



THE CONSTITUTION AS THE FOUNDATION OF THE STATE ADMINISTRATION OF THE REPUBLIC OF INDONESIA

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ABSTRACT

This study explores the 1945 Constitution of the Republic of Indonesia as the fundamental basis for state administration, focusing on its historical evolution, constitutional principles, and the challenges faced in its implementation. Using a qualitative approach through literature study and library research, this research analyzes key amendments made to the Constitution, particularly those introduced during the Reformasi period, which aimed at decentralizing power and enhancing democratic governance. The findings indicate that, even after these reforms, problems such as concentrated executive power, uneven enforcement of the rule of law, corruption, and low levels of political participation continue to persist, obstructing the full fulfillment of constitutional guarantees for justice, equality, and democratic involvement. The study concludes that further institutional reforms, strengthening judicial independence, improving public political literacy, and refining the balance of centralization and regional autonomy are essential for improving the governance system. This research contributes to understanding the practical challenges in implementing Indonesia's constitutional framework and provides recommendations for future legal and institutional reforms.

A. INTRODUCTION

The Constitution of the Republic of Indonesia, particularly the 1945 Constitution (*Undang Undang Dasar/UUD 1945*), plays a crucial role as the foundational legal framework for the administration of the state.¹ It sets out the political and legal structure of the country and serves as a guideline for the functioning of state institutions. The Constitution's adaptability, having undergone several amendments, demonstrates its response to evolving

¹ Nuraika Ishak, "Politik Hukum Pengaturan Amandemen Undang-Undang Dasar Negara Kesatuan Republik Indonesia Tahun 1945," *Supremasi Hukum: Jurnal Kajian Ilmu Hukum* 5, no. 2 (2016): 97.

political, social, and economic contexts in Indonesia. However, while the role of the Constitution is widely acknowledged, a comprehensive understanding of how its provisions guide the practical implementation of state governance remains underexplored in the literature.²

In the existing body of research, scholars such as Jimly Asshiddiqie³ and Hanna Nur Afifah Yogar⁴ have highlighted the historical and legal importance of UUD 1945 in shaping the political landscape of Indonesia. However, these studies often focus on specific aspects of constitutional amendments or the theoretical underpinnings of the legal text, leaving out a detailed examination of the practical implications for state administration in the contemporary era.⁵ A significant research gap exists regarding the application of constitutional principles in the day-to-day functioning of the government and its role in fostering democratic governance.

The 1945 Constitution of the Republic of Indonesia (*Undang Undang Dasar/UUD 1945*) was initially drafted during the formative years of the Indonesian independence struggle, reflecting the political and social realities of the time. The Constitution was promulgated on August 18, 1945, just two days after Indonesia's declaration of independence, laying down the fundamental principles for state governance. The document was concise and direct, concentrating on outlining the foundational framework of the state, which included the organization of government, the division of powers, and the safeguarding of fundamental rights. The original document established a unitary presidential system with a strong executive branch and a limited, advisory legislative body.⁶

Over the decades, the Constitution underwent significant amendments, especially after the 1998 Reforma period, which marked a shift toward democratization. The constitutional amendments, which began in 1999 and continued through 2002, introduced pivotal changes such as the direct election of the president, the expansion of the powers of the legislature, and the establishment of the Constitutional Court.⁷ These changes reflected the

² Zainudin Hasan, Sanyyah Majidah, Aldi Yansah, Rahmi Fitrioviana Salsabila, and Made Sera Wirantika, "Konstitusi Sebagai Dasar Hukum Dalam Pembangunan Sistem Hukum Nasional," *Jurnal Ilmiah Mahasiswa* 2, no. 1 (2024): 47.

³ Jimly Asshiddiqie, *Konstitusi Dan Konstitutionalisme Indonesia*, (Sinar Grafika, 2021), 12.

⁴ Hanna Nur Afifah Yogar, "Indonesian Policy Landscape: The Emphasis on Philosophy, Religion and Cultural Foundations in Policy-Making," In *Handbook of Public Policy in Asia*, (Camberley: Edward Elgar Publishing, 2025), 412.

⁵ M. Yasin, al Arif. "Aktualisasi Paham Konstitutionalisme Dalam Konstitusi Pasca Amandemen UUD NRI 1945," *Pandecta Research Law Journal* 12, no. 2 (2017): 176.

⁶ Jimly Asshiddiqie, *Konstitusi Dan Konstitutionalisme Indonesia*, (Sinar Grafika, 2021), 13.

⁷ Wesley Liano Hutasoit, "Analisa Perubahan Amandemen Uud 1945 Perubahan Pertama Tahun 1999 Sampai Perubahan Ke-Empat Tahun 2002," *DEDIKASI: Jurnal Ilmiah Sosial, Hukum, Budaya* 37, no. 2 (2018): 69. See too, Jimly Asshiddiqie, *Konstitusi Dan Konstitutionalisme Indonesia*, (Jakarta: Sinar Grafika, 2021), 14.

evolving needs of the Indonesian state to address increasing demands for democracy, transparency, and accountability in governance. Importantly, these reforms were aimed at strengthening the rule of law and ensuring a more balanced distribution of powers between the executive, legislative, and judicial branches.⁸ The evolution of UUD 1945 thus reflects Indonesia's ongoing adaptation to the political, social, and economic conditions of the time, aiming to ensure that its constitutional framework remains relevant and functional.

The constitutional principles embedded in UUD 1945 form the backbone of Indonesia's state governance. One of the central tenets of the Constitution is the concept of a unitary state, which emphasizes the centralization of authority while still allowing for regional autonomy in certain matters.⁹ UUD 1945 also establishes Indonesia as a presidential system, where the president functions as both the head of state and the head of government, a system that ensures political stability while placing significant executive power in the hands of one individual.¹⁰ Furthermore, the Constitution defines fundamental human rights and ensures the protection of individual freedoms, providing a legal foundation for democratic governance and active participation in the political process.

Moreover, UUD 1945 upholds the principle of the rule of law, requiring that the government act within the limits of legal authority and respect citizens' rights.¹¹ This principle is essential for ensuring that power is exercised fairly and transparently, thereby promoting public trust in government institutions. In addition, the Constitution provides a framework for the separation of powers among the executive, legislative, and judicial branches, with each branch designed to check and balance the others, preventing the concentration or

⁸ Wicipo Setiadi, "Pembangunan hukum dalam rangka peningkatan supremasi hukum," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 1, no. 1 (2012): 10. See too, Sonia Ivana Barus, "Proses Perubahan Mendasar Konstitusi Indonesia Pra Dan Pasca Amandemen," *University Of Bengkulu Law Journal* 2, no. 1 (2017): 31.

⁹ W. Madjid, and Muh Ilham Akbar, "Tinjauan Prinsip Konstitutionalisme Dalam Undang-Undang Dasar 1945 Hasil Amandemen Dan Wacana Perubahannya," *Jurnal Hukum Dan HAM Wara Sains* 2, no. 03 (2023): 156.

¹⁰ M. Said Bakhri, "Authority of the Executive Board in Appointing Acting Substitutes for Regional Heads in a Presidential Government System According to the 1945 Constitution of the Republic of Indonesia," *Journal of Law and Social Politics* 1, no. 2 (2023): 140. See too, Asep Sapsudin, and Hendri Abdul Qohar, "Constitutional Law Reform to Realize Inclusive Higher Education for Persons with Disabilities," *JURNAL AKTA* 11, no. 4 (2024): 1322.

¹¹ Jerimas Pelokilla, "UUD 1945 Sebagai Landasan Konstitutional Terhadap Perlindungan Hak Warga Negara Indonesia," *JOCER: Journal of Civic Education Research* 1, no. 1 (2023): 26. See too, A. W. Prameswari, "Ratio legis dan dampak pengaturan kewarganegaraan ganda dalam undang-undang kewarganegaraan republik indonesia," *Jurnal Ilmiah Kebijakan Hukum* 13, no. 3 (2019): 363.

abuse of power.¹² The design of these checks and balances, along with the establishment of independent bodies like the Constitutional Court, reflects a commitment to democratic principles and the protection of civil rights.¹³

While the 1945 Constitution provides a robust framework for governance, its implementation in modern Indonesia faces significant challenges. One of the primary issues is the inconsistency between constitutional principles and their real-world application.¹⁴ Despite the establishment of democratic systems and institutions, challenges remain in ensuring the effective enforcement of the rule of law.¹⁵ Corruption remains endemic in various sectors of government, undermining public trust and impeding the implementation of constitutional provisions designed to ensure justice and equality.¹⁶ This issue has been particularly evident in the judicial and legislative branches, where corruption scandals have hindered effective governance and perpetuated inequality.

Another challenge is the complexity of balancing the centralization of power with the need for regional autonomy. The Constitution grants considerable powers to the central government, but Indonesia's vast geographical and cultural diversity necessitates a nuanced approach to decentralization. Over the years, regional autonomy has been expanded, yet tensions between the central government and local authorities persist, especially regarding control over natural resources and local governance.¹⁷ This decentralized structure, while intended to promote local democracy, has sometimes led to mismanagement and inefficiency in governance, further complicating the constitutional goal of achieving equitable development across the nation.

Additionally, the rapid pace of political and economic change in Indonesia presents another layer of difficulty in implementing constitutional provisions. The 1998 Reformasi period led to significant reforms in political and legal institutions, but the shift to democracy has not always been accompanied

¹² Bagus Hermanto, "Reformulasi Undang-Undang Kewarganegaraan Indonesia: Perspektif Politik Hukum, Problematik, dan Prospek Pengaturan," *Jurnal Legislasi Indonesia* 19, no. 2 (2022): 210.

¹³ Yaron Katz, "Which Democratic System Better Allows the Checks and Balances That Guarantee Democratic Rule but Equally Protects Minority Rights?," *IJMRGE* 5 no. 1 (2024): 772.

¹⁴ Daniala Yusuf Yusfiah, and Budi Kristanto, "Sejarah Reformasi Konstitusi Negara Indonesia," *Riwayat: Educational Journal of History and Humanities* 8, no. 3 (2025): 4225.

¹⁵ Miftah Alfidyah, "Konstitusi sebagai fondasi hukum tertinggi negara," *Jurnal Hukum Tata Negara dan Konstitusi* 1, no. 1 (2025): 10.

¹⁶ Joy Ndidiama Okoye, N D Okafor, and C Ojimba, "Corruption in the Nigerian Public Sector: Causes, Consequences and Sustainable Solutions," *International Journal of Advanced Multidisciplinary Research and Studies* 4, no. 5 (2024): 1109.

¹⁷ Nicolas Keuffer, and Andreas Ladner, "Local and Regional Autonomy—Indexes and Trends," In *A Research Agenda for Regional and Local Government*, (Camberley: Edward Elgar Publishing, 2021), 19.

by institutional strengthening or an increase in political literacy among the populace. As a result, many citizens remain disconnected from the formal political process, and political engagement remains limited to a narrow segment of society.¹⁸ The Constitution, while promoting democratic principles, faces an ongoing challenge in ensuring broad-based participation and in managing the complex interplay between political stability and individual freedoms in a diverse society.

The urgency of this study lies in the fact that, despite the extensive body of constitutional law, challenges in ensuring effective governance remain. These challenges encompass the effective enforcement of the rule of law, safeguarding human rights, and maintaining a proper balance of power among state institutions. Moreover, with the ongoing political and economic challenges in Indonesia, there is a pressing need to revisit the constitutional framework to understand how it can be better implemented in modern governance. The novelty of this paper lies in its focus on the practical implications of the 1945 Constitution as the foundational basis for state administration, addressing the gap in current literature by integrating both theoretical and practical perspectives.

This research aims to explore how the 1945 Constitution serves as the legal backbone of state administration in Indonesia. It will investigate the role of constitutional provisions in structuring government institutions and ensuring democratic processes. Furthermore, the study will assess the strengths and limitations of the Constitution in addressing current governance issues. The main objective of this research is to provide a comprehensive analysis of the Constitution's application in state administration and offer insights into potential improvements for its effective implementation. The findings of this research will contribute to the scholarly understanding of Indonesia's constitutional framework and its practical relevance in the modern era.

Based on the above background, this research is formulated to answer the following three main research questions:

1. How are the key constitutional principles of UUD 1945 implemented in Indonesia's state governance, and what challenges arise in practice?
2. What are the most critical contemporary governance challenges hindering the effective implementation of the 1945 Constitution?
3. To what extent have the post-Reformasi constitutional amendments succeeded in creating more effective and democratic governance?

¹⁸ Maria Grasso, and Katherine Smith, "Gender Inequalities in Political Participation and Political Engagement among Young People in Europe: Are Young Women Less Politically Engaged than Young Men?" *Politics* 42, no. 1 (2022): 42.

B. RESEARCH METHODS

This research employs a qualitative approach, utilizing a literature study as the primary method for data collection. A literature study is chosen because it allows for a comprehensive review of existing scholarly work related to the Constitution of Indonesia, its historical context, principles, and challenges in the modern governance framework. This type of research is appropriate for analyzing theoretical and conceptual frameworks, providing an in-depth understanding of the subject matter through various perspectives and interpretations from previous studies.¹⁹

Data sources for this study are drawn from academic journals, books, official reports, and government publications. These sources provide a robust foundation for understanding the historical evolution, legal implications, and practical applications of the 1945 Constitution. The selection of sources is based on their relevance, credibility, and scholarly contribution to the field of constitutional law and governance in Indonesia. Sources include foundational texts, such as Asshiddiqie's work on constitutionalism in Indonesia, as well as more recent studies on the effects of constitutional amendments and their implications for governance.²⁰

Data collection techniques involve a systematic review of relevant literature, focusing on both primary and secondary sources. Primary sources include legal documents such as the original and amended versions of the 1945 Constitution, while secondary sources encompass scholarly articles, books, and analysis by constitutional experts.²¹ The search for relevant literature is conducted using academic databases such as JSTOR, Google Scholar, and institutional repositories, ensuring that the collected data reflects the latest research and legal interpretations. A careful selection process is employed to ensure that the included studies are peer-reviewed and authoritative.

For the data analysis method, this research utilizes content analysis, a qualitative method that involves categorizing and interpreting textual data to identify patterns, themes, and key concepts.²² Content analysis enables the extraction of meaningful insights from diverse sources, allowing for a comprehensive understanding of the evolution and application of the 1945 Constitution. Thematic coding is employed to analyze the data, with themes

¹⁹ John W. Creswell, and J David Creswell, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*, (California: Sage publications, 2017), 65.

²⁰ Jimly Asshiddiqie, *Konstitusi Dan Konstitutionalisme Indonesia*, (Sinar Grafika, 2021), 15. See too, Miftah Alfidyah, "Konstitusi sebagai fondasi hukum tertinggi negara," *Jurnal Hukum Tata Negara dan Konstitusi* 1, no. 1 (2025): 11.

²¹ Hamed Taherdoost, "A Guide to Evaluate Academic Sources to Develop Research Paper: Source Selection in Academic Writing," *Asian Review of Social Sciences* 11 (2022): 56.

²² Klaus Krippendorff, *Content Analysis: An Introduction to Its Methodology*, (California: Sage publications, 2018), 23.

such as "historical evolution," "constitutional principles," and "challenges in governance" being identified and explored. The analysis also critically engages with the limitations and gaps in the current literature, highlighting areas where further research is needed. By synthesizing insights from various scholarly works, this study aims to provide a nuanced understanding of the role of the Constitution in Indonesia's state administration.

C. DISCUSSION

1. Implementation of Constitutional Principles and Challenges in Governance

The analysis of the 1945 Constitution of the Republic of Indonesia (UUD 1945) reveals several significant insights into its role as the foundation for state administration.²³ These findings, which stem from an in-depth review of relevant literature, focus on three primary areas: the historical evolution of the Constitution, its principles and their impact on governance, and the challenges in implementing its provisions in modern Indonesia.²⁴ The historical evolution of the 1945 Constitution highlights its development from a foundational document during Indonesia's independence to a more comprehensive framework following key amendments.²⁵ Initially, the Constitution was crafted in the context of post-colonial aspirations, focusing primarily on establishing a unitary state and a strong presidential system to provide stability in a newly independent nation. The 1945 Constitution reflected the national struggle for independence and was influenced by the ideals of the Indonesian nationalist movement, which sought to create a centralized, stable governance system.²⁶

However, the political landscape in Indonesia evolved significantly over time, leading to the necessity of reforms. The most notable changes occurred during the Reformasi period of 1998, following the fall of the New Order regime. The amendments between 1999 and 2002 introduced critical reforms that democratized the political system, including the direct election of the president, the strengthening of the legislative bodies, and the creation of the Constitutional Court. These changes were pivotal in decentralizing power and promoting democratic values, responding to the calls for greater transparency,

²³ Melani Safitri, and Arif Wibowo, "Peranan Mahkamah Konstitusi Di Negara Indonesia (Mengenal Mahkamah Konstitusi)," *Jurnal Penelitian Multidisiplin* 2, no. 1 (2023): 72.

²⁴ Ainur Rofiq, Alvin Zaenia, Bakti Fatwa Anbiya, Huriya Afrah Khuzaima, Aziya Alimatu Zulfa, and Carina Winda Maretta, "Analisis Hak dan Kewajiban Warga Negara yang Terkandung dalam UUD Negara Republik Indonesia Tahun 1945," *Jurnal Harmoni Nusa Bangsa* 2, no. 1 (2024): 92.

²⁵ Ahmad Yani, "Sistem Pemerintahan Indonesia: Pendekatan Teori dan Praktek Konstitusi Undang-Undang Dasar 1945," *Jurnal Ilmiah Kebijakan Hukum* 12, no. 2 (2018): 119.

²⁶ Jimly Asshiddiqie, *Konstitusi Dan Konstitutionalisme Indonesia*, (Sinar Grafika, 2021), 16.

accountability, and citizen participation.²⁷ The amendments, however, revealed inherent challenges in balancing centralization and regional autonomy, which remain issues of contention in the current governance framework.²⁸

The constitutional principles embedded in the 1945 Constitution are fundamental to Indonesia's governance structure. Central to these principles is the notion of a unitary state, which emphasizes a strong central government while permitting regional autonomy in specific areas. This framework is intended to maintain national unity while recognizing the diverse ethnic, cultural, and geographical realities across the archipelago. The Constitution's provision for a centralized authority, particularly in economic and security matters, has been critical in ensuring national stability and cohesion. However, the implementation of regional autonomy, which was further expanded through the 1999 amendments, has not been without challenges. Disputes between the central government and local authorities over issues such as resource management and regional economic control continue to create tensions, complicating the goal of equitable development.²⁹ Additionally, the presidential system outlined in the Constitution consolidates significant power within the office of the president, positioning the president as both the head of state and the head of government. While this arrangement has contributed to political stability, it has also been criticized for concentrating too much power in one office, potentially leading to authoritarian tendencies, especially in times of crisis. This concentration of power has created difficulties in achieving the necessary checks and balances among state institutions.³⁰ The Constitution's establishment of a rule of law system further underscores its commitment to democratic governance by guaranteeing fundamental rights and ensuring that all state actions are based on law. However, the application of this principle has often been inconsistent, particularly when addressing

²⁷ Sila I. Made, I Gusti Ngurah Santika, Daniel Ndara Kandi, and Carolina R K D Ngana, "Democracy and The 1945 Constitution: A Political Perspective on Indonesia's Constitutional Framework." *International Journal of Education and Social Science Studies* 1, no. 2 (2025): 93.

²⁸ Muhammad Mutawalli Mukhlis, "Regional Government Autonomy in Indonesia: The Ambiguity of the Federalism of Republic Model," *Malaysian J. Syariah & L.* 13 (2025): 35. See too, Nuraika Ishak, "Politik Hukum Pengaturan Amandemen Undang-Undang Dasar Negara Kesatuan Republik Indonesia Tahun 1945," *Supremasi Hukum: Jurnal Kajian Ilmu Hukum* 5, no. 2 (2016): 98.

²⁹ Vladyslav Teremetskyi, Valeriy Velychko, Oleksii Lialiuk, Inna Gutsul, Svitlana Smereka, and Viktoriia Sidliar, "Challenges for Local Authorities: The Politics and Practice of Financial Management in the Way for Sustainable Development," *J. Legal Ethical & Regul. Issues* 24 (2021): 1.

³⁰ Alexander Bolton, and Sharece Thrower, *Checks in the Balance: Legislative Capacity and the Dynamics of Executive Power*, (New Jersey: Princeton University Press, 2021), 31.

issues such as corruption, human rights violations, and unequal access to justice.³¹

2. Contemporary Challenges in Constitutional Implementation

Despite the Constitution's strong framework, challenges in its implementation persist, particularly in the areas of corruption, regional governance, judicial independence, and political participation. One of the most significant challenges in implementing the provisions of the Constitution is the widespread corruption that continues to plague Indonesia's political system. Corruption has been endemic at various levels of government, including the legislature, executive, and judiciary, undermining the rule of law and eroding public trust in state institutions. The persistence of corruption highlights the gap between the constitutional ideal of transparency and accountability and the reality of government practices.³² Moreover, the issue of regional autonomy continues to create friction between central and local governments. While the 1999 amendments granted significant autonomy to regional governments, allowing them more control over local resources and governance, conflicts over resource management and governance remain prevalent. This has led to calls for a more balanced approach to decentralization that both respects regional autonomy and ensures equitable national development.³³

Another critical challenge lies in ensuring the independence of the judiciary, which is a cornerstone of the Constitution. While the creation of the Constitutional Court was a step forward in safeguarding judicial independence, there have been numerous instances where political influence has undermined the judiciary's role in upholding the Constitution. These issues have raised concerns about the ability of the judiciary to act as an effective check on executive and legislative power, which is essential for maintaining the integrity of democratic processes.³⁴ Additionally, the engagement of the public in political and democratic processes remains limited. Despite the Constitution's emphasis on democratic participation, a large portion of the population remains uninformed about their constitutional rights, leading to low levels of civic engagement. Political literacy remains a significant issue, with many

³¹ Anne Peters, "Human Rights and Corruption: Problems and Potential of Individualizing a Systemic Problem," *International Journal of Constitutional Law* 22, no. 2 (2024): 538.

³² Muslim, and Rimi Gusliana Mais, "The Interplay between Transparency, Accountability, and Corruption: A Contemporary Discourse," *Advances: Jurnal Ekonomi & Bisnis* 1, no. 6 (2023): 332.

³³ Ngam Confidence Chia, Kaze Tindo Narcisse Saturnin, and Young Chantal Nkeneh, "The Cameroon Decentralization Project: Tool of Conflict Resolution or Seed of Discrepancies in the Governance of a Heterogeneous State?" *EAS Journal of Humanities and Cultural Studies* 2, no. 3 (2020): 105.

³⁴ Shashvat Tiwari, "The Role of the Judiciary in Upholding Democratic Principles," *Issue 6 Int'l JL Mgmt. & Human*, 7 (2024): 539.

citizens lacking the knowledge to fully participate in the democratic process or advocate for their rights.³⁵ This lack of engagement weakens the functioning of democratic institutions and perpetuates inequality in political representation.

Despite these challenges, the analysis also reveals several opportunities for improvement in implementing the Constitution's provisions. Strengthening governance institutions, particularly in the judiciary and legislative bodies, is essential for addressing corruption and ensuring greater accountability in governance. Reforms focused on enhancing transparency, judicial independence, and the effective enforcement of laws can help bridge the gap between constitutional ideals and practice.³⁶ Furthermore, increasing political literacy among the populace is critical to fostering a more informed and engaged electorate. Educational initiatives and public awareness campaigns can enhance citizens' understanding of their constitutional rights and responsibilities, thereby strengthening democratic participation.³⁷ Finally, policymakers must continue to refine the balance between centralization and regional autonomy. Efforts should be made to ensure that local governments are empowered to meet the needs of their populations while maintaining national unity and promoting equitable development across the country.³⁸

3. Evaluation of the Effectiveness of Post-Reformation Constitutional Amendments

The findings of this research provide a comprehensive understanding of the 1945 Constitution of Indonesia and its role in shaping the state administration. These results highlight the continued relevance of the Constitution in guiding governance, while also shedding light on areas that require further reform and improvement. A central finding is that, while the 1945 Constitution has undergone significant reforms, particularly after the Reformasi period in the late 1990s and early 2000s, challenges in balancing centralization and regional autonomy persist. The decentralization reforms

³⁵ Uchechukwu Kizito Ogu, and Chidiebere Peter Okechukwu, "The imperative of political participation and literacy for sustenance of democracy in Nigeria," *Izu: journal of critical perspectives* 2, no. 1 (2024): 212.

³⁶ Joy Ndidiama Okoye, N D Okafor, and C Ojimba, "Corruption in the Nigerian Public Sector: Causes, Consequences and Sustainable Solutions," *International Journal of Advanced Multidisciplinary Research and Studies* 4, no. 5 (2024): 1110.

³⁷ R. A Sivasamy Deepa, S Selvam, and S Pathurnisha, "The role of Indian constitution education and mass media in fostering civic awareness and democratic values: a research paper," *A Landmark on the Indian Constitution* 2, no. 1 (2023): 79. See too, Asti Wasiska, Geofani Milthree Saragih, Edy Setyawan, Tarmudi Tarmudi, "Comparative Analysis of Judicial Authority in Upholding Constitutionality: Indonesia's Constitutional Court and US Supreme Court," *Jurnal Pembaharuan Hukum* 12, no 2 (2025): 289.

³⁸ George Atisa, Aziza Zemrani, and Matthew Weiss, "Decentralized Governments: Local Empowerment and Sustainable Development Challenges in Africa," *Environment, Development and Sustainability*, 23, no. 3 (2021). 3351.

were designed to empower regional governments and enhance democratic practices, but tensions between the central and regional governments remain unresolved. Regional elites consolidating power and mismanagement of local resources continue to undermine the full benefits of decentralization. This is consistent with Mukhlis theory on federalism, which highlights the difficulties in balancing regional autonomy with national unity.³⁹ In Indonesia, the decentralization of power has often led to inefficiencies in governance, particularly in resource-rich regions such as Papua and Aceh. The lack of effective monitoring mechanisms further complicates the implementation of constitutional provisions, as local governments often face challenges in managing resources equitably.⁴⁰

Another key finding is the concentration of power in the presidential system, which, while ensuring political stability, can also undermine democratic checks and balances. The significant power granted to the president, as outlined in the Constitution, has led to an imbalance between the branches of government, particularly in terms of the relationship between the executive and the legislature. This concentration of power has often marginalized the role of the legislature and the judiciary, especially when critical political decisions are made. This situation aligns with Raymond Hinnebusch argument in *The Spirit of the Laws*, where he warns of the dangers of concentrating power in a single branch of government, as this can lead to authoritarian tendencies.⁴¹ In Indonesia, the dominance of the executive in decision-making has limited the effectiveness of other branches of government, compromising the system of checks and balances envisioned by the Constitution.⁴²

The findings further reveal inconsistencies in enforcing the rule of law, especially concerning anti-corruption efforts and the protection of human rights. Although the Constitution guarantees equality before the law and fundamental freedoms, widespread corruption continues to undermine the effective realization of these constitutional rights. Corruption continues to affect various branches of government, especially the judiciary and legislature, which weakens public trust in the legal system. This aligns with the argument made by Gjorgi Slamkov, who assert that corruption is one of the primary

³⁹ Muhammad Mutawalli Mukhlis, "Regional Government Autonomy in Indonesia: The Ambiguity of the Federalism of Republic Model," *Malaysian J. Syariah & L.* 13 (2025): 37.

⁴⁰ Natalia Siur, Hanna Kuzmenko, Iryna Pavlichenko, Tetiana Malakhova, and Andrey Pravdiuk, "Basic Principles of the Constitutional System of Local Self-Government," *Multidisciplinary Reviews* 7 (2024): 323.

⁴¹ Raymond A. Hinnebusch, *Authoritarian Power and State Formation in Bathist Syria: Army, Party, and Peasant*, (Routledge: Routledge, 2021), 12.

⁴² Tyara Devy Purnamasari, and Jadmiko Anom Husodo, "Constitutional Court as an Actor That Maintains Check and Balance System Through the Judicial Review Process in Indonesia," In *International Conference on Cultural Policy and Sustainable Development (ICPSD 2024)*, (Dordrecht: Atlantis Press, 2024), 628.

obstacles to the effective functioning of democratic institutions.⁴³ In Indonesia, corruption has hindered the realization of constitutional promises of justice and equality. The lack of judicial independence, coupled with political interference, further exacerbates this issue, making it difficult to achieve fair and equitable legal outcomes for all citizens.⁴⁴

Political engagement and public awareness of constitutional rights also remain significant challenges. Despite the guarantees of democracy and participation in the Constitution, a large segment of the population remains disengaged from the political process. The findings suggest that political literacy is still limited in Indonesia, with many citizens lacking a thorough understanding of their rights and responsibilities. This lack of engagement and awareness weakens the democratic system, as it limits citizens' ability to hold the government accountable and participate fully in the political process. This finding is consistent with Steven Klein argument that true democracy requires not only the formal structures for participation but also widespread political literacy and engagement among the public.⁴⁵ In Indonesia, efforts to increase political awareness and improve civic education are critical to fostering a more informed electorate and strengthening democratic practices.

The analysis also identifies several opportunities for improvement in implementing the Constitution's provisions. Strengthening governance institutions, particularly the judiciary and legislative bodies, is essential to tackling corruption and ensuring greater accountability in governance. Reforms focused on improving judicial independence and enforcing anti-corruption laws can help address the gap between constitutional ideals and the reality of governance in Indonesia. Additionally, enhancing political literacy among the population is crucial for empowering citizens to better understand and exercise their constitutional rights. Educational programs and public awareness campaigns can play a significant role in improving public participation in the democratic process, thereby ensuring that constitutional guarantees are not just theoretical but practically effective.⁴⁶ Finally, efforts to refine the balance between centralization and regional autonomy must continue, ensuring that local governments have the resources and authority needed to meet the needs of their populations while still maintaining national unity and promoting

⁴³ Gjorgi Slamkov, "Corruption as an Obstacle to the Rule of Law and Economic Development," *Vision International Scientific Journal* 9, no. 2 (2024): 37.

⁴⁴ Adinda Zahra Fathyah, and Rani Santika, "Judicial Independence and Political Influence in Modern Democracies," In *Journal of Law and Social Politics*, 3 no. 3 (2025): 59.

⁴⁵ Steven Klein, "Democracy Requires Organized Collective Power," *Journal of Political Philosophy* 30, no. 1 (2022): 29.

⁴⁶ George Asimakopoulos, Hera Antonopoulou, Konstantinos Giotopoulos, and Constantinos Halkiopoulos, "Impact of Information and Communication Technologies on Democratic Processes and Citizen Participation," *Societies* 15, no. 2 (2025): 40.

equitable development across Indonesia.⁴⁷

In conclusion, while the 1945 Constitution provides a strong foundation for governance, there are still significant challenges in its implementation. The findings from this study underscore the need for continued reforms, particularly in strengthening institutions, reducing corruption, improving judicial independence, and increasing political engagement. By addressing these issues, Indonesia can better realize the promises of its Constitution and create a more inclusive, democratic, and just society. In light of the discussion above, the following table presents a summary of the key findings and recommendations for enhancing the implementation of the 1945 Constitution in Indonesia.

Table 1 presented provides a structured overview of the key findings and recommendations derived from the study of the 1945 Constitution of Indonesia, which serves as the foundational framework for the state administration. This table helps distill the core themes of the research, highlighting both the historical evolution of the Constitution, its guiding principles, the challenges encountered in its implementation, and the proposed recommendations for strengthening governance in Indonesia.

Table 1. Key Findings And Recommendations

Key Areas	Findings
Historical Evolution of the Constitution	The Constitution evolved significantly after the Reformasi period, with key amendments aimed at decentralizing power and democratizing governance.
Constitutional Principles	The Constitution establishes a unitary state and a strong presidential system, ensuring legal equality, human rights protection, and checks and balances.
Challenges in Implementation	Challenges include corruption, imbalance between centralization and regional autonomy, inconsistent rule of law enforcement, and limited public political engagement.
Recommendations for Improvement	Strengthening governance institutions, improving judicial independence, enhancing public political literacy, and refining the balance between centralization and regional autonomy.

The Table 1 visually represent the key findings and recommendations related to the 1945 Constitution of Indonesia, as well as the severity of challenges in its implementation. The table provides a summary of the main points from the study, while the bar chart highlights the relative severity of key challenges such as corruption, the tension between centralization and regional autonomy, the enforcement of the rule of law, and the level of public political

⁴⁷ Muhammad Mutawalli Mukhlis, "Regional Government Autonomy in Indonesia: The Ambiguity of the Federalism of Republic Model," *Malaysian J. Syariah & L.* 13 (2025): 37.

engagement. These visuals complement and reinforce the analysis presented in the article, providing clear insights into the research findings.

Based on the conducted analysis, the table elucidates four primary aspects concerning the 1945 Constitution. The first aspect is the historical evolution of the constitution, where significant changes primarily occurred following the Reform period through amendments aimed at decentralizing power and promoting democracy. These changes include provisions for the direct election of the president, the establishment of the Constitutional Court, and the redistribution of authority between the central and regional governments. Nevertheless, the implementation of these constitutional principles remains an ongoing and incomplete process.

The second aspect summarizes the fundamental principles upheld by the 1945 Constitution, namely the affirmation of Indonesia as a unitary state with a strong central government, the enforcement of the rule of law, the guarantee of equality before the law, and the protection of human rights. The constitution also establishes a system of checks and balances among the branches of power to foster transparency, accountability, and good governance. On the other hand, the third aspect identifies persistent implementation challenges, such as widespread corruption, ongoing tensions between centralization and regional autonomy, inconsistent law enforcement, and low public political participation. These challenges hinder the realization of the constitution's promises of justice, equality, and democracy. In response, the fourth aspect offers improvement recommendations, which include strengthening governance institutions, enhancing judicial independence, increasing public political literacy, and refining the balance of power between the central and regional governments. These recommendations are deemed essential for improving governance and ensuring the constitutional framework can be implemented effectively.

Table 1 provides a concise summary of these core areas, allowing readers to quickly grasp the primary findings of the research and understand the key actions needed to strengthen Indonesia's constitutional framework. By clearly outlining these aspects, the table supports the broader narrative of the article, presenting the challenges and potential solutions in a clear, structured manner.

D. CONCLUSION

This study provides a comprehensive analysis of the 1945 Constitution of Indonesia as the foundational framework for state administration, highlighting its historical evolution, key constitutional principles, and the challenges in its implementation. The findings underscore that while the constitutional amendments of 1999-2002 significantly democratized

Indonesia's governance system by decentralizing power and strengthening democratic institutions, challenges persist, particularly in balancing centralization with regional autonomy and in the concentration of executive power. Furthermore, the implementation of the rule of law, the fight against corruption, and the enhancement of public political engagement remain significant obstacles to fully realizing the Constitution's goals. This research contributes to the field by providing a nuanced understanding of how constitutional principles are applied in practice and identifying the gaps between constitutional ideals and governance outcomes. To further strengthen the role of the Constitution in state administration, future research should explore the effectiveness of regional governance systems, the role of judicial reforms in enhancing legal independence, and the impact of political literacy programs on public participation in the democratic process. Such studies would contribute to advancing the practical implementation of Indonesia's constitutional framework and its continued adaptation in the face of modern governance challenges.

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