaches, focusing primarily on measurable outcomes such as success rates, frequency of petitions, or patterns of judicial decisions (Ngadi, 2024; Widiatedja & Mishra, 2023). While these studies provide valuable statistical insights, they often fail to capture the depth, complexity, and nuance of citizens' emotional and psychological experiences during the judicial review process. Similarly, studies using purely doctrinal methods tend to analyze judicial review from a legalistic standpoint, overlooking how individuals make sense of procedural obstacles, negotiate institutional dynamics, and cope with the sociopolitical implications of their cases.

As a result, the current understanding of the lived experience of citizens pursuing judicial review remains incomplete. Without examining the subjective meaning attached to these experiences, it is difficult to fully grasp how citizens perceive their rights, justice, and institutional trust within a constitutional democracy. This gap demonstrates the limitations of relying solely on doctrinal or quantitative methodologies, which, while informative, are insufficient for understanding the essence of the phenomenon.

Given these challenges, a phenomenological approach offers a suitable and necessary framework for advancing this line of inquiry (Mukhlis, Maryam, et al., 2023; Mukhlis et al., 2024). By prioritizing participants' subjective perspectives, it allows researchers to uncover hidden meanings and interpretive layers that cannot be identified through surface-level legal or statistical analyses. Such an approach is particularly relevant in the Indonesian context, where citizens' interactions with constitutional justice are deeply intertwined with broader social, political, and cultural realities.

Despite the growing recognition of judicial review as a key mechanism for safeguarding constitutional rights, existing studies have primarily focused on doctrinal analysis, institutional frameworks, and procedural outcomes (Aritonang et al., 2025; Pulungan & Sardjono, 2021). Most research has adopted practical legal approaches, examining how laws are interpreted, how court procedures are structured, and how judgments are enforced. While these perspectives are valuable, they tend to overemphasize the institutional dimension and overlook the personal, emotional, and interpretive aspects of citizens' experiences when engaging in judicial review.

Furthermore, research that utilizes quantitative assessments such as statistical analyses of petition success rates or procedural efficiency provides only a limited understanding of the phenomenon. These approaches rarely address how citizens make sense of their struggles, the meaning they attach to their encounters with legal institutions, or the psychological and social implications of asserting their constitutional rights. As a result, the subjective dimension of judicial review remains largely unexplored, leaving a significant gap in understanding how individuals experience, interpret, and internalize their pursuit of justice.

This limitation highlights the need for an alternative research approach that goes beyond surface-level legal procedures and numeric trends (Lirëza, 2024; Markhgeym et al., 2019). A phenomenological framework, particularly Interpretative Phenomenological Analysis (IPA), provides the tools to capture the richness and depth of subjective experiences, allowing researchers to explore the essence of the phenomenon in a holistic and meaningful way. By focusing on participants' personal narratives, this study addresses the gap in existing literature and seeks to reveal how citizens construct meaning, navigate emotional challenges, and negotiate institutional barriers when defending their constitutional rights through judicial review.

Previous studies on judicial review have primarily examined the process from legal, institutional, and procedural perspectives, leaving limited attention to citizens' subjective experiences (Bošnjak & Zajac, 2023; Davies & Henderson, 2023). Research in constitutional law has mostly focused on doctrinal interpretations, legislative impacts, and court decisions, while overlooking how individuals experience the process personally and emotionally. Some socio-legal studies have explored citizens' access to justice, but they often relied on quantitative surveys or secondary data, providing little insight into the meaning-making process of participants. Few existing studies have integrated phenomenological approaches to examine how individuals interpret their struggles when defending constitutional rights. This study addresses this gap by focusing on the lived experiences of citizens who file judicial review petitions at the Constitutional Court.

To answer the gap identified earlier, this study adopts an Interpretative Phenomenological Analysis (IPA) approach to explore how participants perceive, construct, and interpret meaning from their involvement in judicial review processes (Mitsilegas, 2021; Rahayu, 2023). IPA is chosen because it allows a deep, context-sensitive understanding of human experiences while capturing the emotional, psychological, and social dimensions of the phenomenon. By focusing on participants' narratives, this study highlights their perspectives on procedural barriers, emotional challenges, and evolving constitutional awareness. The approach provides rich, nuanced insights that go beyond legal outcomes to reveal how individuals internalize their struggles for justice. Thus, the study contributes both theoretical value to socio-legal research and practical implications for improving citizens' access to constitutional remedies.

The structure of this article is organized as follows to ensure clarity and coherence. The Introduction presents the research context, identifies the gap, and outlines the study's objectives (Mukhlis, Arifin, Ridwan, & Zulbaidah, 2025; Mukhlis, Arifin, Ridwan, Zulbaidah, et al., 2025). The Method section explains the phenomenological design, participant selection, data collection procedures, and analytical framework used to interpret the findings. The Results section provides a thematic narrative of participants' lived experiences, illustrated with direct quotations. The Discussion interprets the findings within broader legal, social, and cultural contexts, highlighting contributions and implications. Finally, the Conclusion summarizes the study's key insights and suggests directions for future research.

RESEARCH METHODS

Study Design

This study adopted an interpretative phenomenological design to explore the lived experiences of Indonesian citizens who filed judicial review petitions before the Constitutional Court (Clair, 2003; Fenton & Baxter, 2016). Phenomenology was chosen because it enables a deep exploration of the subjective meanings that individuals ascribe to their experiences. Rather than

seeking generalizations, this design focuses on understanding how people perceive, interpret, and construct meaning from their interactions with constitutional justice. The study applied the framework of Interpretative Phenomenological Analysis (IPA), which emphasizes capturing the richness and complexity of personal experiences while acknowledging the researcher's interpretative role in making sense of the data. This approach was deemed the most suitable for answering the research question, as it allowed for an in-depth understanding of the psychological, emotional, and sociopolitical dimensions surrounding citizens' engagement with judicial review processes.

Participants

Participants consisted of Indonesian citizens who had filed judicial review petitions at the Constitutional Court between 2020 and 2024 (Daly, 2007; Murphy & Dingwall, 2017). A purposive sampling strategy was employed to ensure that only individuals with direct, relevant experiences of the phenomenon were included. Participants were required to meet several inclusion criteria: being at least 21 years of age, having independently or collectively filed a judicial review petition, and being able to express personal experiences clearly and coherently. Individuals were excluded if they represented institutional petitioners without personal involvement or if legal confidentiality prevented them from discussing their cases.

A total of twelve participants were included in this study, comprising seven men and five women, aged between 27 and 52 years ($M = 38.6$). They came from diverse educational and professional backgrounds, including civil servants, private-sector employees, lawyers, and community activists. This demographic variety enriched the contextual depth of the findings and allowed the study to capture a broad spectrum of perspectives related to constitutional justice and judicial review.

Data Collection

Data were collected using in-depth, semi-structured interviews designed to elicit participants' subjective experiences during the judicial review process (Longhofer et al., 2012). An interview protocol was developed to ensure conceptual consistency across sessions while allowing participants the freedom to elaborate on issues they considered significant. Interviews were conducted face-to-face in secure and private locations selected by the participants to ensure comfort and confidentiality. Each session lasted between 60 and 90 minutes and was audio-recorded with participants' informed consent.

The interview protocol consisted of open-ended questions exploring participants' perceptions of constitutional rights, emotional experiences, procedural obstacles, and reflections on their engagement with the judicial review process. A supportive and empathetic environment was created to foster trust and encourage participants to share sensitive insights openly. Data collection continued until thematic saturation was achieved, where no new information or themes emerged. All recordings were transcribed verbatim and cross-checked against field notes to ensure accuracy and data reliability.

Data Analysis

The collected data were analyzed using the framework of Interpretative Phenomenological Analysis (IPA) to uncover the essence of participants' lived experiences. The analysis began with an immersive reading of the transcripts to gain a holistic understanding of the narratives. Significant statements and meaning units were identified and labeled to capture essential aspects of participants' experiences. These meaning units were clustered into initial codes, which were then grouped into broader themes that reflected shared experiential patterns across participants.

A process of cross-case analysis was conducted to examine similarities and differences between individual accounts, refining the conceptual clarity of each theme. NVivo 14 software was used to manage and organize the data, although the interpretation remained grounded in participants' voices to maintain the authenticity and depth of their narratives. Through these systematic steps, the analysis produced a set of core themes that captured the psychological, emotional, and sociopolitical dimensions of participants' engagement with the judicial review process.

RESULTS

Perceived Barriers to Accessing Constitutional Justice

Participants consistently described the judicial review process as complex, bureaucratic, and intimidating. The procedural barriers, including legal documentation, institutional requirements, and high costs, created a sense of exclusion for ordinary citizens seeking justice.

“I wanted to challenge the law because it violated my rights, but the process was overwhelming. There were so many documents, terms, and procedures that I didn’t fully understand.”

(Participant 3)

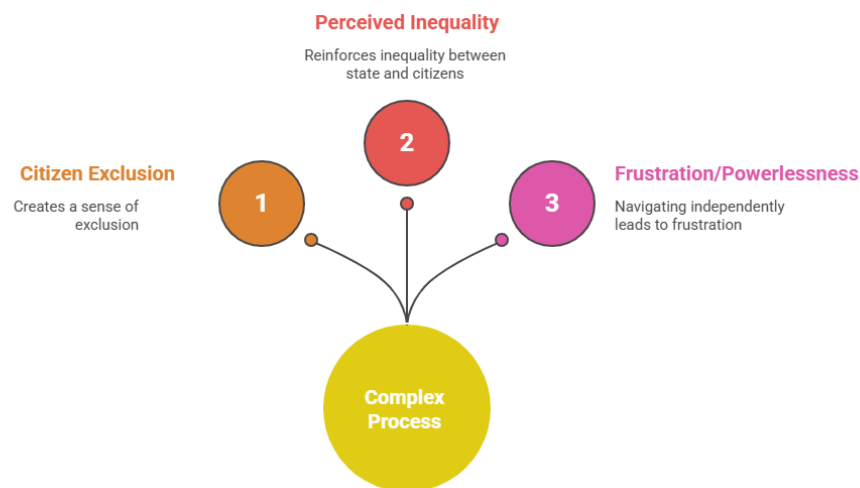
For many participants, these obstacles reinforced a perceived inequality between the state and citizens. While some relied on legal aid, others felt forced to navigate the process independently, leading to frustration and powerlessness.

“It felt like the system was designed for lawyers, not for people like me. Without assistance, it would have been impossible to even file the petition.”

(Participant 7)

This theme highlights a structural gap between legal frameworks guaranteeing constitutional rights and citizens’ practical ability to claim those rights.

Barriers Hinder Access to Justice



Emotional Turmoil During the Judicial Review Process

Beyond procedural challenges, participants reported experiencing emotional distress throughout the judicial review process. Feelings of anxiety, uncertainty, and vulnerability were common as they confronted institutional authorities.

“Every time I attended the court hearing, my heart was pounding. I felt so small standing before the judges, afraid they wouldn’t even hear my voice.”

(Participant 2)

Several participants also described moments of hope and determination, viewing the judicial review as a symbolic fight for justice, even when the odds were against them.

“I knew the chance of winning was small, but I had to try. It was about standing up for my dignity and for the rights of people like me.”

(Participant 5)

This theme reflects the emotional dimension of constitutional litigation and underscores how the process extends beyond legal outcomes to deeply affect citizens' sense of agency and belonging.

Transformation of Constitutional Awareness

For many participants, engaging in the judicial review process became a transformative learning experience. Initially, most had limited knowledge about constitutional rights and legal mechanisms. Through their involvement, they developed a heightened awareness of their role as citizens.

“Before this, I never cared about the Constitution. But after going through this process, I realized how important it is to know our rights and how the government can affect them.”

(Participant 1)

This transformation also fostered civic empowerment, motivating participants to educate others in their communities about constitutional rights and access to justice.

“I now tell people in my village that they need to know the law. We can't just stay silent when our rights are violated.”

(Participant 6)

This theme demonstrates how judicial review participation can contribute to legal literacy and grassroots constitutional awareness.

Citizen's Perception of Institutional Trust

Participants expressed mixed levels of trust toward the Constitutional Court and government institutions. While some viewed the Court as an independent guardian of constitutional justice, others perceived political influences undermining its credibility.

“I believe the Constitutional Court is still the last hope for justice. It gave me a chance to speak and present my arguments.”

(Participant 4)

Conversely, several participants were skeptical about the Court's impartiality, particularly when rulings aligned closely with political interests.

“Sometimes it feels like the decisions are already made before the hearings. Ordinary people like us are just there to complete the formality.”

(Participant 8)

This theme reveals the tension between citizen expectations and institutional performance, highlighting the need for greater transparency and inclusivity in judicial processes.

DISCUSSION

Summary of Key Findings

This study explored the lived experiences of Indonesian citizens pursuing judicial review petitions at the Constitutional Court, revealing four essential themes: perceived barriers to constitutional justice, emotional turmoil during the process, transformation of constitutional awareness, and evolving trust in legal institutions. These findings respond directly to the central research question, providing deeper insights into how citizens interpret and construct meaning from their engagement with constitutional justice.

Contribution of Findings to the Research Question

The results demonstrate that judicial review is not merely a legal procedure but a deeply personal and transformative experience for citizens. By exploring participants' subjective narratives, the study reveals how individuals navigate institutional obstacles, emotional struggles, and broader socio-political dynamics when defending their constitutional rights. These findings directly address

the research question by uncovering how participants perceive and internalize their interactions with the judicial system, offering a unique understanding that goes beyond procedural and doctrinal analyses.

Unlike prior research that emphasized the mechanics of judicial review, this study highlights the meaning-making process of citizens. For many, the experience extended beyond winning or losing a petition; it was a journey of agency, identity, and empowerment. The act of filing a judicial review petition allowed participants to confront legal authorities, assert their rights, and reconstruct their sense of belonging within the democratic framework. By capturing these insights, the study contributes a new layer of understanding to the discourse on constitutional justice in Indonesia.

Relationship to Previous Literature and Theoretical Perspectives

The findings align with previous socio-legal studies suggesting that judicial review can serve as both a legal safeguard and a catalyst for civic transformation. Consistent with Mukhlis, Suradi, et al., (2023) hermeneutic perspective, this study demonstrates that citizens' engagement with constitutional justice fosters heightened legal consciousness and reshapes their perceptions of rights and justice. However, the results also extend beyond prior research by uncovering emotional and psychological dimensions often overlooked in quantitative or doctrinal analyses.

In contrast to Sand & McGee, (2022), who emphasize the administrative burdens associated with judicial review, this study reveals that participants' experiences are also shaped by personal resilience and evolving constitutional awareness. Furthermore, while Mukhlis, (2025b) documented procedural challenges faced by petitioners, this study advances the literature by highlighting how citizens assign meaning to those challenges and reinterpret their relationship with legal institutions. The integration of phenomenological insights into constitutional law research provides a more holistic understanding of judicial review as both a legal mechanism and a personal journey.

Implications of the Findings

The findings of this study hold significant theoretical, practical, and socio-cultural implications. From a theoretical perspective, the results deepen the understanding of constitutional justice by revealing how citizens actively construct meaning from their experiences with judicial review. Rather than perceiving judicial review solely as a legal process, participants' narratives highlight it as a personal and collective journey marked by emotional struggles, resilience, and evolving awareness of rights. This reinforces the importance of integrating phenomenological perspectives into socio-legal research to uncover the human dimensions behind institutional processes.

Practically, the findings suggest that judicial institutions, including the Constitutional Court, need to enhance their accessibility, transparency, and responsiveness to citizens. By addressing procedural barriers and improving legal literacy, institutions can foster greater public trust and participation in constitutional litigation. On a broader cultural level, the results underscore the transformative role of judicial review in shaping civic identity, encouraging citizens to engage more actively with their constitutional rights. These insights are particularly relevant in Indonesia's socio-political context, where strengthening democratic governance depends on empowering citizens to exercise their agency in legal and institutional settings.

Limitations of the Study

Despite providing rich insights into the lived experiences of citizens, this study has several limitations that should be acknowledged (Salam & Iskandar, 2024; Tereszkiewicz, 2024). First, the research was conducted within a specific legal and cultural context, focusing on judicial review processes in Indonesia, which may limit the transferability of the findings to other jurisdictions. Second, the study relied on a relatively small sample size of twelve participants, consistent with phenomenological research, but this inevitably restricts the ability to generalize the results to a broader population. Third, while Interpretative Phenomenological Analysis (IPA) provides depth and richness, its interpretive nature carries the potential for researcher subjectivity, even though rigorous

strategies such as member checking, triangulation, and audit trails were implemented to enhance credibility.

These limitations do not diminish the contribution of the study but instead highlight opportunities for future research. They indicate the need for comparative and cross-cultural studies to examine whether similar experiential patterns emerge in different legal and institutional environments. Furthermore, they underscore the importance of exploring how citizens' experiences might vary across different socio-political contexts and institutional frameworks.

Future Research Directions

The results of this study open multiple avenues for further inquiry into the intersection of law, experience, and meaning (Mahadew, 2025). Future research could expand the scope by conducting comparative studies between different constitutional courts or legal systems to understand how institutional design influences citizens' lived experiences. Longitudinal studies may also provide insights into the long-term impact of judicial review participation on citizens' legal awareness, institutional trust, and civic identity.

Additionally, future studies could integrate mixed-method approaches by combining phenomenological inquiry with quantitative assessments to strengthen analytical depth and broaden applicability. Exploring citizens' interactions with other constitutional mechanisms such as human rights courts or administrative tribunals could also yield a more comprehensive understanding of public engagement with legal systems. By extending the phenomenological lens to diverse contexts, future research can further illuminate how personal narratives and institutional realities shape constitutional justice in practice.

CONCLUSION

This study explored the lived experiences of Indonesian citizens who pursued judicial review petitions at the Constitutional Court to defend their constitutional rights. Rather than merely documenting procedural and emotional challenges, the findings illuminate how these experiences actively reshape citizens' legal consciousness, revealing the Constitutional Court not only as a legal forum but also as a site of evolving democratic engagement. By adopting an Interpretative Phenomenological Analysis (IPA) approach, the study goes beyond doctrinal and quantitative accounts, offering a nuanced understanding of the interplay between individual meaning-making and institutional legitimacy. These insights contribute theoretically by advancing socio-legal debates on constitutional justice as a lived practice, and practically by identifying leverage points for strengthening institutional accessibility, transparency, and public trust. Nonetheless, the scope is limited by its small sample size and single-country focus. Future research should develop comparative analyses across jurisdictions to assess how cultural, political, and institutional variations shape citizens' constitutional experiences, as well as longitudinal studies to trace how trust in legal institutions evolves over time. Such approaches would deepen analytical understanding of the dynamics between citizens and constitutional justice beyond the Indonesian context.

CONFLICT OF INTEREST

The authors declare that there is no conflict of interest regarding the publication of this article.

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