DEMOCRATIC POLITICAL LAW IN INDONESIA AFTER AMENDMENTS TO THE 1945 UUD

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ABSTRACT

Purpose: The purpose of this research is to find out the implementation of democracy before and after the amendment of the 1945 Constitution.

Method: This research uses descriptive normative research methods, normative legal methods in research conducted by researchers by examining library materials or secondary data consisting of primary legal materials, secondary legal materials and tertiary legal materials.

Results and Conclusion: Amendments to the 1945 Constitution brought about changes in the configuration and status of the Indonesian People's representative institutions. Before the adjustment to the chamber system in Indonesia, this country adhered to a unicameral system where the People's Consultative Assembly held supreme power as the highest state institution and guardian of people's sovereignty. After the amendment to the 1945 Constitution, the People's Consultative Assembly of the Republic of Indonesia underwent a transformation, from an institution that holds the sovereignty of the people to a state institution that is on par with other leading state institutions. Apart from that, the results of the revision of the 1945 Constitution also increased the role of the DPR, especially regarding legislative capacity. The inclusion of the Regional Representative Council (DPD) under the People's Consultative Assembly, alongside the People's Representative Council (DPR) in a parliamentary system, can be linked to the constitutional amendment to the 1945 Constitution. This amendment aims to establish a bicameral system in Indonesia, with the basic aim of encouraging checks and balances between state institutions.

Keywords: democracy, law, state indonesia.

LEI POLÍTICA DEMOCRÁTICA NA INDONÉSIA APÓS ALTERAÇÕES À UUD DE 1945

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RESUMO

Objetivo: O objetivo desta pesquisa é descobrir a implementação da democracia antes e depois da emenda da Constituição de 1945.

Método: Esta pesquisa usa métodos de pesquisa normativos descritivos, métodos legais normativos em pesquisa conduzida por pesquisadores examinando materiais de biblioteca ou dados secundários que consistem em materiais legais primários, materiais legais secundários e materiais legais terciários.

Resultados e Conclusão: Emendas à Constituição de 1945 trouxeram mudanças na configuração e status das instituições representativas do povo indonésio. Antes da adaptação do sistema de câmara na Indonésia, este país aderiu a um sistema unicameral onde a Assembleia Consultiva Popular detinha o poder supremo como a mais alta instituição estatal e guardiã da soberania popular. Após a emenda à Constituição de 1945, a Assembleia Consultiva Popular da República da Indonésia passou por uma transformação, de uma instituição que detém a soberania do povo para uma instituição estatal que está em pé de igualdade com outras importantes instituições estatais. Além disso, os resultados da revisão da Constituição de 1945 também aumentaram o papel da RPD, especialmente no que diz respeito à capacidade legislativa. A inclusão do Conselho Representante Regional (DPD) sob a Assembleia Consultiva Popular, juntamente com o Conselho Representante Popular (DPR) em um sistema parlamentar, pode ser ligada à emenda constitucional à Constituição de 1945. Esta alteração visa estabelecer um sistema bicameral na Indonésia, com o objetivo básico de incentivar os controlos e equilíbrios entre as instituições estatais.

Palavras-chaves: Democracia, Direito, Estado Indonésia.

1 INTRODUCTION

The government system is generally conceptualized as a network of interrelationships and operational protocols between state institutions. The government system is related to the allocation of authority and interaction of state institutions, including the judiciary, legislative and executive institutions. Examining the government system within the constitutional framework of the Republic of Indonesia is an interesting study. The state has been a recurring feature throughout human civilization, with its development ranging from rudimentary manifestations to complex iterations. The main goals of the state are similar to the goals of organizations, primarily aimed at facilitating the realization of the goals to be achieved by its constituents, namely the people. In essence, the state, as an integral component of the existing framework of society, functions as a benchmark in measuring the welfare of a nation, where each country has a vision for the welfare and longevity of its population. By including the community as volunteers or partners in social activities, the Indonesian government's strategy has effectively tackled the dynamics of social exclusion. In order to increase community

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capacity building and technology awareness, resource mobilization entails incorporating several stakeholders. Healthcare policies must be pragmatic in order to serve human needs, which might result in a loss of creativity in the exploration of local resources. Knowledge production, which incorporates information, facts, abilities, experience, intuition, ideas, and motivation from reliable sources, is a component of empowerment. Social innovation plays a crucial role in identifying long-term shifts in the power structure, social milieu, and intergroup connections within the state, society, and government (Robby, 2023).

The collective hopes and desires of individuals in society are articulated in a document called a constitution. This document contains the principles and ideals adhered to by society as citizens. The constitution is the most important legal instrument that contains regulations relating to the government of a country. In Indonesia, the constitution is codified as a written document known as the 1945 Constitution. This document contains the constitutional system and establishes a social control mechanism between the state and society. Throughout its history, the 1945 Constitution has undergone four amendments (1999-2002) and is widely recognized as holding the highest legal authority. Constitutional modifications bring significant changes to the constitutional system in Indonesia, especially in terms of the structure, status and jurisdiction of several government institutions.

In this case, the state appears as a common entity for coexistence between nations, which is consistently considered an important and mandatory subject for scientific research. Researching and analyzing the country requires the joint efforts of the People's Consultative Assembly of the Republic of Indonesia which studies the development and formation of state administration. The field of state science focuses on the in-depth study and analysis of the People's Consultative Assembly of the Republic of Indonesia regarding the state as the main study material. From an academic point of view, it can be said that statecraft is a basic scientific discipline that precedes the study of Constitutional Law or State Administrative Law. This means that through the People's Consultative Assembly of the Republic of Indonesia, an in-depth understanding of the theoretical principles underlying the state, an evaluation of the state's institutional framework, as well as an assessment of the extent to which its responsibilities and authorities have been executed.

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implemented in a consistent manner must be carried out, in accordance with the constitutional mandate, can be implemented. carried out in the realm of Constitutional Law or State Administrative Law. Theories in the field of political science play an important and useful role as basic information for understanding state systems and structures.

In scientific discussions around the state institutional framework in Indonesia, it can be said that representative institutions are always a big challenge that requires careful management. This challenge is related to the institutional perspective and allocation of authority within the representative institution. The main goal is to build a system of checks and balances between state institutions. Apart from that, it is necessary to realize the importance of representative institutions in the administration of a country, because representative institutions are a real manifestation of people's sovereignty in a country. In the post-reformation era, the Indonesian people established a democratic government system that runs through a representative framework. It is important to realize that the functioning of this government system is essentially related to the existence and function of the legislative institution, which is usually called parliament. The word "democracy," which comes from the Greek for "ruled by the people," describes a vast range of political structures that exist across the world. It can be understood as a form of governance in which the people control the majority of the population, the people rule as a whole, or the people own the majority of political power. It is challenging to incorporate all these settings into a single definition (Faheem, 2023).

The idea of assigning someone to oversee administrative tasks has been around since the dawn of civilization. This system changed until the notion of the common man participating in governance was developed. Democracy emerged as a result of the desire for involvement in government sparked by the idea of rights. At all levels of legal systems, this kind of government is generally acknowledged and used (Krishnappa, 2023). Due to its distinct socio-cultural dynamic, Indonesia's democracy has difficulties. Liberal democracy predominated from 1945 to 1959, then direct democracy under the New Order (1959–1966) and Pancasila democracy under the Old Order (1966–1998). The Reform Order of 1998 brought about changes to Pancasila democracy. The intricacy of Indonesian democracy is emphasized by this particular dynamic (Sadeli, 2023).

The representative system in Indonesia runs on a bicameral system, consisting of the People's Representative Council (DPR) and the Regional Representative Council
(DPD), both of which are members of the People's Consultative Assembly after the amendment to the 1945 Constitution. Based on the definition of trias politica put forward by Montesquieu, it is clear that the role of institutions The legislature representing the people has a separate and autonomous position within the framework of state institutions. According to Prof. Jimly Asshiddiqie, the branches of power in the legislative institution are the main manifestation of people's sovereignty. The main objective of state administration is to regulate and manage community affairs. The need for change in 1998 emerged as a response to the demands prevailing at that time, with the aim of facilitating various constitutional reforms in Indonesia.

A democratic political configuration is a political system that opens up the possibility of full participation (opportunities) for citizens to actively participate in the formulation of public policies. This participation is determined on the basis of the principle of political equality and on the basis of a majority of the people's representatives in general elections held in an atmosphere of political freedom. Countries that adhere to a democratic system or have a democratic configuration have various kinds of organizations whose important organizations are relatively autonomous (Moh.Mahfud MD., 2012). Legal policy is state policy through state institutions that are given the authority to state what is included in society and establish desired regulations aimed at achieving goals (Soedarto, 1986: 151).

The main goal is to produce halal commodities that are receptive and not authoritarian, according to the collective will of society. Therefore, it is very important to increase the excellence of state institutions, especially representative institutions. In a democratic system, it is very important for state policies to effectively handle the various interests of its citizens, because the highest power lies with the people. Thus, the existence of restrictions on authority in government policy can be linked to efforts to pursue the interests of the people. This phenomenon is a manifestation of commendable constitutional principles in a country where the country also upholds democratic principles, such as Indonesia.

The 1945 Constitution does not specifically outline the country's government system systematically. The government power referred to here is the President as stated in Article 4 of the 1945 Constitution. Apart from that, Article 17 confirms that the President has the task of appointing and dismissing Ministers of State who assist the President in carrying out his duties. According to the Explanation of the 1945
Constitution, it is clearly stated that the dissolution of the DPD by the President is prohibited. The President of the Republic of Indonesia serves as Chief Executive and is constitutionally prohibited from serving as a member of the DPR and Supreme Court, as well as serving as Chairman of the People's Consultative Assembly of the Republic of Indonesia. The confirmation of the presidential system as the preferred government structure outlined in the 1945 Constitution is supported by these two articles and the Explanation of the Constitution.

However, it should be noted that the President of the Republic of Indonesia in this case is not elected directly by the people, but by the People's Consultative Assembly of the Republic of Indonesia. Furthermore, the President can be dismissed from office by the People's Consultative Assembly of the Republic of Indonesia if he is proven to have violated the provisions of the 1945 Constitution and GHBN. This observation highlights the fact that the presidential system adopted by the 1945 Constitution is not a pure presidential system. The problem faced is the classification of the government system implemented by the 1945 Constitution as a mixed presidential system, which is characterized by a presidential system that shows certain deviations from its original form.

Indonesian legal policy must refer to its philosophical foundation. This is the legal ideal which is usually called Pancasila, which means five commandments or five basic principles to achieve or realize the four goals of the state. These five principles are the philosophical and ideological basis for realizing the four goals or ideals of the nation as stated in the Preamble to the 1945 Constitution, namely: Protecting the entire Indonesian nation and all of Indonesia's blood, Encouraging a sense of overall prosperity, Promoting national intelligence activities, Participating in realizing world order based on independence, eternal peace and social justice.

Before the amendments to the 1945 Constitution were implemented, there were differences of opinion between constitutional law experts and political experts regarding the government structure adopted in Indonesia. Ismail Suni, Miriam Budiarjo, Jimmy Assiddiqie, M. Mahfud MD., and Dahlan Thaib call the Indonesian government structure outlined in the 1945 Constitution a presidential system. However, Sri Sumantri characterized it as a "mixed system of government", a viewpoint shared by Muhammad Kusnadi and Harmaily Ibrahim as "quasi-presidential". A. Hamid S. Attamimi and Bagir
The aim of this analysis is to categorize and classify political systems that adhere to the principles of presidential government. In the context of a parliamentary system of government, a prominent feature is the ability of Parliament to easily dissolve the cabinet for reasons that are primarily related to political considerations. This is usually achieved through a procedure commonly referred to as a "vote of confidence" (sometimes known as a "motion of condemnation"), which assesses the performance of the cabinet and the policies implemented by the government. The use of customs in a parliamentary system cannot be used as a reference for developing the presidential system that Indonesia wants to build.

Apart from that, the explanation of the 1945 Constitution states: "The Indonesian state is based on law (Rechtsstaat), not based on mere power (Machtstaat)". The Indonesian state is firmly recognized as a legal state in which a state seeks to realize its overall goal, namely advancing the welfare of its people, while at the same time striving to create a society based on the principles of justice and material prosperity.

In the explanation of the Constitution it is also stated that "The Indonesian constitutional system is a form of government that operates according to the constitution, which functions as basic law. Therefore, such a system places limitations on the exercise of government power, thus preventing unlimited power (absolutism), meaning that Indonesia was founded based on basic law (constitution) based on the principle of a rule of law, not a state of power.

The People's Consultative Assembly of the Republic of Indonesia is considered the representative body of the Indonesian people. Based on the Decree of the People's Consultative Assembly of the Republic of Indonesia No. XX/People's Consultative Assembly of the Republic of Indonesia/1966 and the Decree of the People's Consultative Assembly of the Republic of Indonesia No. country in Indonesia. He was entrusted with the responsibility to uphold and implement the sovereignty of the people. Therefore, the People's Consultative Assembly of the Republic of Indonesia has the power to make definite decisions and take steps that exceed its authority. The implementation of checks and balances in this system is ineffective because of the unbalanced and uncontrolled power of the People's Consultative Assembly of the Republic of Indonesia which is not regulated by any institution in Indonesia.

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According to Miriam Budiardjo, the concept of a checks and balances system refers to a framework where each branch of power has the ability to supervise and maintain balance between other branches of power. Within the framework of checks and balances, the President in his position as head of the executive has a position that is no less important, and exercises control over the DPR which has legislative authority. Based on the regulations governing the presidency, the President is not permitted to dissolve the DPR, whereas the DPR does not have the authority to dismiss the President. The President's dismissal can only be demanded by the DPR if the President is proven to have committed a violation of the law which is usually limited by constitutional provisions that regulate certain categories of criminal acts.

However, in the implementation of the 1945 Constitution, what happened was that the executive institution was more dominant than the legislature, this was not in accordance with the mandate of the 1945 Constitution as desired by the country's founding fathers as stated in the fourth paragraph of the 1945 Constitution. explanation at the time of the formation of the Indonesian state. The 1998 reform changed the face of the Indonesian state in the sense of changing the constitutional format. One of the significant advances that occurred during the reform period was the process of amending the 1945 Constitution. The basic concept behind this modification was a review of the highest powers of the People's Consultative Assembly of the Republic of Indonesia.

Indonesia's institutional framework is characterized by a tricameral system, which includes the People's Representative Council, the Regional Representative Council, and the People's Consultative Assembly. The functions and powers of the three individuals are determined. However, if you consider the functional aspect, it is the DPR RI which adheres to a system of "half-hearted bicameralism". Moreover, it could be argued that there are additional aspects that might be considered compatible with “deterministic tricameralism”.

2 FORMULATION OF THE PROBLEM

How was democracy implemented before and after the amendment to the 1945 Constitution?
3 METHOD

This research uses descriptive normative research methods, normative legal methods in research conducted by researchers by examining library materials or secondary data consisting of primary legal materials, secondary legal materials and tertiary legal materials. Primary Legal Material. Namely materials that have the power of mengkat such as basic nonna, legislation, in the form of the 1945 Constitution before and after amendments from one to four. Secondary Legal Materials Namely legal materials that provide explanations regarding primary legal materials. The legal material referred to here is not binding. The types are in the form of books, theses, dissertations, journals, papers, articles, newspapers, magazines and the internet that have a relationship with the object of research.

4 RESULTS

In the realm of historical analysis, it is clear that the relationship between the importance of the constitution and the Constitution began in the era of Oliver Cromwell who served as Lord Protector in the British Empire from 1599 to 1658. Cromwell designated the Constitution as a Tool of Government, thus initiating the link above "trust trust." of Government”. In this case, it means that the Constitution is established as the framework for administering government. In 1787, the interpretation of the Constitution as expressed by Cromwell was then adopted by the United States. This interpretation was then adopted by the French State in 1789 under the leadership of Lafayette. The concept of a constrained Constitution has a different objective, namely to limit government authority by preventing the exercise of power in an arbitrary manner. arbitrarily, thus increasing protection of individual rights. The perspective in question is generally known as constitutionalism.

Constitution correspondence appears to overcome problems that arise in Constitution repression and autonomy. Specifically, what becomes a question is proximity of the legislative body with social context. In repressive law, law _ Far from context social. Countermeasures help overcome the problem of the distance state institutions, in particular institution legislative, of context social. According to Jerome Frank and Selznick (2010, 83) from Nonoet, the goal of law is to make more laws _ responsive to the needs of the public.
Whereas state law is the base of a number of state powers and laws must obey the power of the state within its power (Carl Joachim Friedrich, 2004). Connection between ethics and law, or rule ethics, includes theory that people do good action _ morally when _ they follow orders (rules), and can explain with use reason accepted moral rules in a way general (Bruggink, 1999:).

Husein (2008, 34) argues that desired result _ from something method response is method possible response _ involve all over the public in the design (participatory) and responsive to desires and demands society (aspirational) some product law. Terminology law in accordance with the problem you want solved (accurate) so no happen interpretation ambiguous rules _

Reform implemented constitution _ through a number of amendments to the 1945 Constitution significantly changed Constitution national. Change the addressed for realize ideals of a suitable rule of law state with principle democracy constitutional. Change this too _ clear confirm that Indonesia is a rule of law country. Indonesia became the 78th country to establish it court constitution outside _ Supreme Court

During the reform period, 4 amendments were made to the 1945 Constitution from 1999 to 2002. Tremendous changes _ _ significant to structure Indonesian constitution. Special in power judiciary, amendments to the 1945 Constitution were based on two very change _ basic. Firstly, based on Article 24 paragraphs (1) and (2) of the 1945 Constitution as follows has changed, institution justice have independence constitutional in maintenance obedient judiciary _ legal and free from influence party anywhere. Besides than That. Second, the Constitution applies the principle of checks and balances towards power judiciary.

On type law responsive, legal seen as intermediary or means in responding to the needs and desires of the public. Law has two meanings. This means, first, the law must be practical in a functional, goal oriented and rational way. _ Second, the law works as an important norm. For changing institutions, social ones are not adequate. Between _ third type Constitution above, the relevant law _ _ in line with objective democracy deliberative. Because, this type of law means for digging and strengthening aspirations of the public. Reform politics need revitalization of institutional democracy so that it can push its growth.

After the amendments to the 1945 Constitution, the DPR RI was running agency _ function legislation (proposing, discussing, and ratifying together President) as
appropriate with draft triad politica proposed by Montesquieu. Revitalization institution politics can start with creating democratic and dividing constitution _ branches internal state power checks and balances framework, accountability as well as guarantee on confession rights basic man. Branch state power is shared with the concept of distribution of powers for implementation state power is not done in a way absolute. This held in a way constitutional with the form of Commission Judicial as institution supervisor who has position balanced to the Supreme Court (MA) and against the Court Constitution (MK). Rule Court The Constitution is also based on Law Number 24 of 2003, Article. Constitution Number 8 of 2011 Number about Court Constitution

Appearance amendments to the 1945 Constitution reflect reform politics and amendments implemented constitution _ in a way democratic. Era reform be marked with reform politics and reform statecraft. By theoretical, amendment and improving the Constitution is possible. Effort for repair inherent flaws in the Constitution can be done through formal amendment, convention constitution, or judicial interpretation.

According to Carl J. Friedrich, constitutionalism refers to the concept that government includes a series of actions carried out in the name of the people, even though these activities are bound by limitations aimed at preventing abuse of authority by those entrusted to the government. The best approach to limiting power is through the concept of sharing ⁹.

The origins of this concept predate the formation of the constitution, along with the formation of the principles of constitutionalism in medieval England. At this time, the almighty power of the king was forced to recognize the rights of the nobility. In particular, the king was prohibited from levying taxes on the nobility without their consent. This protection was outlined in a legal document known as the Magna Carta.

According to Daniel S. Leff, the concepts of politics and power are important in the process of law formation. This means that law is more or less always a political instrument, and the status of law in a country depends on the political balance. Definition of power, development of political, economic and social ideologies, etc. Even though the legal processes mentioned above are not identified as the purpose of law formation, in practice the processes and dynamics of law formation often occur. The same thing: political imagination and power that permeates society and determines the emergence of truly legitimate goods.

⁹ Miriam Budiarjo, Basics of Political Science, Gramedia Pustaka Utama, Jakarta, 2008, p 171
Therefore, to understand the relationship between politics and law in a country, it is necessary to pay attention not only to the legal system itself, but also to the cultural background, economy, political power in society, the state of state institutions, and the country's social composition. The legal basis in Indonesia is regulated in Article 1 Paragraph 3 of the 1945 Constitution of the Republic of Indonesia as follows: "The country of Indonesia is a country which is based on law. The 1945 Constitution became the base implementation of the whole Regulation Legislation in Indonesia. As a rule of law, Indonesia guides development law domestically to protect the rights of its people, reach justice, and guarantee supremacy and equality before law for all citizens. Objective the founding of the Indonesian state was stated in paragraph fourth Preamble to the 1945 Constitution as following: Protect all Indonesian people and everything spill blood in Indonesia, Increased well-being general, Enrich life community, come along as well as in maintenance world order based on independence, peace eternal, and justice social.

Magna Carta was the birth of the concept of constitutionalism which embodies the principles of individual freedom and autonomy. The development of protections against arbitrary arrest and guarantees of speedy trials were facilitated by the passage of the Habeas Corpus Act. 1679. In the next stage of development, it became clear that certain individual rights received greater protection, in particular through the establishment of a parliamentary guarantee in the form of Habeas Corpus, which was further strengthened by the adoption of the "Bill of Rights." In addition, a number of rights were established for the people, including the individual right to petition the king, the right to freedom of expression for every member of parliament, and the privilege of immunity from prosecution.

The British people's struggles were replaced by the United States, which promulgated a charter called the "Bill of Rights" in 1778. The Bill of Rights incorporated the impact of John Locke's consensual philosophy, sometimes known as Social Contract theory. During the period when the United States was engaged in its quest for independence, the “Declaration of Independence” was promulgated in 1776. This document contained a proclamation stating that the right to liberty and the right to pursue prosperity were granted by a divine entity, and as such, neither of the rights -This right cannot be contested or canceled. To protect these rights, United States citizens have
formed a government that is obliged to carry out its functions in accordance with the wishes of its people.

Similar to the situation in England, France also experienced a revolution in 1789 which emerged as a response to challenges and ultimately dismantled the absolute power held by the monarchy. The term "du Citoyen" refers to the concept of citizenship. This assertion served to limit the unlimited power of the king.

Since the 19th century, democratic constitutions have emerged as a manifestation of the concept of constitutionalism. This framework ensures that authority is not abused and that citizens' rights are protected from violations by regulatory bodies. In the Western world, the constitutions mentioned above serve to delineate the limits of government power, protect individual rights, and establish guidelines for the functioning of government. The rise of nationalism as a dynamic and assertive political ideology has led to the use of constitutions as a means for individuals to strengthen their political and legal standing, build collective governance, and achieve societal goals through the formation of nation-states.

As previously mentioned, Great Britain is a country that adheres to constitutionalism, but does not have a formal written constitution. However, the country has a constitution that contains the basic principles and institutional framework of the state, which have developed over more than eight centuries. Constitutional rules are spread across many laws, state documents, common law and conventions. Although there is no formal constitution, England is the oldest example of a constitutional state, experiencing gradual growth since the promulgation of Magna Carta in 1215.

The constitution of a communist country has a dual purpose, namely to reflect the achievements made in realizing a communist society and to function as official and legal documentation of the progress achieved. On the contrary, the constitution functions as a structural and legal basis for the transformation of society that is expected in the next phase of progress.

The importance of an optimal model of community representation plays an important role in a democratic country. The formation of representative institutions is a logical result of implementing a democratic system. The Constitution, as a fundamental legal document, must be able to fulfill these requirements. Every government organization must comply with regulations and comply with the constitution. Looking at the State of Indonesia, it turns out that the concept of popular sovereignty, which is often
referred to as popular sovereignty, is included in the provisions of the 1945 Constitution. The preamble to these articles clearly articulates the concept of democracy and the principle of popular sovereignty.

The 1945 Constitution contains several systems and procedures that provide examples of the application of democratic values. This includes the political recruitment process, policy formation, legislative functions, and control of power. The application of the principles of legislation and social order in the field of civil society organizations requires adherence to democratic processes, where representative institutions or authorized bodies are given the responsibility to formulate and enforce rules. The individuals who have the authority to regulate public affairs are essentially the citizens themselves, who exercise this power through their elected representatives in parliament. Theoretically, it can be said that the function of people's representatives in representative bodies or parliament is more than just conveying the interests of their constituents. Instead, they have delegated authority to act on behalf of their constituents in a way that is aligned with the collective interests of society and the state.

In system constitutional 1945, implementation of sovereignty was held according to the procedure constitutionally regulated in laws and constitution (democracy constitutional). The sovereignty (democracy) of the Indonesian nation is implemented in a way direct through representatives. Distribution sovereignty people realized in a way direct through the election general, who chooses members of representative bodies and elect the President and vice president. Next, sovereignty people can hold When just through enforcement rights and freedoms expression, rights on press freedom, rights on freedom information, rights on freedom organizing and associating, as well right basic man other. This matter is guaranteed by the constitution (Sa' Adah, 2019).

At a pragmatic level, the idea of popular sovereignty guarantees community participation in the decision-making process and formulation of government policies, thereby ensuring that the enforcement of laws and regulations truly realizes the idea of justice for society. In the realm of legal regulations in Indonesia, the implementation of democracy, especially in post-amendment Pancasila democracy, can be identified through various indicators. One of these indicators relates to the effective and efficient functioning of people's representative institutions. The extent to which these institutions carry out their roles shows the level of democracy in Indonesia. The functions and
objectives of representative institutions depend on various factors related to the internal structure of the organization.

In the context of people's representative institutions, there are two main roles. On the one hand, as a legislative body or institution, especially a regulatory body tasked with making laws. This organization has the jurisdiction to draft laws and formulate policies with the aim of covering the entire country. In contrast, the legislature can be characterized as a representative body, that is, an assembly elected to establish relations between the population and the central government.

After the amendment to the 1945 Constitution, representative institutions in the Indonesian bicameral system include the People's Representative Council (DPR) and the Regional Representative Council (DPD), both of which are an integral part of the People's Consultative Assembly. Regarding the role and position of the People's Consultative Assembly of the Republic of Indonesia after the amendment to the 1945 Constitution, the People's Consultative Assembly of the Republic of Indonesia no longer has exclusive authority over the sovereignty of the people.

Each representative body associated with these individuals has its own function and role as a unit that can be considered fully responsible for the goals and interests of the entire community it represents. The constitutional framework regulates all aspects related to the composition, working procedures and jurisdiction of representative institutions in the Indonesian state, which adhere to democratic principles. A country's constitution is an indication of the democratic framework in that country. In the Indonesian context, the role of the people's representative body or parliament is usually categorized into three different functions: legislative, supervisory, and budgetary. According to Jimly Asshiddiqie, the legislative branch of power basically functions as a form of popular sovereignty. One of the main functions of the state is to establish rules governing social interaction. Therefore, the authority to make regulations must be delegated to legislative institutions that represent the interests and will of the community. In essence, there are three crucial aspects that need to be regulated by elected representatives in parliament.

These aspects include: (i) steps that have the potential to reduce or limit individual rights and freedoms, (ii) steps that have the potential to burden individual financial assets, and (iii) steps related to expenditures carried out by government administrators. The consent of citizens themselves, facilitated by their representatives in parliament as the
people's representative institution, is needed to create regulations regarding these three topics.

Constitutional provisions regarding the authority of representative institutions in the legislative process are regulated in Article 20 paragraphs (1) and (2) of the 1945 Constitution. Based on these provisions, the responsibility for forming laws lies with the People's Representative Council (DPR) in collaboration with the President. In the DPR's legislative capacity, the rules formulated must truly reflect the collective will of the community, not merely represent preferences, namely the preferences they choose. The constitution in a democratic system is considered as a form of the collective will of the people. Therefore, the inclusion of community involvement is very important in drafting regulations or laws, because this is an important guarantee that allows individuals to be involved in state administration and freely access public policies. This phenomenon shows a political framework where government authority is in the hands of the people. The presence of reform also has an impact on the government and parliament, as can be seen from the increasing emphasis on the involvement of civil society in the formulation of regulations or policies. However, the role of the DPR (House of Representatives) is very important in facilitating citizen involvement in the process of forming legislative institutions.

If the legislative body has access to these keys, there is potential for community involvement in the process of formulating regulations or policies. In order to uphold popular sovereignty, the inclusion of legislative oversight has significant strategic significance. The preservation of democratic governance requires the exercise of control by elected officials over government actions. Legislative or parliamentary oversight ensures the protection of public interests in executive policies, including their formulation and implementation. The legislative body, in its capacity as a supervisor, has various constitutional rights that enable it to scrutinize government policies that could be detrimental to society. These policies can include actions that are detrimental to the state, abuse of power, and allocation of budget resources that disproportionately only benefits certain groups, thereby ignoring the rights of marginalized groups.

The DPD was formed as the second chamber of the DPR RI adjacent to the DPR. Its powers, duties and authorities are regulated in the 1945 Constitution, which has the same position as the DPR as a legislative institution. However, in relation to the formulation of statutory regulations, the DPD's role appears to be limited to providing
recommendations, being involved in discussions and providing considerations. Please note, the DPD does not have the authority to make firm decisions. Regarding the supervisory function, the DPD is only tasked with supervising the results submitted to the DPR as substantive material for further discussion (as regulated in Article 22D paragraph (3) of the 1945 Constitution). Thus, in carrying out its supervisory role, the DPD can only be considered as a recorder of information. This has the implication that a framework is still needed to determine the authority of the DPD as a representative institution equivalent to the DPR.

The presence of representative institutions, such as parliament, is a real form of citizen involvement in shaping the course of government. Therefore, parliamentary decisions can be viewed as decisions taken by a collective body of the sovereign people. Therefore, the formation of a legislative body, as a result of the parliamentary process, cannot be contested. The main task of representative institutions or parliaments is generally considered to be the act of representation or the concept of representation itself. In a democratic country like Indonesia, the importance of representative institutions lies in their ability to carry out their duties in terms of representation. Without carrying out this function effectively, the people's representative institutions will not have meaningful goals.

5 CONCLUSION

Amendments to the 1945 Constitution brought about changes in the configuration and status of the Indonesian People's representative institutions. Before the adjustment to the chamber system in Indonesia, this country adhered to a unicameral system where the People's Consultative Assembly held supreme power as the highest state institution and guardian of people's sovereignty. After the amendment to the 1945 Constitution, the People's Consultative Assembly of the Republic of Indonesia underwent a transformation, from an institution that holds the sovereignty of the people to a state institution that is on par with other leading state institutions. Apart from that, the results of the revision of the 1945 Constitution also increased the role of the DPR, especially regarding legislative capacity. The inclusion of the Regional Representative Council (DPD) under the People's Consultative Assembly, alongside the People's Representative Council (DPR) in a parliamentary system, can be linked to the constitutional amendment to the 1945
Constitution. This amendment aims to establish a bicameral system in Indonesia, with the basic aim of encouraging checks and balances between state institutions.

In the context of the Unitary State of the Republic of Indonesia which upholds the principle of popular sovereignty or democracy, the formation of a representative body (parliament) is a necessity. This institution plays an important role as a state entity that realizes people's sovereignty. The main function of a representative body is its ability to develop and establish regulations, as well as function as a representative body. According to the 1945 Constitution, state representative institutions have several main functions, namely legislative functions, supervisory functions and budget functions. The main purpose of parliament is to effectively represent the various interests of the people and advocate for their realization through the formulation and implementation of laws that are in harmony with the collective will of the people.
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