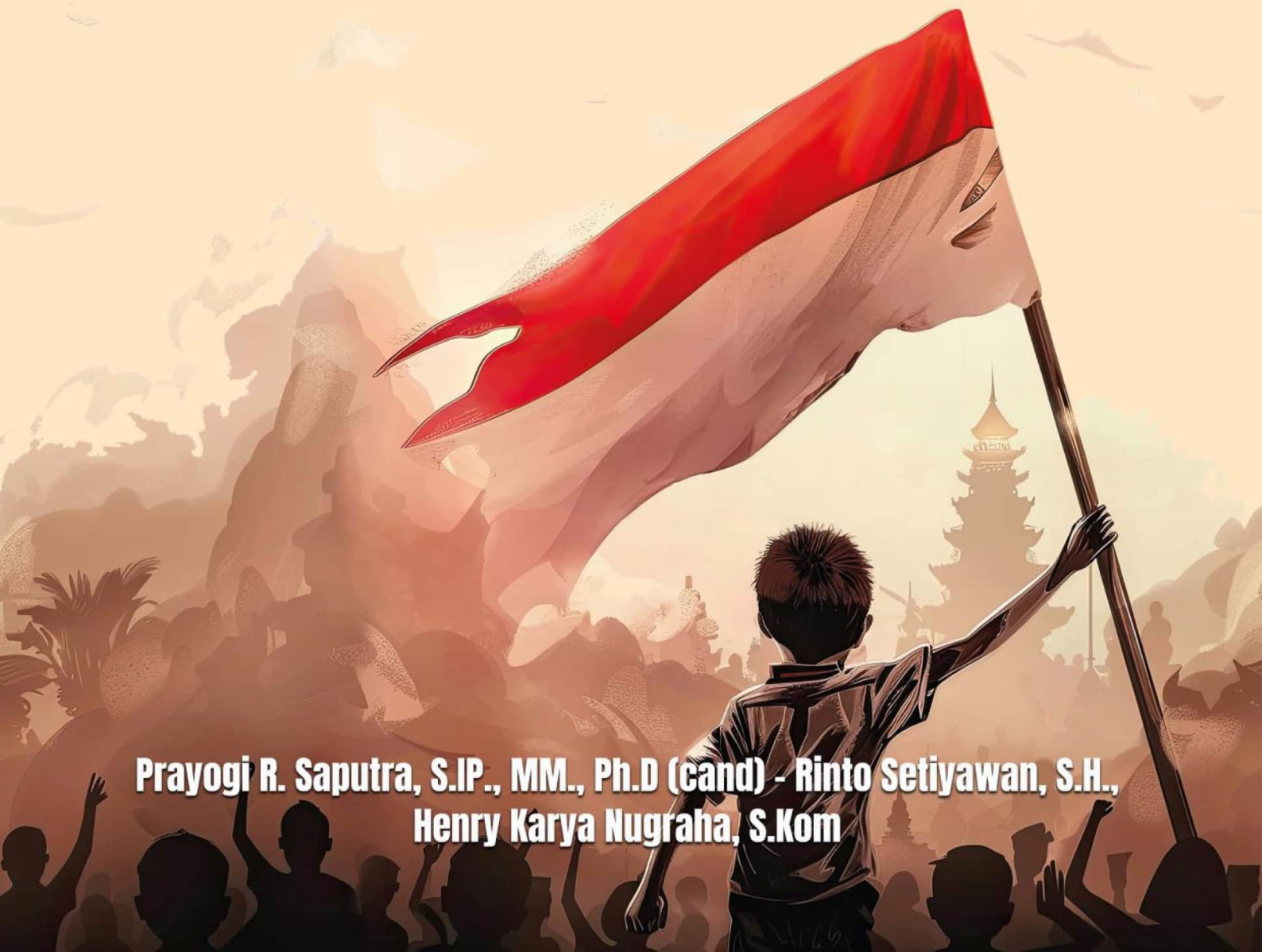


NASKAH AKADEMIK RANCANGAN AMANDEMEN KELIMA UUD 1945

RAKYAT KEMBALI BERDAULAT

(Bahasa Indonesia)



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Kata Pengantar

Puji syukur kita panjatkan ke hadirat Tuhan Yang Maha Esa, atas limpahan rahmat dan karunia-Nya sehingga buku dengan judul *“Rakyat Kembali Berdaulat”* dapat terselesaikan dengan baik.

Buku ini lahir dari sebuah keprihatinan dan sekaligus harapan. Keprihatinan bahwa kedaulatan rakyat sebagai dasar utama dalam sistem ketatanegaraan kita semakin terpinggirkan oleh kepentingan elit dan praktik penyelenggaraan negara yang kerap jauh dari cita-cita konstitusi. Harapan bahwa melalui refleksi, kajian, serta penyadaran, rakyat sebagai pemilik kedaulatan tertinggi dapat kembali menempati posisi yang semestinya: sebagai pusat dari kehidupan berbangsa dan bernegara.

Isi buku ini berupaya menjembatani pemahaman antara teori ketatanegaraan, praktik politik, serta analogi keseharian agar lebih mudah dipahami oleh seluruh lapisan masyarakat. Analogi keluarga, korporasi, hingga model manajemen modern dipakai untuk menggambarkan bagaimana negara seharusnya berjalan dengan rakyat sebagai pemilik sah dari seluruh kedaulatan.

Penulis menyadari sepenuhnya bahwa buku ini belum sempurna. Namun demikian, besar harapan kami agar karya ini dapat menjadi sumbangan pemikiran bagi akademisi, praktisi, pembuat kebijakan, maupun masyarakat luas dalam upaya memperkuat demokrasi, menegakkan keadilan, dan menghidupkan kembali cita-cita luhur Pancasila serta UUD 1945.

Akhir kata, semoga buku ini bermanfaat dan dapat menjadi inspirasi bagi lahirnya gerakan bersama menuju Indonesia yang lebih berdaulat, adil, dan sejahtera, di mana rakyat benar-benar menjadi subjek utama dalam negara.

Malang, September 2025

Penulis



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Sebagai seorang praktisi dan juga dosen di Fakultas Hukum Universitas Sahid dan Universitas Tarumanagara, saya yakin bahwa buku ini akan sangat berguna bagi para mahasiswa, dosen, peneliti, maupun praktisi yang ingin belajar lebih dalam mengenai Kedaulatan Rakyat, sebuah karya yang memantik kesadaran dan menawarkan pemikiran kritis terhadap relasi antara negara, rakyat, dan sistem perpajakan yang seharusnya menjadi jembatan keadilan sosial.

Kedaulatan rakyat merupakan prinsip dasar dalam sistem demokrasi yang menegaskan bahwa kekuasaan tertinggi dalam suatu negara berada di tangan rakyat. Rakyat bukan hanya sekadar objek kebijakan, namun juga merupakan subjek utama yang justru menentukan legitimasi pemerintahan. Kedaulatan rakyat tercermin dalam hak untuk memilih wakilnya, mengawasi kewenangan pemerintahan, serta berpartisipasi aktif dalam proses pengambilan keputusan publik. Kedaulatan rakyat juga mengandung makna bahwa setiap kebijakan negara termasuk dalam bidang perpajakan, ekonomi, dan hukum harus berakar pada kepentingan dan aspirasi rakyat, bukan semata-mata kepentingan elite kekuasaan. Dalam tatanan yang ideal, negara menjadi alat bagi rakyat untuk mencapai keadilan, kesejahteraan, dan kemanusiaan yang bermartabat.

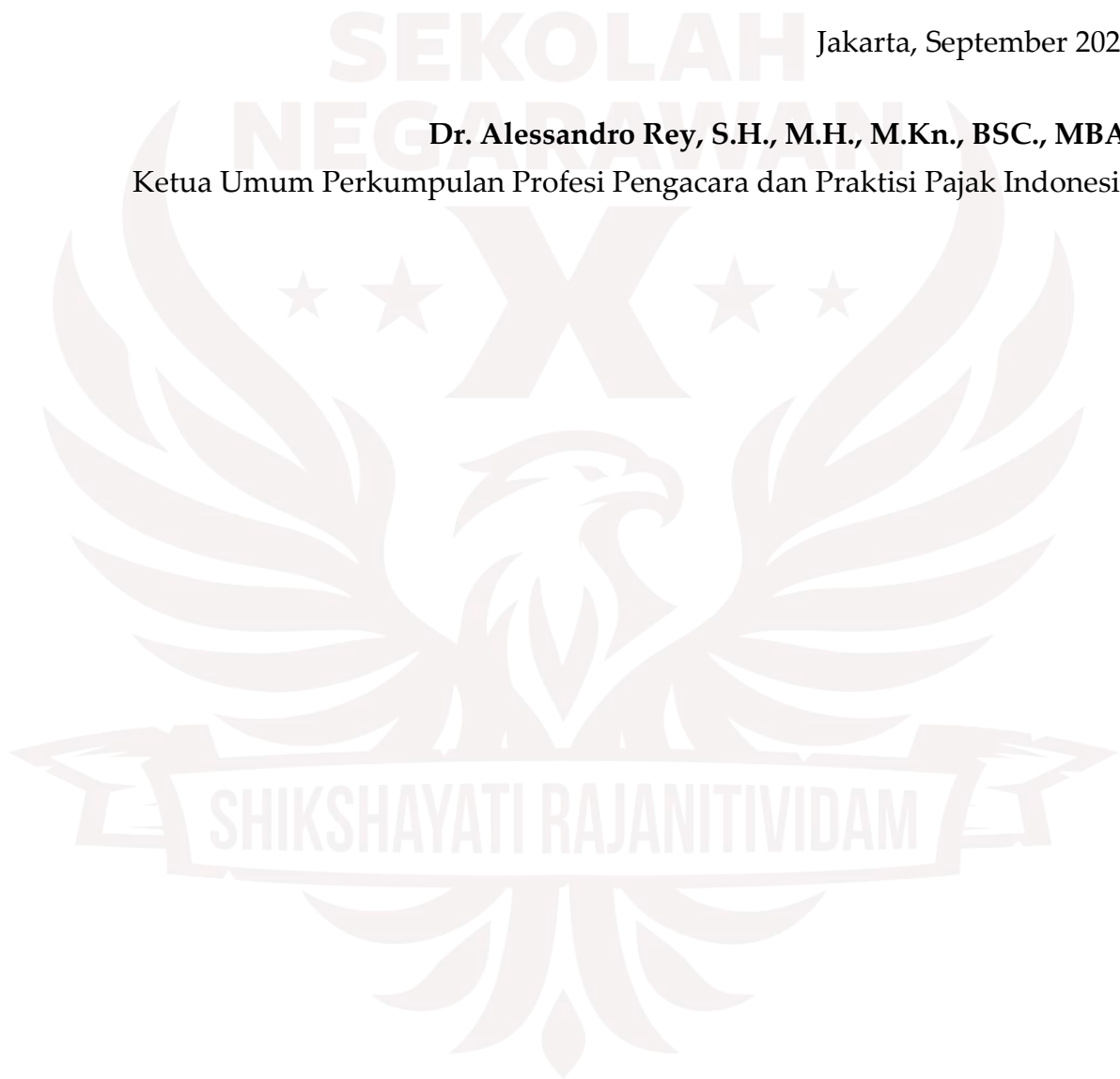
Buku ini akan menjadi sangat penting mengingat kebutuhan literatur mengenai kedaulatan rakyat penting bagi rakyat dalam bernegara. Dalam hal ini diperlukan panduan teoritis maupun praktis yang dapat membantu para pembaca dalam memahami konsep kedaulatan rakyat dengan tepat. Buku ini bukan hanya menjadi sumber referensi yang penting tetapi juga memberikan perspektif baru yang tentunya akan meningkatkan budaya literasi di Indonesia, terutama terkait konsep kedaulatan rakyat.

Penulis telah berhasil mendedikasikan penelitian dan kajian berbagai aspek dalam kedaulatan rakyat ke dalam buku ini. Konsep-konsep kedaulatan rakyat yang semula kompleks menjadi mudah dipahami dalam buku ini sehingga buku ini tidak hanya terbatas pada kalangan mahasiswa, dosen, peneliti maupun praktisi, namun juga bermanfaat bagi masyarakat umum sebagai rakyat itu sendiri.

Akhir kata, saya mengucapkan selamat kepada penulis atas terbitnya buku ini. Saya sangat menghargai dan mengapresiasi upaya serta dedikasi penulis dalam menyusun buku ini. Harapannya buku ini dapat memberikan manfaat yang besar bagi pengembangan ilmu politik yang mengkaji bagaimana kekuasaan dan pemerintahan bekerja dalam masyarakat dan dapat menjadi kontribusi yang berarti bagi pembaca. Semoga buku ini memicu diskusi yang membangun dan menjadi bahan kajian yang berharga.

Jakarta, September 2025

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Daftar Isi

	Halaman
Kata Pengantar	1
BAB I	7
MENGAPA AMANDEMEN KELIMA UUD 1945 MENJADI KEBUTUHAN MENDESAK?	7
<i>(Kajian Latar Belakang dan Urgensi Amandemen Kelima UUD 1945)</i>	7
BAB II	29
SUARA-SUARA PERUBAHAN: 11 TOKOH PUBLIK MENDUKUNG AMANDEMEN KELIMA UUD 1945	29
<i>(Profil dan Pandangan Tokoh Nasional)</i>	29
BAB III	37
TABEL KOMPARATIF: PENILAIAN GAGASAN AMANDEMEN KELIMA UUD 1945 OLEH 11 TOKOH PUBLIK	37
BAB IV	52
POTRET KRISIS: MALFUNGSI LEMBAGA NEGARA DI INDONESIA	52
<i>(Disertai Ilustrasi Rumah Rusak sebagai Analogi)</i>	52
BAB V	79
ANALOGI KELUARGA: MEMAHAMI STRUKTUR KETATANEGARAAN SECARA SEDERHANA	79
BAB VI	86
MENELUSURI JEJAK: STUKTUR KETATANEGARAAN SEBELUM AMANDEMEN DAN SESUDAH AMANDEMEN KE-4 UUD 1945	86
BAB VII	92
ARAH BARU BANGSA: USULAN STRUKTUR KETATANEGARAAN SESUAI DRAFT AMANDEMEN KELIMA UUD 1945	93
BAB VIII	96
REFORMULASI LEMBAGA NEGARA: USULAN DAN ANALISIS BERDASARKAN TEORI MANAJEMEN	97
BAB IX	116

PEMBENAHAN LEMBAGA PEMERINTAH: USULAN DAN ANALISIS BERDASARKAN TEORI MANAJEMEN	117
BAB X.....	131
DESAIN PEMERINTAHAN NKRI YANG BERDAULAT	132
BAB XI.....	133
EMPAT PILAR MANDATARIS RAKYAT	134
BAB XII	141
NEGARA SEBAGAI RUMAH RAKYAT: SAATNYA RAKYAT KEMBALI MEMILIKI DAN MENGUASAI KEDAULATAN	141



Daftar Gambar

	Halaman
Gambar 1. Perbandingan Keputusan Tertinggi	12
Gambar 2. Ilustrasi Rumah (Negara) Rusak	52
Gambar 3. Ilustrasi 4 Pilar Negara yang Berjalan Sendiri.....	55
Gambar 4. Analogi Struktur Ketatanegaraan berdasarkan Amandemen Ke Empat UUD 1945	80
Gambar 5. Analogi Struktur Ketatanegaraan berdasarkan Draft Amandemen Kelima UUD 1945	83
Gambar 6. Struktur Ketatanegaraan NKRI sebelum Amandemen UUD 1945	86
Gambar 7. Padanan Struktur Ketatanegaraan NKRI sebelum Amandemen UUD 1945 dengan Struktur Perusahaan Besar (Big Corporate) berdasarkan Teori Manajemen.	88
Gambar 8. Struktur Ketatanegaraan NKRI setelah Amandemen ke-4 UUD 1945	90
Gambar 9. Padanan Struktur Ketatanegaraan NKRI setelah Amandemen ke-4 UUD 1945 dengan Struktur Perusahaan Besar (Big Corporate) berdasarkan Teori Manajemen.....	91
Gambar 10. Struktur Ketatanegaraan NKRI berdasarkan Draft Amandemen Kelima UUD 1945	94
Gambar 11. Padanan Struktur Ketatanegaraan NKRI sesuai Draft Amandemen ke-5 UUD 1945 dengan Struktur Perusahaan Besar (Big Corporate) berdasarkan Teori Manajemen	95
Gambar 12. Usulan Struktur Pemerintahan NKRI	132
Gambar 13. Filosofi Jawa Sedulur Papat Lima Pancer	134
Gambar 14. Struktur Majelis Permusyawaratan Rakyat (MPR) sebagai Implementasi Unsur 4 Pilar Negara.....	140
Gambar 15. Ilustrasi Kondisi Rumah Aman, Nyaman, dan Tentram.....	143
Gambar 16. Ilustrasi Peta Jalan Menuju Rumah Milik Rakyat.....	146
Gambar 17. 6 Opsi untuk Mewujudkan Kedaulatan Rakyat Seutuhnya	148

BAB I

MENGAPA AMANDEMEN KELIMA UUD 1945 MENJADI KEBUTUHAN MENDESAK?

(Kajian Latar Belakang dan Urgensi Amandemen Kelima UUD 1945)

I. PENDAHULUAN

Sejak Proklamasi 17 Agustus 1945, bangsa Indonesia menegaskan dirinya sebagai negara merdeka yang berdaulat di tangan rakyat. Namun seiring berjalannya waktu, terutama pasca era reformasi yang telah melahirkan empat kali amandemen Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 (UUD 1945), semangat asli untuk mewujudkan kedaulatan rakyat secara utuh mulai terdistorsi oleh konsentrasi kekuasaan, pelemahan fungsi lembaga tinggi negara, dan kaburnya batas antara negara sebagai entitas kedaulatan dan pemerintah sebagai operator administratif.

Pengalaman sejarah memperlihatkan bahwa perubahan konstitusi tidak otomatis membawa keadilan atau efisiensi, jika tidak disertai dengan kejelasan prinsip dan pemisahan fungsi. Banyak dari amandemen sebelumnya justru menghasilkan ambiguitas institusional, lemahnya akuntabilitas, serta dominasi eksekutif atas lembaga-lembaga lainnya. Lembaga-lembaga tinggi negara kian jauh dari rakyat, dan tak jarang justru menjadi bagian dari masalah ketatanegaraan yang ingin diselesaikan.

Sesungguhnya, jika ditelisik lebih dalam, sejak 17 Agustus 1945 bangsa Indonesia memang belum sepenuhnya bebas dari penjajahan. Proklamasi hanyalah pintu simbolik menuju kemerdekaan, namun struktur dan logika colonial justru dilanjutkan oleh elite nasional yang mewarisi sistem ketatanegaraan, pemerintahan, hukum, dan ekonomi buatan Belanda. Negara yang diklaim merdeka itu tetap menjalankan pola eksploitasi sumber daya, sentralisasi kekuasaan, dan pengabaian kedaulatan rakyat, sehingga yang terjadi hanyalah pergantian bendera, bukan pembebasan hakiki.

Sejak saat itu, rakyat Indonesia mengalami bentuk baru penjajahan: kolonialisme internal dan ketergantungan eksternal. Melalui perjanjian internasional, hutang kolonial, serta penguasaan sumber daya oleh segelintir elite dan korporasi asing, rakyat kembali ditempatkan sebagai objek yang dikorbankan, bukan subjek yang berdaulat. Dengan demikian, 17 Agustus 1945

dapat dibaca bukan semata hari kemerdekaan, melainkan juga awal dari “penjajahan gaya baru” yang menyaru dalam tubuh negara merdeka.

Kerusakan sistemik itu kini tampak nyata. Presiden sebagai kepala pemerintahan memiliki kekuasaan hampir absolut, mulai dari mengangkat hakim konstitusi, ketua lembaga pengawas keuangan, hingga kepala lembaga hukum dan keamanan. Sementara itu, Dewan Perwakilan Rakyat (DPR) gagal menjalankan fungsi pengawasan secara efektif dan lebih sering menjadi corong pemerintah ketimbang wakil rakyat. Mahkamah Agung, Mahkamah Konstitusi, dan lembaga-lembaga lain tak luput dari krisis kepercayaan publik akibat berbagai skandal etika dan hukum. Dalam lanskap yang demikian, suara rakyat kehilangan saluran yang sah dan efektif.

Krisis ketatanegaraan juga diperparah oleh masuknya partai politik sebagai aktor sentral dalam Amandemen Ketiga UUD 1945 tahun 2001 dan Amandemen Keempat tahun 2002. Sejak saat itu, partai politik tidak lagi menjadi instrument rakyat, melainkan berubah menjadi “oligarki politik” yang dikendalikan segelintir elit. Mekanisme pencalonan pejabat publik, baik legislatif maupun eksekutif, sepenuhnya dimonopoli oleh partai, sehingga aspirasi rakyat tersumbat di ruang-ruang sempit kepentingan elite partai. Karena itu, banyak kalangan menilai bahwa Undang-Undang Dasar yang berlaku saat ini sejatinya bukan lagi UUD 1945, melainkan “UUD 2002” yang lebih mencerminkan kompromi kepentingan partai politik daripada amanat kedaulatan rakyat.

Karena itulah, Sekolah Negarawan mengusulkan perubahan struktur ketatanegaraan melalui Amandemen Kelima UUD 1945, sebuah koreksi sistemik yang tidak hanya bersifat teknokratik, melainkan berakar pada amanat moral dan sejarah bangsa. Usulan ini didasari oleh keyakinan bahwa negara dan pemerintah adalah dua hal yang berbeda. Negara adalah entitas kedaulatan yang mewakili seluruh rakyat, sedangkan pemerintah hanyalah pelaksana yang wajib bertanggung jawab kepada rakyat sebagai pemilik kedaulatan melalui Mandatarisnya. Selama ini, negara dan pemerintah terjat dalam satu tubuh yang tidak terkontrol, sehingga melahirkan struktur yang tidak sehat dan rawan penyalahgunaan kekuasaan.

Amandemen ini bertujuan untuk memulihkan struktur ketatanegaraan melalui penataan ulang lembaga-lembaga negara, menghidupkan kembali Majelis Permusyawaratan Rakyat (MPR) sebagai mandataris rakyat, serta menempatkan pimpinan MPR sebagai kepala negara kolektif. Di samping itu, amandemen ini memperkuat mekanisme referendum sebagai sarana suara langsung rakyat, dan menegaskan pemisahan antara kedaulatan negara dengan

administrasi pemerintahan. Dengan demikian, rakyat kembali memiliki posisi sentral, bukan hanya sebagai pemilik formal kedaulatan, tetapi juga sebagai penentu arah dan penjaga masa depan bangsa. Tujuan akhirnya adalah menegaskan prinsip bahwa rakyat benar-benar menjadi pemilik sekaligus penguasa kedaulatan dalam Negara Kesatuan Republik Indonesia.

II. URGENSI AMANDEMEN KELIMA

1. Mengembalikan Kedaulatan Rakyat

Dalam naskah asli UUD 1945, Pasal 1 ayat (2) menegaskan: *“Kedaulatan adalah di tangan rakyat, dan dilakukan sepenuhnya oleh Majelis Permusyawaratan Rakyat.”* Rumusan ini mencerminkan fondasi filosofis dan politik yang kokoh, rakyat adalah pemilik kedaulatan tertinggi dan MPR adalah pelaksana utamanya dalam sistem permusyawaratan yang khas Indonesia. Ini bukan sekedar konstruksi prosedural, tetapi manifestasi dari demokrasi yang berakar pada nilai-nilai kearifan kolektif dan musyawarah sebagai identitas bangsa.

Namun, sejak Amandemen Ketiga UUD 1945 pada tahun 2001, kalimat tersebut diubah menjadi: *“Kedaulatan berada di tangan rakyat dan dilaksanakan menurut Undang-Undang Dasar.”* Penghapusan frasa *“dilakukan sepenuhnya oleh Majelis Permusyawaratan Rakyat”* secara diam-diam menggeser arsitektur kedaulatan rakyat dalam struktur ketatanegaraan. Kedaulatan yang dulunya dijalankan secara kolektif melalui MPR, kini menjadi abstrak tidak jelas dijalankan oleh siapa, dan dalam praktiknya diserahkan secara dominan kepada partai politik dan aktor eksekutif.

Perubahan ini seolah dipertegas dengan sistem pemilihan langsung Presiden dan Wakil Presiden sebagaimana tertuang dalam Pasal 6A, yang di satu sisi memberi kesan demokratis, tetapi di sisi lain menyembunyikan fakta bahwa calon pemimpin nasional tetap harus melalui *“penyaringan”* partai politik. Rakyat memang memilih, tapi pilihan mereka sudah dibatasi sebelumnya. Kedaulatan rakyat direduksi menjadi formalitas lima tahunan.

Lebih jauh, amandemen tersebut juga telah menghapus penjelasan penting dalam UUD 1945 yang menyatakan bahwa: *“Kepala Negara bertanggung jawab kepada Majelis Permusyawaratan Rakyat dan harus memperhatikan sungguh-sungguh suara DPR.”* Dengan menghilangkan akuntabilitas Presiden kepada MPR, sistem pengawasan terhadap kekuasaan eksekutif menjadi timpang. Presiden terkesan tidak lagi dibatasi secara institusional, apalagi moral. Sementara itu, rakyat sebagai pemilik

kedaulatan justru menjadi objek pasif dalam demokrasi yang seharusnya mereka kendalikan.

Kondisi ini diperparah oleh realitas sistem pemilihan langsung yang membuka lebar pintu bagi dominasi oligarki, kooptasi media, kejahatan politik uang, dan transaksionalisme kekuasaan. Demokrasi prosedural menggantikan demokrasi substansial. Partai Politik bukan menjadi alat rakyat, melainkan pengendali akses kekuasaan itu sendiri.

Dalam kerangka inilah muncul gagasan penting Amandemen Kelima untuk mengembalikan makna sejati kedaulatan rakyat. Bukan kembali ke masa lalu, melainkan memulihkan roh demokrasi permusyawaratan sesuai sila keempat Pancasila: *"Kerakyatan yang dipimpin oleh hikmat kebijaksanaan dalam permusyawaratan/ perwakilan."*

MPR perlu direformulasi kembali agar benar-benar menjadi wadah representasi seluruh unsur bangsa. Bukan sekedar diisi oleh kader partai politik seperti selama ini, melainkan dihuni oleh negarawan-negarawan sejati yang memiliki integritas dan wawasan kebangsaan.

Komposisinya harus mencerminkan empat pilar utama bangsa. Pertama, kaum intelektual atau cendekiawan yang berperan sebagai pengarah arah berbangsa dan bernegara. Kedua, kaum agama atau rohaniawan yang hadir sebagai penjaga moral, memastikan kebijakan tetap berpijak pada nilai-nilai etika dan keadilan. Ketiga, TNI dan Polri sebagai abdiwan yang menjadi pelindung kedaulatan sekaligus pengawal keamanan rakyat. Keempat, kaum budaya atau budayawan yang bertugas sebagai penjaga identitas, agar bangsa ini tidak tercabut dari akar sejarah dan tradisinya. Keempat pilar utama bangsa ini harus berpusat kepada Rakyat selaku pemilik kedaulatan, sehingga arah kebijakan tidak boleh menyimpang dari mandat rakyat sebagai bos tertinggi dalam republik.

Lebih jauh, representasi itu harus juga menyertakan unsur daerah, profesi, kelompok adat, kerajaan/ keratin Nusantara, serta kekuatan moral-kultural lain yang tumbuh dari masyarakat. Dengan cara demikian, demokrasi kita tidak berhenti hanya pada prosedur elektoral, tetapi juga berkeadilan secara substansi. Demokrasi benar-benar hidup dari akar budaya bangsa, dan berpijak pada kehendak rakyat sebagai pemilik kedaulatan tertinggi.

2. Menjalankan Amanat Proklamasi 1945 Secara Tuntas

Proklamasi Kemerdekaan 17 Agustus 1945 mengandung dua amanat penting: pertama, kemerdekaan bangsa Indonesia; dan kedua, pelaksanaan

pemindahan kekuasaan dengan seksama dan dalam tempo sesingkat-singkatnya. Secara historis, pengakuan kedaulatan oleh Belanda melalui Konferensi Meja Bundar (KMB) tahun 1949 memang telah menyelesaikan sebagian dari proses pemindahan kekuasaan secara formal. Namun, secara substansial, pelaksanaan kekuasaan di dalam negeri belum sepenuhnya berjalan “seksama” dalam pengertian sistemik.

Struktur pemerintahan Indonesia kini masih menyisakan konsentrasi kekuasaan yang terlalu besar di tangan Presiden. Presiden dapat mengangkat dan memberhentikan banyak pejabat tinggi, mengontrol lembaga penegak hukum secara langsung maupun tidak langsung, serta menetapkan berbagai kebijakan melalui Peraturan Presiden meskipun tanpa mandat jelas dari Undang-Undang. Dominasi ini menciptakan kondisi yang dapat disebut sebagai “absolutisme terselubung”.

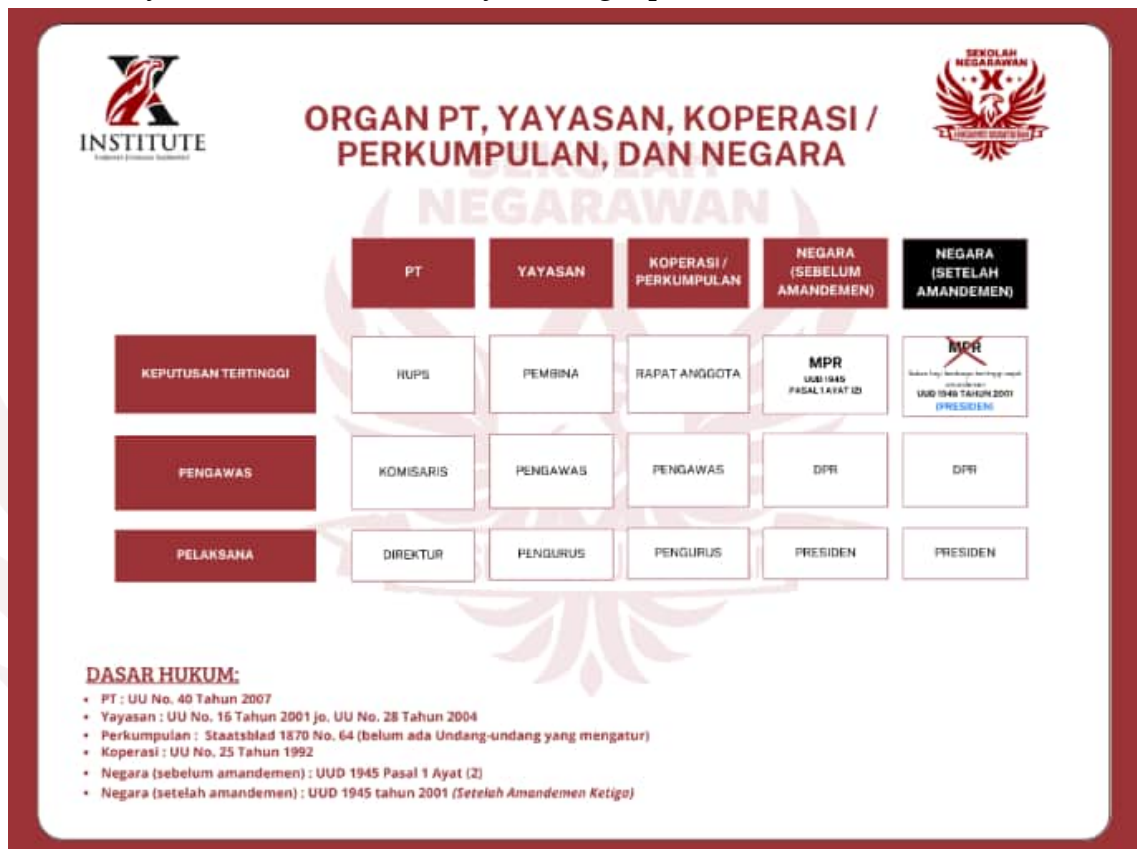
Karena itu, Amandemen Kelima menjadi wujud penyempurnaan amanat proklamasi untuk memastikan kekuasaan tidak lagi tersentral pada satu tangan, melainkan benar-benar dijalankan dengan pengawasan rakyat melalui sistem kenegaraan yang sehat, adil, dan akuntabel. Dalam kerangka ini, amanat proklamasi mengenai “pelaksanaan pemindahan kekuasaan dengan seksama” juga menemukan bentuk barunya. Representasi kaum adat, kerajaan, dan keraton Nusantara di dalam Majelis Permusyawaratan Rakyat adalah simbol bahwa kekuasaan di negeri ini tidak hanya berpusat pada struktur formal modern, tetapi juga mengakui warisan historis, kultural, dan moral bangsa. Dengan demikian, amanat proklamasi dijalankan secara tuntas untuk kedaulatan rakyat, bukan saja prosedural, tetapi juga substansial, mengakar pada sejarah dan jati diri bangsa.

3. Memisahkan Negara dan Pemerintah Secara Tegas

Salah satu akar persoalan dalam sistem ketatanegaraan kita adalah tidak adanya pemisahan yang jelas antara “negara” sebagai entitas kedaulatan dan “pemerintah” sebagai pelaksana kekuasaan. Dalam sistem sekarang, Presiden berperan ganda sebagai Kepala Negara sekaligus Kepala Pemerintahan. Posisi ini menimbulkan kekeliruan logis dan institusional, karena Presiden seakan menjadi pemilik sekaligus pelaksana kekuasaan.

Dalam praktik organisasi modern, baik perusahaan, lembaga nirlaba, maupun negara demokratis, pemisahan antara kekuasaan (*sovereign*) dan pelaksana kekuasaan (*executive*) adalah prinsip dasar. Pemilik menentukan arah dan menjaga kepentingan, sementara pelaksana bertugas menjalankan mandat dengan efektif dan akuntabel.

Amandemen Kelima hadir untuk menegaskan kembali prinsip ini. Negara sebagai entitas kedaulatan diwakili oleh Majelis Permusyawaratan Rakyat (MPR) selaku mandataris rakyat. Pimpinan MPR bertindak sebagai kepala negara kolektif, bersama dengan lembaga-lembaga tinggi negara lainnya, yang semuanya berperan sebagai pelindung rakyat, melindungi harta, nyawa, dan martabat rakyat sebagai pemilik kedaulatan.



Gambar 1. Perbandingan Keputusan Tertinggi

Sementara itu, Presiden ditempatkan secara tegas hanya sebagai kepala pemerintahan. Perannya adalah mengatur dan melayani rakyat melalui pelaksanaan kebijakan dan pengelolaan administrasi pemerintahan. Dengan demikian, tugas negara dapat dipahami secara utuh menjadi tiga fungsi utama: melindungi rakyat, mengatur rakyat, dan melayani rakyat.

Pemisahan ini akan menghapus potensi konsentrasi kekuasaan di satu tangan, memperkuat sistem check and balance, serta memastikan bahwa pemerintah tetap berada dalam kendali negara, bukan sebaliknya. Rakyat sebagai pemilik kedaulatan akan mendapat perlindungan yang layak, sementara pelayanan dan pengaturan sehari-hari dijalankan oleh Presiden dan kabinetnya secara efektif, efisien, dan transparan.

4. Mengembalikan Pancasila sebagai Falsafah, Pedoman Hidup Bernegara, dan Dasar Negara Seutuhnya

Sejak amandemen-amandemen sebelumnya, arah kebijakan negara semakin jauh bergeser dari nilai-nilai dasar Pancasila. Banyak produk peraturan perundang-undangan, kebijakan pemerintahan, dan sistem ekonomi yang tidak lagi berpijak pada semangat keadilan sosial, gotong royong, dan persatuan nasional. Terlalu sering logika pasar dan kepentingan jangka pendek mendominasi, menggusur nilai-nilai luhur yang seharusnya menjadi pedoman hidup berbangsa. Sistem pemerintahan berubah menjadi ajang transaksi kepentingan, hukum kerap diperalat sebagai alat kekuasaan, sementara ekonomi lebih menekankan akumulasi kekayaan oleh segelintir pejabat atau kelompok tertentu. Rakyat pun semakin jauh dari proses pengambilan keputusan yang menyangkut hajat hidup mereka sendiri.

Kondisi ini semakin parah sejak MPR selaku mandataris rakyat dikebiri fungsinya melalui amandemen ketiga UUD 1945 tahun 2001. Sejak saat itu, MPR tidak lagi menjadi lembaga tertinggi negara yang mewakili kedaulatan rakyat secara utuh, melainkan hanya ditempatkan sejajar dengan lembaga tinggi negara lainnya. Akibatnya, banyak produk peraturan perundang-undangan yang lahir justru merugikan rakyat selaku pemilik kedaulatan, bahkan bertentangan dengan nilai-nilai Pancasila.

Fenomena ini menimbulkan stigma di masyarakat bahwa telah terjadi semacam “penjajahan regulasi”, peraturan dan undang-undang dijadikan instrumen untuk melegalkan pencurian kekayaan negara. Alih-alih melindungi kepentingan rakyat, regulasi yang lahir seringkali lebih berpihak pada elit partai politik dan kepentingan ekonomi tertentu. Dengan kata lain, hukum telah dijadikan kendaraan untuk merampas hak rakyat secara sah menurut aturan, tetapi sangat bertentangan dengan rasa keadilan dan nilai-nilai Pancasila.

Oleh karena itu, Amandemen Kelima harus menjadi jalan untuk mengembalikan Pancasila secara utuh sebagai falsafah, pedoman hidup bernegara, dan dasar negara. Pancasila tidak boleh berhenti sebagai simbol atau hiasan dalam pidato resmi, tetapi harus hadir sebagai pedoman konstitusional yang hidup. Setiap kebijakan publik, setiap peraturan perundang-undangan, dan setiap sistem kelembagaan wajib berpijak pada nilai-nilai Ketuhanan, Kemanusiaan, Persatuan, Kerakyatan, dan Keadilan Sosial.

Mengembalikan Pancasila berarti menyatukan kembali hukum, moral, dan akal sehat dalam kehidupan berbangsa. Dengan demikian, hukum tidak lagi menjadi alat kekuasaan, tetapi menjadi instrumen keadilan, kebijakan negara tidak lagi menjadi ajang transaksi, tetapi cerminan kedaulatan rakyat, dan pembangunan ekonomi tidak lagi sekadar akumulasi untuk segelintir orang, melainkan kesejahteraan yang dirasakan seluruh rakyat Indonesia.

III. FAKTA EMPIRIK ADANYA Malfungsi Lembaga Tinggi Negara Yang mengharuskan Amendemen Kelima

1. Kekuasaan Presiden yang Tanpa Batas

Dalam sistem ketatanegaraan yang sehat, kekuasaan Presiden sebagai kepala pemerintahan harus dibatasi oleh mekanisme pengawasan (*checks and balances*) yang kuat agar tidak melampaui batas dan merugikan kedaulatan rakyat. Namun dalam praktiknya, pasca Amandemen Keempat UUD 1945, Presiden justru menjadi aktor dominan yang mengendalikan hampir seluruh elemen kekuasaan negara, baik secara formal maupun informal, dengan minim kontrol dari lembaga lain. Hal ini menciptakan fenomena “absolutisme terselubung” yang berbahaya bagi demokrasi.

a. Pelanggaran Sumpah Presiden

Setiap Presiden Republik Indonesia dilantik dengan sumpah yang diatur dalam Pasal 9 UUD 1945, yang berbunyi:

“Saya bersumpah akan memenuhi kewajiban Presiden Republik Indonesia dengan sebaik-baiknya dan seadil-adilnya, memegang teguh Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 dan menjalankan segala undang-undang dan peraturannya dengan selurus-lurusnya serta berbakti kepada nusa dan bangsa.”

Namun kenyataan menunjukkan bahwa isi sumpah ini kerap dilanggar secara terbuka maupun terselubung oleh Presiden yang sedang menjabat. Salah satu contoh paling kontroversial terjadi pada masa pemerintahan Presiden RI ke-7, di mana sejumlah indikasi menunjukkan keterlibatan eksekutif dalam memengaruhi keputusan Mahkamah Konstitusi (MK) terkait syarat usia calon wakil presiden.

Perubahan mendadak terhadap putusan MK yang memungkinkan Gibran Rakabuming Raka, anak dari Presiden Joko Widodo, untuk mencalonkan diri sebagai wakil presiden pada usia yang belum

memenuhi ketentuan awal, menjadi titik balik krisis kepercayaan publik terhadap independensi lembaga yudikatif. Yang lebih mengkhawatirkan adalah pengakuan dari Majelis Kehormatan Mahkamah Konstitusi (MKMK) bahwa terjadi pelanggaran etik berat oleh Ketua MK saat itu, yang kebetulan juga adalah ipar Presiden. Ini menimbulkan dugaan kuat adanya konflik kepentingan dan intervensi kekuasaan eksekutif terhadap lembaga peradilan konstitusional.

Kejadian ini bukan hanya merusak wibawa MK, tetapi juga menjadi bukti bahwa Presiden memiliki pengaruh terlalu besar terhadap organ-organ negara yang seharusnya independen. Jika lembaga pengawal konstitusi dapat dipengaruhi oleh Presiden, maka konstitusi kehilangan daya mengikatnya dan rakyat kehilangan pelindung tertingginya.

b. Ketiadaan Mekanisme Pengawasan Substantif dari MPR dan DPR

Kekuasaan besar Presiden tidak hanya terletak pada posisinya sebagai kepala pemerintahan, tetapi juga diperkuat oleh struktur pemerintahan dan hukum yang tidak menempatkan MPR sebagai pemegang mandat rakyat tertinggi. Setelah Amandemen Keempat UUD 1945, MPR kehilangan wewenangnya sebagai pelaksana kedaulatan rakyat secara kolektif.

Sementara itu, Dewan Perwakilan Rakyat (DPR) yang secara teori berfungsi sebagai pengawas harian terhadap pemerintah, dalam praktiknya lebih sering menjadi “mitra koalisi” Presiden daripada pengontrol kebijakannya. Banyak kebijakan penting yang disahkan DPR tanpa kajian yang memadai atau penolakan serius terhadap keputusan eksekutif. Bahkan peraturan pemerintah pengganti undang-undang (Perppu) pun bisa disetujui dengan mudah oleh DPR hanya karena telah dikemas sebagai produk “darurat” oleh Presiden, tanpa melalui dialog publik yang bermakna.

Kondisi ini menjadikan Presiden sebagai figur yang hampir tak tersentuh dalam sistem ketatanegaraan. Ia dapat mengangkat dan memberhentikan pejabat tinggi negara (dari menteri, jaksa agung, hingga ketua lembaga negara), menerbitkan Peraturan Presiden tanpa pengawasan ketat, dan memengaruhi arah pemerintahan dan hukum negara dengan sedikit hambatan. Dalam sistem demokrasi modern, ini merupakan penyimpangan yang berbahaya karena bertentangan dengan prinsip pemisahan kekuasaan dan akuntabilitas.

Ketika kekuasaan Presiden melampaui batas dan tidak lagi diawasi secara efektif, maka konsekuensinya sangat luas:

- Independensi lembaga yudikatif terganggu: Presiden secara langsung atau tidak langsung mempengaruhi penunjukan hakim MA, MK, KY, dan pejabat hukum lainnya, menjadikan peradilan rentan terhadap intervensi pejabat.
- Lembaga pengawas keuangan dan hukum kehilangan taring: Presiden juga memiliki peran dalam mengangkat pimpinan BPK, Kejaksaan Agung, hingga lembaga keamanan, sehingga ruang kontrol terhadap kebijakan keuangan dan kebijakan hukum menjadi sangat lemah.
- Demokrasi tereduksi menjadi formalitas: Pemilihan umum tetap berlangsung, tetapi dengan ruang persaingan yang tidak adil karena penguasa memiliki alat negara, media, dan jaringan birokrasi yang digunakan untuk mempertahankan kekuasaan.
- Rakyat kehilangan saluran aspirasi substantif: Masyarakat tidak lagi percaya kepada lembaga negara untuk memperjuangkan hak dan keadilan mereka. Ini menciptakan kekecewaan sistemik yang berisiko menciptakan krisis legitimasi berkepanjangan.

2. Pemilihan Presiden Langsung yang Bertentangan dengan Pancasila

Salah satu perubahan paling mencolok dalam Amandemen UUD 1945 pasca-reformasi adalah ditetapkannya Pasal 6A yang mengatur bahwa Presiden dan Wakil Presiden dipilih langsung oleh rakyat. Sekilas, model ini tampak demokratis karena melibatkan partisipasi publik secara langsung. Namun jika ditelaah lebih dalam, sistem ini justru menyimpang dari prinsip dasar demokrasi Indonesia yang digariskan dalam ideologi negara, yaitu Pancasila.

Sila Keempat Pancasila berbunyi: *"Kerakyatan yang dipimpin oleh hikmat kebijaksanaan dalam permusyawaratan/perwakilan."* Rumusan ini menekankan bahwa kekuasaan rakyat dijalankan melalui permusyawaratan dan sistem perwakilan, bukan melalui suara terbanyak semata. Spirit demokrasi dalam Pancasila bukanlah demokrasi liberal gaya Barat yang berorientasi pada kompetisi elektoral dan mayoritas absolut, melainkan demokrasi yang menekankan pada musyawarah, mufakat, dan kepemimpinan moral.

Dengan diberlakukannya Pasal 6A dalam Amandemen Ketiga dan Keempat UUD 1945, prinsip permusyawaratan diabaikan. Pemilihan

langsung Presiden mengubah jabatan kepala pemerintahan menjadi kontestasi elektoral berbasis logika pertarungan, bukan kebijaksanaan. Tidak ada lagi forum musyawarah negarawan untuk memilih pemimpin terbaik secara kolektif, yang dahulu dijalankan oleh MPR.

Pemilihan langsung, meskipun membawa kesan demokratis, dalam praktiknya mengubah sistem demokrasi permusyawaratan menjadi demokrasi elektoral yang mengedepankan kekuatan finansial, popularitas media, dan kekuasaan logistik partai politik. Hal ini menjauhkan proses kenegaraan dari prinsip hikmat dan kebijaksanaan yang seharusnya menjadi pemandu utama kepemimpinan nasional.

Dalam praktiknya, sistem pemilihan langsung telah memicu tingginya ongkos kampanye. Calon presiden harus membangun koalisi besar, mendanai kampanye nasional, membayar iklan media, menyewa konsultan politik, dan menggalang logistik. Dalam banyak kasus, hal ini hanya bisa dilakukan dengan bantuan pemodal besar, oligarki ekonomi, atau bahkan kekuatan asing. Akibatnya, lahirlah praktik pemerintahan transaksional: jabatan, kebijakan, bahkan proyek-proyek negara dijadikan alat tawar-menawar setelah kemenangan diperoleh.

Pemilihan langsung juga memperuncing perpecahan di tengah masyarakat. Kampanye sering memecah rakyat ke dalam dua kubu yang saling membenci. Banyak orang bertengkar hanya karena berbeda pilihan calon. Ini memperlemah persatuan nasional. Padahal demokrasi Indonesia seharusnya membawa semangat gotong royong dan kesatuan, bukan permusuhan.

Biaya kampanye yang besar juga membuka peluang masuknya dana dan pengaruh dari pihak asing. Dalam sistem pemilihan langsung, tidak mudah melacak sumber dana kampanye. Ini berpotensi membuat calon pemimpin Indonesia “berutang budi” kepada kekuatan di luar negeri, yang bisa memengaruhi arah kebijakan dalam negeri.

Realitanya, saat ini pemilihan langsung sering kali lebih menonjolkan citra dan popularitas ketimbang rekam jejak dan visi. Tokoh yang dikenal luas tapi kurang punya gagasan dan pengalaman bisa lebih mudah menang dibanding negarawan yang sesungguhnya. Akibatnya, negara bisa dipimpin oleh orang yang tidak siap atau tidak cukup memiliki kualitas kepemimpinan jangka panjang.

3. Mandulnya Pengawasan DPR terhadap Pemerintah

Salah satu fungsi utama DPR adalah mengawasi jalannya pemerintahan agar kebijakan yang diambil Presiden benar-benar berpihak kepada rakyat. Namun, dalam praktiknya, fungsi pengawasan ini nyaris lumpuh. DPR tidak lagi memiliki posisi tawar yang kuat terhadap kekuasaan eksekutif. Dalam banyak kasus, DPR justru lebih berperan sebagai perpanjangan tangan pemerintah, bukan pengawasnya.

Secara prosedural, Ketua DPR memang dipilih oleh anggota DPR, tetapi pelantikannya dilakukan oleh Ketua Mahkamah Agung (MA). Di sisi lain, Ketua MA sendiri dilantik oleh Presiden. Rantai prosedural ini menciptakan konflik kepentingan yang mengaburkan independensi antar lembaga negara. Alhasil, DPR secara tidak langsung masuk dalam pusaran kekuasaan eksekutif. Presiden memiliki pengaruh besar terhadap pengisian jabatan di lembaga yudikatif maupun legislatif, sehingga DPR tidak sepenuhnya bebas dalam menjalankan fungsi pengawasannya. Prinsip *check and balance* yang seharusnya menjadi fondasi demokrasi pun melemah.

Lebih dari itu, ternyata mandulnya pengawasan DPR terhadap pemerintah tidak hanya terjadi karena faktor formal, melainkan juga akibat adanya kekuasaan terselubung, para elit partai politik. Merekalah yang sesungguhnya mengendalikan jalannya kekuasaan negara. Dengan kuasa mereka menentukan calon anggota DPR sekaligus calon Presiden, kedaulatan rakyat praktis “dimakan” oleh elit partai. Rakyat hanya menjadi penonton dalam sistem politik elektoral yang dikuasai penuh oleh mekanisme partai.

Inilah sebabnya mengapa DPR sering gagal berdiri di sisi rakyat. Ketika Presiden membuat kebijakan yang merugikan rakyat atau menyimpang dari konstitusi, DPR seharusnya bisa bertindak: memanggil, mengkritik, bahkan menolak. Namun, kenyataannya hal itu jarang sekali terjadi. Sebagian besar kebijakan pemerintah hampir selalu disetujui DPR tanpa perlawanan berarti, baik Perppu, RUU kontroversial, maupun rancangan anggaran negara.

Alih-alih menjadi pengawas, DPR justru berkali-kali menyetujui kebijakan yang jelas-jelas ditolak rakyat. Demonstrasi besar-besaran terhadap sejumlah RUU, misalnya, jarang membuahkan koreksi dari parlemen. Hal ini menunjukkan DPR telah kehilangan peran strategisnya sebagai wakil rakyat, dan lebih berfungsi sebagai “stempel boneka” Presiden sekaligus alat politik elit partai.

Dengan kondisi seperti ini, kekuasaan nyata sesungguhnya berada di tangan segelintir elit partai politik. Namun ironisnya, dengan kekuasaan besar yang mereka genggam, mereka justru gagal mewujudkan cita-cita kemerdekaan yaitu menghadirkan keadilan dan kesejahteraan bagi seluruh rakyat Indonesia.

4. Jebolnya Lembaga Peradilan dan Pengawasan Hakim

Lembaga peradilan tertinggi seperti Mahkamah Agung (MA) dan Mahkamah Konstitusi (MK) seharusnya menjadi benteng terakhir keadilan dan penjaga konstitusi. Namun faktanya, kedua lembaga ini justru terjerumus dalam krisis integritas yang parah. Rakyat kehilangan kepercayaan, karena lembaga yang seharusnya netral dan agung malah terlibat dalam skandal etika serta kejahatan hukum.

Sejumlah hakim agung dan pejabat di lingkungan MA ditangkap Komisi Pemberantasan Korupsi (KPK) karena terbukti menerima suap dan terlibat dalam jual beli perkara. Fakta ini menunjukkan bahwa sistem hukum tertinggi di Indonesia tidak steril dari praktik korupsi. Ketika putusan bisa dibeli, maka keadilan tidak lagi hidup di ruang peradilan. MA yang seharusnya menjadi pengawal tertinggi supremasi hukum, dalam praktiknya justru ikut merusak kepercayaan publik terhadap hukum. Peradilan berubah menjadi ladang transaksi, bukan tempat mencari keadilan. Kondisi ini menandakan kegagalan sistemik, bukan sekadar kesalahan individu.

Kasus paling mencolok juga terjadi pada 2023, ketika MK mengubah syarat usia calon wakil presiden menjelang pendaftaran Pemilu 2024. Perubahan mendadak tersebut diduga kuat mengakomodasi pencalonan Gibran Rakabuming Raka, anak Presiden Joko Widodo. Putusan itu tidak hanya menimbulkan kontroversi hukum, tetapi juga menimbulkan kecurigaan publik akan adanya intervensi kekuasaan eksekutif terhadap lembaga yudikatif. Majelis Kehormatan MK (MKMK) kemudian menyatakan Ketua MK saat itu terbukti melakukan pelanggaran etik berat. Namun ironisnya, putusan MK tetap tidak dibatalkan dan tetap digunakan dalam pelaksanaan Pemilu. Hal ini menciptakan preseden buruk: bahwa konstitusi bisa dipelintir demi kepentingan individu maupun dinasti kekuasaan.

Krisis serupa juga melanda Komisi Yudisial (KY), lembaga yang sejatinya berfungsi mengawasi perilaku hakim. KY yang diharapkan menjadi pengawas moral justru ikut tercoreng. Kasus yang melibatkan Ketua KY, Jaja

Ahmad Jayus, misalnya, ketika ia ditetapkan sebagai tersangka oleh Polda Jawa Barat pada 2012 dalam kasus dugaan pemalsuan surat dan penyalahgunaan wewenang saat menjadi pejabat di Badan Pertanahan Nasional (BPN). Walaupun proses hukumnya kemudian berhenti, kasus ini tetap meninggalkan catatan hitam dalam rekam jejak lembaga yang seharusnya menjaga integritas hakim. Ketika pengawas pun ikut bermasalah, runtuhlah legitimasi lembaga peradilan secara menyeluruh.

Dengan MA yang terjerat korupsi, MK yang melanggar etik konstitusional, dan KY yang tercoreng integritasnya, jelas bahwa krisis kepercayaan terhadap lembaga peradilan dan pengawas hakim telah mencapai titik nadir. Publik melihat hukum tidak lagi sebagai panglima, melainkan sebagai alat transaksi kepentingan elit. Jika kondisi ini terus dibiarkan, maka keadilan hanya akan menjadi slogan kosong, sementara rakyat kehilangan benteng terakhir untuk memperjuangkan hak dan martabatnya.

5. Krisis Kredibilitas Badan Pemeriksa Keuangan (BPK)

Badan Pemeriksa Keuangan (BPK) seharusnya menjadi garda terdepan dalam memastikan keuangan negara digunakan secara jujur, efisien, dan sesuai aturan. Namun realitasnya, BPK justru dilanda krisis kredibilitas akibat praktik korupsi yang menggerus fungsinya sebagai lembaga audit negara yang independen.

Beberapa kasus besar mengungkap bahwa predikat opini audit tertinggi, **Wajar Tanpa Pengecualian (WTP)**, bisa diperjualbelikan kepada pemerintah daerah atau kementerian. Bahkan sudah ada pejabat BPK yang divonis karena menerima suap demi “memuluskan” opini laporan keuangan instansi tertentu. Ini membuktikan bahwa opini audit bukan lagi penilaian obyektif berbasis data, melainkan bisa dinegosiasikan berdasarkan kepentingan.

Kondisi ini sangat berbahaya, karena laporan keuangan yang seharusnya menjadi alat transparansi dan akuntabilitas justru menjadi alat manipulasi untuk menutupi kebocoran anggaran atau penyimpangan keuangan. Uang rakyat bisa dikorupsi, tetapi tetap mendapat cap “bersih”.

Kredibilitas BPK juga dirusak oleh struktur pengangkatan yang tidak independen. Ketua BPK disumpah oleh Ketua MA, sementara anggota-anggotanya dilantik oleh Presiden melalui Keputusan Presiden (Keppres). Di

sisi lain, BPK justru bertugas mengaudit lembaga eksekutif yang dipimpin oleh Presiden, serta lembaga peradilan di bawah MA.

Hubungan ini menciptakan potensi konflik kepentingan serius. Bagaimana mungkin auditor bisa benar-benar independen jika diangkat dan disumpah oleh lembaga yang diauditnya? Ini membuka peluang besar bagi kompromi pejabat dan penyalahgunaan wewenang. Dalam praktiknya, sangat jarang BPK mengeluarkan temuan yang secara serius mengancam kekuasaan eksekutif.

6. Jebolnya KPK sebagai Lembaga Pemberantasan Korupsi

Komisi Pemberantasan Korupsi (KPK) sejak awal kelahirannya digadang-gadang sebagai harapan rakyat untuk memberantas kejahatan luar biasa yang merusak sendi-sendi negara. KPK pernah menjadi simbol ketegasan, independensi, dan keberanian melawan korupsi, bahkan terhadap pejabat tinggi negara sekalipun. Namun, dalam perkembangannya, lembaga ini justru kehilangan taring, terjatuh dalam pusaran politik, dan kini menghadapi krisis integritas yang mendalam.

Salah satu penyebab utama jebolnya KPK adalah masalah kepemimpinan. Sejumlah pimpinan KPK yang seharusnya menjadi teladan justru terseret dalam kontroversi bahkan kasus korupsi itu sendiri. Beberapa di antaranya terungkap menerima gratifikasi, terlibat konflik kepentingan, hingga melakukan tindakan yang mencederai independensi lembaga. Kondisi ini menimbulkan pertanyaan besar di publik, bagaimana mungkin lembaga yang diberi mandat untuk membersihkan negara dari korupsi justru dikotori oleh pemimpinnya sendiri?

Kelemahan semakin nyata setelah revisi Undang-Undang KPK tahun 2019 yang menempatkan lembaga ini di bawah kendali eksekutif melalui Dewan Pengawas. Sejak itu, ruang gerak KPK makin sempit, proses penyelidikan kerap terhambat birokrasi, dan independensi yang dulu menjadi kekuatan utama kini terkikis. Banyak kasus besar yang menyangkut elit politik tidak ditangani serius, bahkan sebagian hilang dari pemberitaan. Publik pun menilai KPK kini lebih sering menjadi “penonton” daripada garda terdepan pemberantasan korupsi.

Jebolnya KPK juga terlihat dari pelemahan internal yang sistematis. Kasus “Tes Wawasan Kebangsaan” (TWK) yang menyingkirkan 75 pegawai berintegritas, termasuk penyidik senior, adalah bukti nyata bagaimana orang-orang yang berkomitmen melawan korupsi justru disingkirkan.

Mereka digantikan oleh sosok-sosok yang diragukan independensinya. Hal ini semakin menurunkan kepercayaan publik dan memperkuat persepsi bahwa KPK telah direayasa agar jinak di tangan kekuasaan.

Akibat dari semua itu, tingkat kepercayaan publik terhadap KPK merosot tajam. Indeks Persepsi Korupsi Indonesia pun menunjukkan tren stagnan bahkan menurun, seiring melemahnya peran KPK. Lembaga yang dulu ditakuti koruptor kini dianggap tidak lebih dari lembaga formalitas. Ironisnya, di tengah krisis korupsi yang semakin meluas, KPK justru kehilangan legitimasi dan kepercayaan yang selama ini menjadi modal utamanya.

Kini, runtuhnya integritas KPK menambah panjang daftar jebolnya lembaga-lembaga negara. Ketika benteng terakhir pemberantasan korupsi sudah rapuh, rakyat semakin kehilangan pegangan. Harapan besar yang dulu disematkan pada KPK seolah sirna, digantikan dengan rasa kecewa mendalam bahwa korupsi di negeri ini justru makin dilegalkan, sementara lembaga yang seharusnya menjadi “mata dan tangan rakyat” tidak lagi berpihak kepada rakyat, melainkan tersandera kepentingan elit.

7. TNI - Polri: Dari Pelindung Rakyat menjadi Penjaga Kekuasaan

Tentara Nasional Indonesia (TNI) dan Kepolisian Negara Republik Indonesia (Polri) sejak awal berdirinya Republik Indonesia diposisikan sebagai abdi negara yang tugas utamanya melindungi rakyat. TNI dibentuk untuk menjaga kedaulatan dan pertahanan negara dari ancaman luar, sementara Polri ditugaskan untuk menegakkan hukum, menjaga ketertiban, dan melindungi masyarakat. Namun, realitas hari ini menunjukkan pergeseran fungsi yang cukup jauh dari semangat awal tersebut. Alih-alih menjadi perisai rakyat, TNI dan Polri kerap dipersepsikan lebih dekat dengan kekuasaan partai politik, pejabat pemerintahan, dan kepentingan penguasa.

Kemarahan rakyat terhadap Polri sudah lama terlihat. Berbagai kasus penyalahgunaan kewenangan, praktik suap, hingga pungutan liar membuat kepercayaan masyarakat runtuh. Ungkapan satir rakyat bahkan muncul dalam bentuk lagu-lagu kritik seperti “Bayar-bayar”, yang menggambarkan betapa sulitnya mendapatkan layanan kepolisian tanpa uang pelicin. Citra Polri semakin terpuruk ketika banyak petingginya justru bertransformasi menjadi pejabat publik di berbagai jabatan sipil, sehingga fungsi penegakan hukum terasa kabur dan bercampur dengan kepentingan politik.

Kemarahan rakyat terhadap TNI juga tidak kalah besar. Walau secara konstitusi peran TNI jelas berada di ranah pertahanan negara, pada kenyataannya TNI semakin banyak masuk ke ranah sipil. Kehadiran mereka di kampus, di lembaga sipil, hingga penempatan di jabatan-jabatan publik menimbulkan keresahan. Rakyat mempertanyakan netralitas TNI, karena semakin sulit membedakan antara fungsi pertahanan militer dan fungsi pemerintahan sipil. Padahal semangat reformasi dulu jelas menekankan agar TNI kembali ke barak dan tidak lagi terlibat dalam politik praktis maupun jabatan sipil.

Lebih parah lagi, sejumlah petinggi TNI dan Polri diduga kuat menjadi beking bisnis-bisnis ilegal yang merugikan negara sekaligus menghancurkan masyarakat. Mulai dari tambang ilegal, penyelundupan, narkoba, hingga judi online, semua aktivitas haram ini sering disebut-sebut tidak akan bisa berjalan tanpa “payung” aparat. Ketika aparat yang seharusnya memberantas kejahatan justru menjadi pelindungnya, maka hukum kehilangan makna dan rakyat kehilangan perlindungan.

Padahal, TNI dan Polri seharusnya berdiri tegak di sisi rakyat. TNI mesti kembali pada fungsi sejatinya, menjaga kedaulatan rakyat, melindungi batas-batas negara, dan siap menghadapi ancaman eksternal. Polri pun harus memulihkan kepercayaan publik dengan menegakkan hukum secara adil, bebas dari korupsi, dan sungguh-sungguh melayani rakyat. Tanpa koreksi mendasar, TNI–Polri akan terus dipandang sebagai alat kekuasaan, bukan lagi pelindung rakyat.

8. Penyatuan Fungsi Bendahara dan Kasir Negara di Kementerian Keuangan

Salah satu kelemahan serius dalam struktur keuangan negara saat ini adalah disatukannya fungsi bendahara negara dan kasir negara di tangan satu institusi: Kementerian Keuangan. Dalam sistem ini, Menteri Keuangan mengendalikan sekaligus seluruh penerimaan dan pengeluaran negara. Hal ini menciptakan konsentrasi kekuasaan fiskal yang terlalu besar di satu tangan.

Ketika satu lembaga mengelola seluruh aliran masuk (pendapatan) dan keluar (belanja) uang negara, maka peluang terjadinya penyimpangan sangat tinggi. Tidak ada pemisahan antara fungsi pengelola anggaran dan pelaksana pencairan dana. Hal ini membuat pengawasan internal menjadi lemah dan membuka celah bagi praktik kolusi, mark-up anggaran, atau manipulasi pencairan dana.

Karena seluruh sistem keuangan negara terpusat di Kementerian Keuangan, lembaga lain, baik DPR maupun BPK, hanya berperan pasif atau sekadar formalitas dalam proses fiskal. Tidak ada mekanisme real-time yang bisa mencegah terjadinya kebocoran anggaran saat proses berlangsung. Semua laporan keuangan disusun oleh lembaga yang juga memegang kas negara, sehingga audit menjadi rawan intervensi dan bias.

Penyatuan dua fungsi vital ini juga menyebabkan ketumpangtindihan operasional. Kementerian Keuangan tidak hanya mengatur kebijakan fiskal, tetapi juga bertindak sebagai pelaksana teknis pembayaran dan penerimaan negara. Ini menciptakan birokrasi yang gemuk, lambat, dan rentan stagnasi, karena semua keputusan harus melewati jalur komando tunggal. Dalam kondisi tertentu, pencairan dana menjadi terlambat atau justru digunakan secara tidak akuntabel.

Di banyak negara, termasuk Jerman, Amerika Serikat, dan Australia, fungsi bendahara dan kasir negara tidak dipegang oleh satu institusi. Departemen Keuangan berperan menyusun kebijakan fiskal, sementara fungsi pengelolaan kas dan pelaksanaan anggaran ditangani oleh lembaga terpisah seperti *Treasury Service* atau *Government Payment Office*. Pemisahan ini penting untuk menjamin akuntabilitas, efisiensi, dan mencegah penyalahgunaan dana publik.

IV. DAMPAK POSITIF AMANDEMEN KELIMA

Amandemen Kelima bukan hanya koreksi terhadap penyimpangan sistem ketatanegaraan, tetapi juga menawarkan struktur negara yang lebih sehat, adil, dan demokratis. Berikut dampak positif yang diharapkan dari penerapan amandemen ini:

1. Menjadikan Rakyat sebagai Pemilik dan Penguasa Kedaulatan melalui MPR sebagai Pelaksana Kedaulatan Rakyat

Dengan Amandemen Kelima, MPR dikembalikan sebagai lembaga tertinggi negara yang melaksanakan kedaulatan rakyat secara utuh. MPR terdiri dari unsur perwakilan daerah, kelompok profesi, TNI/Polri, adat, dan etnis, sehingga benar-benar mencerminkan kehendak rakyat secara menyeluruh.

- Rakyat bukan hanya memiliki kedaulatan secara simbolis, tetapi juga menguasai dan mengarahkannya melalui MPR.

- MPR memiliki kewenangan strategis untuk menentukan arah negara, mengangkat dan memberhentikan pejabat tinggi negara, serta mengawasi penyelenggaraan pemerintahan.

2. Menyempurnakan Pemilihan Langsung yang Tidak Sesuai dengan Pancasila

Pemilihan Presiden secara langsung selama ini menciptakan pembelahan sosial, kampanye uang, dan ketergantungan pada kekuatan modal. Amandemen Kelima menghapus sistem ini dan menggantinya dengan mekanisme permusyawaratan di MPR.

- Mekanisme pemilihan melalui MPR sesuai dengan sila keempat Pancasila (Kerakyatan yang dipimpin oleh hikmat kebijaksanaan dalam permusyawaratan/perwakilan). Setelah itu baru calon yang sudah dipilih oleh MPR yang akan dipilih langsung oleh Rakyat melalui proses pemilihan langsung.
- Model ini akan menciptakan pemerintahan yang lebih stabil, mencegah polarisasi ekstrem, dan menjamin kepemimpinan yang dipilih secara bijak oleh wakil seluruh unsur rakyat.

3. Memperkuat Pengawasan terhadap Eksekutif dan Lembaga Tinggi Negara

Selama ini pengangkatan pimpinan lembaga tinggi negara banyak dipengaruhi oleh Presiden. Dengan Amandemen Kelima, kontrol atas lembaga tinggi negara kembali ke MPR.

- Ketua DPR, Ketua MA, Ketua MK, Ketua BPK, dan pimpinan lembaga tinggi negara lainnya harus dipilih dan disetujui oleh MPR.
- MPR dapat mencabut mandat pejabat tinggi negara yang terbukti melanggar sumpah jabatan atau menyalahgunakan kewenangan.
- Ini menciptakan sistem pertanggungjawaban yang nyata, dan menempatkan rakyat kembali sebagai pemegang kontrol utama atas penyelenggaraan negara.

4. Membangun Sistem Keuangan Negara yang Transparan dan Akuntabel

Amandemen Kelima memisahkan fungsi bendahara negara dan kasir negara melalui dua badan independen: Badan Pengelola Keuangan dan Aset Negara (BPKAN) dan Badan Pengelola Kas Negara (BPKN), yang langsung bertanggung jawab kepada MPR.

- Pemisahan ini akan mengurangi risiko penyalahgunaan dana negara karena tidak ada lagi satu lembaga yang mengatur sekaligus menyalurkan anggaran.
- *Check and balance* diperkuat dengan struktur yang memungkinkan pengawasan ketat atas proses penyusunan, penyaluran, dan pertanggungjawaban APBN.
- Uang rakyat dikelola secara terbuka dan akuntabel, serta diarahkan sepenuhnya untuk kesejahteraan rakyat.

V. KESIMPULAN

Amandemen Kelima UUD 1945 merupakan langkah penting untuk memperbaiki arah sistem ketatanegaraan Indonesia. Sejak empat kali amandemen sebelumnya, berbagai penyimpangan telah muncul: kekuasaan Presiden menjadi terlalu besar, pengawasan DPR melemah, lembaga yudikatif tergerus integritasnya, dan sistem pemilu langsung menciptakan biaya kampanye tinggi, konflik sosial, serta ketergantungan pada oligarki.

Amandemen Kelima menawarkan solusi konkret:

- Menjadikan Rakyat sebagai Pemilik dan Penguasa Kedaulatan melalui MPR sebagai Pelaksana Kedaulatan Rakyat.
- Menyempurnakan pemilihan langsung yang bertentangan dengan semangat permusyawaratan Pancasila, dan menggantinya dengan sistem representatif yang lebih bijaksana.
- Memperjelas batas kekuasaan Presiden dan memperkuat sistem pengawasan oleh MPR atas lembaga eksekutif dan yudikatif.
- Membangun sistem keuangan negara yang transparan dan akuntabel dengan memisahkan fungsi bendahara dan kasir negara.

Dengan Amandemen Kelima, Indonesia akan kembali pada jalur demokrasi yang berakar pada Pancasila, yang stabil, berkeadilan, dan berpihak kepada rakyat. Bukan hanya mengoreksi kekeliruan masa lalu, tetapi menata ulang masa depan bangsa dengan fondasi konstitusional yang lebih sehat.

Berikut adalah tabel perbandingan konsep kedaulatan dan struktur negara berdasarkan UUD 1945 Asli, UUD 1945 Amandemen Keempat, dan Draft Amandemen Kelima UUD 1945.

POIN	UUD 1945 ASLI (18 AGUSTUS 1945)	UUD 1945 AMANDEMEN KEEMPAT (2002)	DRAFT AMANDEMEN KELIMA (USULAN)
Pemilik Kedaulatan	Rakyat (Pasal 1 ayat 2: "Kedaulatan adalah di tangan rakyat, dan dilakukan sepenuhnya oleh MPR").	Rakyat (Pasal 1 ayat 2: "Kedaulatan berada di tangan rakyat dan dilaksanakan menurut UUD"). → tetapi praktiknya dipecah melalui sistem kepartaian.	Rakyat sebagai pemilik penuh, diwujudkan melalui mekanisme langsung (referendum) dan Mandataris Rakyat (MPR).
Penguasa Kedaulatan	MPR sebagai lembaga tertinggi negara, pemegang dan pelaksana kedaulatan rakyat.	Tidak ada lembaga tertinggi, semua lembaga sederajat. Presiden kuat, MPR hilang fungsi utama.	MPR sebagai Mandataris Rakyat jadi penguasa kedaulatan, mengarahkan dan mengawasi pemerintah.
Keputusan Tertinggi	Keputusan MPR bersifat tertinggi dan mengikat semua lembaga negara.	Tidak ada keputusan tertinggi; kekuasaan tersebar ke Presiden, DPR, MK, dll.	Keputusan MPR sebagai representasi kedaulatan rakyat tetap tertinggi, dilengkapi mekanisme referendum rakyat.
Pelaksana	Presiden dipilih dan diberhentikan MPR, bertanggung jawab kepada MPR.	Presiden dipilih langsung rakyat, tidak bertanggung jawab kepada MPR, praktis sulit diberhentikan.	Pemerintah (Presiden + kabinet) hanyalah pelaksana mandat rakyat melalui MPR, dapat dikontrol/diturunkan jika menyimpang.
Pengawas	MPR sebagai lembaga tertinggi mengawasi	DPR menjalankan fungsi legislasi, anggaran,	Pengawasan utama oleh MPR sebagai Mandataris Rakyat,

	Presiden; DPR terbatas pada legislasi.	pengawasan; MK dibentuk untuk uji konstitusionalitas. Namun kontrolnya lemah.	ditambah penguatan fungsi referendum rakyat untuk mengoreksi kebijakan.
Perbedaan Lembaga Negara & Pemerintah	Kabur: Presiden sekaligus simbol negara dan kepala pemerintahan.	Tidak tegas: Presiden tetap simbol negara sekaligus kepala pemerintahan, MPR kehilangan peran negara.	Ditegaskan: Lembaga Negara = MPR (mandataris rakyat, kepala negara kolektif). Lembaga Pemerintah = Presiden & kabinet (operator administratif).
Kepala Negara	Presiden (dipilih MPR, mandataris MPR).	Presiden (dipilih langsung rakyat, tapi tanpa pengawasan langsung rakyat → oligarki partai).	Kepala Negara kolektif = Pimpinan MPR, mewakili kedaulatan rakyat, menjadi simbol kesatuan.
Kepala Pemerintah	Presiden (rangkap kepala negara).	Presiden (rangkap kepala negara).	Presiden hanya kepala pemerintahan, operator administratif di bawah mandat MPR.

BAB II

SUARA-SUARA PERUBAHAN: 11 TOKOH PUBLIK MENDUKUNG AMANDEMEN KELIMA UUD 1945

(Profil dan Pandangan Tokoh Nasional)

I. BAMBANG SOESATYO (POLITISI, MANTAN KETUA MPR RI 2019 – 2024)



Bambang “Bamsoet” Soesatyo, Ketua MPR RI periode 2019–2024 dan sekarang anggota DPR, menyatakan mendukung usulan amandemen kelima UUD 1945. Ia menganggap amandemen kelima perlu “menjawab tantangan zaman” karena lebih dari dua dekade

reformasi belum menghasilkan sistem kenegaraan yang memadai. Bamsoet menilai desain kelembagaan pasca-amandemen pertama–keempat belum cukup matang, sehingga perlu pembenahan struktural secara serius. Dalam pandangannya, MPR harus diperkuat kembali dengan menghadirkan fraksi utusan daerah dan golongan agar lebih representatif, serta menghidupkan kembali fungsi Menetapkan Pokok-Pokok Haluan Negara (PPHN). Ia menekankan amandemen dilakukan “tanpa menyentuh isu-isu kontroversial” seperti penambahan masa jabatan presiden. Pernyataan tersebut disampaikan Bamsoet di Jakarta (30 Juni 2025) saat menanggapi usulan Prof. Jimly Asshiddiqie tentang amandemen kelima.



II. JIMLY ASSHIDDIQIE (AKADEMISI HUKUM, MANTAN KETUA MK 2003 – 2008)

Prof. Dr. Jimly Asshiddiqie, mantan Ketua Mahkamah Konstitusi (2003–2008) dan guru besar Hukum Tata Negara, beberapa kali mengusulkan

amandemen kelima UUD 1945. Pada 2011, ia mengatakan perubahan kelima dibutuhkan sebagai “pembenahan sistemik tata pemerintahan dan kelembagaan negara agar lebih efisien”. Jimly juga mengingatkan bahwa usulan itu harus didukung oleh kekuatan politik yang ada, termasuk DPD dan partai-partai di DPR; ia mengingatkan bahwa tanpa dukungan politik, wacana amandemen akan sulit terwujud. Lebih lanjut, pada Agustus 2024 Jimly kembali menekankan perlunya evaluasi konstitusi pasca-reformasi. Ia menyatakan bahwa sudah saatnya bangsa Indonesia “melakukan evaluasi menyeluruh” terhadap UUD hasil reformasi 1999–2002 dan memanfaatkan periode 2024–2029 sebagai momentum melaksanakan amandemen kelima.

III. ARSUL SANI (POLITISI, WAKIL KETUA MPR RI)



Dr. H. Arsul Sani, M.Si, Pr.M., politisi PPP yang menjabat Wakil Ketua MPR RI (2014–2019, dan 2019–2024), turut mengemukakan wacana amandemen kelima. Ia menyampaikan bahwa selama tiga tahun menjadi

wakil ketua MPR, banyak kelompok masyarakat yang meminta agar utusan golongan dihidupkan kembali melalui amandemen (sebagaimana rekomendasi MPR 2014–2019), khususnya untuk menetapkan PPHN. Arsul menyatakan aspirasi tersebut “sejalan dengan rekomendasi MPR periode 2014–2019 agar pimpinan periode ini melakukan kajian tentang Pokok-Pokok Haluan Negara” melalui perubahan UUD. Ia menjelaskan bahwa wacana amandemen “nyaris terjadi” pada 2022 sebelum muncul tuntutan perpanjangan masa jabatan presiden, sehingga sempat dihentikan. Arsul memandang amandemen kelima dapat dilakukan paling cepat Maret 2024 pasca-pemilu, dengan tujuan menyelesaikan masalah sistemik seperti penyempurnaan UU Pemilu dan ambang batas partai.

IV. FADEL MUHAMMAD (POLITISI, WAKIL KETUA MPR RI 2019 – 2024)



Senator Ir. H. Fadel Muhammad, M.Sc, Wakil Ketua MPR RI periode 2019–2024, sejak tahun 2024 menyatakan MPR akan merekomendasikan amandemen kelima UUD 1945 kepada MPR periode

berikutnya. Dalam sambutannya saat peringatan Hari Konstitusi (Agustus 2024), ia mengungkapkan “kita akan merekomendasikan perubahan (amandemen) UUD NRI Tahun 1945 atau amandemen yang kelima kepada MPR yang akan datang” agar konstitusi dapat mengakomodir pemikiran semua pihak. Fadel menegaskan MPR ingin agar perubahan UUD bisa “mengakomodir semua pihak dan pikiran-pikiran yang berkembang”, terutama dalam sistem demokrasi plural Indonesia. Menjelang Juni 2024, Fadel bahkan menyebut Presiden Joko Widodo telah memberikan “lampu hijau” atas wacana ini. Ia menyatakan, “Amandemen UUD 1945 ini sebuah keniscayaan... Jadi amandemen kelima lah bahasa kasarnya. (Wacana) ini diperlukan untuk perbaikan bangsa ini ke depan”.

V. IRMAN GUSMAN (POLITISI, MANTAN KETUA DPD RI 2008 – 2016)



Irman Gusman, Ketua DPD RI periode 2008–2016, aktif mengusung amandemen kelima. Pada Maret 2011 ia menyatakan amandemen kelima yang diusung DPD akan “memperkuat sistem ketatanegaraan Indonesia”

dan menjadi “masterpiece” pemerintahan SBY-Boediono apabila digolkan. Menurut Irman, amandemen tersebut akan memperkuat sistem presidensial, mempererat hubungan antara lembaga-lembaga negara (termasuk DPR, DPD, MPR, MA, MK, KY), serta memperkuat otonomi daerah melalui penataan hubungan pusat-daerah. Ia juga mengusulkan amandemen memasukkan capres

independen agar pemilihan presiden lebih kompetitif. Semua pernyataan ini disampaikan Irman di Mamuju, Sulawesi Barat (31 Maret 2011).

VI. PROF. (EMERITUS) H.R. TAUFIK SRI SOEMANTRI MARTOSOEWIGNJO (AKADEMISI HUKUM, GURU BESAR UNPAD)



Prof. H.R. Taufik Sri Soemantri Martosoewignjo (alm.) adalah tokoh Hukum Tata Negara yang pada 2008 memimpin Lembaga Kajian Konstitusi (LKK). Menurut laporan resmi Mahkamah Konstitusi, LKK yang dipimpin Sri Soemantri beserta Prof. Albert Hasibuan menemui Presiden SBY pada 21 April 2008 untuk mengusulkan amandemen kelima UUD 1945. Gagasannya antara lain menyoroti ketidaksinkronan pasal-pasal pasca-amandemen keempat. Pernyataan tersebut tercatat dalam berita MKRI (2008) yang menulis bahwa banyak pihak (termasuk Sri Soemantri) menilai amandemen empat kali telah “menyimpang dari semangat UUD 1945” dan perlu perbaikan lebih jauh.

VII. PROF. DR. H. ALBERT HASIBUAN (AKADEMISI, MANTAN KETUA KOMNAS HAM)



Prof. Albert Hasibuan (alm.) adalah pendiri bersama LKK dan mantan Ketua Komisi Nasional Hak Asasi Manusia. Sama seperti Sri Soemantri, ia terlibat aktif dalam wacana amandemen kelima. Laporan MK menyebutkan bahwa LKK pimpinan Hasibuan juga bertemu Presiden SBY (21 April 2008) untuk mengajukan amandemen tersebut. Alasan mereka adalah agar konstitusi pasca-empat kali amendemen dikaji ulang dan disempurnakan karena dinilai belum selaras dengan semangat asli UUD 1945.

VIII. PROF. DR HASNAWI HARIS, M.HUM (AKADEMISI, WAKIL REKTOR UNIVERSITAS NEGERI MAKASSAR)



Pada November 2021, sekelompok akademisi Universitas Negeri Makassar (UNM) menyatakan dukungan terhadap amandemen kelima UUD 1945. Wakil Rektor I UNM, Prof. Dr. Hasnawi Haris, M.Hum., menyatakan amandemen kelima “merupakan keharusan baik secara normatif maupun faktual” karena dinamika kehidupan berbangsa memerlukan konstitusi yang adaptif. Ia menekankan perlunya mewujudkan Pancasila sebagai konsensus dasar negara yang terus dijadikan pedoman dalam tantangan zaman, misalnya dengan menghidupkan kembali pokok-pokok haluan negara (PPHN). Haris juga menganggap amandemen penting untuk mengakomodasi alternatif mekanisme pemilihan presiden (misalnya jalur perseorangan) agar sistem presidensial lebih seimbang.

IX. TAMSIL LINRUNG (POLITISI, SENATOR DPD RI ASAL SULAWESI SELATAN)



Prof. Dr. Tamsil Linrung, senator DPD RI dari Sulawesi Selatan, turut mendorong amandemen kelima. Pada akhir November 2021 ia memaparkan bahwa amendemen kelima perlu sebagai “evaluasi dalam perjalanan arah bangsa” yang belum cukup memperkuat sejumlah aspek pokok konstitusi. Kegiatan kajian yang dipimpinnya di UNM menyoroti rekomendasi MPR 2019 tentang tujuh agenda reformasi konstitusi (PPHN, penataan wewenang MPR/DPD, sistem presidensial, kekuasaan kehakiman, dan penyusunan perundang-undangan berbasis Pancasila). Tamsil menyatakan wacana amandemen ini penting untuk mengkoreksi arah kebijakan nasional ke depan, khususnya penguatan kelembagaan negara seperti DPD dan MPR serta sistem presidensial.

X. AA LA NYALLA MAHMUD MATTALITTI (MANTAN KETUA DPD RI, SENATOR DPD RI JAWA TIMUR)



AA La Nyalla Mahmud Mattalitti, senator DPD RI dari Jawa Timur dan mantan Ketua DPD RI periode 2019–2024, merupakan salah satu tokoh nasional yang paling vokal dalam menyuarakan pentingnya Amandemen

Kelima UUD 1945. Sejak 2021, La Nyalla secara konsisten mendorong wacana amandemen sebagai upaya mengembalikan semangat asli konstitusi dan menegaskan kembali prinsip musyawarah mufakat dalam sistem demokrasi Indonesia.

Dalam kuliah umum di UIN Alauddin Makassar (29 Mei 2021), La Nyalla menilai bahwa hasil amandemen 1999–2002 terlalu mengadopsi model demokrasi liberal ala Barat. Ia mengusulkan agar Amandemen Kelima menjadi sarana untuk memulihkan sistem kenegaraan berbasis demokrasi Pancasila, dengan mengedepankan nilai-nilai kekeluargaan dan gotong royong yang menjadi warisan para pendiri bangsa.

Dalam kunjungan ke Tarakan, Kalimantan Utara (25 Mei 2021), ia juga menyuarakan pentingnya membuka ruang bagi calon presiden independen melalui jalur DPD, serta menghapus ambang batas pencalonan presiden (presidential threshold) demi menciptakan sistem politik yang lebih inklusif dan adil.

Pada diskusi di Universitas Muhammadiyah Jakarta (7 Desember 2021), La Nyalla menyoroti pentingnya kajian akademik terhadap sejumlah isu krusial dalam amandemen, seperti penguatan PPHN, penguatan sistem presidensial, dan reposisi kelembagaan MPR serta DPD RI.

Puncaknya, pada 23 Juni 2024 di Gedung Senayan, ia menyatakan bahwa pengembalian UUD 1945 ke naskah asli dengan penyempurnaan merupakan prioritas perjuangannya di DPD RI periode 2024–2029. Ia juga menyampaikan harapan agar Presiden terpilih Prabowo Subianto mendukung agenda ini demi perbaikan konstitusi nasional secara menyeluruh.

La Nyalla turut menyampaikan kritik terhadap pengaruh asing dalam proses amandemen reformasi, dengan menyebut keterlibatan lembaga donor

internasional seperti USAID, UNDP, dan IFES yang dinilai mempengaruhi arah perubahan konstitusi menjauh dari jati diri bangsa.

Melalui gagasan-gagasannya, La Nyalla memperjuangkan Amandemen Kelima sebagai langkah korektif terhadap arah demokrasi Indonesia, sekaligus untuk mengembalikan roh Pancasila dalam praktik ketatanegaraan—tidak hanya sebagai dasar normatif, tetapi juga sebagai pedoman etis dan operasional dalam kehidupan berbangsa dan bernegara.

XI. EMHA AINUN NADJIB (CAK NUN) – BUDAYAWAN & PEMIKIR BANGSA



Emha Ainun Nadjib, atau yang lebih dikenal sebagai Cak Nun, merupakan budayawan dan pemikir bangsa non-formal yang membawa pendekatan unik dan mendalam terhadap isu kenegaraan. Di tengah

wacana Amandemen Kelima UUD 1945, Cak Nun memperkenalkan gagasan visioner berupa “Konstitusi Langit”—sebuah konsep revolusi paradigmatis yang menekankan pentingnya moral ilahi dan spiritualitas sebagai fondasi sistem ketatanegaraan Indonesia.

Berbeda dari pendekatan teknis atau legal-formal, Cak Nun memandang bahwa sistem kenegaraan Indonesia saat ini—yang ia sebut sebagai “Konstitusi Bumi”—telah dikuasai oleh oligarki dan demokrasi prosedural yang menjauhkan rakyat dari posisi sejatinya sebagai pemegang kedaulatan tertinggi. Dalam pandangannya, pemilu lima tahunan hanyalah ritual formalitas kekuasaan, sementara rakyat tetap tersisih dari pengambilan keputusan strategis bangsa.

Cak Nun menekankan bahwa perubahan struktur kekuasaan harus diiringi dengan penegakan nilai-nilai kejujuran, amanah, dan musyawarah yang dipandu oleh spiritualitas Pancasila. Pemerintah harus tunduk pada mandat rakyat, bukan elite, dan harus terpisah dari lembaga negara yang berdaulat.

Meski gagasan Konstitusi Langit terdengar idealistik, pemikiran Cak Nun telah menginspirasi kalangan masyarakat sipil dan kelompok politik alternatif seperti Partai X, yang mengadopsi ide-ide seperti “Pisahkan lembaga negara

dari pemerintah”, “Dewan Kedaulatan Rakyat”, dan “Sekolah Negarawan” dalam platform mereka.

Cak Nun dapat dipandang sebagai lokomotif moral bangsa, yang mengingatkan bahwa tanpa perubahan mendasar dalam sistem, rakyat akan terus menjadi korban dari demokrasi semu, dan negara akan kehilangan keberkahan yang seharusnya tumbuh dari amanat rakyat dan nilai-nilai luhur Pancasila.

Partai X terinspirasi olehnya mendirikan Sekolah Negawaran X Institute, guna mencetak pemimpin sebagai pelayan rakyat dengan ilmu kenegaraan dan etika tinggi.



BAB III

TABEL KOMPARATIF: PENILAIAN GAGASAN AMANDEMEN KELIMA UUD 1945 OLEH 11 TOKOH PUBLIK

Berikut ini merupakan tabel yang membandingkan gagasan sejumlah tokoh mengenai rencana Amandemen Kelima UUD 1945 beserta fokus utama dari gagasan para Tokoh Publik yang menyuarakan perlunya Amandemen Kelima UUD 1945.

NAMA TOKOH	GAGASAN TERKAIT AMANDEMEN KELIMA UUD 1945	KETERANGAN RINGKAS
Bambang Soesatyo	Mengusulkan amandemen terbatas untuk memperbaiki desain ketatanegaraan pasca-reformasi. Mendukung usul Prof Jimly: 1. DPD dihapus dan diintegrasikan sebagai fraksi utusan daerah di DPR agar suara daerah lebih terwakili 2. MPR diperkuat dengan menghidupkan kembali fraksi utusan golongan (wakil profesi, ormas, dsb.) dan wewenang menetapkan Pokok-Pokok Haluan Negara (PPHN) atau GBHN 3. Presiden tetap dipilih langsung, tetapi Wapres diusulkan Presiden terpilih untuk disetujui MPR (menghindari koalisi transaksional) 4. Pembentukan Mahkamah Etika Nasional sebagai peradilan etik tertinggi untuk awasi pejabat negara. Menegaskan amandemen kelima hanya untuk hal krusial tersebut,	Ingin MPR lebih kuat, ada utusan golongan, namun tetap top-down via elite partai.

	tanpa menyentuh isu kontroversial seperti masa jabatan presiden. PERSENTASE PENILAIAN • Fokus Mengembalikan Kedaulatan Rakyat: 65% • Pembeda Lembaga Negara & Pemerintah: 70% • Pelaksanaan Total Nilai Pancasila (Musyawarah, Mufakat): 75%	
Prof. Dr. Jimly Asshiddiqie	Menggagas perlunya evaluasi menyeluruh konstitusi setelah 24 tahun reformasi. Menyebut amandemen kelima sebagai keniscayaan karena banyak kelemahan dalam UUD hasil amandemen 1999-2002. Tidak hendak kembali ke UUD 1945 asli, melainkan menyempurnakan UUD yang ada sekarang. Pokok ide beliau antara lain: 1. Penataan ulang sistem perwakilan sesai konsep pendiri bangsa: ada perwakilan partai (DPR), perwakilan daerah, dan perwakilan golongan. Maka diusulkan kembalinya utusan golongan ke MPR (untuk mewakili unsur profesi, adat, dsb.) 2. Restrukturisasi DPD: opsi menghapus DPD sebagai kamar terpisah dan menjadikan utusan daerah di DPR (agar suara daerah lebih efektif) 3. MPR diperkuat perannya, termasuk mengembalikan	Usul kuat penguatan MPR, utusan golongan, namun tetap menjaga struktur modern, tidak total musyawarah mutlak.

	wewenang menetapkan haluan negara (PPHN/ GBHN) 4. Sistem pemerintahan diperbaiki, Presiden tetap dipilih langsung rakyat, tetapi Wapres dipilih melalui mekanisme persetujuan MPR Jimly juga mengusulkan Forum Aspirasi Konstitusi sebagai wadah MPR menyerap pemikiran publik (semacam caucus utusan golongan di dalam MPR). Dalam memperkuat DPD, ia mengingatkan agar kewenangan DPR tidak diambil alih. DPD cukup diperkuat tanpa melampaui DPR. PERSENTASE PENILAIAN • Fokus Mengembalikan Kedaulatan Rakyat: 75% • Pembeda Lembaga Negara & Pemerintah: 75% • Pelaksanaan Total Nilai Pancasila (Musyawarah, Mufakat): 80%	
Arsul Sani	Mendukung wacana amandemen kelima dengan scope terbatas (khususnya pengaturan PPHN dan utusan golongan), namun bersikap hati-hati soal timing. Mengungkap bahwa upaya amandemen nyaris dilakukan periode 2019-2022 termasuk rencana menghadirkan kembali utusan golongan di MPR – gagal terlaksana karena muncul tuntutan politis seperti penambahan masa jabatan presiden dan penundaan pemilu 2024 yang	Fokus procedural dan kehati-hatian, dukung PPHN dan utusan golongan, tapi cenderung kompromistis dengan sistem lama.

	memicu kekhawatiran “kotak Pandora”. Bahkan Ketua DPD (La Nyalla) sempat mendorong klausul calon presiden independen dalam amandemen, yang turut membuat rencana amandemen ditunda. Arsul berpendapat waktu ideal untuk membahas amandemen adalah setelah Pemilu 2024, misal Maret 2024 saat hasil pemilu sudah diketahui tapi DPR periode lama masih menjabat, sehingga pembahasan bebas dari konflik kepentingan kontestasi. Ia juga menilai jika amandemen jadi dilakukan, harus mampu menyelesaikan masalah-masalah mendasar (contoh: aturan ambang batas pencalonan presiden dan parliamentary threshold) agar upaya tersebut komprehensif. PERSENTASE PENILAIAN • Fokus Mengembalikan Kedaulatan Rakyat: 60% • Pembeda Lembaga Negara & Pemerintah: 60% • Pelaksanaan Total Nilai Pancasila (Musyawarah, Mufakat): 60%	
Fadel Muhammad	Memandang perlu penyempurnaan UUD 1945 demi memperkuat lembaga legislative (MPR, DPR, DPD). Mencontohkan bahwa pasca 4 kali amandemen, MPR kehilangan banyak kewenangan: tidak lagi lembaga tertinggi, tak bisa menerbitkan Tap MPR yang mengikat keluar, dan hilangnya	GBHN sebagai alat arah rakyat, tapi masih konservatif, tidak mengutamakan rakyat sepenuhnya di puncak.

	GBHN. Dampaknya, arah pembangunan nasional menjadi tidak jelas tanpa haluan negara. Selain itu, UUD hasil reformasi dinilai terlalu lemah memberi peran pada DPD – akibatnya DPD “dipandang sebelah mata” dan kurang kontribusi ke pembangunan daerah. Fadel berpendapat penguatan kembali MPR (misalnya dengan GBHN) dan peningkatan kewenangan DPD sebaiknya dilakukan melalui amandemen konstitusi, dimulai oleh MPR periode mendatang (pasca 2024). Namun, Fadel menolak usul ekstrim seperti mengembalikan pemilihan presiden oleh MPR. Ia menyatakan hingga 2023 tidak ada pembahasan di MPR untuk mengubah mekanisme pemilihan Presiden menjadi lewat MPR, karena langkah itu dianggap mengkhianati semangat reformasi 1998 (yang menetapkan Presiden dipilih langsung rakyat). Fadel bahkan menyebut partai-partai tak akan setuju menghidupkan kembali model lama tersebut. Sebagai alternatif, Fadel mendorong penguatan peran DPD tanpa amandemen melalui jalur regulasi (misal melibatkan DPD dalam pengaturan dana transfer ke daerah bersama DPR, dsb). PERSENTASE PENILAIAN	
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	• Fokus Mengembalikan Kedaulatan Rakyat: 60% • Pembeda Lembaga Negara & Pemerintah: 60% • Pelaksanaan Total Nilai Pancasila (Musyawarah, Mufakat): 70%	
Irman Gusman	Menginisiasi usulan amandemen kelima saat menjabat Ketua DPD (SBY era) sebagai bagian misi DPD memperkuat sistem ketatanegaraan. Menyebut amandemen ini bisa menjadi “masterpiece” Pemerintahan SBY-Boediono jika terwujud. Gagasan DPD waktu itu mencakup: 1. Memperkuat sistem presidensial (menata ulang hubungan eksekutif-legislatif agar lebih stabil) 2. Memperkuat fungsi legislasi dengan peningkatan peran DPD dalam proses legislasi bersama DPR dan penataan peran MPR 3. Memperkuat hubungan antarlembaga yudikatif (MK, MA, KY) agar sistem checks and balances lebih baik 4. Menata ulang hubungan pusat-daerah termasuk mengevaluasi apakah otonomi daerah perlu penyesuaian (misal, kewenangan provinsi vs kabupaten) 5. Membuka jalur calon presiden independen (non-partai) dalam Pilpres. Irman mendukung ide Capres Independen agar kompetisi lebih terbuka dan tidak didominasi partai	Jalur capres independen, peran DPD, rakyat lebih diakomodasi, tapi masih sistem partai.

	(menghindari oligarki partai dalam pencalonan). Ia beralasan banyak figure potensial tidak bisa maju karena terbatas mekanisme parpol, sehingga sebaiknya disediakan jalur perseorangan di Pilpres. PERSENTASE PENILAIAN • Fokus Mengembalikan Kedaulatan Rakyat: 70% • Pembeda Lembaga Negara & Pemerintah: 70% • Pelaksanaan Total Nilai Pancasila (Musyawarah, Mufakat): 75%	
Prof. (Emeritus) H.R. Taufik Sri Soemantri Martosoewignjo	Guru besar HTN yang memimpin Lembaga Kajian Konstitusi (LKK) pasca amandemen ke-4. Hasil kajian LKK (2004 – 2008) merekomendasikan perlunya amandemen kelima karena banyak pasal/ materi UUD 1945 yang perlu diperbaiki demi kesempurnaan konstitusi sebagai aturan dasar jangka panjang. Sri Soemantri menegaskan UUD harus melayani kepentingan politik bangsa jangka panjang, bukan sekedar kepentingan jangka pendek, sehingga perubahan konstitusi diperlakukan untuk membuang kelemahan-kelemahan yang ada. Beberapa sorotan dalam kajian beliau antara lain inkonsistensi dalam UUD hasil amandemen, distribusi kekuasaan yang belum optimal, perlunya landasan lebih kuat untuk ideologi negara, dsb	Tekankan kesempurnaan konstitusi demi rakyat, sebut perlunya sinkronisasi lembaga vs pemerintah, tapi tidak se-“radikal” Cak Nun.

	(kajian lengkap diserahkan ke Presiden SBY 2008). PERSENTASE PENILAIAN • Fokus Mengembalikan Kedaulatan Rakyat: 80% • Pembeda Lembaga Negara & Pemerintah: 80% • Pelaksanaan Total Nilai Pancasila (Musyawarah, Mufakat): 85%	
Prof. Dr. H. Albert Hasibuan	Tokoh reformasi hukum, anggota LKK bersama Sri Soemantri. Ia sejalan bahwa UUD 1945 perlu diamandemen lagi untuk menyempurnakan hasil reformasi. Menekankan harapan agar UUD menjadi “living constitution” (konstitusi hidup) yang mampu berlaku puluhan/ ratusan tahun ke depan tanpa kelemahan. Artinya, UUD hasil amandemen ke lima harus komprehensif mengatasi kekurangan yang ada, supaya tidak perlu diubah-ubah lagi dalam waktu dekat. Albert Hasibuan juga pernah mengusulkan agar agenda amandemen tidak dibatasi terlalu sempit, jika perlu perluasan materi amandemen selama untuk kebaikan konstitusi (misalnya tidak hanya PPHN, tapi sekalian aspek lain yang lemah). PERSENTASE PENILAIAN • Fokus Mengembalikan Kedaulatan Rakyat: 80% • Pembeda Lembaga Negara & Pemerintah: 80%	Fokus harmonisasi lembaga, sejalan dengan Soemantri, rakyat diutamakan, tapi masih dalam kerangka lembaga formal.

	• Pelaksanaan Total Nilai Pancasila (Musyawarah, Mufakat): 85%	
Prof. Dr. Hasnawi Haris, M.Hum	Akademisi yang mendukung tawaran DPD RI untuk melakukan amandemen kelima (disampaikan dalam FGD di Makassar, 2021). Menyatakan amandemen perlu dilakukan karena dinamika kehidupan berbangsa terus berkembang, konstitusi sebagai negara hukum dan negara kesejahteraan harus adaptif terhadap perkembangan zaman. Menegaskan secara normatif dan faktual amandemen adalah keharusan. Ia juga menyoroti pentingnya menghadirkan kembali Haluan Negara (GBHN) sebagai arah pembangunan nasional yang jelas. Selain itu, Prof. Haris sepakat bahwa perlu ada alternatif mekanisme dalam pemilihan Presiden-Wapres, tidak hanya lewat partai, membuka jalur perseorangan (independen) sebagai keseimbangan. Gagasan ini sejalan dengan yang disampaikan Senator Tamsil Linrung, dan Prof. Haris sangat mendukung wacana Capres independen tersebut. Juga disinggung perlunya penguatan sistem presidensial dan penguatan MPR/DPD sebagai materi amandemen, namun dilakukan secara terbatas pada hal-hal urgent saja (tidak boros perubahan). PERSENTASE PENILAIAN	Membuka ruang perseorangan, ingin nilai Pancasila dikembalikan, masih normatif & adaptif, tidak sepenuhnya radikal.

	• Fokus Mengembalikan Kedaulatan Rakyat: 75% • Pembeda Lembaga Negara & Pemerintah: 70% • Pelaksanaan Total Nilai Pancasila (Musyawarah, Mufakat): 80%	
Tamsil Linrung	Salah satu penggerak kajian amandemen di DPD. Menyebut amandemen kelima sebagai evaluasi arah perjalanan bangsa yang selama ini masih tersendat dalam beberapa hal. Tamsil memaparkan bahwa MPR 2019 telah merekomendasikan 7 agenda penting untuk dikaji menuju amandemen, yaitu: 1. Pokok-Pokok Haluan Negara (menghidupkan kembali GBHN) 2. Penataan kewenangan MPR (mengkaji perlu tidaknya MPR diperkuat peran/tugasnya) 3. Penataan kewenangan DPD (penguatan DPD dalam legislasi, anggaran, pengawasan) 4. Penataan sistem presidensial (mungkin terkait stabilitas cabinet, hubungan eksekutif-legislatif) 5. Penataan kekuasaan kehakiman (misal hubungan MA, MK, KY) 6. Penataan sistem hukum & perundang-undangan berlandaskan Pancasila sebagai sumber hukum 7. Pelaksanaan pemasyarakatan nilai-nilai Pancasila, UUD 1945, NKRI, Bhinneka Tunggal Ika, dan TAP MPR (penguatan pendidikan/ implementasi ideologi).	Fokus koreksi sistem demi rakyat, pembukaan jalur independen, kuatkan PPHN & Pancasila, tetapi masih akomodatif sistem lama.

	Tamsil juga secara khusus mendorong pembukaan Pasal 6 UUD 1945 agar calon Presiden dan Wapres independen (non-partai) bisa diusung melalui DPD. Ini untuk mengoreksi sistem yang dianggap membatasi alternative kepemimpinan nasional hanya oleh parpol (implikasi dari presidential threshold tinggi). Secara umum, ia menegaskan amandemen konstitusi itu sah dan tidak perlu dikhawatirkan selama tujuannya jelas memperkuat sistem negara. PERSENTASE PENILAIAN • Fokus Mengembalikan Kedaulatan Rakyat: 85% • Pembeda Lembaga Negara & Pemerintah: 85% • Pelaksanaan Total Nilai Pancasila (Musyawarah, Mufakat): 90%	
AA La Nyalla Mahmud Mattalitti	Menggagas “Kembali ke rumusan para pendiri bangsa” dalam sistem kenegaraan. Ia mengkritik hasil empat kali amandemen yang dianggap melenceng dari semangat asli UUD 1945. Secara spesifik, La Nyalla menilai pilpres langsung pasca-reformasi melahirkan “politik kosmetik” yang mahal dan memecah belah bangsa (rakyat memilih berdasar popularitas semata). Karena itu, ia mengusulkan perubahan mendasar: 1. MPR dikembalikan sebagai Lembaga Tertinggi Negara	MPR sebagai lembaga tertinggi = penjelmaan kedaulatan rakyat, ingin kembali ke sistem musyawarah, anti-liberal.

	(supreme body) yang menjelma kedaulatan rakyat sepenuhnya. Artinya, Presiden dipilih/ dapat diberhentikan oleh MPR seperti sebelum 2004, dan Presiden wajib menjalankan GBHN yang ditetapkan MPR 2. Sistem demokrasi “berkecukupan” – semua elemen bangsa terwakili di MPR (terdiri dari anggota terpilih via pemilu + utusan kelompok golongan secara bottom up). La Nyalla ingin sistem Indonesia bukan copy-paste demokrasi liberal Barat, melainkan demokrasi Pancasila asli 3. Opsional: Calon presiden independen – Beliau pernah mendorong opsi Capres non-partai sebagai jalan tengah bila pilpres langsung dipertahankan (memberi peluang pemimpin di luar oligarki partai). Usulan-usulan La Nyalla ini tertuang dalam Proposal DPD Agustus 2023 yang ditawarkan ke stakeholder bangsa. Intinya menyempurnakan dan memperkuat sistem bernegara sesuai rancangan pendiri bangsa. PERSENTASE PENILAIAN • Fokus Mengembalikan Kedaulatan Rakyat: 90% • Pembeda Lembaga Negara & Pemerintah: 90%	
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	• Pelaksanaan Total Nilai Pancasila (Musyawarah, Mufakat): 95%	
Emha Ainun Nadjib (Cak Nun)	Mengajukan konsep “Konstitusi Langit”, yakni pembaruan sistem kenegaraan berlandas spiritual dan moral. Cak Nun menilai “Konstitusi Bumi” saat ini dikuasai oligarki – demokrasi prosedural hanya formalitas yang menyingkirkan rakyat sebagai pemegang hakiki kedaulatan. Konstitusi Langit adalah alternative revolusioner untuk “mengembalikan seluruh otoritas tertinggi kepada rakyat” sebagai pusat kekuasaan. Implementasinya: 1. Struktur baru kenegaraan dengan rakyat sebagai pemilik kedaulatan mutlak – misalnya melalui draft amandemen kelima yang menempatkan rakyat bukan lagi objek pemilu lima tahunan, tapi subjek utama penentu arah negara setiap saat 2. Merombak paradigm demokrasi: rakyat tidak hanya memilih pemimpin tiap pemilu, tapi ikut menentukan sistem yang benar. Tanpa perubahan struktur mendasar, pergantian pemimpin dianggapnya hanya kosmetik 3. Pemimpin tertinggi sebagai “Raja Meritokrasi Rakyat” – bukan sekedar presiden populer, melainkan sosok yang dipilih melalui MPR yang anggotanya terdiri dari wakil-wakil intelektual, spiritual, budaya,	Mengusung Konstitusi Langit, rakyat = pusat kedaulatan mutlak, memisahkan tegas negara & pemerintah, spiritual dan musyawarah total.

	hingga keamanan (bukan hanya politisi). Ini mirip gagasan dewan rakyat yang memilih pemimpin berdasar kualitas spiritual/ akhlak dan kapabilitas (meritokrasi spiritual), bukan semata elektabilitas 4. Dewan Kedaulatan Rakyat – meski istilah ini muncul di kalangan Partai X, idenya sejalan dengan Cak Nun: semacam majelis yang benar-benar mewakili rakyat luas untuk mengontrol jalannya negara (mungkin serupa MPR ideal yang dicita-citakannya) 5. Sekolah Negawaran – Cak Nun mendukung pembinaan calon pemimpin berintegritas. Partai X terinspirasi olehnya mendirikan Sekolah Negawaran X Institute, guna mencetak pemimpin sebagai pelayan rakyat dengan ilmu kenegaraan dan etika tinggi. PERSENTASE PENILAIAN • Fokus Mengembalikan Kedaulatan Rakyat: 100% • Pembeda Lembaga Negara & Pemerintah: 100% • Pelaksanaan Total Nilai Pancasila (Musyawarah, Mufakat): 100%	
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**REKAPITULASI TABEL KOMPARATIF: PENILAIAN GAGASAN
AMANDEMEN KELIMA UUD 1945 OLEH 11 TOKOH PUBLIK**

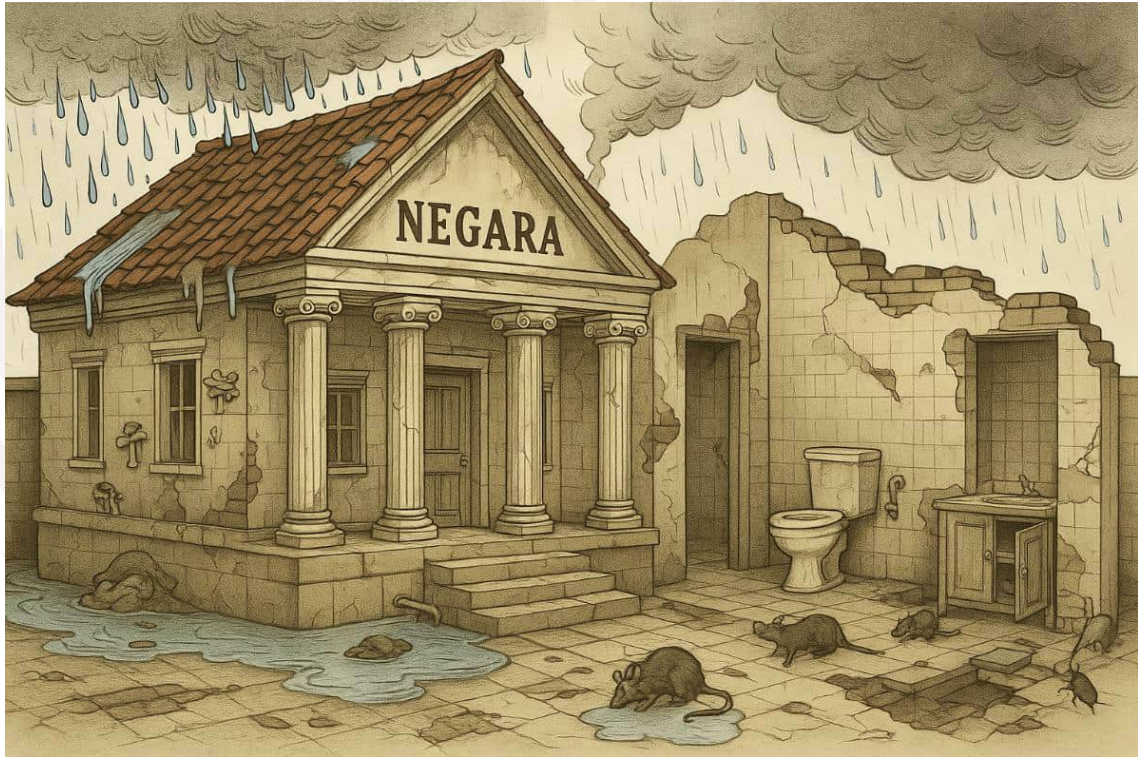
NAMA TOKOH	FOKUS MENGEMBALIKAN KEDAULATAN RAKYAT	PEMBEDA LEMBAGA NEGARA & LEMBAGA PEMERINTAH	PELAKSANAAN TOTAL NILAI PANCASILA (MUSYAWARAH, MUFAKAT)
Bambang Soesatyo	65%	70%	75%
Prof. Dr. Jimly Asshiddiqie	75%	75%	80%
Arsul Sani	60%	60%	60%
Fadel Muhammad	60%	60%	70%
Irman Gusman	70%	70%	75%
Prof. (Emeritus) H.R. Taufik Sri Soemantri Martosoewignjo	80%	80%	85%
Prof. Dr. H. Albert Hasibuan	80%	80%	85%
Prof. Dr. Hasnawi Haris, M.Hum	75%	70%	80%
Tamsil Linrung	85%	85%	90%
AA La Nyalla Mahmud Mattalitti	90%	90%	95%
Emha Ainun Nadjib (Cak Nun)	100%	100%	100%

BAB IV

POTRET KRISIS: MALFUNGSI LEMBAGA NEGARA DI INDONESIA

(Disertai Ilustrasi Rumah Rusak sebagai Analogi)

I. PENDAHULUAN: RUMAH BERNAMA NEGARA



Gambar 2. Ilustrasi Rumah (Negara) Rusak

Sebuah rumah adalah simbol sederhana dari sebuah negara. Ia memiliki atap yang melindungi, dinding yang menyangga, lantai yang menahan pijakan, ruang-ruang yang berfungsi sesuai kebutuhan penghuninya, dan fondasi yang menjaga keseluruhan struktur tetap tegak. Rumah ini berdiri bukan untuk dirinya sendiri, tetapi untuk melindungi dan menyejahterakan penghuninya.

Negara pun demikian, memiliki struktur, fungsi, dan elemen-elemen yang bekerja bersama demi menjaga kehidupan rakyat. Atap bisa diibaratkan sebagai kepemimpinan nasional yang memberikan perlindungan. Dinding adalah lembaga negara yang menjaga kedaulatan hukum dan tatanan sosial. Lantai adalah sistem ekonomi yang menopang pijakan rakyat. Fondasi adalah konstitusi dan nilai-nilai dasar yang mempersatukan bangsa.

Namun, apa jadinya jika satu demi satu bagian rumah mulai rusak? Atap bocor, dinding retak, lantai keropos, bahkan fondasi mulai bergeser? Saat itu, rumah tidak lagi menjadi tempat yang aman, nyaman, dan layak huni. Inilah yang kita saksikan pada negara ketika lembaga-lembaganya tidak menjalankan fungsi dengan baik yang mengakibatkan sebuah malfungsi sistemik.

II. KERUSAKAN DEMI KERUSAKAN DI SETIAP SUDUT RUMAH

Kerusakan rumah tidak selalu terjadi secara tiba-tiba, sering kali ia dimulai dari hal kecil yang diabaikan. Retakan di dinding dibiarkan, atap bocor tak diperbaiki, perabot rusak tidak diganti. Lama-kelamaan, kerusakan menjadi menyeluruh dan mempengaruhi fungsi rumah secara total.

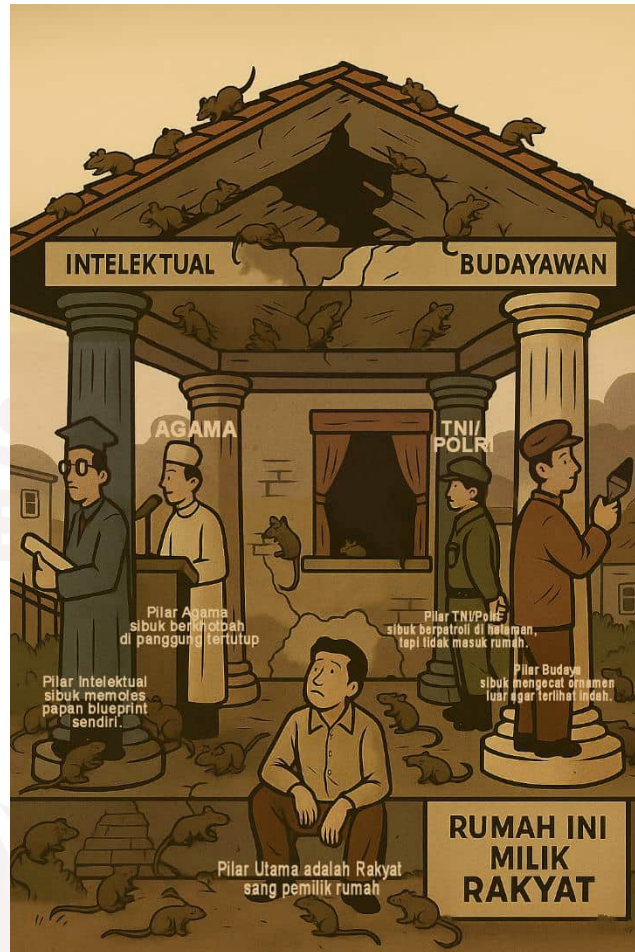
Dalam konteks Negara, kerusakan ini dapat berupa:

- Atap bocor di mana-mana, menunjukkan aturan dan kebijakan negara bocor dan mudah diintervensi kepentingan elit.
- Dinding lembab dan ditumbuhi jamur, menunjukkan fondasi negara dibiarkan lapuk oleh korupsi dan pembiaraan yang mengakar.
- Fondasi rumah mulai retak, menunjukkan struktur konstitusi dan tata negara mulai rusak karena disusupi kepentingan jangka pendek.
- Dapur kotor dan berantakan, menunjukkan keuangan negara dan APBN tidak dikelola dengan bersih, banyak penyimpangan dan penikmatan anggaran untuk kepentingan pribadi.
- Kamar tidur berantakan dan tidak layak dihuni, menunjukkan kehidupan rakyat tidak nyaman, biaya mahal, dan penuh tekanan kebutuhan ekonomi.
- Kamar mandi bau dan saluran WC rusak, menunjukkan pengadilan dan institusi keadilan berbau busuk karena tidak adil, tidak transparan, dan sarat konflik kepentingan.
- Keramik terkelupas dan tajam, menunjukkan infrastruktur hukum terlihat indah di luar, tapi tajam melukai rakyat kecil.
- Sirkulasi udara pengap dan tidak segar, menunjukkan ruang demokrasi dan kebebasan berekspresi menyesakkan, tidak ada angin segar dari rakyat.
- Saluran air mampet dan menyebabkan genangan, menunjukkan alur birokrasi dan pelayanan publik tersumbat, tidak efisien, penuh pungli, dan lambat.
- Ada tikus dan kecoa dimana-mana, menunjukkan korupsi merajalela di semua lini tanpa pemberantasan yang sungguh-sungguh.

III. PILAR-PILAR NEGARA YANG SIBUK SENDIRI

Rumah besar bernama negara tidak hanya berdiri di atas fondasi, atap, dan dinding, ia juga ditopang oleh empat pilar utama yang seharusnya bekerja selaras:

1. **Intelektual sebagai Pengarah** - Mereka adalah arsitek dan teknisi rumah, yang bertugas merancang, memberi solusi, dan memastikan semua bagian rumah berfungsi sesuai tujuan. Namun, alih-alih mengarahkan perbaikan rumah, sebagian intelektual justru sibuk menjadi “kontraktor bayaran” yang mengikuti keinginan pemilik modal atau penguasa, bukan kebutuhan penghuni rumah.
2. **Agama sebagai Penjaga Moral** - Mereka adalah penjaga kompas moral yang memastikan penghuni rumah hidup dengan nilai-nilai kebaikan dan keadilan. Namun kini, penjaga moral ini sering terjebak dalam persaingan pengaruh, bahkan ada yang menjadikan nilai-nilai suci sebagai alat tawar-menawar politik, membuat penghuni rumah bingung akan arah moral yang benar.
3. **TNI/ Polri sebagai Pelindung** – Mereka adalah pagar dan gembok rumah, memastikan rumah aman dari gangguan luar maupun dalam. Sayangnya, pagar ini kadang terbuka bagi pihak yang membawa keuntungan pribadi, sementara rakyat yang mengetuk pintu justru diabaikan. Intervensi politik dan bisnis membuat pagar kehilangan netralitasnya.
4. **Budaya sebagai Penjaga Identitas** - Budaya adalah hiasan, tata ruang, dan adat istiadat rumah yang membuatnya unik dan nyaman dihuni. Namun, arus globalisasi dan komersialisasi membuat budaya asli tergeser. Rumah ini perlahan kehilangan ciri khasnya, menjadi sekadar bangunan yang mirip rumah orang lain.



Gambar 3. Ilustrasi 4 Pilar Negara yang Berjalan Sendiri

Ditengah kondisi ideal, keempat pilar ini seharusnya berdiri kokoh mengelilingi satu pusat kedaulatan: rakyat. Mereka harus bekerja sama memperbaiki atap bocor, membersihkan saluran air, mengusir tikus dan kecoa, serta memperkuat fondasi. Namun, yang terjadi sekarang masing-masing pilar sibuk dengan agenda sendiri:

- Pilar Intelektual sibuk memoles papan blueprint sendiri. Mereka terlalu lama berdebat dan memamerkan rancangan indah di atas kertas, tanpa pernah turun langsung memimpin perbaikan atap bocor atau lintai yang keropos.
- Pilar Agama sibuk berkhotbah di panggung tertutup. Menyampaikan pesan moral hanya untuk kelompok sendiri, sementara di luar panggung rumah, penghuni dibiarkan kebingungan mencari pegangan nilai.
- Pilar TNI/Polri sibuk berpatroli di halaman tapi tidak masuk rumah. Menjaga tampilan luar agar terlihat aman, namun membiarkan maling mondar-mandir di dalam rumah dan perabot hilang satu per satu.

- Pilar Budaya sibuk mengecat ornament luar agar terlihat indah. Menonjolkan kemegahan estetika di depan tamu, tetapi membiarkan bagian dalam rumah berantakan dan identitas asli perlahan pudar.

IV. PILAR UTAMA: RAKYAT SEBAGAI PEMILIK RUMAH

Di atas semua pilar itu, ada satu pusat kedaulatan yang sebenarnya memegang kendali yaitu rakyat. Rakyat adalah pemilik rumah bernama negara. Konstitusi menegaskan kedaulatan berada di tangan rakyat, namun dalam kenyataannya, suara rakyat sering hanya dibutuhkan saat pemilihan umum dan kemudian dilupakan.

Kedaulatan rakyat seharusnya menjadi kompas yang mengarahkan seluruh lembaga negara. Tanpa keterlibatan aktif rakyat dalam mengawasi dan mengendalikan rumahnya, kerusakan akan terus terjadi dan diperparah oleh kelalaian penghuni yang diberi amanah mengurus rumah tersebut.

V. MALFUNGSI LEMBAGA NEGARA: RUMAH RUSAK DALAM WUJUD NYATA

Gambaran rumah rusak ini bukanlah fantasi. Ia adalah cerminan nyata dari malfungsi lembaga negara di berbagai sektor. Atap bocor mewakili kebijakan yang mudah diubah demi kepentingan elit. Dinding lembab adalah korupsi yang dibiarkan mengakar. Saluran mampet melambangkan birokrasi yang berbelit. Tikus dan kecoa adalah simbol kejahatan terorganisir yang menggerogoti sistem.

Kerusakan-kerusakan ini tidak berdiri sendiri. Ia saling terkait, membentuk siklus yang merusak dari atas ke bawah. Bila satu titik dibiarkan, kerusakan akan merembet ke seluruh bagian rumah. Pada akhirnya, penghuninya yaitu rakyat akan kehilangan kenyamanan, keamanan, bahkan masa depan.

Berikut data-data cerminan nyata kerusakan rumah dalam wujud nyata dari malfungsi lembaga negara di berbagai sektor, sebagai berikut:

A. SEKTOR KEJAKSAAN

No	Nama Pejabat	Jabatan/ Posisi	Wilayah Kasus	Tahun Kasus	Status Hukum
1	Edi Sutomo	Kepala Kejaksaan Negeri	Bondowoso, Jatim	2006	Terbukti (vonis)
2	Urip Tri Gunawan	Jaksa pada Satgas BLBI	Jakarta	2008	Terbukti (20 Tahun)
3	Cirus Sinaga	Jaksa Penuntut (Kejagung)	Jakarta	2011	Terbukti (5 Tahun)
4	Heru Edwar	Kepala Kejari Cimahi	Cimahi, Jabar	2016	Persidangan
5	Yanuar Reza Muhammad & Fristo Yan Presanto	Kasi Penyidikan & Kasubsi Tipikor Kejati DKI	Jakarta	2019	Terbukti (vonis)
6	Eka Safitra & Satriawan Sulaksono	Jaksa Kejari Yogyakarta & Surakarta	Yogyakarta & Surakarta	2019	Terbukti (vonis)
7	Pinangki Sirna Malasari	Jaksa di Kejaksaan Agung	Jakarta	2020	Terbukti (4 Tahun)
8	Chandra Saptaji	Kepala Kejaksaan Negeri Yalimo	Papua	2022	Penyidikan (Tersangka)
9	Gilang Pradana	Jaksa Fungsional	Batu, Jatim	2023	Terbukti (vonis)

10	Oknum Jaksa (inisial S)	Jaksa Penuntut Umum	Kejari Konawe Selatan	2024	Penyidikan
11	Dugaan Jaksa Kejati Sumut	Tim Jaksa Kasus UINSU	Sumatera Utara	2024	Dugaan

B. SEKTOR KEMENTERIAN

No	Nama Pejabat	Jabatan/ Posisi	Wilayah Kasus	Tahun Kasus	Status Hukum
1	Rokhmin Dahuri	Menteri Kelautan dan Perikanan	Jakarta	2007	Terbukti (7 Tahun, dikurangi 4,5 Tahun pada PK)
2	Achmad Sujudi	Menteri Kesehatan	Jakarta	2009	Terbukti (4 Tahun)
3	Hari Sabarno	Menteri Dalam Negeri	Jakarta	2010	Terbukti (5 Tahun)
4	Bachtiar Chamsyah	Menteri Sosial	Jakarta	2010	Terbukti (1 Tahun 8 Bulan)
5	Wafid Muharram	Sekretaris Kemenpora	Jakarta	2011	Terbukti (3 Tahun)
6	Andi Mallarangeng	Menteri Pemuda dan Olahraga	Jakarta	2012	Terbukti (4 Tahun)
7	Siti Fadilah Supari	Menteri Kesehatan	Jakarta	2014	Terbukti (4 Tahun)

8	Jero Wacik	Menteri ESDM	Jakarta	2014	Terbukti (4 Tahun)
9	Waryono Karno	Sekretaris Jenderal ESDM	Jakarta	2014	Terbukti (7 Tahun)
10	Suryadharma Ali	Menteri Agama	Jakarta	2014	Terbukti (10 Tahun)
11	Irman	Dirjen Dukcapil Kemendagri	Jakarta	2017	Terbukti (15 Tahun)
12	Antonius Tonny Budiono	Dirjen Perhubungan Laut, Kemenhub	Jakarta	2017	Terbukti (5 Tahun)
13	Idrus Marham	Menteri Sosial	Jakarta	2018	Terbukti (2 Tahun)
14	Imam Nahrawi	Menteri Pemuda dan Olahraga	Jakarta	2019	Terbukti (7 Tahun)
15	Edhy Prabowo	Menteri Kelautan dan Perikanan	Jakarta	2020	Terbukti (5 Tahun)
16	Juliari Batubara	Menteri Sosial	Jakarta	2020	Terbukti (12 Tahun)
17	Johnny G. Plate	Menteri Kominfo	Jakarta	2023	Terbukti (15 Tahun)
18	Syahrul Yasin Limpo	Menteri Pertanian	Jakarta	2023	Penyidikan (tersangka)

19	Edward O. S. Hiariej	Wamen Hukum & HAM	Jakarta	2023	Penyidikan (tersangka)
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C. SEKTOR LEMBAGA PEMERINTAH NON-KEMENTERIAN

No	Nama Pejabat	Jabatan/ Posisi	Wilayah Kasus	Tahun Kasus	Status Hukum
1	Rudi Rubiandini	Kepala SKK Migas	Jakarta	2013	Terbukti (7 Tahun)
2	Syafruddin A. Temenggung	Kepala BPPN	Jakarta	2017	Terbukti (15 Tahun)
3	Marsdya TNI Henri Alfiandi	Kepala Basarnas	Jakarta	2023	Tersangka (proses hukum berjalan ditangani militer)

D. SEKTOR LEMBAGA PERADILAN

No	Nama Pejabat	Jabatan/ Posisi	Wilayah Kasus	Tahun Kasus	Status Hukum
1	Akil Mochtar	Ketua Mahkamah Konstitusi	Jakarta	2013	Terbukti (vonis)
2	Germawan Ginting	Hakim PTUN Medan	Medan	2015	Terbukti (vonis)
3	Tripeni Irianto Putro	Hakim PTUN Medan	Medan	2015	Terbukti (vonis)

4	Amir Fauzi	Hakim PTUN Medan	Medan	2015	Terbukti (vonis)
5	Patrialis Akbar	Hakim Mahkamah Konstitusi	Jakarta	2017	Terbukti (vonis)
6	Sudrajad Dimiyati	Hakim Agung MA	Jakarta	2022	Terbukti (vonis)
7	Gazalba Saleh	Hakim Agung MA	Jakarta	2023	Terbukti (vonis)
8	Erintuah Damanik	Hakim PN Surabaya	Surabaya	2024	Terbukti (7 Tahun)
9	Mangapul	Hakim PN Surabaya	Surabaya	2024	Terbukti (7 Tahun)
10	Heru Hanindyo	Hakim PN Surabaya	Surabaya	2024	Terbukti (10 Tahun)
11	Zarof Ricar	Pegawai MA	Jakarta	2025	Persidangan
12	Muhammad Arif Nuryanta	Ketua PN Jakarta Selatan	Jakarta	2025	Penyidikan (tersangka)
13	Djuyamto	Hakim PN Jakarta Pusat	Jakarta	2025	Penyidikan (tersangka)
14	Agam Syarif Baharuddin	Hakim PN Jakarta Pusat	Jakarta	2025	Penyidikan (tersangka)
15	Ali Muhtarom	Hakim Ad Hoc PN Jakarta Pusat	Jakarta	2025	Penyidikan (tersangka)
16	Rudi Suparmono	Ketua PN Surabaya	Surabaya	2025	Persidangan

E. SEKTOR KOMISI YUDISIAL (KY)

No	Nama Pejabat	Jabatan/ Posisi	Wilayah Kasus	Tahun Kasus	Status Hukum
1	Irawady Joenoes	Koordinator Bidang Pengawasan & Kehormatan Hakim KY	Jakarta	2007	Ditangkap KPK karena suap
2	Eman Superman	Ketua KY (2013)	Jakarta	2013	Diperiksa Bareskrim
3	Suhartoyo	Anggota KY (2010 – 2015)	Jakarta	2015	Dituding tidak independen saat seleksi hakim konstitusi
4	Bambang Warsito	Anggota KY (2015 – 2020)	Jakarta	2018	Dilaporkan ke KPK
5	Taufiqurrohman Syahuri	Anggota KY (2015 – 2020)	Jakarta	2019	Dilaporkan ke Dewan Etik KY
6	Jaja Ahmad Jayus	Ketua KY (2018 – 2020)	Jakarta	2020	Diduga rangkap jabatan dan konflik kepentingan dalam seleksi hakum agung

7	Siti Nurjanah	Anggota KY (2020 – 2025)	Jakarta	2023	Dilaporkan ke KPK
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F. SEKTOR TENTARA NASIONAL INDONESIA (TNI)

No	Nama Pejabat	Jabatan/ Posisi	Wilayah Kasus	Tahun Kasus	Status Hukum
1	Letjen TNI (Purn) Hari Sabarno	Menteri Dalam Negeri	Jakarta	2002	Terbukti (2,5 Tahun)
2	Kolonel Czi (Purn) Cori Wahyudi AHT	Kepala Badan Pengelola TWP AD	Jawa Barat (Nagreg)	2013- 2020	Terbukti (11 Tahun)
3	Brigjen TNI Yus Adi Kamrullah	Dir. Keuangan TWP AD	Jawa Barat (Karawang/Subang)	2013- 2020	Terbukti (16 Tahun)
4	Kolonel Czi (Purn) CW AHT	Kepala Badan Pengelola TWP AD	Jawa Barat (Nagreg)	2013- 2020	Penyidikan (tersangka)
5	Brigjen TNI Teddy Hernayadi	Dir. Keuangan TNI AD / Kabid Pembiayaan Kemhan	Jakarta (Kemhan)	2016	Terbukti (Seumur Hidup)
6	Laksda TNI (Purn) Leonardi	Kepala Badan Sarana Kemhan	Jakarta (Kemhan)	2016	Penyidikan (tersangka)

7	Marsma TNI Fachry Adami	PPK Pengadaan Heli AW-101 TNI AU	Jakarta (TNI AU)	2016- 2017	Penyidikan (tersangka)
8	Marsda TNI Henri Alfiandi	Kepala Basarnas	Jakarta (Basarnas)	2021- 2023	Persidangan

G. SEKTOR KEPOLISIAN NEGARA RI (POLRI)

No	Nama Pejabat	Jabatan/ Posisi	Wilayah Kasus	Tahun Kasus	Status Hukum
1	Samuel Ismoko (Brigjen, Purn)	Eks Dir. II Ekonomi Bareskrim Polri	Jakarta	2003- 2006	Terbukti (vonis)
2	Irman Santoso (Kombes, Purn)	Eks Kanit II Perbankan Bareskrim Polri	Jakarta	2003- 2006	Terbukti (vonis)
3	Suyitno Landung (Komjen, Purn)	Mantan Kabareskrim Polri	Jakarta	2005- 2006	Terbukti (vonis)
4	Susno Duadji (Komjen, Purn)	Mantan Kabareskrim Polri	Jabar / Jakarta	2009- 2011	Terbukti (vonis)
5	Komjen Pol Susno Duadji	Kabareskrim Polri	Jakarta	2010	Terbukti (3,5 Tahun)
6	Raja Erizman (Irjen, Purn)	Mantan Dir. III Tipikor Bareskrim Polri	Jakarta	2011	Penyidikan

7	Edmon Ilyas (Brigjen, Purn)	Mantan Dir. II Ekonomi Khusus Bareskrim Polri	Jakarta	2011	Penyidikan
8	Djoko Susilo (Irjen, Purn)	Eks Kakorlantas Polri	Jakarta	2012- 2013	Terbukti (vonis)
9	Didik Purnomo (Brigjen, Purn)	Mantan Wakil Kakor Lantas Polri	Jakarta	2014- 2015	Terbukti (vonis)
10	Budi Gunawan (Komjen)	(Calon) Kabareskrim Polri (Wakaba PSDM Polri 2004-06)	Jakarta	2015	Dugaan
11	Prasetijo Utomo (Brigjen)	Eks Karo Korwas PPNS Bareskrim Polri	Jakarta	2020	Dugaan
12	Napoleon Bonaparte (Irjen)	Mantan Kadiv Hubinter Polri	Jakarta	2020- 2021	Persidangan
13	Ferdy Sambo (Irjen)	Mantan Kadiv Propam Polri	Jakarta	2022- 2023	Terbukti (vonis)
14	Teddy Minahasa (Irjen)	Mantan Kapolda Sumbar	Sumbar/ Jakarta	2022- 2023	Terbukti (vonis)

H. SEKTOR BADAN PEMERIKSA KEUANGAN (BPK)

No	Nama Pejabat	Jabatan/ Posisi	Wilayah Kasus	Tahun Kasus	Status Hukum
1	Hadi Poernomo	Ketua BPK	Jakarta	2014	SP3 (dihentikan praperadilan 2015)
2	Patrice Lumumba Sihombing	Anggota BPK	Jakarta	2017	Terbukti (vonis)
3	Abu Hanifa	Anggota BPK	Jakarta	2017	Terbukti (vonis)
4	David Patasaung	Anggota BPK	Jakarta	2017	Terbukti (vonis)
5	Rizal Djalil	Anggota BPK	Jakarta	2019	Penyidikan (tersangka)
6	Achsanul Qosasi	Anggota III BPK	Jakarta	2023	Terbukti (2,5 Tahun)
7	Pius Lustrilanang	Anggota VI BPK	Jakarta	2023	Penyidikan (tersangka)
8	Auditor BPK (anonim)	Auditor BPK Perwakilan Riau	Riau	2023	Dugaan
9	Auditor BPK (anonim)	Auditor BPK	Jakarta	2024	Dugaan
10	Robertus Kresnawan	Auditor BPK	Jakarta	2024	Dugaan

11	Auditor BPK (anonim)	Auditor BPK	Jakarta	2024	Penyidikan (tersangka)
12	Sandra Willia Gusman	Kepala Sekretariat AKN IV BPK	Jakarta	2025	Pemeriksaan sebagai saksi

I. SEKTOR KOMISI PEMBERANTASAN KORUPSI (KPK)

No	Nama Pejabat	Jabatan/ Posisi	Wilayah Kasus	Tahun Kasus	Status Hukum
1	Fikri Arief	Pegawai KPK	Jakarta	2018	Terbukti (4 Tahun)
2	Yulianto	Jaksa Penuntut Umum KPK	Jakarta	2019	Terbukti (1 Tahun 6 Bulan)
3	Stepanus Robin Pattuju	Penyidik KPK (Polri)	Jakarta	2021	Terbukti (11 Tahun)
4	Ajun Komisaris Polisi Rossa Purbo Bekt	Penyidik KPK (Polri)	Jakarta	2021	Terbukti (4 Tahun)
5	Harun Al Rasyid	Penyidik KPK	Jakarta	2021	Dugaan (diperiksa etik)
6	Firli Bahuri	Ketua KPK	Jakarta	2023	Tersangka

J. SEKTOR MAJELIS PERMUSYAWARATAN RAKYAT (MPR)

No	Nama Pejabat	Jabatan/ Posisi	Wilayah Kasus	Tahun Kasus	Status Hukum
1	Syariefuddin "Syarief" Hasan	Wakil Ketua MPR RI (2019 – 2024)	Jakarta	2023	Saksi (diperiksa KPK)
2	Ma'ruf Cahyono	Sekretaris Jenderal MPR RI (2019 – 2021)	Jakarta	2025	Tersangka (penyidikan KPK)
3	Dyastasita Widya Budi	PPK Biro Persidangan & Sosialisasi, Sekjen MPR (2020)	Jakarta	2025	Saksi (diperiksa KPK)
4	Joni Jondriman	Kepala Unit Kerja Pengadaan Barang/ Jasa (UKPBJ), Sekjen MPR (2020)	Jakarta	2025	Saksi (diperiksa KPK)
5	Cucu Riwayati	Pejabat Pengadaan Barang/ Jasa (Pengiriman & Penggandaan), Sekjen MPR (2020 – 2021)	Jakarta	2025	Saksi (diperiksa KPK)

6	Fahmi Idris	Anggota Pokja UKPBJ, Sekjen MPR (2020)	Jakarta	2025	Saksi (diperiksa KPK)
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K. SEKTOR DEWAN PERWAKILAN RAKYAT (DPR) - PARTAI POLITIK

No	Nama Pejabat	Jabatan/ Posisi	Fraksi Partai	Tahun Kasus	Status Hukum
PERIODE 1999 – 2004					
1	Hamka Yandhu	Anggota Komisi IX DPR RI	Golkar	2008	Terbukti (Vonis)
2	Dudhie M. Murod	Anggota Komisi IX DPR RI	PDIP	2008	Terbukti (Vonis)
3	Endin A.J. Soefihara	Anggota Komisi IX DPR RI	PPP	2008	Terbukti (Vonis)
4	Udju Djuhaeri	Anggota DPR	TNI/ Polri	2008	Terbukti (Vonis)
5	Agus Condro. P	Anggota Komisi IX DPR RI	PDIP	2008	Terbukti (Vonis)
6	Ahmad Hafisz Zawawi	Anggota Komisi IX DPR RI	Golkar	2010	Terbukti (Vonis)
7	Marthin B. Seran	Anggota Komisi IX DPR RI	Golkar	2010	Terbukti (Vonis)

8	Paskah Suzetta	Anggota Komisi IX DPR RI	Golkar	2010	Terbukti (Vonis)
9	Bobby Suhardiman	Anggota Komisi IX DPR RI	Golkar	2010	Terbukti (Vonis)
10	Antony Zeidra Abidin	Anggota Komisi IX DPR RI	Golkar	2010	Terbukti (Vonis)
11	T.M. Nurlif	Anggota Komisi IX DPR RI	Golkar	2010	Terbukti (Vonis)
12	Reza Kamarullah	Anggota Komisi IX DPR RI	Golkar	2010	Terbukti (Vonis)
13	Baharuddin Aritonang	Anggota Komisi IX DPR RI	Golkar	2010	Terbukti (Vonis)
14	Hengky Baramuli	Anggota Komisi IX DPR RI	Golkar	2010	Terbukti (Vonis)
15	Sofyan Usman	Anggota Komisi IX DPR RI	PPP	2010	Terbukti (Vonis)
16	Daniel Tandjung	Anggota Komisi IX DPR RI	PPP	2010	Terbukti (Vonis)

17	Panda Nababan	Anggota Komisi IX DPR RI	PPP	2010	Terbukti (Vonis)
18	Ni Luh Mariani T.	Anggota Komisi IX DPR RI	PDIP	2010	Terbukti (Vonis)
19	Sutanto Pranoto	Anggota Komisi IX DPR RI	PDIP	2010	Terbukti (Vonis)
20	Soewarno	Anggota Komisi IX DPR RI	PDIP	2010	Terbukti (Vonis)
21	Matheos Pormes	Anggota Komisi IX DPR RI	PDIP	2010	Terbukti (Vonis)
22	Engelina Pattiasina	Anggota Komisi IX DPR RI	PDIP	2010	Terbukti (Vonis)
23	Budiningsih	Anggota Komisi IX DPR RI	PDIP	2010	Terbukti (Vonis)
24	M. Iqbal	Anggota Komisi IX DPR RI	PDIP	2010	Terbukti (Vonis)
25	Jeffrey T. Lumban	Anggota Komisi IX DPR RI	PDIP	2010	Terbukti (Vonis)

26	Max Moein	Anggota Komisi IX DPR RI	PDIP	2010	Terbukti (Vonis)
27	Rusman Lumbantoruan	Anggota Komisi IX DPR RI	PDIP	2010	Terbukti (Vonis)
28	Poltak Sitorus	Anggota Komisi IX DPR RI	PDIP	2010	Terbukti (Vonis)
29	Williem Tutuarima	Anggota Komisi IX DPR RI	PDIP	2010	Terbukti (Vonis)
PERIODE 2004 - 2009					
1	Yusuf Erwin Faishal	Anggota Komisi V DPR RI	PKB	2007	Terbukti (Vonis)
2	Al Amin Nur Nasution	Anggota Komisi IV DPR RI	Demokrat	2008	Terbukti (Vonis)
3	Bulyan Royan	Anggota Komisi V DPR RI	PBR	2008	Terbukti (Vonis)
4	Azwar Chesputra	Anggota Komisi IV DPR RI	Golkar	2009	Terbukti (Vonis)
5	Fachry Andi Leluasa	Anggota Komisi IV DPR RI	Golkar	2009	Terbukti (Vonis)

6	Hilman Indra	Anggota Komisi IV DPR RI	PBB	2009	Terbukti (Vonis)
7	Abdul Hadi Djamal	Anggota Komisi V DPR RI	PAN	2009	Terbukti (Vonis)
8	Sarjan Tahir	Anggota Komisi IV DPR RI	Demokrat	2010	Terbukti (Vonis)
PERIODE 2009 – 2014					
1	Muhammad Nazaruddin	Anggota Komisi III DPR RI	Demokrat	2011	Terbukti (Vonis)
2	Angelina P. Sondakh	Anggota Komisi X DPR RI	Demokrat	2011	Terbukti (Vonis)
3	Wa Ode Nurhayati	Anggota Banggar DPR RI	PAN	2011	Terbukti (Vonis)
4	Zulkarnaen Djabar	Anggota Komisi VIII DPR RI	Golkar	2012	Terbukti (Vonis)
5	Luthfi Hasan Ishaaq	Anggota Komisi I DPR RI (Presiden PKS)	PKS	2013	Terbukti (Vonis)
6	Anas Urbaningrum	Anggota DPR RI	Demokrat	2013	Terbukti (Vonis)

		(Ketua Umum Demokrat)			
7	Chairun Nisa	Anggota Komisi II DPR RI	Golkar	2013	Terbukti (Vonis)
PERIODE 2014 – 2019					
1	Sutan Bhatoegana	Ketua Komisi VII DPR RI	Demokrat	2014	Terbukti (Vonis)
2	Damayanti W. Putranti	Anggota Komisi V DPR RI	PDIP	2015	Terbukti (Vonis)
3	Adriansyah	Anggota Komisi IV DPR RI	PDIP	2015	Terbukti (Vonis)
4	Dewie Yasin Limpo	Anggota Komisi VII DPR RI	Hanura	2015	Terbukti (Vonis)
5	Patrice Rio Capella	Anggota Komisi III DPR RI	Nasdem	2015	Terbukti (Vonis)
6	Budi Supriyanto	Anggota Komisi V DPR RI	Golkar	2016	Terbukti (Vonis)
7	I Putu Sudiartana	Anggota Komisi III DPR RI	Demokrat	2016	Terbukti (Vonis)

8	Andi Taufan Tiro	Anggota Komisi V DPR RI	PAN	2016	Terbukti (Vonis)
9	Setya Novanto	Ketua DPR RI 2014 – 2017	Golkar	2017	Terbukti (Vonis)
10	Markus Nari	Anggota Komisi VII DPR RI	Golkar	2017	Terbukti (Vonis)
11	Zulfadhli	Anggota Komisi X DPR RI	Golkar	2017	Terbukti (Vonis)
12	Miryam S. Haryani	Anggota Komisi II DPR RI	Hanura	2017	Terbukti (Vonis)
13	Yudi Widiana Adia	Wakil Ketua Komisi V DPR RI	PKS	2017	Terbukti (Vonis)
14	Musa Zainuddin	Anggota Komisi V DPR RI	PKB	2017	Terbukti (Vonis)
15	Fayakhun Andriadi	Anggota Komisi I DPR RI	Golkar	2018	Terbukti (Vonis)
16	Amin Santono	Anggota Komisi XI DPR RI	Demokrat	2018	Terbukti (Vonis)

17	Eni Maulani Saragih	Wakil Ketua Komisi VII DPR RI	Golkar	2018	Terbukti (Vonis)
18	Usman Jafar	Anggota Komisi VI DPR RI	PPP	2018	Terbukti (Vonis)
19	Sukiman	Anggota Komisi XI DPR RI	PAN	2018	Terbukti (Vonis)
20	Taufik Kurniawan	Wakil Ketua DPR RI	PAN	2018	Terbukti (Vonis)
21	Bowo Sidik Pangarso	Anggota Komisi VI DPR RI	Golkar	2019	Terbukti (Vonis)
22	I Nyoman Dhamantra	Anggota Komisi VI DPR RI	PDIP	2019	Terbukti (Vonis)
23	M. Romahurmuziy	Anggota Komisi XI DPR RI (Ketum PPP)	PPP	2019	Terbukti (Vonis)
PERIODE 2019 – 2024					
1	Harun Masiku	Caleg DPR 2019	PDIP	2020	Buron
2	Azis Syamsuddin	Wakil Ketua DPR RI 2019 – 2021	Golkar	2021	Terbukti (3,5 Tahun)
3	Alex Noerdin	Anggota DPR RI	Golkar	2021	Terbukti (9 Tahun)

L. SEKTOR DEWAN PERWAKILAN DAERAH (DPD)

No	Nama Pejabat	Jabatan/ Posisi	Perwakilan Daerah	Tahun Kasus	Status Hukum
1	Chaidir Djafar	Anggota DPD 2014 – 2019	Papua Barat	2014	Tersangka
2	Zulkarnain Karim	Anggota DPD 2014 – 2019	Bangka Belitung	2014	Tersangka
3	RA Rafiq Al Amri	Anggota DPD RI 2024 – 2029	Sulawesi Tengah	2024	Dilaporkan
4	Irman Gusman	Ketua DPD RI 2014 – 2016	Sumatera Barat	2016	Terbukti (4,5 Tahun)



TOTAL Malfungsi Lembaga Negara di Indonesia

A. Sektor Kejaksaan	11 Kasus	TOTAL KESELURUHAN 176 KASUS
B. Sektor Kementerian	19 Kasus	
C. Sektor Lembaga Pemerintah Non-Kementerian	3 Kasus	
D. Sektor Lembaga Peradilan	16 Kasus	
E. Sektor Komisi Yudisial (KY)	7 Kasus	
F. Sektor Tentara Nasional Indonesia (TNI)	8 Kasus	
G. Sektor Kepolisian Negara RI (POLRI)	14 Kasus	
H. Sektor Badan Pemeriksa Keuangan (BPK)	12 Kasus	
I. Sektor Komisi Pemberantasan Korupsi (KPK)	6 Kasus	
J. Sektor Majelis Permusyawaratan Rakyat (MPR)	6 Kasus	
K. Sektor Dewan Perwakilan Rakyat (DPR) - Partai Politik	70 Kasus	
L. Sektor Dewan Perwakilan Daerah (DPD)	4 Kasus	

BAB V

ANALOGI KELUARGA: MEMAHAMI STRUKTUR KETATANEGARAAN SECARA SEDERHANA

Dalam memahami struktur ketatanegaraan Indonesia, sering kali masyarakat awam merasa kesulitan karena istilah dan mekanisme konstitusi dianggap terlalu rumit. Salah satu cara untuk memahaminya adalah dengan menggambarkan negara sebagai sebuah keluarga.

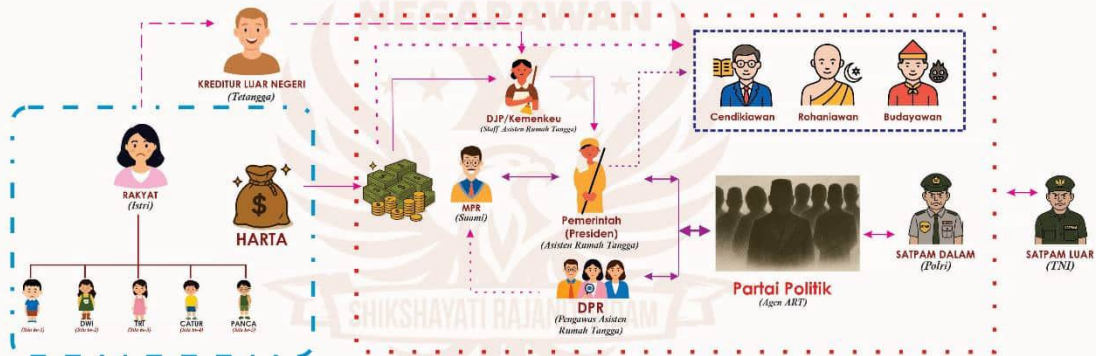
A. KELUARGA BROKEN HOME

Dalam kehidupan sehari-hari, keluarga menjadi pondasi utama bagi tumbuhnya kasih sayang, kepercayaan, dan keharmonisan. Namun, ketika keluarga mengalami keretakan, segala sesuatu yang semula teratur berubah menjadi kacau. Seorang ayah yang seharusnya menjadi pemimpin justru sibuk dengan kepentingan pribadinya, bahkan berselingkuh dengan asisten rumah tangga. Ibu, yang mestinya menjadi pendamping dan penyeimbang, merasa dikhianati, terluka, dan kehilangan wibawa dalam rumah tangga. Anak-anak yang lahir dari keluarga tersebut pun menjadi korban, kehilangan teladan, bingung harus mengikuti siapa, dan terjebak dalam konflik tanpa akhir. Rumah tangga yang seharusnya menjadi tempat aman justru berubah menjadi arena pertengkaran, ketidakpercayaan, dan kehancuran nilai.

Begitu pula sebuah negara, ketika pemimpin sibuk dengan kepentingan pribadi, ketika lembaga penyeimbang tidak dihormati, dan ketika rakyat sebagai anak bangsa kehilangan arah, maka negara berjalan tanpa kepastian. Konflik, korupsi, dan perebutan kepentingan menggantikan tujuan bersama. Negara yang semestinya melindungi rakyat justru menjadi sumber kekecewaan dan perpecahan.

ANALOGI STRUKTUR KETATANEGARAAN

(BERDASARKAN AMANDEMEN KEEMPAT UUD 1945)



Keterangan Keluarga Broken Home:

a. Suami (MPR) meninggalkan istri (Rakyat) dan anak-anaknya (Pancasila)

b. Satpam Dalam (Polri) dan Satpam Luar (TNI) harusnya menjaga rumah, tetapi malah melindungi orang luar: Pemerintah/Presiden (ART) DJP/Kemenkeu (Staff ART), DPR (Pengawas ART) dan Partai Politik (Agen ART)

c. Staff ART (DJP/Kemenkeu) meminjam uang dari tetangga (Kreditur Luar Negeri) namun yang membayar utang tsb ialah Istri (Rakyat) sedangkan yang menikmati uang tsb ialah Suami (MPR), ART (Pemerintah / Presiden), Staff ART (DJP/Kemenkeu) dan Pengawas ART (DPR)

*Harta diambil oleh MPR (Suami), Pemerintah/Presiden (ART), DJP/Kemenkeu (Staff ART), DPR (Pengawas ART), Partai Politik (Agen ART), Cendekiawan, Rohaniawan dan Budayawan.

Gambar 4. Analogi Struktur Ketatanegaraan berdasarkan Amandemen Ke Empat UUD 1945

1. Suami sebagai MPR

Suami adalah simbol dari Majelis Permusyawaratan Rakyat (MPR), yang semestinya menjadi pemimpin dan pengarah keluarga besar bangsa. Ia bertanggung jawab menjaga istri (rakyat) dan anak-anak (Pancasila). Namun dalam kenyataan, suami justru kehilangan peran sentralnya, bahkan melakukan “perselingkuhan” dengan ART (pemerintah). Artinya, MPR yang seharusnya memegang kendali justru bersekutu dengan pemerintah, sehingga mengabaikan rakyat dan dasar negara.

2. Istri sebagai Rakyat

Istri melambangkan rakyat, yang setia menjaga rumah tangga dan menopang semua kebutuhan. Namun dalam rumah tangga ini, istri justru ditinggalkan dan dikhianati. Beban berat ditanggung oleh rakyat: membayar utang luar negeri, menanggung pajak, hingga menghidupi keluarga. Meski demikian, rakyat tidak mendapat perhatian layak dari suami maupun ART.

3. Anak-anak sebagai Pancasila

Anak-anak adalah simbol Pancasila: Eka, Dwi, Tri, Catur, dan Panca. Mereka seharusnya dijaga dan dibesarkan. Namun karena suami sibuk berselingkuh dengan ART, dan istri dipaksa menanggung beban sendirian, anak-anak justru

terabaikan. Inilah simbol bahwa Pancasila semakin ditinggalkan dalam praktik bernegara.

4. Pemerintah (Presiden) sebagai Asisten Rumah Tangga (ART)

Asisten Rumah Tangga (ART) adalah simbol pemerintah (Presiden). Seharusnya ia membantu mengelola rumah tangga untuk kepentingan keluarga. Tetapi dalam praktiknya, ART justru menjadi tokoh dominan, bahkan menjalin hubungan “gelap” dengan suami. Perselingkuhan ini membuat rumah tangga semakin rusak, karena kepentingan ART lebih diutamakan dibanding kesejahteraan istri dan anak-anak.

5. DPR sebagai Pengawas Asisten Rumah Tangga (ART)

DPR digambarkan sebagai pengawas ART. Namun pengawas ini tidak netral; alih-alih membela istri (rakyat), ia justru sering membela ART dan suami. Bahkan terkadang ikut menikmati “hasil perselingkuhan” tersebut. DPR akhirnya kehilangan fungsi kontrol dan hanya menjadi bagian dari masalah.

6. DJP/ Kemenkeu sebagai Staf Asisten Rumah Tangga (ART)

Staf ART, yakni DJP/Kemenkeu, berperan sebagai pengatur keuangan. Namun mereka sering meminjam uang dari tetangga (kreditur luar negeri), dengan beban cicilan yang justru ditanggung oleh istri (rakyat). Sementara yang menikmati hasil pinjaman adalah suami, ART, staf ART, dan pengawas ART.

7. Satpam Dalam dan Satpam Luar

Polri (Satpam Dalam) dan TNI (Satpam Luar) seharusnya menjaga keluarga dari ancaman luar. Namun kenyataannya, mereka lebih sering dipakai untuk melindungi ART, suami, dan kepentingan luar, daripada menjaga istri dan anak-anaknya. Keamanan rumah tangga pun semakin rapuh.

8. Kreditur Luar Negeri sebagai Tetangga

Pihak luar, yakni kreditur luar negeri, diibaratkan sebagai tetangga. Mereka memberi pinjaman ketika rumah tangga kekurangan uang. Ironisnya, cicilan pinjaman justru ditanggung istri (rakyat), padahal uangnya dinikmati oleh ART dan lingkarannya.

9. Cendekiawan, Rohaniawan, Budayawan, dan Partai Politik

Kelompok eksternal ini kerap masuk sebagai pihak yang ikut menikmati hasil rumah tangga. Partai politik digambarkan sebagai agen ART, sementara cendekiawan, rohaniawan, dan budayawan sering kali hanya menjadi pelengkap, bukan pembela kepentingan istri dan anak-anak.

Dari analogi ini tampak jelas bahwa negara saat ini ibarat keluarga broken home. Suami (MPR) meninggalkan istri (rakyat) dan anak-anaknya (Pancasila),

bahkan berselingkuh dengan ART (pemerintah). DPR yang seharusnya mengawasi justru bersekutu dengan mereka. Satpam rumah (Polri dan TNI) tidak fokus melindungi keluarga. Beban utang ditanggung rakyat, sementara hasilnya dinikmati pihak-pihak selain keluarga inti.

Keluarga yang seharusnya harmonis justru menjadi hancur karena perselingkuhan dan pengkhianatan peran. Inilah cerminan bagaimana struktur ketatanegaraan pasca amandemen keempat tidak berjalan sesuai cita-cita awal UUD 1945. Analogi keluarga ini memberi gambaran sederhana tentang problem ketatanegaraan kita: lembaga-lembaga negara tidak lagi menjalankan fungsinya dengan benar. Jika rumah tangga ingin dipulihkan, maka suami harus kembali kepada istri dan anak-anaknya. Dengan kata lain, MPR, pemerintah, DPR, dan seluruh elemen negara harus kembali menempatkan rakyat dan Pancasila sebagai pusat dari kehidupan bernegara.

B. KELUARGA BAHAGIA

Keluarga yang sehat dan bahagia adalah tempat di mana cinta, rasa hormat, dan kepercayaan tumbuh dengan subur. Seorang ayah hadir sebagai pemimpin yang bijaksana, melindungi dan mengarahkan keluarganya dengan penuh tanggung jawab. Ia tidak hanya menjadi kepala rumah tangga, tetapi juga teladan yang memberikan arahan moral, spiritual, dan etika bagi seluruh anggota keluarga. Ibu berperan sebagai pendamping yang setia, menjaga keseimbangan, memberi nasihat bijak, serta memastikan suasana rumah tetap hangat dan penuh kasih.

Anak-anak yang tumbuh dalam keluarga seperti ini merasa aman, dihargai, dan dicintai. Mereka belajar disiplin, kejujuran, gotong royong, dan saling menghormati. Pendidikan moral dan nilai-nilai luhur diwariskan sejak dini, sehingga anak-anak tumbuh menjadi generasi yang kuat, berkarakter, dan siap meneruskan cita-cita keluarga. Suasana rumah tangga menjadi tempat kembali yang menenteramkan, bukan ladang konflik.

Keluarga bahagia tidak berarti bebas dari masalah, tetapi setiap persoalan dihadapi dengan musyawarah, kebijaksanaan, dan rasa tanggung jawab bersama. Setiap anggota menyadari perannya, saling menghormati perbedaan, dan menempatkan kepentingan keluarga di atas kepentingan pribadi. Fondasi keluarga yang kokoh membuatnya mampu bertahan menghadapi berbagai tantangan dari luar, tanpa kehilangan arah dan jati diri.

Begitu pula dengan sebuah negara. Ketika pemimpin menjalankan amanah dengan adil dan jujur, ketika lembaga penyeimbang melaksanakan fungsi sesuai

aturan, dan ketika rakyat dilibatkan serta dilindungi hak-haknya, maka lahirlah sebuah bangsa yang kuat. Negara yang sehat adalah negara yang menempatkan rakyat sebagai pusat, menjadikan hukum sebagai penuntun, dan menghidupkan nilai-nilai Pancasila sebagai dasar dalam setiap kebijakan.

Negara ibarat keluarga besar, pemimpinnya menjadi teladan, rakyatnya merasa terlindungi, dan generasi mudanya tumbuh dengan bekal nilai moral serta pendidikan yang kokoh. Persatuan, keadilan, dan kesejahteraan bukan lagi sebatas semboyan, melainkan menjadi kenyataan dalam kehidupan sehari-hari. Dalam keadaan demikian, bangsa dapat bergerak maju bersama menuju cita-cita yang dicantumkan dalam konstitusi.



Gambar 5. Analogi Struktur Ketatanegaraan berdasarkan Draft Amandemen Kelima UUD 1945

Apabila seluruh struktur ketatanegaraan dijalankan sebagaimana mestinya, maka negara tidak lagi diibaratkan sebagai keluarga yang “broken home”, melainkan keluarga yang bahagia dan harmonis. Analogi ini digambarkan dalam rancangan Amandemen Kelima UUD 1945, di mana hubungan antar lembaga negara diatur lebih proporsional, seimbang, dan saling menguatkan.

1. Suami (MPR) yang kembali pada perannya

Dalam kondisi keluarga bahagia, suami (MPR) kembali menjalankan tugas utamanya: memimpin, membimbing, dan menjaga keutuhan keluarga. Ia tidak

lagi meninggalkan istri maupun berselingkuh dengan ART, melainkan memimpin dengan sifat cendekiawan, rohaniawan, dan budayawan. Dengan sifat ini, suami mampu mendidik, menuntun, dan mengayomi istri (rakyat) serta anak-anaknya (Pancasila).

2. Istri (Rakyat) yang diperhatikan

Istri (rakyat) tidak lagi menjadi pihak yang terbebani sendirian. Dalam keluarga bahagia, rakyat diposisikan sebagai pusat dari kehidupan bernegara. Seluruh kebijakan diarahkan agar harta dan kesejahteraan kembali pada rakyat. Dengan demikian, rakyat mendapatkan tempat yang mulia sebagaimana mestinya.

3. Anak-anak (Pancasila) yang terjaga

Anak-anak (Eka, Dwi, Tri, Catur, dan Panca) tumbuh sehat karena mendapatkan kasih sayang dari ayah dan ibu, serta bimbingan moral dari para cendekiawan, rohaniawan, dan budayawan. Artinya, nilai-nilai Pancasila benar-benar dijalankan dan diwariskan, bukan hanya slogan kosong.

4. Pemerintah (Presiden) sebagai Asisten Rumah Tangga (ART) yang setia

Dalam kondisi ideal, pemerintah (ART) kembali pada peran sebenarnya yaitu melayani dan membantu keluarga, bukan menguasai rumah tangga. Presiden bersama stafnya (DJP/Kemenkeu) bekerja profesional mengelola harta keluarga untuk kesejahteraan istri dan anak-anak, bukan untuk kepentingan pribadi atau pihak luar.

5. DPR sebagai Pengawas Asisten Rumah Tangga (ART)

DPR benar-benar menjalankan fungsi pengawasan. Ia memastikan ART bekerja sesuai aturan rumah tangga, tidak menyalahgunakan keuangan, dan tidak keluar dari tugasnya. Dengan begitu, fungsi check and balance berjalan sehat.

6. Satpam Dalam (Polri) dan Satpam Luar (TNI)

Satpam dalam dan satpam luar benar-benar fokus menjaga keluarga: Polri menjaga keamanan internal, TNI menjaga dari ancaman eksternal. Keduanya tidak lagi diperalat untuk kepentingan segelintir orang, tetapi sungguh-sungguh melindungi rakyat.

7. Penjaga Harga dan Martabat

Dalam rancangan amandemen kelima, muncul peran penjaga harta dan penjaga martabat yang mengingatkan agar keluarga tidak salah arah. Mereka memastikan sumber daya negara tidak bocor dan martabat bangsa tetap terjaga. Analogi ini melambangkan adanya lembaga penyeimbang yang berfungsi melindungi kedaulatan bangsa dari kepentingan luar.

Dengan semua peran berjalan sebagaimana mestinya, rumah tangga negara menjadi keluarga bahagia. Suami memimpin dengan bijak, istri merasa aman dan dihargai, anak-anak tumbuh sehat, ART setia mengabdikan, pengawas bekerja adil, satpam menjaga tulus, dan harta kembali untuk kesejahteraan keluarga. Inilah harapan dari penyempurnaan konstitusi melalui Amandemen Kelima, terciptanya tatanan kenegaraan yang seimbang, sehat, dan harmonis, di mana pusatnya tetap rakyat dan dasar negara Pancasila.



BAB VI

MENELUSURI JEJAK: STUKTUR KETATANEGARAAN SEBELUM AMANDEMEN DAN SESUDAH AMANDEMEN KE-4 UUD 1945

*(Transformasi Sistem Kenegaraan Indonesia serta Padanan dengan Teori
Manajemen)*

Perjalanan konstitusional Indonesia telah melalui berbagai fase penting. Salah satu yang paling fundamental adalah perubahan struktur ketatanegaraan yang terjadi melalui empat kali amandemen UUD 1945 pada era reformasi. Perubahan ini bukan hanya bersifat legal-formal, tetapi juga mencerminkan transformasi filosofi dan paradigma sistem pemerintahan yang sangat dalam.

Untuk memahami hal ini secara utuh, kita akan membandingkan dua fase utama struktur ketatanegaraan Indonesia:

1. Sebelum Amandemen UUD 1945
2. Setelah Amandemen Keempat UUD 1945

Dan untuk memperkaya pemahaman, kita akan melihat padanannya dalam perspektif teori manajemen perusahaan besar (*Big Corporate*).

1. Struktur Ketatanegaraan Sebelum Amandemen UUD 1945



Gambar 6. Struktur Ketatanegaraan NKRI sebelum Amandemen UUD 1945

Pada fase awal, sistem ketatanegaraan Indonesia berwatak sentralistik. MPR diposisikan sebagai lembaga tertinggi negara, yang bukan hanya menjalankan kedaulatan rakyat, tetapi juga menjadi sumber kekuasaan bagi lembaga-lembaga lain seperti Presiden, DPR, MA, BPK, dan DPA. Hubungan antar lembaga bersifat vertikal, tanpa prinsip pemisahan kekuasaan yang tegas.

Dalam struktur sebelum amandemen, MPR memegang kedudukan sentral sebagai pemegang kedaulatan rakyat secara utuh. Konsep ini tertuang dalam UUD 1945 yang menyatakan bahwa "kedaulatan berada di tangan rakyat dan dilaksanakan sepenuhnya oleh MPR." Artinya, seluruh lembaga negara yang lain, termasuk Presiden, berada di bawah garis komando MPR.

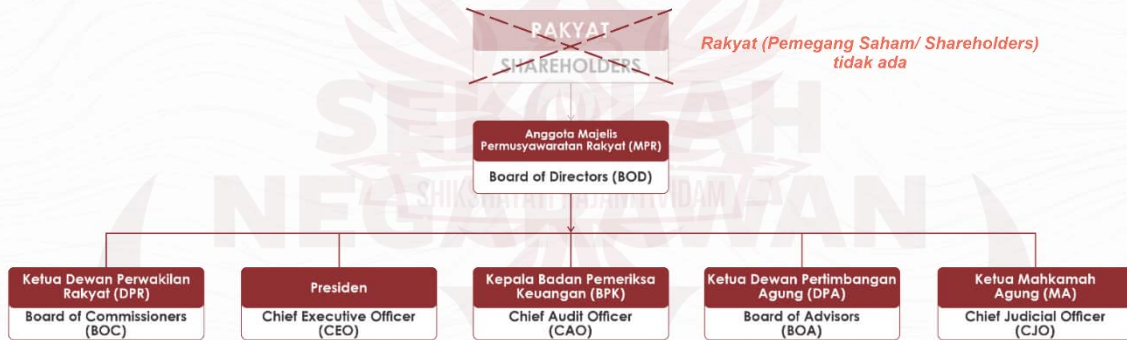
Berikut adalah struktur lembaga-lembaga negara di bawah MPR:

- Dewan Perwakilan Rakyat (DPR): sebagai lembaga legislatif yang bertugas membuat undang-undang bersama Presiden.
- Presiden: sebagai pemegang kekuasaan eksekutif, namun bertanggung jawab kepada MPR, bukan kepada rakyat secara langsung.
- Badan Pemeriksa Keuangan (BPK): bertugas memeriksa pengelolaan dan tanggung jawab keuangan negara.
- Dewan Pertimbangan Agung (DPA): memberikan pertimbangan kepada Presiden dalam menjalankan pemerintahan.
- Mahkamah Agung (MA): sebagai lembaga yudikatif yang menjalankan kekuasaan kehakiman.

Dalam struktur ketatanegaraan sebelum amandemen UUD 1945 ini rakyat hanya memiliki kedaulatan secara simbolik, namun belum menguasai atau mengontrol langsung jalannya kekuasaan. Hubungan antar lembaga belum diatur secara *check and balance*, melainkan lebih bersifat vertikal dan terpusat pada MPR. Lembaga negara dan lembaga pemerintahan belum disebutkan secara tegas.

**PADANAN STRUKTUR KETATANEGARAAN NKRI SEBELUM AMANDEMEN UUD 1945
DENGAN STRUKTUR PERUSAHAAN BESAR (BIG CORPORATE)**

(BERDASARKAN TEORI MANAJEMEN)



Gambar 7. Padanan Struktur Ketatanegaraan NKRI sebelum Amandemen UUD 1945 dengan Struktur Perusahaan Besar (Big Corporate) berdasarkan Teori Manajemen

Sebelum Amandemen UUD 1945, struktur ketatanegaraan Indonesia sangat unik dan berbeda dari sistem demokrasi modern. Jika dilihat melalui sudut pandang teori manajemen, khususnya struktur organisasi korporasi besar, kita dapat memetakan sistem ketatanegaraan tersebut ke dalam padanan manajerial sebagai berikut:

1. Rakyat (Shareholders) Tidak Hadir dalam Sistem

Dalam sistem korporasi, pemegang saham (*shareholders*) merupakan pemilik sah perusahaan yang memiliki hak suara tertinggi, seperti dalam RUPS. Namun dalam struktur ketatanegaraan pra-amandemen, rakyat tidak memiliki kedudukan sebagai pemegang kedaulatan tertinggi, karena seluruh kekuasaan terpusat pada Majelis Permusyawaratan Rakyat (MPR). Artinya, rakyat sebagai subjek kedaulatan secara formal tidak hadir dalam struktur kekuasaan negara.

2. Majelis Permusyawaratan Rakyat (MPR) = Board of Directors (BOD)

MPR berperan sebagai pemegang kekuasaan tertinggi negara dan menetapkan arah kebijakan negara, termasuk mengangkat dan memberhentikan Presiden. Dalam kerangka korporasi, fungsi ini serupa dengan *Board of Directors (BOD)* yang memiliki kewenangan untuk

menunjuk dan mengevaluasi CEO (Presiden Direktur) serta menetapkan arah strategis perusahaan.

3. Presiden = *Chief Executive Officer (CEO)*

Presiden dalam sistem pra-amandemen bukanlah pemimpin tertinggi negara yang dipilih langsung oleh rakyat, melainkan mandataris MPR, yang menjalankan garis-garis besar haluan negara (GBHN). Posisi ini sepadan dengan *Chief Executive Officer (CEO)* dalam korporasi, yaitu pemimpin operasional yang ditunjuk oleh Board of Directors untuk menjalankan organisasi sehari-hari sesuai arahan dewan.

4. Dewan Perwakilan Rakyat (DPR) = *Board of Commissioners (BOC)*

DPR berfungsi melakukan pengawasan terhadap jalannya pemerintahan, yang dalam dunia korporasi identik dengan *Board of Commissioners (BOC)* yang bertugas mengawasi pelaksanaan manajemen perusahaan oleh CEO dan memastikan kepatuhan terhadap kebijakan strategis.

5. Badan Pemeriksa Keuangan (BPK) = *Chief Audit Officer (CAO)*

BPK menjalankan fungsi pengawasan keuangan terhadap penyelenggaraan negara. Dalam konteks korporasi, ini mirip dengan *Chief Audit Officer (CAO)* yang bertugas mengaudit seluruh penggunaan dana dan aset perusahaan secara independen.

6. Dewan Pertimbangan Agung (DPA) = *Board of Advisors (BOA)*

DPA memberikan nasihat kepada Presiden dalam pelaksanaan pemerintahan. Ini sepadan dengan *Board of Advisors (BoA)* dalam perusahaan, yaitu kelompok penasihat strategis yang memberikan pertimbangan kepada CEO namun tidak memiliki kekuasaan pengambilan keputusan formal.

7. Mahkamah Agung (MA) = *Chief Judicial Officer (CJO)*

Mahkamah Agung dalam struktur korporasi, posisi ini dapat dipadankan dengan *Chief Judicial Officer (CJO)*, yang memimpin divisi legal/ kepatuhan perusahaan dan menangani penyelesaian sengketa.

Struktur ketatanegaraan pra-amandemen UUD 1945 memperlihatkan konsentrasi kekuasaan di tangan MPR, sementara rakyat tidak secara langsung terlibat dalam pengambilan keputusan negara. Dalam teori manajemen, sistem ini mencerminkan perusahaan tertutup (*non-transparent*), di mana pemilik tidak memiliki akses langsung terhadap pengelolaan dan arah perusahaan.

2. Struktur Ketatanegaraan Setelah Amandemen Ke-4 UUD 1945

Pasca amandemen, struktur kenegaraan mengalami perubahan dimana kewenangan MPR dipangkas, presiden dipilih langsung, dan berbagai lembaga independen dibentuk. Namun, tidak ada pengganti yang jelas untuk posisi "Shareholder" dalam struktur kenegaraan ini. Kedudukan rakyat sebagai pemegang kedaulatan masih belum diakui secara eksplisit sebagai pemegang kekuasaan tertinggi.

Alih-alih menghadirkan struktur yang lebih terorganisir dan akuntabel, perubahan ini menciptakan kondisi dimana:

- Negara dijalankan oleh banyak aktor dengan arah masing-masing (fragmentasi otoritas).
- Tidak ada lembaga yang secara jelas berperan sebagai pengarah strategis atau *Board of Directors*.
- Presiden sebagai CEO kehilangan titik koordinasi strategis, karena tidak lagi bertanggung jawab kepada MPR yang sebelumnya memainkan fungsi "pengendali arah" negara.
- Rakyat tetap tidak hadir sebagai pihak yang secara formal mengontrol arah kebijakan negara.

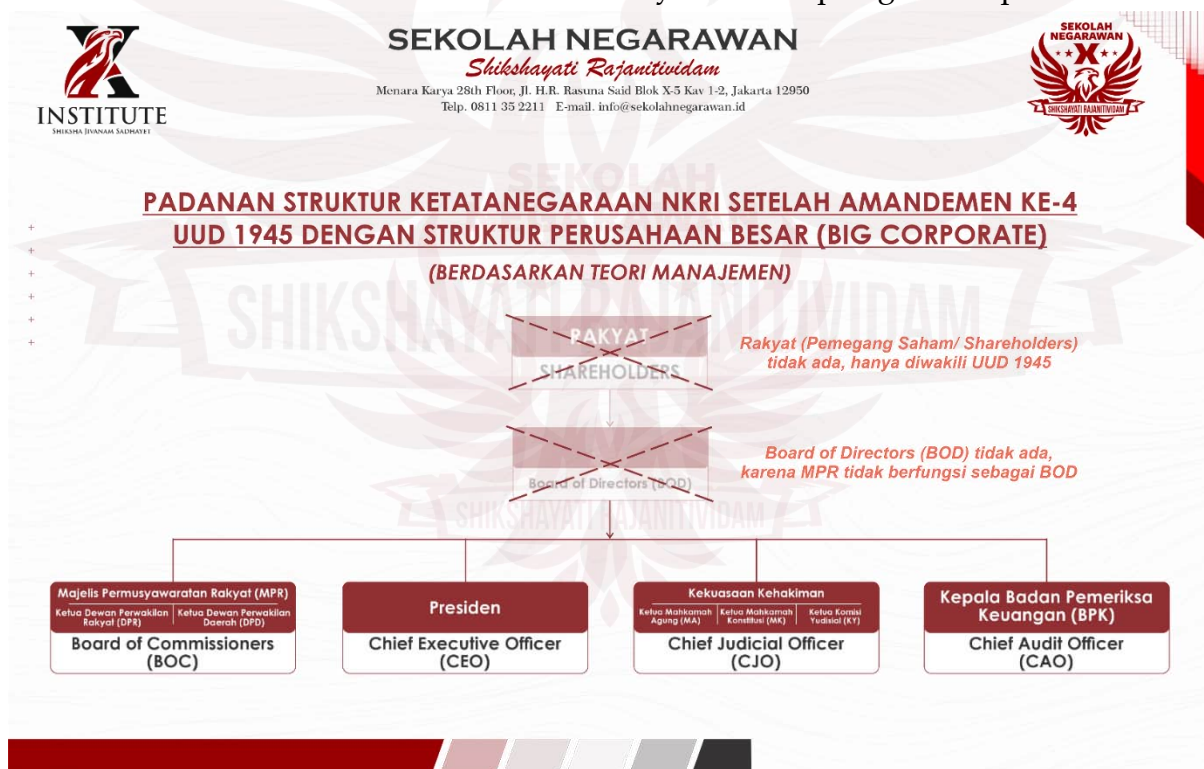


Gambar 8. Struktur Ketatanegaraan NKRI setelah Amandemen ke-4 UUD 1945

Dalam padanan teori manajemen, struktur ini kehilangan *Shareholders* selaku pemegang saham dan BOD (*Board of Directors*) yang seharusnya menjadi representasi arah strategis organisasi. Sebuah korporasi tanpa *shareholders* akan mengalami kebingungan arah, sebab tidak ada entitas yang memastikan keberlangsungan dan tujuan strategis jangka panjang. MPR tidak lagi memegang peran sebagai badan tertinggi negara. Presiden tetap sebagai CEO, Mahkamah Agung dan lembaga peradilan lainnya sebagai CJO, BPK sebagai CAO, dan DPR/DPD sebagai BOC. Namun tanpa BOD dan tanpa shareholder yang sah, negara berjalan dengan arah yang tidak terkonsolidasi, serupa perusahaan besar tanpa kepemilikan dan tanpa pengarah strategis.

Lebih jauh lagi, tidak adanya *Board of Directors (BOD)* menyebabkan hilangnya titik pengatur strategi kebangsaan. Lembaga legislatif hanya bersifat pengawas dan pembuat undang-undang, bukan pengarah tunggal negara. Akibatnya, terjadi disorientasi kebijakan nasional, tumpang tindih wewenang, dan melemahnya kepemimpinan kolektif dalam menjaga haluan negara.

Komisi Pemilihan Umum (KPU), meskipun memiliki peran penting dalam proses demokrasi, tidak masuk dalam padanan struktur korporasi karena tidak menjalankan fungsi manajerial strategis, melainkan administratif. Akibatnya, mekanisme akuntabilitas vertikal dari rakyat terhadap negara tetap lemah.

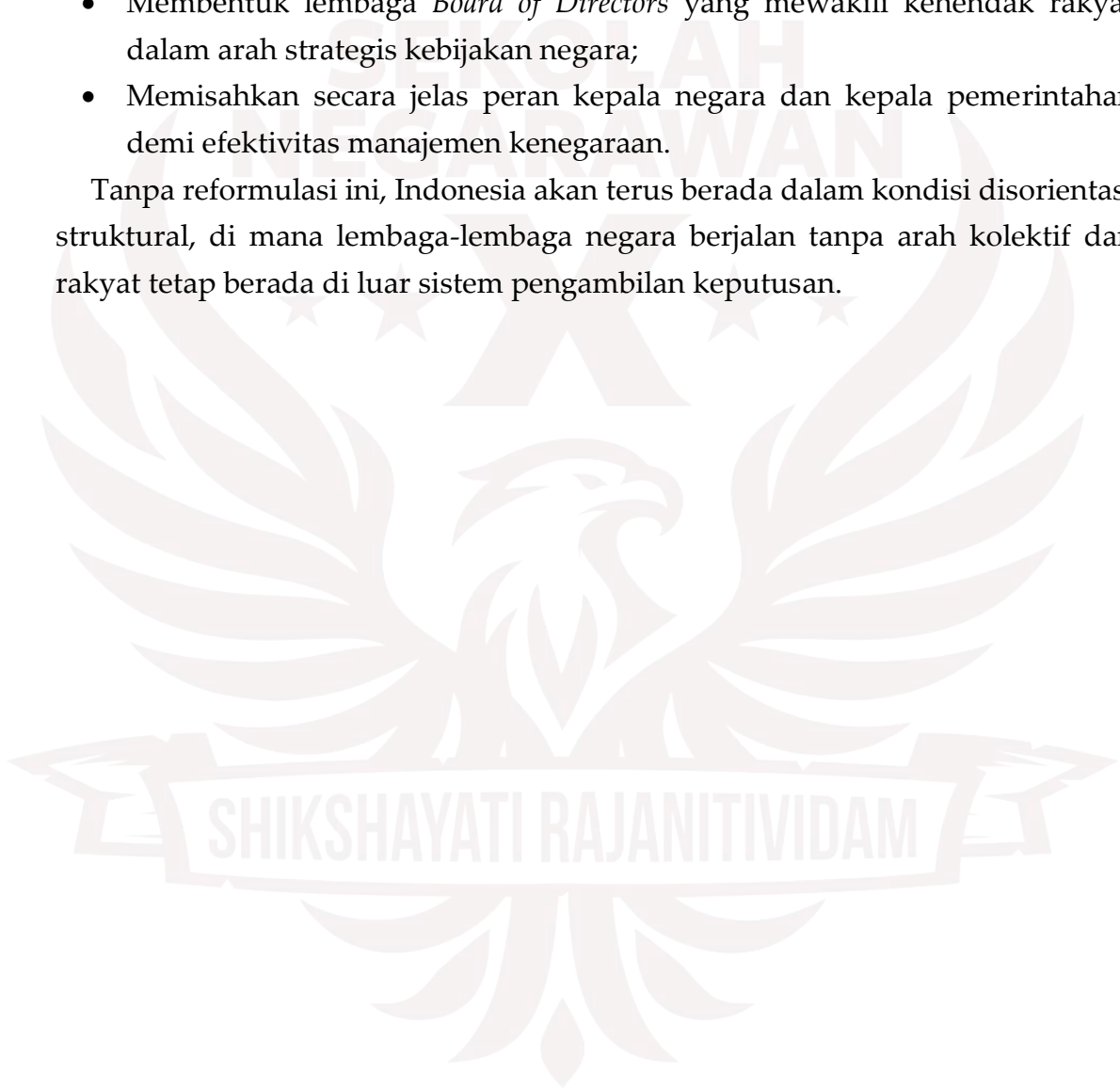


Gambar 9. Padanan Struktur Ketatanegaraan NKRI setelah Amandemen ke-4 UUD 1945 dengan Struktur Perusahaan Besar (Big Corporate) berdasarkan Teori Manajemen

Transformasi dari sistem pra-amandemen ke pasca-amandemen ke empat justru meninggalkan rakyat dalam kekosongan struktural. Sebelum amandemen, rakyat tidak hadir sebagai pemilik. Setelah amandemen, rakyat tetap tidak ditempatkan sebagai pengendali. Oleh karena itu, diperlukan Amandemen Kelima UUD 1945 yang secara tegas:

- Menempatkan rakyat sebagai pemegang kedaulatan sekaligus pemilik sah negara (*shareholder*);
- Membentuk lembaga *Board of Directors* yang mewakili kehendak rakyat dalam arah strategis kebijakan negara;
- Memisahkan secara jelas peran kepala negara dan kepala pemerintahan demi efektivitas manajemen kenegaraan.

Tanpa reformulasi ini, Indonesia akan terus berada dalam kondisi disorientasi struktural, di mana lembaga-lembaga negara berjalan tanpa arah kolektif dan rakyat tetap berada di luar sistem pengambilan keputusan.



BAB VII

ARAH BARU BANGSA: USULAN STRUKTUR KETATANEGARAAN SESUAI DRAFT AMANDEMEN KELIMA UUD 1945

(Rakyat sebagai Pemilik Kedaulatan serta Padanan dengan Teori Manajemen)

1. Latar Belakang

Draft Amandemen Kelima UUD 1945 mengusung perubahan fundamental dalam struktur ketatanegaraan Indonesia. Intinya, kedaulatan negara sepenuhnya berada di tangan rakyat dan seluruh lembaga negara hanyalah pengembang mandat rakyat. Rancangan ini berupaya menata ulang pembagian fungsi dan kewenangan antar lembaga negara agar lebih jelas, efisien, dan akuntabel, sekaligus memperkuat sistem *check and balance*.

2. Rakyat sebagai Pemilik Kedaulatan

Dalam konsep ketatanegaraan sesuai Draft Amandemen Kelima UUD 1945, rakyat ditempatkan sebagai pemilik dan penguasa kedaulatan secara penuh. Seluruh lembaga negara dan lembaga pemerintahan bertugas mengelola, mengamankan, dan menjalankan mandat rakyat, bukan menjadi penguasa atas rakyat. Dalam rancangan ini, rakyat tidak hanya menjadi objek kebijakan, tetapi subjek utama yang memegang kedaulatan penuh. Rakyat berada di puncak struktur dan memberikan mandat kepada Majelis Permusyawaratan Rakyat (MPR) sebagai representasi tertinggi untuk mengatur arah strategis bangsa. Rakyat adalah pemilik sejati negara yang memberikan mandat kepada para pengelola negara untuk menjalankan visi, misi, dan strategi demi kepentingan bersama. Segala kebijakan dan arah pembangunan harus kembali pada kepentingan dan persetujuan rakyat. Kedaulatan rakyat ini direpresentasikan secara langsung melalui **Majelis Permusyawaratan Rakyat (MPR)** sebagai lembaga tertinggi negara. MPR berperan layaknya "*Board of Directors*" dalam teori manajemen, yaitu penentu arah strategis, pembuat kebijakan besar, dan pengawas utama jalannya negara.

3. Peran MPR dalam Struktur Baru

Dalam rancangan ini, MPR menjadi pusat pengambilan keputusan strategis negara. MPR mengkoordinasikan dan mengarahkan lembaga-lembaga lain sesuai

dengan fungsi dan kewenangan masing-masing. Sekretariat Jenderal MPR bertindak sebagai pendukung administratif, memastikan seluruh proses legislasi, koordinasi, dan pengawasan berjalan efektif.



Gambar 10. Struktur Ketatanegaraan NKRI berdasarkan Draft Amandemen Kelima UUD 1945

4. Padanan dengan Teori Manajemen Perusahaan Besar (*Big Corporate*)

Struktur ketatanegaraan yang diusulkan dalam Draft Amandemen Kelima UUD 1945 telah dirancang agar selaras dengan prinsip manajemen modern yang digunakan dalam perusahaan besar (*big corporate*). Berbeda dengan struktur ketatanegaraan sebelum amandemen yang menempatkan MPR sebagai lembaga tertinggi namun tanpa pembagian fungsi yang efisien, serta struktur pasca amandemen ke-4 yang justru memecah kedaulatan rakyat dan melemahkan posisi koordinasi strategis, rancangan ini memberikan kejelasan peran setiap lembaga negara sesuai fungsi manajemennya.

Struktur ketatanegaraan NKRI berdasarkan draft Amandemen Kelima UUD 1945 dapat dipadankan dengan struktur manajemen pada sebuah perusahaan besar (*big corporate*). Dalam padanan ini, rakyat menempati posisi sebagai *shareholders*, yaitu pemilik kedaulatan dan pemilik penuh “perusahaan” bernama Negara Kesatuan Republik Indonesia (NKRI). Rakyat memegang kekuasaan tertinggi melalui mekanisme konstitusi, memiliki dan mengawasi jalannya pemerintahan melalui wakil-wakilnya.

Di bawah rakyat, Majelis Permusyawaratan Rakyat (MPR) berperan sebagai *Board of Directors (BOD)* yang menjadi pengambil keputusan strategis tertinggi dan penentu arah kebijakan negara. Sekretaris Jenderal MPR berperan sebagai *Chief of Staff (CoS)* yang mendukung koordinasi antar pimpinan lembaga.



Gambar 11. Padanan Struktur Ketatanegaraan NKRI sesuai Draft Amandemen ke-5 UUD 1945 dengan Struktur Perusahaan Besar (Big Corporate) berdasarkan Teori Manajemen

Struktur di bawahnya terdiri dari berbagai lembaga negara yang setara dengan jajaran eksekutif tingkat puncak perusahaan (*C-Level Executives*), antara lain:

- Presiden sebagai *Chief Executive Officer (CEO)*, pemegang kendali eksekutif tertinggi yang memimpin jalannya “operasional” negara.
- Ketua DPR sebagai *Chief Compliance Officer (CCO)* yang memastikan kebijakan sesuai aturan dan kepentingan rakyat.
- Ketua DKN sebagai *Chief Security Officer (CSO)* yang menjamin keamanan negara.
- Ketua MA sebagai *Chief Judicial Officer (CJO)* yang memimpin kekuasaan kehakiman tertinggi.
- Ketua MK sebagai *Chief Constitutional Officer (CCO)* yang memastikan konstitusi ditegakkan.
- Ketua KY sebagai *Chief Legal Officer (CLO)* yang mengawasi etika dan integritas hakim.

- Lembaga teknis seperti BPKAN, BPKN, BPSD, BPK, BN-ASN, BPPN, dan lainnya yang dipadankan dengan jabatan CFO, CTO, COO, CAO, CHRO, CSO, CCO, hingga *Techno Structure*, sesuai fungsi masing-masing.

Di bawah Presiden, kementerian berperan sebagai divisi atau departemen eksekutif dalam big corporate, setara dengan Senior Vice Presidents (SVPs) yang menjalankan fungsi-fungsi operasional sesuai bidangnya, mulai dari keuangan, pertahanan, pendidikan, kesehatan, hingga infrastruktur.

Sementara itu, Kepala Daerah sebagai perwakilan pemerintah daerah (provinsi, kabupaten/kota) dipadankan dengan Regional Managers yang mengimplementasikan kebijakan pusat dengan penyesuaian kondisi lokal, serta melaporkan kinerja kepada pemerintah pusat.

Padanan ini menunjukkan bahwa struktur NKRI versi draft Amandemen Kelima sudah setara dengan struktur organisasi perusahaan besar yang modern, efektif, dan terintegrasi. Berbeda dengan struktur sebelum amandemen atau setelah amandemen ke-4 yang belum sepenuhnya menyerupai model big corporate, rancangan ini mencerminkan pembagian fungsi yang jelas, rantai komando yang terstruktur, dan mekanisme koordinasi yang optimal — layaknya perusahaan multinasional yang memiliki kantor pusat kuat, divisi fungsional yang mumpuni, dan cabang daerah yang adaptif.

BAB VIII

REFORMULASI LEMBAGA NEGARA: USULAN DAN ANALISIS BERDASARKAN TEORI MANAJEMEN

A. TEORI MINTZBERG

Teori Mintzberg adalah teori tentang struktur organisasi yang dikembangkan oleh Henry Mintzberg, seorang pakar manajemen asal Kanada. Teori ini menjelaskan bahwa setiap organisasi, termasuk negara, terdiri dari lima bagian utama yang masing-masing memiliki peran tertentu dalam menjalankan fungsi organisasi. Berikut adalah penjelasan singkat kelima bagian menurut Mintzberg:

1. *Strategic Apex* (Puncak Strategis)

- Fungsi : Mengarahkan strategi, visi, dan tujuan jangka panjang organisasi.
- Siapa : Pemimpin tertinggi (contoh: Ketua MPR dalam konteks Negara).
- Analogi Korporasi : Dewan Direksi atau *Board of Directors*.

2. *Middle Line* (Lini Tengah)

- Fungsi : Menjembatani antara pimpinan dan pelaksana di lapangan
- Siapa : Pimpinan tingkat menengah yang menghubungkan pimpinan tertinggi dengan pelaksana (contoh: Sekretaris Jenderal MPR)
- Analogi Korporasi : Kepala divisi, *Chief of Staff*, atau *Corporate Secretary*

3. *Operating Core* (Inti Operasional)

- Fungsi : Menjalankan pekerjaan inti dan operasional harian.
- Siapa : Pegawai pelaksana atau lembaga eksekutif, legislative, yudikatif, dll.
- Analogi Korporasi : CEO, COO, dan tim pelaksana utama.

4. *Techno Structure* (Struktur Tekno)

- Fungsi : Merancang sistem, prosedur, kebijakan, perencanaan, dan pengawasan.
- Siapa : Perencana, pengawas internal, analisis kebijakan (contoh: BPK, Bappenas).

- Analogi Korporasi : CFO, CAO, CSO – bagian perencana dan pengendali sistem.

5. *Support Staff* (Staff Pendukung)

- Fungsi : Mendukung operasional melalui layanan administratif, SDM, dll.
- Siapa : Bagian kepegawaian, umum, layanan pendukung (contoh: BP-ASN).
- Analogi Korporasi : HRD, layanan administrasi.

Berikut adalah Tabel klasifikasi Lembaga Negara Indonesia sesuai Teori Mintzberg dan Analogi Fungsi Korporasi dengan mengutamakan bahwa Rakyat adalah Pemilik Saham atau *Shareholders*.

Tabel Klasifikasi Lembaga Negara Indonesia sesuai dengan Teori Mintzberg

Nama Lembaga	Fungsi (Mintzberg)	Fungsi (Corporate)	Tugas Lembaga Negara
Majelis Permusyawaratan Rakyat (MPR)	<i>Strategic Apex</i>	Perwakilan Pemegang Saham/ <i>Board of Directors (BOD)</i>	Ketua MPR sebagai Kepala Negara dan Pemegang Kedaulatan Rakyat. Rakyat memberikan mandat kepada Lembaga Tertinggi Negara yaitu MPR untuk menjalankan Negara.
Sekretariat Jenderal MPR	<i>Middle Line</i>	Sekretaris Perwakilan Pemegang Saham / <i>Corporate Secretary / Chief of Staff (COS)</i>	Menghubungkan MPR dengan lembaga negara lainnya; mengoordinasikan implementasi keputusan MPR ke dalam operasional lembaga terkait.

Dewan Perwakilan Rakyat (DPR)	<i>Operating Core</i>	<i>Legislative Council / Board of Commissioners (BOC)</i>	Melakukan legislasi, penganggaran, pengawasan pemerintahan, serta menampung aspirasi rakyat dalam penyelenggaraan pemerintahan.
Presiden Republik Indonesia	<i>Operating Core</i>	<i>Chief Executive Officer (CEO)</i>	Berperan sebagai Kepala Pemerintahan yang mengatur jalannya pemerintahan dan melayani rakyat dalam urusan eksekutif sehari-hari.
Badan Pengelola Sumber Daya (BPSD)	<i>Operating Core</i>	<i>Chief Operating Officer (COO)</i>	Mengelola sumber daya alam dan sumber daya modal untuk kesejahteraan rakyat, memastikan hasilnya digunakan sebesar-besarnya bagi kemakmuran rakyat.
Mahkamah Agung (MA)	<i>Operating Core</i>	<i>Chief Judicial Officer (CJO)</i>	Menjalankan peradilan tertinggi (tingkat kasasi) dalam sistem hukum; menjaga supremasi

			hukum melalui putusan yang adil.
Mahkamah Konstitusi (MK)	<i>Operating Core</i>	<i>Chief Constitutional Officer (CCO)</i>	Menjaga konstitusi dan ketertiban konstitusional; mengadili sengketa konstitusi serta mengawal supremasi UUD 1945.
Komisi Yudisial (KY)	<i>Operating Core</i>	<i>Chief Legal Officer (CLO)</i>	Menjalankan fungsi pengawasan peradilan (terutama perilaku hakim) demi menjaga integritas dan supremasi hukum.
Kejaksaan Agung RI	<i>Operating Core</i>	<i>Chief Compliance Officer (CCO)</i>	Menegakkan hukum dan melindungi keadilan; menangani penuntutan perkara pidana serta memastikan kepatuhan terhadap hukum.
Dewan Keamanan Negara (DKN)	<i>Operating Core</i>	<i>Chief Security Officer (CSO)</i>	Menjaga keamanan Negara dan stabilitas negara; melakukan mitigasi risiko di bidang pertahanan dan keamanan secara terkoordinasi.
Badan Perencanaan Pembangunan Nasional (Bappenas)	<i>Techno-Structure</i>	<i>Chief Strategy Officer (CSO)</i>	Menyusun kebijakan strategis dan rencana pembangunan nasional; melakukan perencanaan

			jangka panjang pembangunan negara.
Badan Pemeriksa Keuangan (BPK)	<i>Techno-Structure</i>	<i>Chief Audit Officer (CAO)</i>	Melakukan audit dan pengawasan keuangan negara; memastikan pengelolaan anggaran negara akuntabel dan transparan.
Badan Pengelola Keuangan & Aset Negara (BPKAN)	<i>Techno-Structure</i>	<i>Chief Financial Officer (CFO)</i>	Mengelola keuangan dan aset negara secara profesional; bertanggung jawab atas pengaturan anggaran serta kekayaan negara.
Badan Pengelola Kas Negara (BPKN)	<i>Techno-Structure</i>	<i>Chief Treasury Officer (CTrO)</i>	Mengelola kas negara dan aliran dana pemerintah; memastikan ketersediaan likuiditas untuk pelaksanaan APBN secara efisien.
Badan Nasional Aparatur Sipil Negara (BP-ASN)	<i>Support Staff</i>	<i>Chief Human Resources Officer (CHRO)</i>	Mengatur dan mengelola aparatur sipil negara (ASN); menyelenggarakan fungsi pendukung SDM agar birokrasi pemerintah berjalan efektif.

B. TEORI HENRI FAYOL

Henri Fayol adalah salah satu tokoh awal manajemen modern yang mengembangkan 14 prinsip manajemen. Salah satu prinsip tidak tertulis namun terimplementasi dalam praktik adalah prinsip "*span of control*", yaitu jumlah optimal bawahan langsung yang dapat dipimpin secara efektif oleh seorang atasan.

Fayol berpendapat bahwa untuk efektivitas dan efisiensi, pemimpin tidak boleh menangani terlalu banyak bawahan langsung, dan struktur organisasi harus dirancang secara bertingkat (hierarkis) agar komunikasi dan kendali tetap berjalan baik. Dalam konteks pemerintahan/negara, prinsip ini dapat diadaptasi untuk menjelaskan struktur lembaga negara berdasarkan batas kendali pemimpin.

Prinsip dasar adaptasi Teori Fayol dalam Struktur Negara, sebagai berikut:

- Rakyat adalah Pemilik Negara/ Pemilik Saham (*Shareholders*).
- MPR sebagai Wakil Pemilik Kedaulatan (*Board of Governance*).
- Pemimpin Tinggi (Presiden) tidak memimpin langsung semua lembaga, melainkan melalui sistem delegasi berlapis dan pembagian fungsi yang terstruktur.
- Setiap atasan hanya bisa memimpin langsung maksimal 16 unit kerja atau lembaga lain, maka dibuat struktur yang hirarkis dan fungsional.

Berikut adalah Tabel klasifikasi Lembaga Negara Indonesia sesuai Teori Henri Fayol dan Analogi Fungsi Korporasi dengan mengutamakan bahwa Rakyat adalah Pemilik Saham atau *Shareholders*.

Tabel Klasifikasi Lembaga Negara Indonesia sesuai Teori Henri Fayol

Nama Lembaga	Fungsi (Fayol)	Fungsi (Corporate)	Tugas Lembaga Negara
Majelis Permusyawaratan Rakyat (MPR)	Pemegang Kendali Tertinggi	Perwakilan Pemegang Saham/ <i>Board of Directors (BOD)</i>	Ketua MPR sebagai Kepala Negara dan Pemegang Kedaulatan Rakyat. Rakyat memberikan mandat kepada Lembaga Tertinggi Negara yaitu

			MPR untuk menjalankan Negara.
Sekretariat Jenderal MPR	Staf Administratif Strategis	Sekretaris Perwakilan Pemegang Saham / <i>Corporate Secretary / Chief of Staff (COS)</i>	Menghubungkan MPR dengan lembaga negara lainnya; mengoordinasikan implementasi keputusan MPR ke dalam operasional lembaga terkait.
Dewan Perwakilan Rakyat (DPR)	Pengawas & Legislator	<i>Legislative Council / Board of Commissioners (BOC)</i>	Melakukan legislasi, penganggaran, pengawasan pemerintahan, serta menampung aspirasi rakyat dalam penyelenggaraan pemerintahan.
Presiden Republik Indonesia	Direktur Utama (Top Executive)	<i>Chief Executive Officer (CEO)</i>	Berperan sebagai Kepala Pemerintahan yang mengatur jalannya pemerintahan dan melayani rakyat dalam urusan eksekutif sehari-hari.
Badan Pengelola Sumber Daya (BPSD)	Manajer Sumber Daya	<i>Chief Operating Officer (COO)</i>	Mengelola sumber daya alam dan sumber daya modal untuk kesejahteraan rakyat, memastikan hasilnya digunakan sebesar-besarnya bagi kemakmuran rakyat.
Mahkamah Agung (MA)	Kepala Divisi Hukum	<i>Chief Judicial Officer (CJO)</i>	Menjalankan peradilan tertinggi (tingkat kasasi) dalam sistem hukum; menjaga supremasi

			hukum melalui putusan yang adil.
Mahkamah Konstitusi (MK)	Penjaga Konstitusi	<i>Chief Constitutional Officer (CCO)</i>	Menjaga konstitusi dan ketertiban konstitusional; mengadili sengketa konstitusi serta mengawal supremasi UUD 1945.
Komisi Yudisial (KY)	Pengawas Etik Yudikatif	<i>Chief Legal Officer (CLO)</i>	Menjalankan fungsi pengawasan peradilan (terutama perilaku hakim) demi menjaga integritas dan supremasi hukum.
Kejaksaan Agung RI	Kepala Penegak Hukum	<i>Chief Compliance Officer (CCO)</i>	Menegakkan hukum dan melindungi keadilan; menangani penuntutan perkara pidana serta memastikan kepatuhan terhadap hukum.
Dewan Keamanan Negara (DKN)	Kepala Keamanan & Intelijen	<i>Chief Security Officer (CSO)</i>	Menjaga keamanan Negara dan stabilitas negara; melakukan mitigasi risiko di bidang pertahanan dan keamanan secara terkoordinasi.
Badan Perencanaan Pembangunan Nasional (Bappenas)	Perencana Strategis	<i>Chief Strategy Officer (CSO)</i>	Menyusun kebijakan strategis dan rencana pembangunan nasional; melakukan perencanaan jangka panjang pembangunan negara.
Badan Pemeriksa Keuangan (BPK)	Auditor Internal	<i>Chief Audit Officer (CAO)</i>	Melakukan audit dan pengawasan keuangan negara; memastikan

			pengelolaan anggaran negara akuntabel dan transparan.
Badan Pengelola Keuangan & Aset Negara (BPKAN)	Manajer Aset & Anggaran	<i>Chief Financial Officer (CFO)</i>	Mengelola keuangan dan aset negara secara profesional; bertanggung jawab atas pengaturan anggaran serta kekayaan negara.
Badan Pengelola Kas Negara (BPKN)	Pengelola Arus Kas	<i>Chief Treasury Officer (CTrO)</i>	Mengelola kas negara dan aliran dana pemerintah; memastikan ketersediaan likuiditas untuk pelaksanaan APBN secara efisien.
Badan Nasional Aparatur Sipil Negara (BP-ASN)	Manajer SDM Nasional	<i>Chief Human Resources Officer (CHRO)</i>	Mengatur dan mengelola aparatur sipil negara (ASN); menyelenggarakan fungsi pendukung SDM agar birokrasi pemerintah berjalan efektif.

C. TEORI ISQM (*INTERNATIONAL STANDARD ON QUALITY MANAGEMENT*)

ISQM (*International Standard On Quality Management*) adalah standar manajemen mutu internasional yang dikeluarkan oleh IAASB (*International Auditing and Assurance Standards Board*) untuk membantu organisasi bekerja dengan efisien, terarah, dan bebas dari risiko kesalahan besar.

Tujuan utama dari ISQM adalah untuk menjamin bahwa organisasi memiliki sistem manajemen mutu yang efektif, sehingga setiap kegiatan yang dilakukan:

- Konsisten dengan standar dan prinsip yang ditetapkan.
- Menghasilkan keputusan/ kinerja berkualitas tinggi.
- Mengelola risiko secara proaktif.

Karakteristik ISQM, meliputi:

- Berbasis Risiko : Organisasi harus memahami risiko-risiko terhadap mutu dan merancang respons yang tepat
- Fleksibel & Disesuaikan : Dapat diadaptasi untuk organisasi besar maupun kecil, termasuk entitas pemerintahan.
- Berorientasi Tujuan : Fokus utama adalah menjamin tercapainya tujuan organisasi dengan mutu terbaik.
- Dinamika Sistemik : Menekankan pemantauan dan penyesuaian sistem secara berkala (*continual improvement*).

Dalam konteks negara, ISQM bisa dijadikan sebagai pendekatan sistematis untuk memastikan bahwa setiap lembaga negara dari eksekutif hingga pengawas menjalankan tugasnya secara efektif, transparan, dan berkesinambungan.

Berikut ini adalah enam komponen utama dalam ISQM, meliputi:

1. *Governance & Leadership*

Merupakan pimpinan tertinggi (*Top Management*) yang bertanggung jawab penuh atas mutu sistem. Dalam konteks negara, artinya kepemimpinan dan sistem tata kelola harus kuat dan bertanggung jawab. Pemimpin negara bertugas menciptakan iklim kerja yang etis dan berorientasi pada pelayanan publik.

2. *Quality Risk Identification & Assessment*

Dalam komponen ini berfungsi mengidentifikasi risiko yang dapat mengganggu pencapaian mutu dan tujuan organisasi. Dalam konteks negara, setiap lembaga negara harus mampu mengenali risiko yang bisa mengganggu kualitas kerja, seperti korupsi, tumpang tindih kebijakan, atau lemahnya pengawasan. Misalnya, BPK dan Bappenas memiliki peran penting dalam menilai risiko terhadap pengelolaan keuangan dan perencanaan pembangunan nasional.

3. *Monitoring & Remediation*

Merupakan kegiatan pemantauan rutin, evaluasi efektivitas sistem, serta perbaikan berkelanjutan. Dalam konteks negara, pemerintah dan lembaga negara harus terus memantau jalannya sistem dan memperbaiki jika ada penyimpangan. Contohnya adalah audit berkala, evaluasi kinerja lembaga, serta tindak lanjut atas temuan seperti yang dilakukan oleh BPK, KY, atau internal inspektorat.

4. *Resources (Manusia, Sistem, dan Informasi)*

Komponen yang menyediakan SDM, teknologi, informasi, dan infrastruktur yang mendukung mutu. Negara harus memastikan tersedianya SDM yang kompeten, sistem digital yang handal, dan akses data yang baik agar program berjalan efektif. Contohnya adalah BP-ASN dalam mengelola aparatur sipil negara, atau kementerian/lembaga yang mengelola big data dan anggaran.

5. *Information & Communication*

Komponen yang menyediakan alur informasi yang akurat, tepat waktu, dan terbuka di seluruh unit. Aliran informasi harus efisien dan transparan. Keputusan yang baik hanya bisa dibuat jika informasi antar lembaga dan kepada masyarakat terbuka dan jelas. Contohnya adalah sistem *e-government*, keterbukaan informasi publik, serta koordinasi antar K/L.

6. *Control Activities*

Merujuk pada tindakan dan kebijakan nyata untuk memastikan semua pekerjaan sesuai standar. Dalam konteks negara, ini mencakup SOP (*Standard Operating Procedures*), regulasi, mekanisme pelaporan, serta proses pengawasan internal yang melekat.

Berikut adalah Tabel klasifikasi Lembaga Negara Indonesia sesuai Teori ISQM dan Analogi Fungsi Korporasi dengan mengutamakan bahwa Rakyat adalah Pemilik Saham atau *Shareholders*.

Tabel Klasifikasi Lembaga Negara Indonesia sesuai Teori ISQM

Nama Lembaga	Fungsi (ISQM)	Fungsi (Corporate)	Tugas Lembaga Negara
Majelis Permusyawaratan Rakyat (MPR)	<i>Governance & Leadership</i>	Perwakilan Pemegang Saham/ <i>Board of Directors (BOD)</i>	Ketua MPR sebagai Kepala Negara dan Pemegang Kedaulatan Rakyat. Rakyat memberikan mandat kepada Lembaga Tertinggi Negara yaitu MPR untuk menjalankan Negara.

Sekretariat Jenderal MPR	<i>Information & Communication</i>	Sekretaris Perwakilan Pemegang Saham / <i>Corporate Secretary / Chief of Staff (COS)</i>	Menghubungkan MPR dengan lembaga negara lainnya; mengoordinasikan implementasi keputusan MPR ke dalam operasional lembaga terkait.
Dewan Perwakilan Rakyat (DPR)	<i>Monitoring & Remediation</i>	<i>Legislative Council / Board of Commissioners (BOC)</i>	Melakukan legislasi, penganggaran, pengawasan pemerintahan, serta menampung aspirasi rakyat dalam penyelenggaraan pemerintahan.
Presiden Republik Indonesia	<i>Governance & Leadership</i>	<i>Chief Executive Officer (CEO)</i>	Berperan sebagai Kepala Pemerintahan yang mengatur jalannya pemerintahan dan melayani rakyat dalam urusan eksekutif sehari-hari.
Badan Pengelola Sumber Daya (BPSD)	<i>Resources (Manusia, Sistem, Informasi)</i>	<i>Chief Operating Officer (COO)</i>	Mengelola sumber daya alam dan sumber daya modal untuk kesejahteraan rakyat, memastikan hasilnya

			digunakan sebesar-besarnya bagi kemakmuran rakyat.
Mahkamah Agung (MA)	<i>Control Activities</i>	<i>Chief Judicial Officer (CJO)</i>	Menjalankan peradilan tertinggi (tingkat kasasi) dalam sistem hukum; menjaga supremasi hukum melalui putusan yang adil.
Mahkamah Konstitusi (MK)	<i>Control Activities</i>	<i>Chief Constitutional Officer (CCO)</i>	Menjaga konstitusi dan ketertiban konstitusional; mengadili sengketa konstitusi serta mengawal supremasi UUD 1945.
Komisi Yudisial (KY)	<i>Monitoring & Remediation</i>	<i>Chief Legal Officer (CLO)</i>	Menjalankan fungsi pengawasan peradilan (terutama perilaku hakim) demi menjaga integritas dan supremasi hukum.
Kejaksaan Agung RI	<i>Control Activities</i>	<i>Chief Compliance Officer (CCO)</i>	Menegakkan hukum dan melindungi keadilan; menangani penuntutan perkara pidana serta memastikan kepatuhan terhadap hukum.

Dewan Keamanan Negara (DKN)	<i>Quality Risk Identification & Assessment</i>	<i>Chief Security Officer (CSO)</i>	Menjaga keamanan Negara dan stabilitas negara; melakukan mitigasi risiko di bidang pertahanan dan keamanan secara terkoordinasi.
Badan Perencanaan Pembangunan Nasional (Bappenas)	<i>Quality Risk Identification & Assessment</i>	<i>Chief Strategy Officer (CSO)</i>	Menyusun kebijakan strategis dan rencana pembangunan nasional; melakukan perencanaan jangka panjang pembangunan negara.
Badan Pemeriksa Keuangan (BPK)	<i>Monitoring & Remediation</i>	<i>Chief Audit Officer (CAO)</i>	Melakukan audit dan pengawasan keuangan negara; memastikan pengelolaan anggaran negara akuntabel dan transparan.
Badan Pengelola Keuangan & Aset Negara (BPKAN)	<i>Resources (Manusia, Sistem, Informasi)</i>	<i>Chief Financial Officer (CFO)</i>	Mengelola keuangan dan aset negara secara profesional; bertanggung jawab atas pengaturan anggaran serta kekayaan negara.
Badan Pengelola Kas Negara (BPKN)	<i>Control Activities</i>	<i>Chief Treasury Officer (CTrO)</i>	Mengelola kas negara dan aliran dana pemerintah; memastikan

			ketersediaan likuiditas untuk pelaksanaan APBN secara efisien.
Badan Nasional Aparatur Sipil Negara (BP-ASN)	<i>Resources (Manusia, Sistem, Informasi)</i>	<i>Chief Human Resources Officer (CHRO)</i>	Mengatur dan mengelola aparatur sipil negara (ASN); menyelenggarakan fungsi pendukung SDM agar birokrasi pemerintah berjalan efektif.

Berdasarkan teori-teori manajemen yang telah diuraikan sebelumnya yaitu Teori Mintzberg, Teori Henri Fayol, dan Teori ISQM serta pendekatan Fungsi *Corporate* sebagai kerangka analogi, implementasi tata kelola negara dan pemerintahan di Indonesia dapat dianalisis melalui perspektif Sekolah Negarawan. Dengan mengacu pada teori-teori tersebut, diperoleh kesimpulan mengenai sejauh mana kesesuaian fungsi lembaga-lembaga negara terhadap prinsip-prinsip manajerial modern yang berorientasi pada efektivitas, akuntabilitas, dan mutu berkelanjutan, sebagai berikut:

**Checklist Kesesuaian Lembaga Negara dengan Teori – Teori Manajemen
(Kerangka Sekolah Negarawan)**

Nama Lembaga	Tugas Lembaga Negara	Checklist Kesesuaian			
		Fungsi Corporate	Teori Mintzberg	Teori Henri Fayol	Teori ISQM
Majelis Permusyawaratan Rakyat (MPR)	Ketua MPR sebagai Kepala Negara dan Pemegang Kedaulatan Rakyat. Rakyat memberikan mandat kepada	✓	✓	✓	✓

	Lembaga Tertinggi Negara yaitu MPR untuk menjalankan Negara.				
Sekretariat Jenderal MPR	Menghubungkan MPR dengan lembaga negara lainnya; mengoordinasikan implementasi keputusan MPR ke dalam operasional lembaga terkait.	✓	✓	✓	✓
Dewan Perwakilan Rakyat (DPR)	Melakukan legislasi, penganggaran, pengawasan pemerintahan, serta menampung aspirasi rakyat dalam penyelenggaraan pemerintahan.	✓	✓	✓	✓
Presiden Republik Indonesia	Berperan sebagai Kepala Pemerintahan yang mengatur jalannya pemerintahan dan melayani rakyat	✓	✓	✓	✓

	dalam urusan eksekutif sehari-hari.				
Badan Pengelola Sumber Daya (BPSD)	Mengelola sumber daya alam dan sumber daya modal untuk kesejahteraan rakyat, memastikan hasilnya digunakan sebesar-besarnya bagi kemakmuran rakyat.	✓	✓	✓	✓
Mahkamah Agung (MA)	Menjalankan peradilan tertinggi (tingkat kasasi) dalam sistem hukum; menjaga supremasi hukum melalui putusan yang adil.	✓	✓	✓	✓
Mahkamah Konstitusi (MK)	Menjaga konstitusi dan ketertiban konstitusional; mengadili sengketa konstitusi serta mengawal supremasi UUD 1945.	✓	✓	✓	✓

Komisi Yudisial (KY)	Menjalankan fungsi pengawasan peradilan (terutama perilaku hakim) demi menjaga integritas dan supremasi hukum.				
Kejaksaan Agung RI	Menegakkan hukum dan melindungi keadilan; menangani penuntutan perkara pidana serta memastikan kepatuhan terhadap hukum.				
Dewan Keamanan Negara (DKN)	Menjaga keamanan Negara dan stabilitas negara; melakukan mitigasi risiko di bidang pertahanan dan keamanan secara terkoordinasi.				
Badan Perencanaan Pembangunan	Menyusun kebijakan strategis dan rencana pembangunan				

Nasional (Bappenas)	nasional; melakukan perencanaan jangka panjang pembangunan negara.				
Badan Pemeriksa Keuangan (BPK)	Melakukan audit dan pengawasan keuangan negara; memastikan pengelolaan anggaran negara akuntabel dan transparan.	✓	✓	✓	✓
Badan Pengelola Keuangan & Aset Negara (BPKAN)	Mengelola keuangan dan aset negara secara profesional; bertanggung jawab atas pengaturan anggaran serta kekayaan negara.	✓	✓	✓	✓
Badan Pengelola Kas Negara (BPKN)	Mengelola kas negara dan aliran dana pemerintah; memastikan ketersediaan likuiditas untuk	✓	✓	✓	✓

	pelaksanaan APBN secara efisien.				
Badan Nasional Aparatur Sipil Negara (BP-ASN)	Mengatur dan mengelola aparatur sipil negara (ASN); menyelenggarakan fungsi pendukung SDM agar birokrasi pemerintah berjalan efektif.	✓	✓	✓	✓



BAB IX

PEMBENAHAN LEMBAGA PEMERINTAH: USULAN DAN ANALISIS BERDASARKAN TEORI MANAJEMEN

A. TEORI MINTZBERG

Teori Mintzberg adalah teori tentang struktur organisasi yang dikembangkan oleh Henry Mintzberg, seorang pakar manajemen asal Kanada. Teori ini menjelaskan bahwa setiap organisasi, termasuk pemerintah, terdiri dari lima bagian utama yang masing-masing memiliki peran tertentu dalam menjalankan fungsi organisasi.

Berikut adalah Tabel klasifikasi Lembaga Pemerintah Indonesia sesuai Teori Mintzberg dan Analogi Fungsi Korporasi dengan mengutamakan bahwa Rakyat adalah Pemilik Saham atau *Shareholders*.

Tabel Klasifikasi Lembaga Pemerintah Indonesia sesuai Teori Mintzberg

Nama Lembaga	Fungsi (Mintzberg)	Fungsi (Corporate)	Tugas Lembaga
Kepresidenan	<i>Strategic Apex</i>	<i>Chief Executive Officer (CEO)</i>	Pimpinan tertinggi, penentu arah strategis
Sekretariat Jenderal Kepresidenan	<i>Middle Line</i>	Sekretaris Perwakilan/ <i>Corporate Secretary/ Chief of Staff (COS)</i>	Menghubungkan Presiden dengan lembaga pemerintah lainnya, mengoordinasikan implementasi keputusan Presiden ke dalam operasional lembaga terkait.
Kementerian Dalam Negeri	<i>Middle Line</i>	General Manager / Kepala Divisi / Direktur Operasional	Jembatan antara pimpinan puncak dan pelaksana teknis (Pemerintah Daerah).
Kementerian Pertanian, Lingkungan Hidup, dan Kehutanan	<i>Operating Core</i>	Staf Pelaksana/ Tim Lapangan/ Operator	Pelaksana teknis dan pelayanan publik langsung.

		Produksi atau Layanan	
Kementerian Perdagangan, Perindustrian, dan Investasi	<i>Operating Core</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Ketenagakerjaan dan Pemberdayaan Masyarakat	<i>Operating Core</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Pendidikan, Pemuda, dan Budaya	<i>Operating Core</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Transportasi	<i>Operating Core</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Kesehatan dan Sosial	<i>Operating Core</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Pekerjaan Umum dan Perumahan Rakyat	<i>Operating Core</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Kelautan, Perikanan, dan Pangan	<i>Operating Core</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.

Kementerian Hukum, Legislasi, dan Hak Asasi Manusia	<i>Techno-Structure</i>	Analisis Sistem, Tim Legal, Tim R&D	Pengatur sistem, kebijakan, regulasi, perencanaan.
Kementerian Komunikasi dan Transformasi Digital	<i>Techno-Structure</i>	Analisis Sistem, Tim Legal, Tim R&D	Pengatur sistem, kebijakan, regulasi, perencanaan.
Kementerian Keuangan Pemerintah	<i>Techno-Structure</i>	Analisis Sistem, Tim Legal, Tim R&D	Pengatur sistem, kebijakan, regulasi, perencanaan.
Kementerian Perencanaan Pembangunan Pemerintah	<i>Techno-Structure</i>	Analisis Sistem, Tim Legal, Tim R&D	Pengatur sistem, kebijakan, regulasi, perencanaan.
Kementerian Luar Negeri	<i>Support Staff</i>	Sekretariat, Tim HRD, Public Relation, IT Support, Fasilitas Kantor	Penunjang administratif, komunikasi, keagamaan, inovasi.
Kementerian Kerukunan Umat Beragama dan Layanan Ibadah	<i>Support Staff</i>	Sekretariat, Tim HRD, Public Relation, IT Support, Fasilitas Kantor	Penunjang administratif, komunikasi, keagamaan, inovasi.
Kementerian Teknologi, Inovasi, dan Riset Nasional	<i>Support Staff</i>	Sekretariat, Tim HRD, Public Relation, IT Support, Fasilitas Kantor	Penunjang administratif, komunikasi, keagamaan, inovasi.

B. TEORI HENRI FAYOL

Henri Fayol adalah salah satu tokoh awal manajemen modern yang mengembangkan 14 prinsip manajemen. Salah satu prinsip tidak tertulis namun terimplementasi dalam praktik adalah prinsip *"span of control"*, yaitu jumlah optimal bawahan langsung yang dapat dipimpin secara efektif oleh seorang atasan.

Fayol berpendapat bahwa untuk efektivitas dan efisiensi, pemimpin tidak boleh menangani terlalu banyak bawahan langsung, dan struktur organisasi

harus dirancang secara bertingkat (hierarkis) agar komunikasi dan kendali tetap berjalan baik. Dalam konteks pemerintahan/negara, prinsip ini dapat diadaptasi untuk menjelaskan struktur lembaga negara berdasarkan batas kendali pemimpin.

Prinsip dasar adaptasi Teori Fayol dalam Struktur Negara, sebagai berikut:

- Rakyat adalah Pemilik Negara/ Pemilik Saham (*Shareholders*).
- MPR sebagai Wakil Pemilik Kedaulatan (*Board of Governance*).
- Pemimpin Tinggi (Presiden) tidak memimpin langsung semua lembaga, melainkan melalui sistem delegasi berlapis dan pembagian fungsi yang terstruktur.
- Setiap atasan hanya bisa memimpin langsung maksimal 16 unit kerja atau lembaga lain, maka dibuat struktur yang hirarkis dan fungsional.

Berikut adalah Tabel klasifikasi Lembaga Pemerintah Indonesia sesuai Teori Henri Fayol dan Analogi Fungsi Korporasi dengan mengutamakan bahwa Rakyat adalah Pemilik Saham atau *Shareholders*.

Tabel Klasifikasi Lembaga Pemerintah Indonesia sesuai Teori Henri Fayol

Nama Lembaga	Fungsi (Fayol)	Fungsi (Corporate)	Tugas Lembaga
Kepresidenan	Perencanaan, Pengorganisasian, Koordinasi, Pengawasan	<i>Chief Executive Officer (CEO)</i>	Pimpinan tertinggi, penentu arah strategis
Sekretariat Jenderal Kepresidenan	Koordinasi, Pengorganisasian	Sekretaris Perwakilan/ <i>Corporate Secretary/ Chief of Staff (COS)</i>	Menghubungkan Presiden dengan lembaga pemerintah lainnya, mengoordinasikan implementasi keputusan Presiden ke dalam operasional lembaga terkait.
Kementerian Dalam Negeri	Pengorganisasian, Koordinasi	General Manager / Kepala Divisi /	Jembatan antara pimpinan puncak dan

		Direktur Operasional	pelaksana teknis (Pemerintah Daerah).
Kementerian Pertanian, Lingkungan Hidup, dan Kehutanan	Pemberian Perintah, Pengawasan	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Perdagangan, Perindustrian, dan Investasi	Pemberian Perintah, Pengawasan	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Ketenagakerjaan dan Pemberdayaan Masyarakat	Pemberian Perintah, Pengawasan	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Pendidikan, Pemuda, dan Budaya	Pemberian Perintah, Pengawasan	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Transportasi	Pemberian Perintah, Pengawasan	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Kesehatan dan Sosial	Pemberian Perintah, Pengawasan	Staf Pelaksana/ Tim Lapangan/ Operator	Pelaksana teknis dan pelayanan publik langsung.

		Produksi atau Layanan	
Kementerian Pekerjaan Umum dan Perumahan Rakyat	Pemberian Perintah, Pengawasan	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Kelautan, Perikanan, dan Pangan	Pemberian Perintah, Pengawasan	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Hukum, Legislasi, dan Hak Asasi Manusia	Perencanaan Koordinasi, Pengawasan	Analisis Sistem, Tim Legal, Tim R&D	Pengatur sistem, kebijakan, regulasi, perencanaan.
Kementerian Komunikasi dan Transformasi Digital	Perencanaan Koordinasi, Pengawasan	Analisis Sistem, Tim Legal, Tim R&D	Pengatur sistem, kebijakan, regulasi, perencanaan.
Kementerian Keuangan Pemerintah	Perencanaan, Pengawasan	Analisis Sistem, Tim Legal, Tim R&D	Pengatur sistem, kebijakan, regulasi, perencanaan.
Kementerian Perencanaan Pembangunan Pemerintah	Perencanaan Strategis	Analisis Sistem, Tim Legal, Tim R&D	Pengatur sistem, kebijakan, regulasi, perencanaan.
Kementerian Luar Negeri	Koordinasi, Pengorganisasian	Sekretariat, Tim HRD, Public Relation, IT Support, Fasilitas Kantor	Penunjang administratif, komunikasi, keagamaan, inovasi.

Kementerian Kerukunan Umat Beragama dan Layanan Ibadah	Koordinasi, Pengorganisasian	Sekretariat, Tim HRD, Public Relation, IT Support, Fasilitas Kantor	Penunjang administratif, komunikasi, keagamaan, inovasi.
Kementerian Teknologi, Inovasi, dan Riset Nasional	Pengorganisasian, Koordinasi	Sekretariat, Tim HRD, Public Relation, IT Support, Fasilitas Kantor	Penunjang administratif, komunikasi, keagamaan, inovasi.

C. TEORI ISQM (INTERNATIONAL STANDARD ON QUALITY MANAGEMENT)

ISQM (*International Standard On Quality Management*) adalah standar manajemen mutu internasional yang dikeluarkan oleh IAASB (*International Auditing and Assurance Standards Board*) untuk membantu organisasi bekerja dengan efisien, terarah, dan bebas dari risiko kesalahan besar.

Tujuan utama dari ISQM adalah untuk menjamin bahwa organisasi memiliki sistem manajemen mutu yang efektif, sehingga setiap kegiatan yang dilakukan:

- Konsisten dengan standar dan prinsip yang ditetapkan.
- Menghasilkan keputusan/ kinerja berkualitas tinggi.
- Mengelola risiko secara proaktif.

Karakteristik ISQM, meliputi:

- Berbasis Risiko : Organisasi harus memahami risiko-risiko terhadap mutu dan merancang respons yang tepat
- Fleksibel & Disesuaikan : Dapat diadaptasi untuk organisasi besar maupun kecil, termasuk entitas pemerintahan.
- Berorientasi Tujuan : Fokus utama adalah menjamin tercapainya tujuan organisasi dengan mutu terbaik.
- Dinamika Sistemik : Menekankan pemantauan dan penyesuaian sistem secara berkala (*continual improvement*).

Dalam konteks negara, ISQM bisa dijadikan sebagai pendekatan sistematis untuk memastikan bahwa setiap lembaga negara dari eksekutif hingga pengawas menjalankan tugasnya secara efektif, transparan, dan berkesinambungan.

Berikut ini adalah enam komponen utama dalam ISQM, meliputi:

1. *Governance & Leadership*

Merupakan pimpinan tertinggi (*Top Management*) yang bertanggung jawab penuh atas mutu sistem. Dalam konteks negara, artinya kepemimpinan dan sistem tata kelola harus kuat dan bertanggung jawab. Pemimpin negara bertugas menciptakan iklim kerja yang etis dan berorientasi pada pelayanan publik.

2. *Quality Risk Identification & Assessment*

Dalam komponen ini berfungsi mengidentifikasi risiko yang dapat mengganggu pencapaian mutu dan tujuan organisasi. Dalam konteks negara, setiap lembaga negara harus mampu mengenali risiko yang bisa mengganggu kualitas kerja, seperti korupsi, tumpang tindih kebijakan, atau lemahnya pengawasan. Misalnya, BPK dan Bappenas memiliki peran penting dalam menilai risiko terhadap pengelolaan keuangan dan perencanaan pembangunan nasional.

3. *Monitoring & Remediation*

Merupakan kegiatan pemantauan rutin, evaluasi efektivitas sistem, serta perbaikan berkelanjutan. Dalam konteks negara, pemerintah dan lembaga negara harus terus memantau jalannya sistem dan memperbaiki jika ada penyimpangan. Contohnya adalah audit berkala, evaluasi kinerja lembaga, serta tindak lanjut atas temuan seperti yang dilakukan oleh BPK, KY, atau internal inspektorat.

4. *Resources (Manusia, Sistem, dan Informasi)*

Komponen yang menyediakan SDM, teknologi, informasi, dan infrastruktur yang mendukung mutu. Negara harus memastikan tersedianya SDM yang kompeten, sistem digital yang handal, dan akses data yang baik agar program berjalan efektif. Contohnya adalah BP-ASN dalam mengelola aparatur sipil negara, atau kementerian/lembaga yang mengelola big data dan anggaran.

5. *Information & Communication*

Komponen yang menyediakan alur informasi yang akurat, tepat waktu, dan terbuka di seluruh unit. Aliran informasi harus efisien dan transparan. Keputusan yang baik hanya bisa dibuat jika informasi antar lembaga dan

kepada masyarakat terbuka dan jelas. Contohnya adalah sistem *e-government*, keterbukaan informasi publik, serta koordinasi antar K/L.

6. *Control Activities*

Merujuk pada tindakan dan kebijakan nyata untuk memastikan semua pekerjaan sesuai standar. Dalam konteks negara, ini mencakup SOP (*Standard Operating Procedures*), regulasi, mekanisme pelaporan, serta proses pengawasan internal yang melekat.

Berikut adalah Tabel klasifikasi Lembaga Pemerintah Indonesia sesuai Teori ISQM dan Analogi Fungsi Korporasi dengan mengutamakan bahwa Rakyat adalah Pemilik Saham atau *Shareholders*.

Tabel Klasifikasi Lembaga Pemerintah Indonesia sesuai Teori ISQM

Nama Lembaga	Fungsi (ISQM)	Fungsi (Corporate)	Tugas Lembaga
Kepresidenan	<i>Governance & Leadership</i>	Chief Executive Officer (CEO)	Pimpinan tertinggi, penentu arah strategis
Sekretariat Jenderal Kepresidenan	<i>Information & Communication</i>	Sekretaris Perwakilan/ Corporate Secretary/ Chief of Staff (COS)	Menghubungkan Presiden dengan lembaga pemerintah lainnya, mengoordinasikan implementasi keputusan Presiden ke dalam operasional lembaga terkait.
Kementerian Dalam Negeri	<i>Monitoring & Remediation</i>	General Manager / Kepala Divisi /	Jembatan antara pimpinan puncak dan pelaksana teknis

		Direktur Operasional	(Pemerintah Daerah).
Kementerian Pertanian, Lingkungan Hidup, dan Kehutanan	<i>Control Activities</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Perdagangan, Perindustrian, dan Investasi	<i>Control Activities</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Ketenagakerjaan dan Pemberdayaan Masyarakat	<i>Control Activities</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Pendidikan, Pemuda, dan Budaya	<i>Control Activities</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Transportasi	<i>Control Activities</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.

Kementerian Kesehatan dan Sosial	<i>Control Activities</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Pekerjaan Umum dan Perumahan Rakyat	<i>Control Activities</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Kelautan, Perikanan, dan Pangan	<i>Control Activities</i>	Staf Pelaksana/ Tim Lapangan/ Operator Produksi atau Layanan	Pelaksana teknis dan pelayanan publik langsung.
Kementerian Hukum, Legislasi, dan Hak Asasi Manusia	<i>Monitoring & Remediation</i>	Analisis Sistem, Tim Legal, Tim R&D	Pengatur sistem, kebijakan, regulasi, perencanaan.
Kementerian Komunikasi dan Transformasi Digital	<i>Resources (Manusia, Sistem, Informasi)</i>	Analisis Sistem, Tim Legal, Tim R&D	Pengatur sistem, kebijakan, regulasi, perencanaan.
Kementerian Keuangan Pemerintah	<i>Control Activities</i>	Analisis Sistem, Tim Legal, Tim R&D	Pengatur sistem, kebijakan, regulasi, perencanaan.
Kementerian Perencanaan Pembangunan Pemerintah	<i>Quality Risk Identification & Assessment</i>	Analisis Sistem, Tim Legal, Tim R&D	Pengatur sistem, kebijakan, regulasi, perencanaan.

Kementerian Luar Negeri	<i>Information & Communication</i>	Sekretariat, Tim HRD, Public Relation, IT Support, Fasilitas Kantor	Penunjang administratif, komunikasi, keagamaan, inovasi.
Kementerian Kerukunan Umat Beragama dan Layanan Ibadah	<i>Information & Communication</i>	Sekretariat, Tim HRD, Public Relation, IT Support, Fasilitas Kantor	Penunjang administratif, komunikasi, keagamaan, inovasi.
Kementerian Teknologi, Inovasi, dan Riset Nasional	<i>Resources (Manusia, Sistem, Informasi)</i>	Sekretariat, Tim HRD, Public Relation, IT Support, Fasilitas Kantor	Penunjang administratif, komunikasi, keagamaan, inovasi.

Berdasarkan teori-teori manajemen yang telah diuraikan sebelumnya yaitu Teori Mintzberg, Teori Henri Fayol, dan Teori ISQM serta pendekatan Fungsi Corporate sebagai kerangka analogi, implementasi tata kelola pemerintahan di Indonesia dapat dianalisis melalui perspektif Sekolah Negarawan. Dengan mengacu pada teori-teori tersebut, diperoleh kesimpulan mengenai sejauh mana kesesuaian fungsi lembaga-lembaga pemerintah terhadap prinsip-prinsip manajerial modern yang berorientasi pada efektivitas, akuntabilitas, dan mutu berkelanjutan, sebagai berikut:

**Checklist Kesesuaian Lembaga Pemerintah dengan Teori - Teori Manajemen
(Kerangka Sekolah Negarawan)**

Nama Lembaga	Tugas Lembaga Pemerintah	Checklist Kesesuaian			
		Fungsi Corporate	Teori Mintzberg	Teori Henri Fayol	Teori ISQM

Kepresidenan	Pimpinan tertinggi, penentu arah strategis				
Sekretariat Jenderal Kepresidenan	Menghubungkan Presiden dengan lembaga pemerintah lainnya, mengoordinasikan implementasi keputusan Presiden ke dalam operasional lembaga terkait.				
Kementerian Dalam Negeri	Jembatan antara pimpinan puncak dan pelaksana teknis (Pemerintah Daerah).				
Kementerian Pertanian, Lingkungan Hidup, dan Kehutanan	Pelaksana teknis dan pelayanan publik langsung.				
Kementerian Perdagangan, Perindustrian, dan Investasi	Pelaksana teknis dan pelayanan publik langsung.				
Kementerian Ketenagakerjaan dan	Pelaksana teknis dan pelayanan publik langsung.				

Pemberdayaan Masyarakat					
Kementerian Pendidikan, Pemuda, dan Budaya	Pelaksana teknis dan pelayanan publik langsung.	✓	✓	✓	✓
Kementerian Transportasi	Pelaksana teknis dan pelayanan publik langsung.	✓	✓	✓	✓
Kementerian Kesehatan dan Sosial	Pelaksana teknis dan pelayanan publik langsung.	✓	✓	✓	✓
Kementerian Pekerjaan Umum dan Perumahan Rakyat	Pelaksana teknis dan pelayanan publik langsung.	✓	✓	✓	✓
Kementerian Kelautan, Perikanan, dan Pangan	Pelaksana teknis dan pelayanan publik langsung.	✓	✓	✓	✓
Kementerian Hukum, Legislasi, dan Hak Asasi Manusia	Pengatur sistem, kebijakan, regulasi, perencanaan.	✓	✓	✓	✓

Kementerian Komunikasi dan Transformasi Digital	Pengatur sistem, kebijakan, regulasi, perencanaan.	✓	✓	✓	✓
Kementerian Keuangan Pemerintah	Pengatur sistem, kebijakan, regulasi, perencanaan.	✓	✓	✓	✓
Kementerian Perencanaan Pembangunan Pemerintah	Pengatur sistem, kebijakan, regulasi, perencanaan.	✓	✓	✓	✓
Kementerian Luar Negeri	Penunjang administratif, komunikasi, keagamaan, inovasi.	✓	✓	✓	✓
Kementerian Kerukunan Umat Beragama dan Layanan Ibadah	Penunjang administratif, komunikasi, keagamaan, inovasi.	✓	✓	✓	✓
Kementerian Teknologi, Inovasi, dan Riset Nasional	Penunjang administratif, komunikasi, keagamaan, inovasi.	✓	✓	✓	✓



BAB X

DESAIN PEMERINTAHAN NKRI YANG BERDAULAT

(Usulan Struktur Pemerintahan NKRI)



Gambar 12. Usulan Struktur Pemerintahan NKRI

Desain pemerintahan yang berdaulat memerlukan struktur yang mampu mengakomodasi prinsip efisiensi, koordinasi lintas sektor, dan kesesuaian dengan teori manajemen modern. Berdasarkan usulan ini, Presiden memegang posisi puncak sebagai Strategic Apex, yaitu pusat kendali strategis negara yang menetapkan visi, misi, dan arah kebijakan nasional.

Presiden dibantu oleh Sekretariat Jenderal Kepresidenan sebagai Middle Line, yang berfungsi sebagai penghubung dan koordinator antara pucuk pimpinan dengan kementerian-kementerian pelaksana kebijakan.

Struktur kementerian dibagi sesuai fungsi utama dalam teori manajemen korporasi, yakni:

1. Support Staff – Unit pendukung yang memberikan layanan penunjang administrasi dan hubungan luar.
 - Kementerian Luar Negeri

- Kementerian Kerukunan Umat Beragama dan Layanan Ibadah
 - Kementerian Teknologi, Inovasi, dan Riset Nasional
2. Techno structure – Unit teknis yang menetapkan standar, prosedur, dan regulasi pemerintahan.
- Kementerian Hukum, Legislasi, dan Hak Asasi Manusia
 - Kementerian Komunikasi dan Transformasi Digital
 - Kementerian Keuangan Pemerintah
 - Kementerian Perencanaan Pembangunan Pemerintah
3. Operating Core – Unit inti pelaksana kebijakan dan pelayanan publik langsung kepada masyarakat.
- Kementerian Pertanian, Lingkungan Hidup, dan Kehutanan
 - Kementerian Perdagangan, Perindustrian, dan Investasi
 - Kementerian Ketenagakerjaan dan Pemberdayaan Masyarakat
 - Kementerian Pendidikan, Pemuda, dan Budaya
 - Kementerian Transportasi
 - Kementerian Kesehatan dan Sosial
 - Kementerian Pekerjaan Umum dan Perumahan Rakyat
 - Kementerian Kelautan, Perikanan, dan Pangan
4. Middle Line – Unit yang memastikan koordinasi internal dalam negeri berjalan optimal.
- Kementerian Dalam Negeri

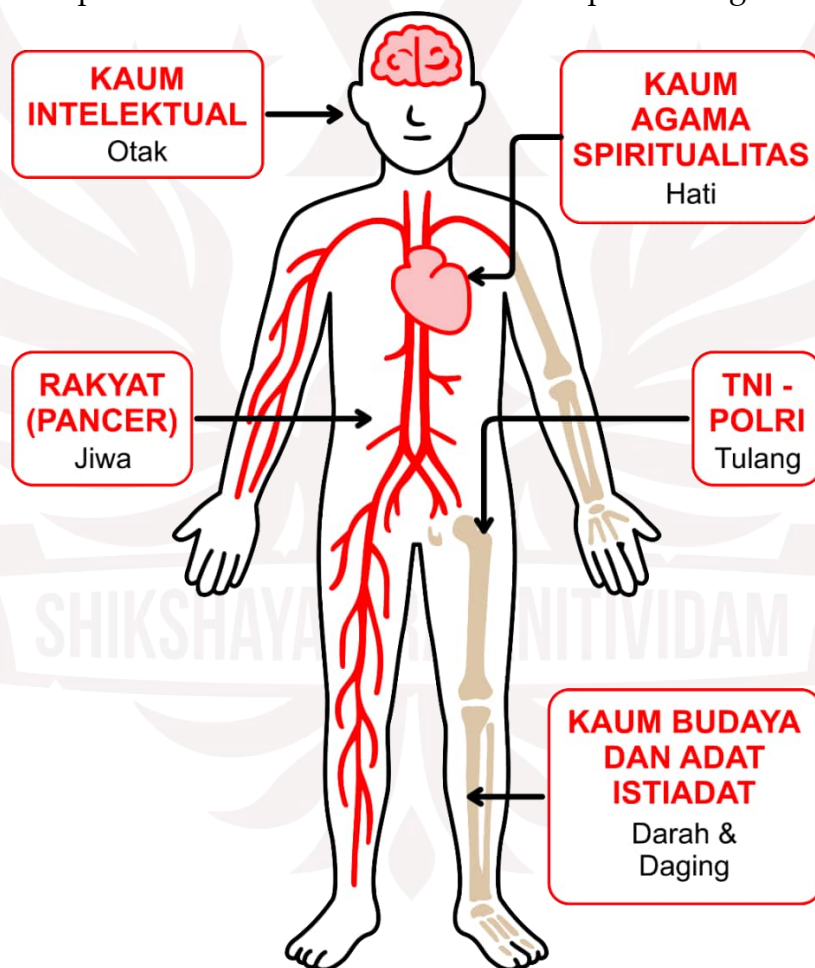
Dengan model ini, posisi Presiden sebagai pengendali strategis didukung sistem manajemen yang dapat dipadankan dengan struktur perusahaan besar (big corporate), di mana pembagian peran jelas, rantai komando terstruktur, dan fungsi pendukung diperkuat. Desain ini mengoreksi kelemahan struktur sebelumnya yang cenderung tumpang tindih kewenangan dan kurang optimal dalam koordinasi lintas sektor.

BAB XI

EMPAT PILAR MANDATARIS RAKYAT

(Intelektual, Agama, TNI/ Polri, dan Budaya sebagai Penjaga Negara, dengan Rakyat sebagai Pusat Kedaulatan)

Berdasarkan filosofi Jawa, Negara bukan hanya entitas administratif, tetapi sebuah tubuh hidup yang memiliki otak, hati, tulang, darah & daging, jiwa sebagai penopang keseimbangan. Konsep **“Empat Penjaga Negara dan Satu Pusat Kedaulatan”** terinspirasi dari konsep **“Sedulur Papat Lima Pancer dari Emha Ainun Nadjib (Cak Nun)”** menggambarkan lima unsur inti dalam kehidupan manusia. Empat saudara sejati (*arah mata angin*) dan satu pusat (*pancer*) yang secara simbolik digunakan untuk memahami peran elemen-elemen dalam kehidupan bernegara.



Gambar 13. Filosofi Jawa Sedulur Papat Lima Pancer

Dalam kehidupan bernegara, empat unsur penjaga ini hadir dalam bentuk kekuatan strategis bangsa, yang semuanya bekerja untuk satu pusat kekuasaan sejati, yaitu rakyat.

Empat Penjaga Negara dan Satu Pusat Kedaulatan:

- Intelektual sebagai Pengarah
Menjadi pusat nalar dan panduan kebijakan berdasarkan ilmu dan kebijaksanaan.
- Agama sebagai Penjaga Moral
Menjadi pengawal nilai, etika, dan spiritualitas dalam kehidupan publik dan pemerintahan.
- TNI/ Polri sebagai Pelindung
Menjaga stabilitas, keamanan, serta integritas dan kedaulatan negara.
- Budaya sebagai Penjaga Identitas
Menghidupkan karakter, kepribadian, dan keberagaman bangsa melalui warisan budaya dan adat.
- Pusat: Rakyat sebagai Pemilik Kedaulatan
Seluruh kekuasaan dan mandate berasal dari rakyat. Mereka adalah pusat dari mana segala kebijakan dan kekuasaan harus berpijak dan kembali.

Majelis Permusyawaratan Rakyat (MPR) sebagai Representasi Filosofis dalam Kehidupan Bernegara

- Dalam konsep filosofi Jawa, menekankan keseimbangan antara lahir dan batin, individu dan alam, serta manusia dan Sang Pencipta.
- Dalam konteks bernegara, "*Sedulur Papat Lima Pancer*" bisa dimaknai sebagai perlunya keseimbangan antara berbagai unsur masyarakat, dengan **rakyat sebagai pusat utama (*pancer*)** yang menjadi sumber kekuasaan dan orientasi arah pembangunan negara.
- Dengan semangat ini, struktur keanggotaan MPR idealnya dibentuk berdasarkan keseimbangan empat unsur penjaga tersebut, dengan rakyat sebagai pusat sumber mandat. Maka struktur MPR bukan hanya representatif secara politik, tetapi juga berakar dalam nilai-nilai budaya dan spiritualitas Nusantara.

Konsep ini mengajarkan harmoni dan keselarasan sebagai fondasi kehidupan baik pribadi, sosial, maupun bernegara yang terdiri atas:

1. Kaum Intelektual (*Otak*)

Sebagai pusat nalar dan kebijaksanaan, kaum intelektual berperan dalam memberi arah, membentuk visi kebangsaan, dan merumuskan kebijakan berdasarkan ilmu. Mereka adalah guru, dosen, insinyur, advokat, hingga

profesional teknologi sebagai unsur vital yang menjadi pencerdas kehidupan bangsa.

2. Kaum Agama & Spiritualitas (*Hati*)

Berfungsi sebagai penuntun moral dan etika, kelompok ini menjaga nilai-nilai luhur, spiritualitas, dan akhlak publik. Tokoh agama, rohaniawan, tenaga kesehatan yang berdedikasi, serta perwakilan kerajaan yang mengemban nilai spiritual adalah penjaga keseimbangan batin bangsa.

3. TNI - Polri (*Tulang*)

Mereka menjadi kerangka yang menopang tegaknya negara, menjamin keamanan, kedaulatan, dan keutuhan. TNI dan Polri adalah garda pertahanan sekaligus simbol ketegasan dalam menjaga konsensus kebangsaan.

4. Kaum Budaya & Adat Istiadat (*Darah & Daging*)

Ini adalah unsur yang menghidupkan, mewarnai, dan mewariskan kepribadian bangsa. Para seniman, petani, nelayan, buruh, pelaku UMKM lokal, hingga perwakilan etnis dan kerajaan menjadi ekspresi nyata keragaman dan kekayaan budaya Indonesia.

Semua unsur diatas bermuara pada Rakyat. Mereka adalah jiwa bangsa dan pemilik kedaulatan tertinggi. Dalam konteks keanggotaan MPR, rakyat terwakili melalui berbagai jalur, baik melalui perwakilan daerah, kelompok profesi, adat, hingga kaum marjinal yang bersama-sama membentuk kesadaran kolektif dan arah masa depan bangsa.

Sekolah Negarawan menawarkan kerangka pikir berupa Struktur Majelis Permusyawaratan Rakyat (MPR) sebagai wujud “Empat Penjaga Negara dan Satu Pusat Kedaulatan”. Struktur MPR yang terdiri dari 99 kursi dengan distribusi yang mencerminkan nilai-nilai filosofi bukan sekedar representasi numerik. Ia adalah perwujudan dari filosofi kehidupan yang menempatkan manusia (rakyat) sebagai pusat, yang dikelilingi oleh empat kekuatan penting bangsa. Dengan pendekatan ini, MPR menjadi lembaga yang tidak hanya demokratis secara politik, tetapi juga berakar kuat dalam kebudayaan dan spiritualitas Nusantara.

Struktur Majelis Permusyawaratan Rakyat (MPR)

Kelompok Representasi	Jumlah Kursi	Rasionalisasi
Utusan Daerah (Provinsi)	31	1 orang per provinsi/ gabungan provinsi di Indonesia.
Kerajaan Nusantara	7	Diambil dari kerajaan aktif dan diakui secara budaya/ historis.

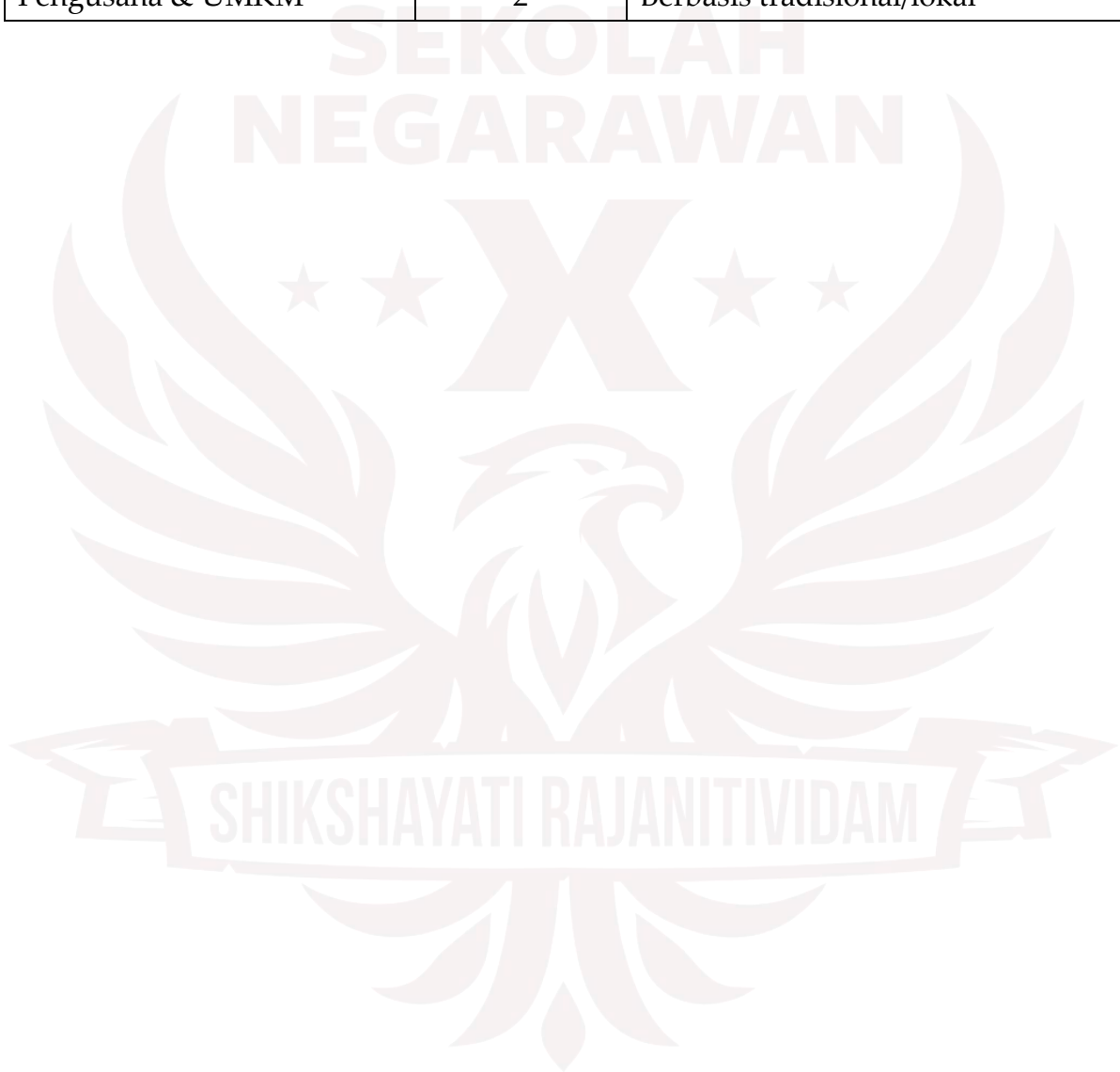
Kelompok Etnis	10	Mewakili kelompok suku besar (Jawa, Sunda, Batak, Bugis, dll).
TNI (AD, AL, AU)	9	3 per matra (Angkatan Darat, Laut, Udara).
Polri	5	Mewakili wilayah besar atau direktorat utama.
Kelompok Profesi	37	Proporsional berdasarkan rincian berikut
- Guru & Dosen	5	
- Petani & Nelayan	3	
- Buruh & Pekerja Industri	4	
- Pengusaha & UMKM	4	
- Tenaga Kesehatan (dokter, perawat, bidan)	3	
- Insinyur & Teknokrat	2	
- Tokoh Agama & Rohaniawan	7	
- Seniman & Budayawan	2	
- Jurnalis & Media	2	
- Advokat & Ahli Hukum	2	
- Profesional TI/ Teknologi	3	
TOTAL = 99 KURSI		

**Struktur Majelis Permusyawaratan Rakyat (MPR) sebagai Implementasi “Empat
Penjaga Negara dan Satu Pusat Kedaulatan”**

Sedulur Papat Lima Pancer by Emha Ainun Nadjib (Cak Nun)

Kelompok Representasi	Jumlah Kursi	Rasionalisasi
KAUM INTELEKTUAL (OTAK) = 26 KURSI		
Guru & Dosen	5	
Insinyur & Teknokrat	2	
Profesional TI/ Teknologi	3	
Advokat & Ahli Hukum	2	
Jurnalis & Media	2	
Utusan Daerah	5	
Kelompok Profesi Lain	7	Misalnya pengusahaan modern, UMKM berwawasan riset, dll
KAUM AGAMA & SPIRITUALITAS (HATI) = 12 KURSI		
Tokoh Agama & Rohaniawan	7	Perwakilan masing-masing agama dan kepercayaan 1 orang. Agama Islam sebagai agama mayoritas di Indonesia 2 orang, yaitu 1 orang dari kalangan Ormas Islam Muhammadiyah dan 1 orang dari kalangan Ormas Islam Nahdlatul Ulama (NU).
Perwakilan kerajaan yang aktif secara spiritual	3	Dari 7 kerajaan diasumsikan 3 kursi diantaranya.
Tenaga Kesehatan	2	Sebagai etika pengabdian dan nilai kemanusiaan.
TNI - POLRI (TULANG) = 14 KURSI		
TNI	9	3 per matra (Angkatan Darat, Laut, Udara).
Polri	5	Mewakili wilayah besar atau direktorat utama.
KAUM BUDAYA & ADAT ISTIADAT (DARAH & DAGING) = 47 KURSI		
Utusan Daerah	26	Dari total 31 dikurangi 5 yang masuk di Kaum Intelektual.

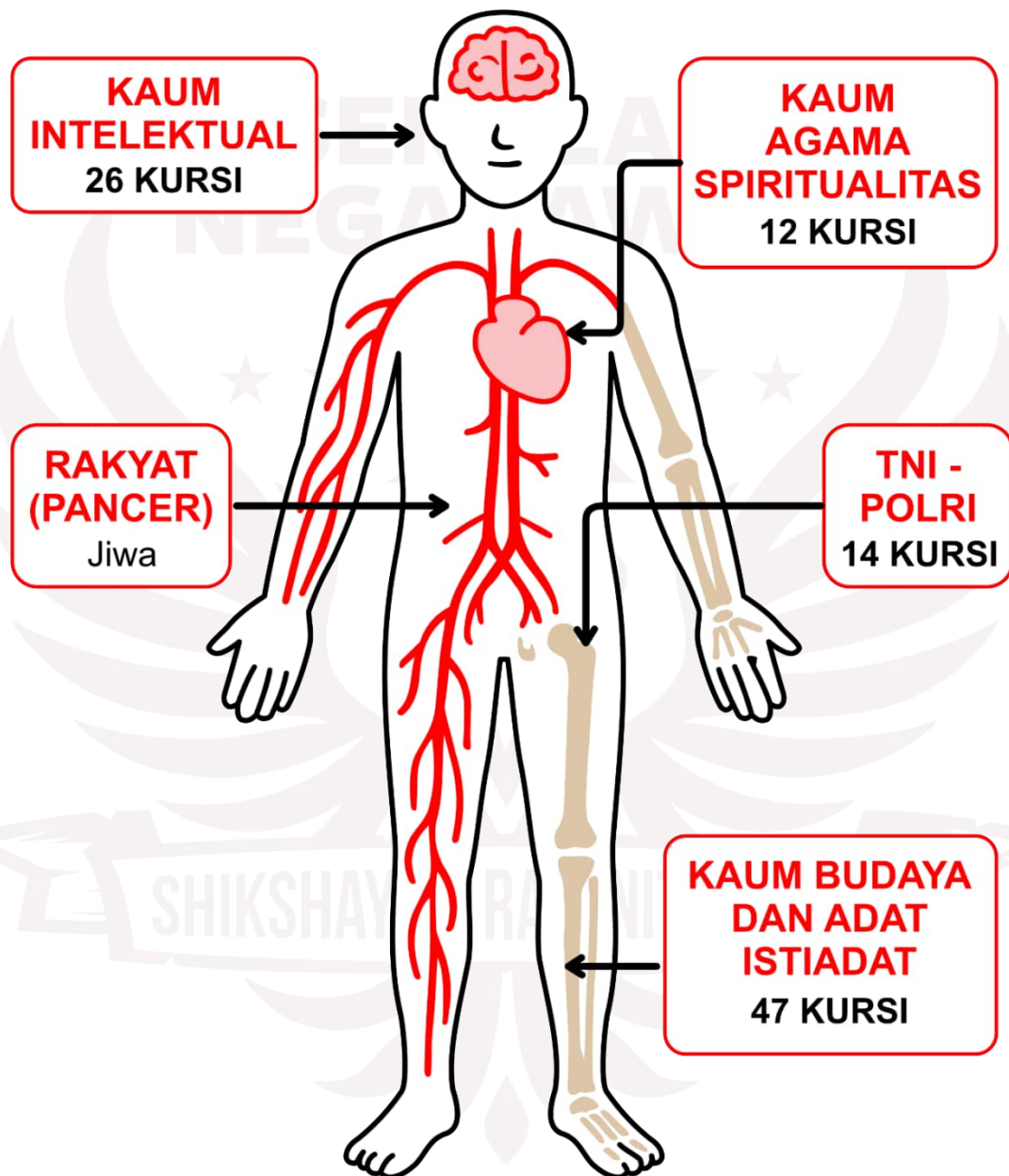
Kerajaan Nusantara	4	Dari total 7, dikurangi 3 yang masuk di Kaum Agama & Spiritualitas.
Kelompok Etnis	10	Mewakili kelompok suku besar (Jawa, Sunda, Batak, Bugis, dll).
Seniman & Budayawan	2	
Petani & Nelayan	3	
Buruh & Pekerja Industri	4	
Pengusaha & UMKM	2	Berbasis tradisional/lokal



**STRUKTUR MAJELIS PERMUSYAWARATAN RAKYAT (MPR) SEBAGAI
IMPLEMENTASI UNSUR 4 PILAR NEGARA YANG MENJADI MANDATARIS
RAKYAT**

“EMPAT PENJAGA NEGARA DAN SATU PUSAT KEDAULATAN”

Sedulur Papat Lima Pancer by Emha Ainun Nadjib (Cak Nun)



Gambar 14. Struktur Majelis Permusyawaratan Rakyat (MPR) sebagai Implementasi Unsur 4 Pilar Negara



BAB XII

NEGARA SEBAGAI RUMAH RAKYAT: SAATNYA RAKYAT KEMBALI MEMILIKI DAN MENGUASAI KEDAULATAN

(Analogi Rumah Aman, Nyaman, dan Tentram)

I. RUMAH BERNAMA INDONESIA: MILIK SIAPA?

Indonesia bukan sekedar sebuah wilayah dengan garis batas di peta. Ia adalah sebuah rumah besar yang dibangun oleh darah, air mata, dan doa para pendiri bangsa. Rumah ini dirancang untuk dihuni bersama, dijaga bersama, dan diwariskan kepada generasi berikutnya. Pemilik sah rumah ini adalah rakyat seluruh warga negara tanpa terkecuali.

Namun, realitas hari ini menunjukkan hal yang berbeda. Fondasi rumah ini retak, atapnya bocor, dan ruang-ruangnya dipenuhi konflik kepentingan. Yang paling memprihatinkan, kunci rumah ini kini berada di genggaman golongan kecil dari empat pilar negara: intelektual, agama, TNI/Polri, dan budaya, yang sebagian telah bersekutu dengan partai politik dan oligarki. Rakyat yang seharusnya duduk di ruang tamu sebagai tuan rumah, justru terpinggirkan, hanya menjadi penonton di teras.

Kedaulatan rakyat yang dulunya menjadi ruh UUD 1945 asli kini menyusut menjadi sekedar slogan. Negara yang seharusnya menjadi pelayan rakyat, berubah menjadi alat kepentingan segelintir pihak.

II. KERUSAKAN RUMAH: JASMANI DAN ROHANI BANGSA

Kerusakan rumah Indonesia bukan hanya soal bocornya atap hukum atau retaknya dinding ekonomi. Yang lebih parah adalah rusaknya jiwa rumah ini. Sistem hukum tumpul ke atas tapi tajam ke bawah. Kekuasaan dijalankan dengan logika dagang, bukan pengabdian. Layanan publik sering menjadi ladang pungli, dan kebijakan ekonomi lebih berpihak pada modal besar daripada rakyat kecil.

Generasi muda, terutama Gen Z, mewarisi rumah yang rusak parah. Mereka tidak hanya menanggung kerugian ekonomi dan sosial, tetapi juga kehilangan kepercayaan pada negara. Mereka tumbuh tanpa teladan, tanpa arah nilai yang jelas, dan dalam sistem yang mempersulit mereka menjadi pemilik masa depan bangsa.

Kerusakan ini bukanlah kesalahan rakyat sebagai penghuni, melainkan akibat dari arsitek dan pengelola rumah yang salah desain, salah urus, dan sering kali sengaja merusaknya demi keuntungan pribadi atau kelompok.

III. SAATNYA RE-DESAIN: MENGEMBALIKAN RAKYAT SEBAGAI PUSAT

Membangun ulang rumah bangsa bukan sekedar menambal bocor atau mengecat dinding. Kita memerlukan re-desain total yang mengembalikan rakyat sebagai pancer, titik pusat segala kebijakan dan arah negara.

Setelah kesadaran lahir dari rakyat dan empat pilar negara, langkah berikutnya adalah memperbaiki rumah secara nyata. Kesadaran bukan tujuan akhir, melainkan titik tolak menuju perubahan struktural dan spiritual bangsa. Kini saatnya rumah yang rusak tidak hanya direnungi, tetapi didesain ulang dan dibangun kembali.

Untuk membangun rumah yang baru, rakyat dan 4 pilar tidak cukup hanya bersatu dalam semangat, tetapi juga dalam perencanaan. Mereka duduk bersama, merancang ulang fondasi, dinding, atap, dan ruang-ruang kehidupan bangsa.

Dalam re-desain ini, rakyat kembali diakui sebagai pancer. Segala struktur harus berpijak pada kepentingan rakyat: dari konstitusi, hukum, ekonomi, hingga budaya. Pilar-pilar negara pun tidak lagi berdiri sendiri-sendiri, tetapi saling menyatu dalam satu sistem utuh yang saling menopang, bukan saling mengontrol atau menjatuhkan.

Prinsipnya jelas:

- Konstitusi harus berpihak pada rakyat, bukan pada golongan atau partai.
- Empat pilar negara harus saling menopang, bukan saling menjatuhkan.
- Pemerintahan harus transparan, bukan hanya akuntabel di atas kertas.
- Pendidikan politik harus menjadi hak rakyat, bukan monopoli partai.

Re-desain ini tidak akan berhasil jika rakyat hanya menjadi objek. Mereka harus menjadi subjek yang memilih arsitek (para pemikir dan pemimpin visioner) dan pemborong (para pelaksana di lapangan) yang jujur, berintegritas, dan berpihak pada kepentingan bersama.

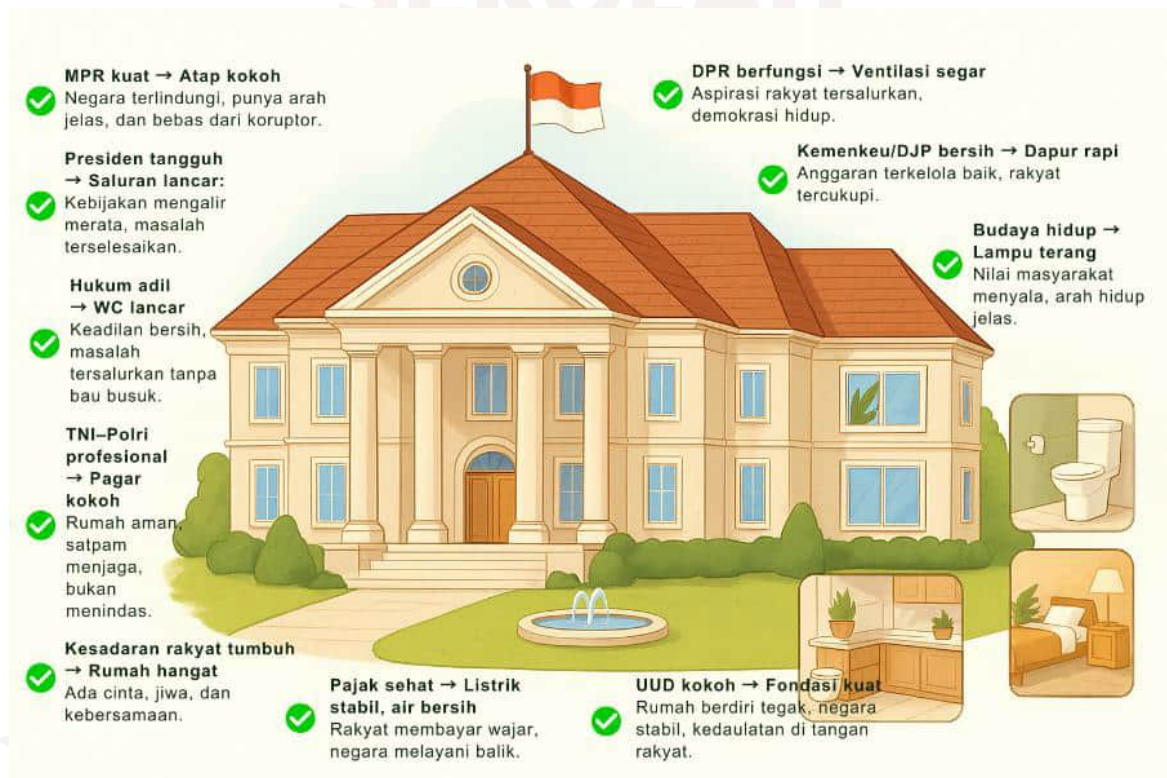
IV. MEMILIH ARSITEK DAN PEMBORONG

Dalam pembangunan rumah, dibutuhkan dua aktor penting: arsitek yang merancang, dan pemborong yang mengeksekusi. Arsitek adalah para intelektual dan pemimpin visioner yang mampu menggambar ulang wajah negara dengan nilai kemanusiaan. Mereka harus punya ilmu, integritas, dan keberpihakan pada rakyat.

Pemborong adalah para pelaksana di lapangan: birokrat jujur, aparat yang melindungi, guru, petani, seniman, dan warga yang bergerak langsung. Mereka yang membangun bata demi bata dalam kehidupan nyata.

Rakyat harus ikut memilih arsitek dan pemborong. Tidak lagi diserahkan kepada partai politik semata, tapi melalui mekanisme demokrasi partisipatif yang sejati. Pilihan bukan berdasarkan janji, tapi rekam jejak dan keberpihakan pada rakyat.

V. RUMAH BARU YANG KOKOH



Gambar 15. Ilustrasi Kondisi Rumah Aman, Nyaman, dan Tentram

Ciri-ciri rumah bangsa yang sehat dan kokoh adalah:

- **MPR = Atap Rumah**

Majelis Permusyawaratan Rakyat ibarat atap yang menaungi seluruh rumah. Atap yang kokoh melindungi penghuni dari panas, hujan, dan ancaman luar. Begitu pula MPR yang kuat akan menjaga kedaulatan rakyat, memberikan arah, dan memastikan keputusan tertinggi negara tidak bocor oleh kepentingan pribadi. Tanpa atap yang utuh, rumah menjadi rawan dimasuki maling. Tanpa MPR yang kokoh, negara mudah dirusak oleh koruptor.

- **Presiden = Saluran Air**

Presiden berfungsi seperti saluran air yang mengalirkan kebijakan ke seluruh ruang kehidupan rakyat. Saluran yang lancar akan menyalurkan air bersih secara merata, membuat rumah nyaman dan sehat. Demikian pula seorang presiden yang tangguh akan memastikan kebijakan tersampaikan dengan adil dan menyelesaikan masalah. Jika saluran tersumbat, rumah akan tergenang. Jika presiden lemah, negara akan kebanjiran persoalan.

- **DPR = Ventilasi Rumah**

Dewan Perwakilan Rakyat ibarat ventilasi yang mengatur udara segar masuk ke dalam rumah. Ventilasi yang berfungsi baik membuat rumah tidak pengap, memberi ruang bernapas, dan menghadirkan suasana segar. DPR yang bekerja sungguh-sungguh menyalurkan aspirasi rakyat akan menciptakan demokrasi yang hidup. Namun jika ventilasi tertutup, rumah pengap; jika DPR mandul, rakyat tercekik.

- **Kemenkeu/DJP = Dapur Rumah**

Pengelolaan keuangan negara serupa dengan dapur rumah tangga. Dapur yang bersih, rapi, dan hemat akan menghasilkan makanan bergizi bagi seluruh penghuni. Begitu pula Kementerian Keuangan yang transparan akan memastikan anggaran digunakan sebaik-baiknya untuk kepentingan rakyat. Dapur bocor berarti pemborosan; Kemenkeu yang kotor berarti kebocoran anggaran.

- **Hukum = Kamar Mandi/WC**

Sistem hukum seperti kamar mandi yang menjadi saluran pembuangan kotoran. WC yang lancar akan menjaga rumah tetap bersih dan sehat. Hukum yang adil berfungsi sama: menyalurkan persoalan dan konflik dengan bersih tanpa menyebarkan bau busuk. Jika hukum macet, ketidakadilan akan mengotori seluruh negara.

- **TNI-Polri = Pagar dan Satpam Rumah**

Keamanan negara bisa dianalogikan dengan pagar rumah yang kokoh serta satpam yang setia menjaga. TNI melindungi dari ancaman luar, sementara Polri menjaga dari gangguan dalam. Jika keduanya profesional, penghuni rumah merasa aman, bisa tidur nyenyak, dan hidup damai. Sebaliknya, pagar roboh atau satpam berkhianat berarti rumah tidak lagi aman.

- **Budaya = Lampu dan Kabel**

Budaya bangsa bagaikan jaringan listrik dan lampu rumah. Kabel yang tersambung baik menyalakan cahaya, memberi arah, dan mengusir kegelapan. Budaya yang hidup menjadi sumber nilai, identitas, dan arah

bersama. Jika lampu padam, rumah gelap; jika budaya mati, masyarakat kehilangan pedoman hidup.

- **Kesadaran Rakyat = Jiwa Rumah**

Kesadaran kolektif rakyat adalah jiwa yang memberi makna pada rumah. Rumah yang hangat tidak hanya berdiri sebagai bangunan, tetapi juga menghadirkan cinta, rasa memiliki, dan kebersamaan. Negara yang memiliki kesadaran rakyat akan bergerak ke arah yang benar. Jika jiwa mati, rumah tetap berdiri tetapi menjadi dingin, kosong, dan tanpa kehidupan.

- **Pajak Rakyat = Listrik dan Air**

Pajak rakyat dapat dianalogikan sebagai aliran listrik dan air bersih dalam rumah. Selama dikelola dengan baik, listrik menyala stabil, air mengalir jernih, dan seluruh penghuni sejahtera. Begitu pula pajak yang sehat akan mendukung energi negara dan pelayanan publik. Jika listrik byar-pet dan air kotor, rumah sengsara; jika pajak disalahgunakan, rakyat menderita.

- **Konstitusi (UUD) = Fondasi Rumah**

Konstitusi adalah pondasi tempat seluruh bangunan negara berdiri. Fondasi yang kuat membuat rumah kokoh, tidak mudah retak, dan tahan guncangan. UUD yang benar menjaga stabilitas negara dan memastikan kedaulatan tetap di tangan rakyat. Jika fondasi rapuh, rumah miring; jika konstitusi dipenuhi pasal jebakan, negara mudah roboh.

Rumah baru tidak bisa dibangun oleh golongan 4 pilar negara semata. Tidak bisa hanya dengan proposal atau seminar. Ia dibangun oleh tangan rakyat yang sadar, dengan bimbingan pilar-pilar yang bersujud kepada rakyat.

Membangun ulang rumah bangsa berarti membangun ulang diri kita. Menjadi warga negara yang sehat jasmani dan rohani, serta pilar negara yang beriman dan bertanggung jawab. Kini saatnya kita tinggalkan reruntuhan dan mulai menata batu bata pertama. Rumah kita belum selesai, tapi fondasinya sudah bisa kita gali, dindingnya sudah bisa kita susun, dan atapnya akan segera meneduhkan seluruh jiwa bangsa.

VI. PETA JALAN MENUJU RUMAH MILIK RAKYAT



Gambar 16. Ilustrasi Peta Jalan Menuju Rumah Milik Rakyat

Bangsa yang besar tidak pernah lahir dari kebetulan, melainkan dari kesadaran kolektif untuk memperjuangkan nasibnya sendiri. Indonesia yang kita cintai ini telah lama menyimpan cita-cita luhur: menjadikan rakyat sebagai pemilik sejati kedaulatan, bukan sekadar penonton dalam panggung politik. Namun, perjalanan sejarah kita memperlihatkan bahwa kedaulatan rakyat seringkali tereduksi oleh kepentingan rezim, partai politik, maupun elite yang berkuasa.

Jika rumah negara saat ini telah retak, atapnya bocor, dan fondasinya lapuk karena rakyat yang apatis dan pilar negara yang kafir atau tersesat, maka tidak cukup hanya mengeluh di bawah puing-puing. Harus ada tindakan penyembuhan, harus ada rencana perbaikan yang radikal namun terukur, spiritual namun sistematis. Rumah ini masih bisa diselamatkan, jika kita mau membangun ulang dengan benar.

Perubahan bukan sekadar cita-cita. Ia memerlukan peta jalan yang jelas dan langkah konkret, antara lain:

1. Musyawarah Kenegarawanan Nasional

Diselenggarakan oleh 4 Pilar Negara: kaum intelektual, kaum agama, kaum TNI/Polri, dan kaum budaya. Musyawarah ini menjadi ruang persatuan visi bangsa untuk membuat desain Struktur Ketatanegaraan yang baru.

2. Draft Amandemen Kelima UUD 1945

Menyusun rancangan amandemen dengan tujuan mengembalikan kedaulatan sepenuhnya ke tangan rakyat.

3. Majelis Permusyawaratan Rakyat Sementara (MPRS)

Dibentuk untuk mengawal transisi, menjaga proses politik dari pembajakan kepentingan sempit, sekaligus mengesahkan Amandemen Kelima UUD 1945.

4. Pemisahan Tegas antara Negara dan Pemerintah

Negara bersifat permanen, pemerintah berganti-ganti. Pemisahan ini penting agar negara tidak runtuh bersama rezim yang sedang berkuasa.

5. Pemaknaan Ulang Pancasila

Pancasila dijadikan pedoman operasional dalam kebijakan, hukum, dan kehidupan bernegara. Bukan sekadar slogan di dinding kelas atau pidato resmi.

6. Pembubaran Partai Politik yang Tidak Mendidik Rakyat

Hanya partai yang menjalankan fungsi kaderisasi dan pendidikan politik yang boleh bertahan. Partai yang menjadi sekadar kendaraan kekuasaan harus dibubarkan.

7. Reformasi Hukum Berbasis Kepakaran

Sistem hukum dibangun di atas kepakaran dan integritas, bukan kekuasaan. Dengan sistem ini, hukum menjadi adil, cepat, akurat, dan bebas manipulasi.

8. Transformasi Birokrasi Digital

Mewujudkan birokrasi yang transparan, efisien, dan bebas pungli melalui digitalisasi sistem layanan publik, sehingga negara benar-benar menjadi pelayan rakyat.

9. Pendidikan Politik dalam Kurikulum Sekolah

Pendidikan politik dimasukkan ke dalam kurikulum dasar dan menengah untuk membentuk generasi yang sadar konstitusi, kritis, dan bermental negarawan.

10. Media Negara sebagai Sarana Pendidikan Politik

Media cetak, televisi, radio, media online, dan media sosial milik negara digunakan sebagai sarana utama penyebaran pendidikan moral dan politik berbasis Pancasila. Tujuannya agar nilai-nilai Pancasila menjangkau seluruh lapisan masyarakat, memperkuat kesadaran ideologi generasi muda, dan menanamkan rasa tanggung jawab sebagai warga negara.

Jika rumah ini berhasil dibangun, maka Indonesia akan memasuki babak baru sejarahnya babak ketika rakyat benar-benar kembali berdaulat atas dirinya sendiri.

VII. 6 OPSI UNTUK MEWUJUDKAN KEDAULATAN RAKYAT SEUTUHNYA



Gambar 17. 6 Opsi untuk Mewujudkan Kedaulatan Rakyat Seutuhnya

Kedaulatan rakyat adalah prinsip fundamental dalam negara demokrasi. Namun, perjalanan panjang bangsa ini menunjukkan bahwa kedaulatan rakyat sering kali hanya menjadi jargon, sementara praktik politik masih dikuasai oleh

elit dan kepentingan tertentu. Untuk mengembalikan kedaulatan rakyat secara penuh, diperlukan terobosan dan langkah-langkah strategis yang mampu merombak tatanan politik yang ada.

Dalam konteks ini, terdapat **enam opsi utama** yang dapat ditempuh untuk mewujudkan kedaulatan rakyat seutuhnya. Setiap opsi memiliki karakteristik, peluang, dan risiko tersendiri. Pemahaman mendalam terhadap keenam opsi ini penting agar rakyat dapat menentukan jalannya dengan penuh kesadaran dan tanggung jawab.

1. Dekrit Presiden

Dekrit Presiden adalah jalur *top-down*, di mana Presiden mengambil tindakan darurat untuk membubarkan seluruh anggota DPR, MPR, serta anggota partai politik yang kehilangan legitimasi. Presiden kemudian membentuk Panitia Musyawarah Kenegarawanan Nasional dan Dewan Negara sebagai otoritas transisi.

Tahapannya terdiri dari 12 langkah utama: mulai dari pembubaran lembaga lama, pembentukan Dewan Negara, konsultasi publik, lahirnya MPRS sementara, hingga terbentuknya MPR definitif dan Ketetapan MPR (TAP MPR). Pada akhirnya, melalui mekanisme pemilu dan pelantikan, negara memasuki tatanan baru sesuai konstitusi hasil amandemen kelima.

2. Konvensi Nasional

Konvensi Nasional adalah jalur *bottom-up elite society*, dipimpin oleh tokoh bangsa, mahasiswa, ormas, dan empat pilar utama (intelektual, rohaniawan, budayawan, TNI/Polri).

Dimulai dengan Maklumat Dewan Inisiator, lalu dibentuk Panitia Konvensi untuk mengatur tata tertib dan agenda. Setelah itu, Konvensi bermuara pada Musyawarah Kenegarawanan Nasional yang melahirkan Dewan Negara, MPRS sementara, hingga MPR definitif. Jalur ini memiliki 13 tahap, satu tahap lebih panjang dari jalur Dekrit, karena ada fase inisiatif sipil sebelum forum musyawarah dimulai.

3. Referendum Rakyat

Referendum Rakyat adalah jalur murni *bottom-up*, di mana rakyat secara langsung menyatakan kehendaknya melalui voting nasional. Rakyat ditanya secara eksplisit: apakah setuju dilakukan Musyawarah Kenegarawanan Nasional, pembentukan Dewan Negara, hingga amandemen kelima UUD 1945? Meski saat ini UU Referendum telah dicabut, mekanisme ini tetap sah secara moral berdasarkan Pasal 1 ayat (2) UUD 1945.

Setelah mandat rakyat diperoleh, alurnya mengikuti pola serupa: Dewan Negara → MPRS sementara → MPR definitif → TAP MPR → Pemilu. Dengan 12 tahap, jalur ini menegaskan prinsip: jika semua jalan buntu, rakyat berbicara langsung.

4. Perubahan via Perlemen

Secara teoritis, DPR/MPR dapat memulai transisi lewat inisiatif resmi. Mereka bisa merekomendasikan Musyawarah Kenegarawanan Nasional, membentuk Dewan Negara, dan merancang Amandemen Kelima.

Namun, jalur ini dipandang mustahil secara politik, karena DPR/MPR saat ini justru merupakan bagian dari masalah legitimasi. Meski begitu, secara hukum, jalur ini adalah yang paling konstitusional. Jika terjadi tekanan publik masif, bukan tidak mungkin DPR/MPR dipaksa menjadi pintu masuk perubahan.

5. Revolusi Massa (People Power)

People Power adalah jalur mobilisasi rakyat melalui aksi besar-besaran di Istana Presiden atau Gedung DPR/MPR. Ada dua kemungkinan arah:

- Opsi 1: Massa memaksa Presiden mengeluarkan Dekrit.
- Opsi 2: Massa memaksa DPR/MPR mengambil inisiatif.

Setelah pintu itu terbuka, tahapannya sama: Musyawarah Nasional, Dewan Negara, MPRS sementara, hingga Pemilu. Jalur ini terbukti efektif dalam sejarah (misalnya jatuhnya Orde Baru), tetapi mengandung risiko instabilitas dan potensi konflik horizontal.

6. Kudeta Militer

Kudeta adalah jalur *extra-constitutional coercive*, ketika militer mengambil alih kekuasaan dengan dalih menyelamatkan negara. Militer dapat membubarkan DPR/MPR, partai politik, dan langsung membentuk Dewan Negara. Setelah itu, tahapan transisi mengikuti pola serupa hingga Pemilu. Meski praktis, jalur ini paling berisiko, karena berpotensi mengganti kedaulatan rakyat dengan kedaulatan senjata. Kudeta hanya dapat dibenarkan jika benar-benar menjadi satu-satunya cara menghindari kehancuran bangsa.

Tahapan Menuju Kedaulatan Rakyat

Apapun opsi yang dipilih, terdapat tahapan fundamental yang harus dilalui untuk memastikan proses transisi berjalan tertib dan demokratis, antara lain:

1. Pembubaran seluruh anggota DPR, MPR, dan partai politik.
2. Musyawarah Kenegaraan Nasional.

3. Pembentukan/Pelantikan Dewan Negara (Masa Transisi).
4. Konsultasi Publik/Semi-Referendum.
5. Pembentukan/Pelantikan anggota MPRS (sementara).
6. Pembentukan/Pelantikan MPR (definitif).
7. Penetapan TAP MPR.
8. Pembubaran Dewan Negara (akhir masa transisi).
9. Pembentukan Komisi Pemilihan & Referendum Nasional.
10. Verifikasi Partai Politik & kanal independen.
11. Penyusunan tahapan Pemilu.
12. Pemilu & pelantikan.

Enam opsi ini merupakan jalan strategis yang dapat ditempuh untuk mengembalikan kedaulatan rakyat secara penuh. Rakyat perlu menyadari bahwa kedaulatan bukanlah hadiah dari penguasa, melainkan hak yang harus diperjuangkan.

Melalui salah satu dari opsi ini atau kombinasi di antaranya bangsa Indonesia dapat menata ulang sistem politik agar benar-benar berpihak pada rakyat, sesuai amanat Pembukaan UUD 1945 dan cita-cita proklamasi.

VIII. KESIMPULAN: SAATNYA RAKYAT KEMBALI MEMILIKI DAN MENGUASAI KEDAULATAN

Kesalahan ketatanegaraan yang kita warisi bukan hanya merusak fisik bangsa, tetapi juga melukai rohaninya. Sistem hukum yang tumpul ke atas, kekuasaan yang dikurung oligarki, dan pelayanan publik yang menyengsarakan rakyat, semuanya adalah tanda bahwa “rumah besar” ini sedang sakit parah.

Negara adalah rumah rakyat, bukan rumah golongan atau korporasi politik. Saat ini kunci rumah itu terletak di tangan segelintir orang. Tugas kita adalah mengambil kembali kunci itu, bukan dengan kekerasan, tapi dengan kesadaran, strategi, dan keberanian.

Rumah yang kuat bukan dibangun dari semen dan bata semata, tapi dari nilai, struktur, dan rakyat yang sadar akan perannya. Sembilan langkah ini bukan sekadar daftar reformasi, tetapi peta jalan penyelamatan bangsa. Jika dijalankan bersama, bangsa ini bisa keluar dari reruntuhan dan berdiri kembali bukan sebagai istana para golongan 4 pilar negara, tetapi sebagai rumah besar milik rakyat. Dan percayalah, membangun rumah bangsa yang kokoh tidak harus dimulai dari jutaan orang. Cukup dimulai dengan 10 hingga 20 orang saja, orang-orang yang benar-benar mau berpikir, mau bergerak, dan mau bertanggung jawab pada masa depan bangsanya.

Mereka bisa menjadi tukang batu pertama yang mulai menyusun fondasi baru, penjaga peta jalan, dan penyulut harapan di tengah apatisme massal. Karena sejarah bangsa tidak pernah ditentukan oleh jumlah mayoritas yang diam, tetapi oleh minoritas kecil yang sadar dan bersedia membayar harga perubahan.

“Kalau satu lilin saja bisa menyalakan ruangan yang gelap, maka sepuluh lilin bisa menyalakan seluruh rumah bangsa.”

Tugas kita bukan sekedar menunggu kesadaran rakyat tumbuh, melainkan memastikan sistem yang sehatlah yang akan menumbuhkan kesadaran itu. Jika hukum adil, rakyat akan patuh. Jika birokrasi melayani, rakyat akan percaya. Jika negara berpihak, rakyat akan merasa memiliki.

Rakyat harus berhenti menjadi tamu di rumah sendiri. Mereka harus kembali menjadi tuan rumah yang menentukan arah, menjaga fondasi, dan memastikan rumah ini diwariskan dalam keadaan kokoh kepada generasi berikutnya.

Sejarah tidak pernah ditentukan oleh mayoritas yang diam, tetapi oleh minoritas kecil yang sadar dan bertindak. Jika satu lilin bisa menerangi ruang gelap, sepuluh lilin bisa menerangi seluruh rumah bangsa. Dan ketika rumah bangsa kembali terang, kedaulatan akan kembali berada di tangan pemilik sahnya rakyat Indonesia. Karena masa depan bukan untuk ditunggu, tapi untuk dibentuk. Dan waktunya adalah sekarang. Kini, saatnya berhenti mengeluh di bawah reruntuhan, dan mulai bangkit membangunnya kembali dengan hati, dengan ilmu, dan dengan tekad yang tak bisa dibeli.





VIII. CONCLUSION: IT IS TIME FOR THE PEOPLE TO RECLAIM AND EXERCISE SOVEREIGNTY

The constitutional errors we have inherited not only damage the nation's physical structure but also wound its spirit. A legal system that is lenient toward the powerful, authority trapped in the hands of oligarchs, and public services that oppress the people—all are signs that this "great house" is gravely ill.

The state is the people's house, not the house of factions or political corporations. Today, the keys to this house lie in the hands of a few. Our task is to take back those keys—not through violence, but through awareness, strategy, and courage.

The state is the people's house, not the house of factions or political corporations. Today, the keys to this house lie in the hands of a few. Our task is to take back those keys—not through violence, but through awareness, strategy, and courage. These nine steps are not merely a list of reforms, but a roadmap for national salvation. If carried out collectively, the nation can rise from the rubble and stand once more—not as a palace of the four state pillars, but as a great house belonging to the people. And believe this: building a strong national house does not have to begin with millions. It can begin with just 10 to 20 people—those truly willing to think, to act, and to take responsibility for their nation's future.

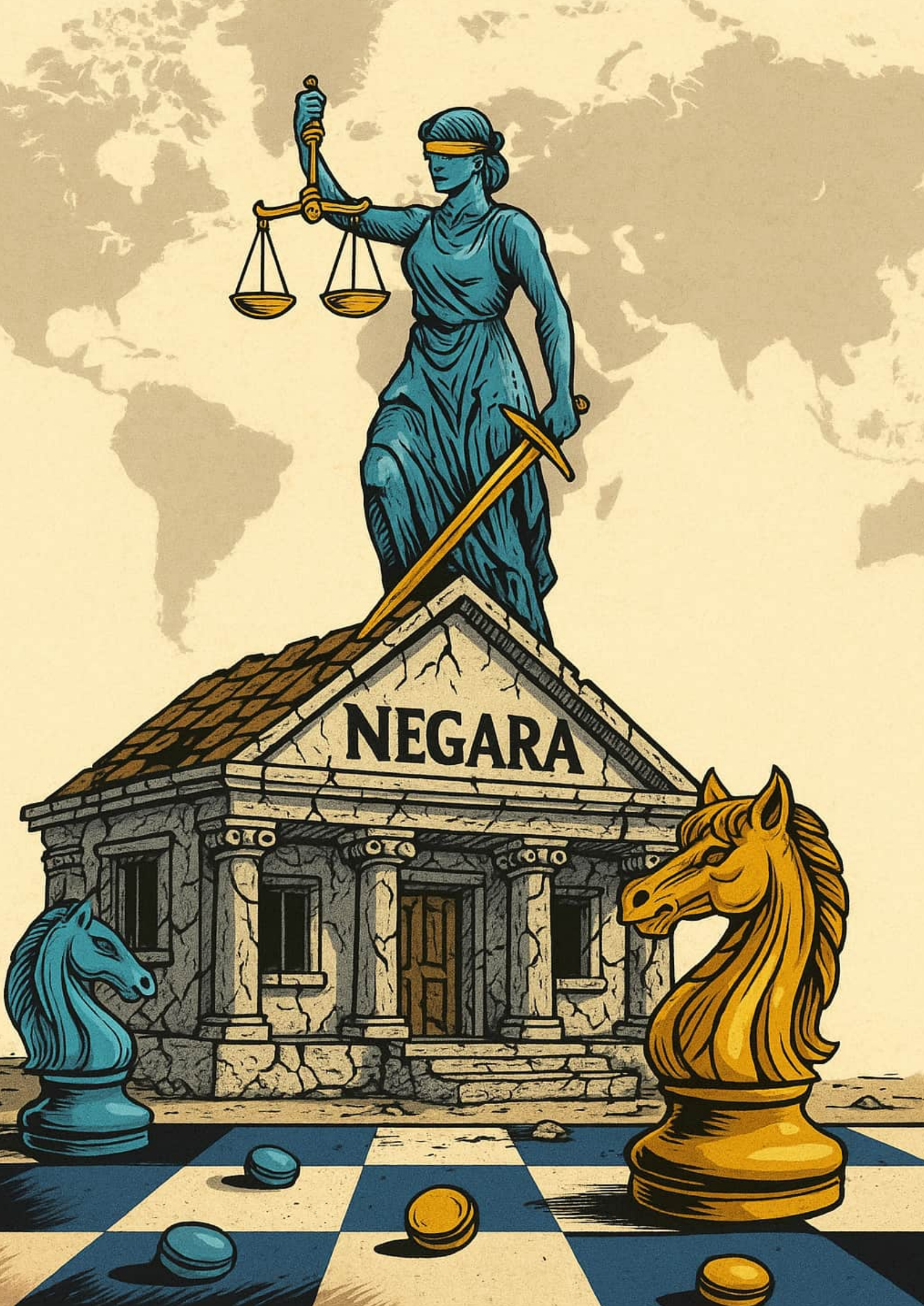
They can become the first stone masons who begin laying the new foundation, the guardians of the roadmap, and the spark of hope amid mass apathy. For the history of a nation has never been determined by the silent majority, but by the small minority who are aware and willing to pay the price of change.

"If a single candle can light up a dark room, then ten candles can light up the entire house of the nation."

Our task is not merely to wait for the people's awareness to grow, but to ensure that a healthy system is what nurtures that awareness. If the law is just, the people will obey. If the bureaucracy serves, the people will trust. If the state takes their side, the people will feel a true sense of belonging.

The people must stop being guests in their own house. They must once again become the hosts—setting direction, safeguarding the foundation, and ensuring this house is passed on in strength to the next generation.

History has never been determined by the silent majority, but by the small minority who are conscious and willing to act. If one candle can light up a dark room, then ten candles can light up the entire house of the nation. And when the nation's house shines bright again, sovereignty will return to its rightful owner the people of Indonesia. For the future is not something to be waited for, but to be shaped. And the time is now. It is time to stop lamenting under the ruins, and begin rebuilding with heart, with knowledge, and with a will that cannot be bought.



- **Option 1:** *The masses force the President to issue a Decree.*
- **Option 2:** *The masses force the DPR/MPR to take the initiative.*

Once that door is opened, the stages are the same: National Deliberation, State Council, provisional MPRS, and finally Elections. This path has proven effective in history (for example, the fall of the New Order), but it carries risks of instability and potential horizontal conflicts.

6. Military Coup

A coup is an extra-constitutional coercive path, where the military seizes power under the pretext of saving the state. The military may dissolve the DPR/MPR and political parties, and directly establish a State Council. After that, the transition stages follow a similar pattern leading to Elections.

Although practical, this path is the riskiest, as it may replace people's sovereignty with the sovereignty of arms. A coup can only be justified if it truly becomes the only way to prevent the collapse of the nation.

Stages Towards People's Sovereignty

Whichever option is chosen, there are fundamental stages that must be undertaken to ensure that the transition proceeds in an orderly and democratic manner, including:

- 1. Dissolution of all members of the DPR, MPR, and political parties.*
- 2. National Statesmanship Deliberation.*
- 3. Formation/Inauguration of the State Council (Transitional Phase).*
- 4. Public Consultation/Semi-Referendum.*
- 5. Formation/Inauguration of provisional MPRS members.*
- 6. Formation/Inauguration of the definitive MPR.*
- 7. Issuance of MPR Decrees (TAP MPR).*
- 8. Dissolution of the State Council (end of the transition period).*
- 9. Formation of the National Election & Referendum Commission.*
- 10. Verification of Political Parties & independent channels.*
- 11. Drafting of the electoral stages.*
- 12. General Elections & inauguration.*

These six options are strategic pathways that can be pursued to restore people's sovereignty in full. The people must realize that sovereignty is not a gift from those in power, but a right that must be fought for.

Through one of these options or a combination thereof, the Indonesian nation can redesign its political system to truly side with the people, in line with the mandate of the Preamble of the 1945 Constitution and the ideals of the Proclamation.

of a provisional MPRS, up to the formation of a definitive MPR and MPR Decrees (TAP MPR). Ultimately, through the mechanism of elections and inaugurations, the state enters a new order in accordance with the constitution resulting from the fifth amendment.

2. National Convention

The National Convention is a bottom-up elite society path, led by national figures, students, mass organizations, and the four main pillars (intellectuals, spiritual leaders, cultural figures, and the military/police).

It begins with the Proclamation of the Initiating Council, followed by the formation of the Convention Committee to organize rules and agendas. The Convention then culminates in the National Statesmanship Deliberation, which gives birth to the State Council, a provisional MPRS, and finally a definitive MPR. This path has 13 stages—one step longer than the Presidential Decree path—because it includes a civil initiative phase before the deliberative forum begins.

3. People's Referendum

The People's Referendum is a purely bottom-up path, where the people directly express their will through a national vote. The people are asked explicitly: do they agree to hold a National Statesmanship Deliberation, establish a State Council, and amend the Constitution with the Fifth Amendment? Although the Referendum Law has been repealed, this mechanism remains morally legitimate under Article 1 paragraph (2) of the 1945 Constitution.

Once the people's mandate is obtained, the flow follows a similar pattern: State Council → provisional MPRS → definitive MPR → MPR Decree (TAP MPR) → General Election. With 12 stages, this path emphasizes the principle: when all other avenues are blocked, the people speak directly.

4. Parliamentary Path

In theory, the DPR/MPR can initiate the transition through an official initiative. They may recommend a National Statesmanship Deliberation, establish a State Council, and draft the Fifth Amendment.

However, this path is seen as politically impossible, since the current DPR/MPR is itself part of the legitimacy problem. Nevertheless, from a legal standpoint, this path is the most constitutional. If massive public pressure arises, it is not impossible that the DPR/MPR could be forced to become the entry point for change.

5. People's Revolution (People Power)

People Power is the path of mass mobilization through large-scale actions at the Presidential Palace or the DPR/MPR building. There are two possible directions:

VII. 6 OPTIONS TO REALIZE THE PEOPLE'S SOVEREIGNTY IN ITS ENTIRETY

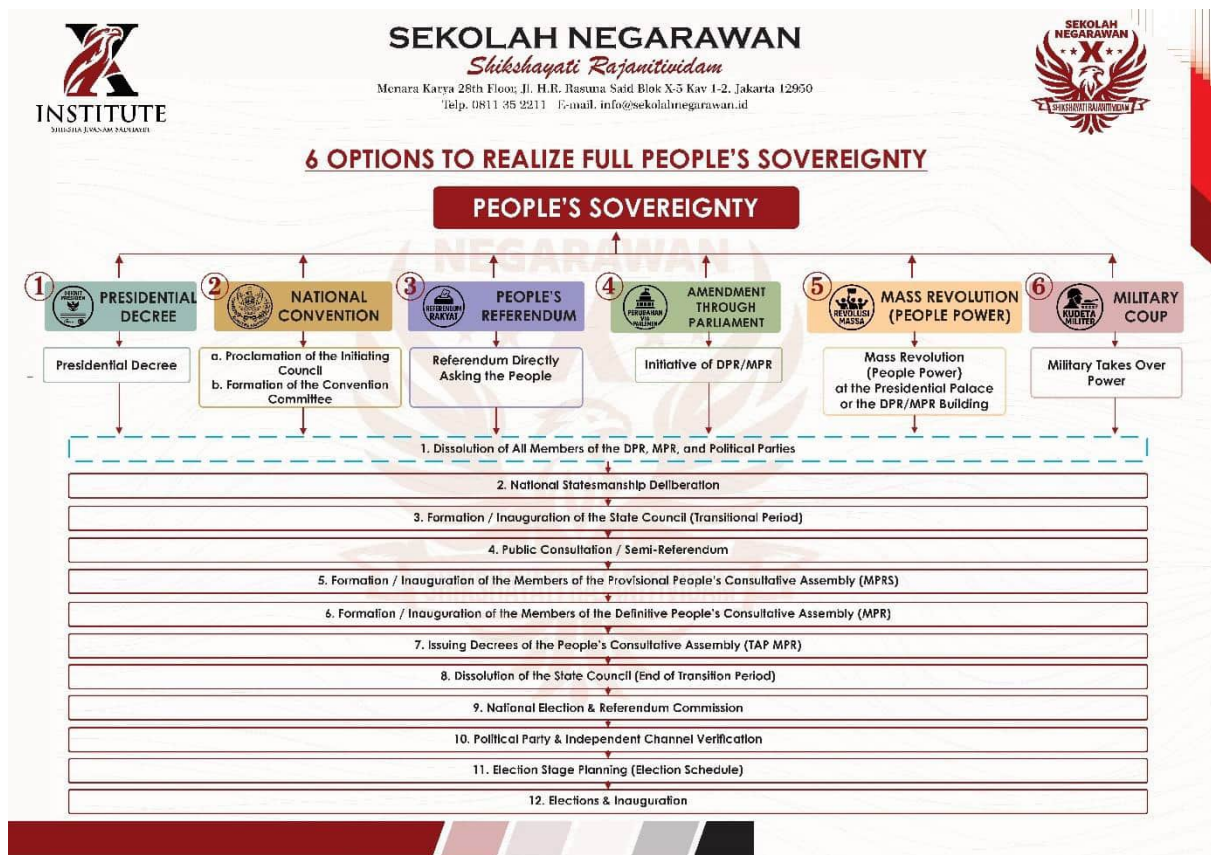


Figure 17. Six Options to Realize People's Sovereignty in Its Entirety

People's sovereignty is a fundamental principle in a democratic state. However, the long journey of this nation shows that people's sovereignty often remains a mere slogan, while political practices are still dominated by elites and particular interests. To fully restore the people's sovereignty, breakthroughs and strategic measures are needed to reform the existing political order.

In this context, there are six main options that can be pursued to realize people's sovereignty in its entirety. Each option carries its own characteristics, opportunities, and risks. A deep understanding of these six options is crucial so that the people can determine their path with full awareness and responsibility.

1. Presidential Decree

The Presidential Decree is a top-down path, where the President takes emergency action to dissolve all members of the DPR, MPR, as well as political party members who have lost legitimacy. The President then forms the National Statesmanship Deliberation Committee and the State Council as transitional authorities.

The stages consist of 12 main steps: starting from the dissolution of old institutions, the establishment of the State Council, public consultations, the emergence

2. Draft of the Fifth Amendment to the 1945 Constitution

Preparing the amendment draft with the goal of fully restoring sovereignty to the people.

3. Provisional People's Consultative Assembly (MPRS)

Formed to safeguard the transition, protect the political process from narrow interests, and ratify the Fifth Amendment to the 1945 Constitution.

4. Clear Separation between the State and the Government

The state is permanent, governments come and go. This separation is vital to ensure the state does not collapse along with the regime in power.

5. Reinterpretation of Pancasila

Pancasila is applied as an operational guideline in policy, law, and statecraft—not merely as slogans on classroom walls or in official speeches.

6. Dissolution of Political Parties that Fail to Educate the People

Only parties that genuinely conduct political education and cadre formation should survive. Parties that serve merely as vehicles of power must be dissolved.

7. Expertise-Based Legal Reform

The legal system must be built upon expertise and integrity, not raw power. Such a system ensures justice that is fair, swift, precise, and free from manipulation.

8. Digital Bureaucratic Transformation

Creating a bureaucracy that is transparent, efficient, and free from corruption through digitalized public service systems, so that the state truly serves the people.

9. Political Education in School Curriculum

Political education must be included in primary and secondary curricula to nurture a generation that is constitutionally aware, critical, and statesmanlike in character.

10. State Media as a Vehicle for Political Education

State-owned print, television, radio, online, and social media must be used as the primary means of spreading Pancasila-based moral and political education. The aim is to ensure Pancasila values reach all layers of society, strengthen ideological awareness among the youth, and instill a sense of civic responsibility.

If this house can be built, Indonesia will enter a new chapter of its history: an era when the people truly regain sovereignty over their own destiny.

VI. ROADMAP TOWARDS A PEOPLE'S HOUSE

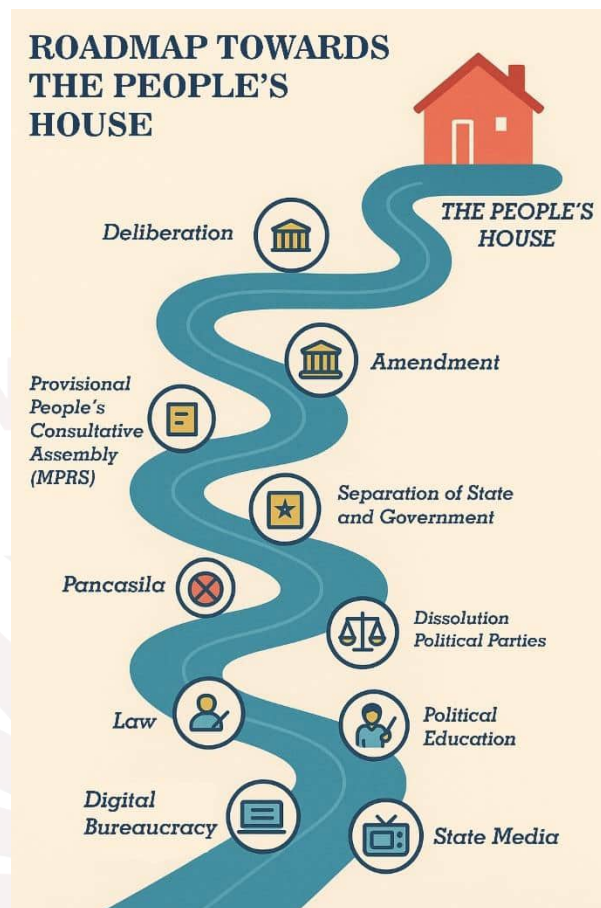


Figure 16. Illustration of the Roadmap Towards the People's House

A great nation is never born out of coincidence, but from a collective awareness to fight for its own destiny. Indonesia, our beloved homeland, has long carried a noble aspiration: to make the people the true holders of sovereignty, not merely spectators on the political stage. Yet, the course of our history shows that the sovereignty of the people has often been reduced by the interests of regimes, political parties, and ruling elites.

If the house of the state today is cracked, its roof leaking, and its foundation decayed — because of apathetic citizens and pillars of the state that have strayed or betrayed their purpose — then merely lamenting under the rubble is not enough. There must be a healing act, a plan of repair that is radical yet measured, spiritual yet systematic. This house can still be saved, if we are willing to rebuild it the right way.

Change is not merely an ideal. It requires a clear roadmap and concrete steps, including:

1. National Statesmanship Assembly

Organized by the Four Pillars of the Nation: intellectuals, religious leaders, the military and police, and cultural leaders. This assembly becomes the forum for uniting the nation's vision to design a new Constitutional Structure.

- *People's Taxes = Electricity and Water*

People's taxes can be likened to the flow of electricity and clean water in a house. When well managed, electricity flows steadily, water runs clear, and all residents live in well-being. Likewise, healthy taxation supports the nation's energy and public services. If the electricity flickers and the water is dirty, the house suffers; if taxes are misused, the people suffer.

- *Constitution (UUD) = The Foundation of the House*

The constitution is the foundation upon which the entire structure of the nation stands. A strong foundation makes the house sturdy, resistant to cracks, and able to withstand shocks. A proper constitution maintains national stability and ensures sovereignty remains with the people. If the foundation is weak, the house tilts; if the constitution is filled with trap clauses, the nation easily collapses.

The new house cannot be built by the four state pillars alone. It cannot be done merely with proposals or seminars. It must be built by the hands of an awakened people, guided by pillars that bow in service to the people.

Rebuilding the nation's house means rebuilding ourselves —becoming citizens who are healthy in body and soul, and state pillars that are faithful and responsible. Now is the time to leave behind the ruins and begin laying the first bricks. Our house is not yet complete, but its foundation can already be dug, its walls can already be arranged, and its roof will soon shelter the soul of the nation.

delivered fairly and that problems are solved. If the channel is blocked, the house will be flooded. If the president is weak, the country will be overwhelmed with problems.

- *The House of Representatives (DPR) = The House Ventilation*
The House of Representatives (DPR) is like the ventilation that allows fresh air to enter the house. Proper ventilation prevents stuffiness, provides room to breathe, and creates a refreshing atmosphere. A DPR that works sincerely to channel the people's aspirations will create a living democracy. But if the ventilation is blocked, the house becomes stifling; if the DPR is ineffective, the people suffocate.
- *Ministry of Finance/Directorate General of Taxes = The Kitchen of the House*
The management of state finances is like the household kitchen. A clean, orderly, and efficient kitchen provides nutritious meals for all the occupants. Likewise, a transparent Ministry of Finance ensures that the budget is used optimally for the people's benefit. A leaking kitchen means waste; a corrupt Ministry of Finance means budget leakage.
- *Law = Bathroom/Toilet*
The legal system is like the bathroom that serves as the waste disposal channel. A smoothly functioning toilet keeps the house clean and healthy. Fair law functions the same way: resolving problems and conflicts cleanly without spreading foul odors. If the law is clogged, injustice will contaminate the entire nation.
- *Armed Forces & Police = The Fence and Security Guard of the House*
National security can be likened to a sturdy fence and a loyal security guard. The Armed Forces protect against external threats, while the Police safeguard against internal disturbances. If both are professional, the residents feel secure, sleep peacefully, and live in harmony. Conversely, if the fence collapses or the guard betrays, the house is no longer safe.
- *Culture = Lights and Electrical Wiring*
The culture of a nation is like the electrical wiring and lights of a house. Properly connected wires light up the lamps, provide direction, and dispel darkness. A living culture becomes the source of values, identity, and shared direction. If the lights go out, the house is dark; if culture dies, society loses its compass.
- *People's Awareness = The Soul of the House*
The collective awareness of the people is the soul that gives meaning to the house. A warm home is not just a building, but one filled with love, a sense of belonging, and togetherness. A nation with people's awareness will move in the right direction. If the soul dies, the house may still stand but becomes cold, empty, and lifeless.

The people must take part in choosing both architects and contractors. It can no longer be left solely to political parties, but must be done through genuine participatory democracy. The choice should not be based on promises, but on track record and loyalty to the people.

V. A NEW AND STURDY HOUSE

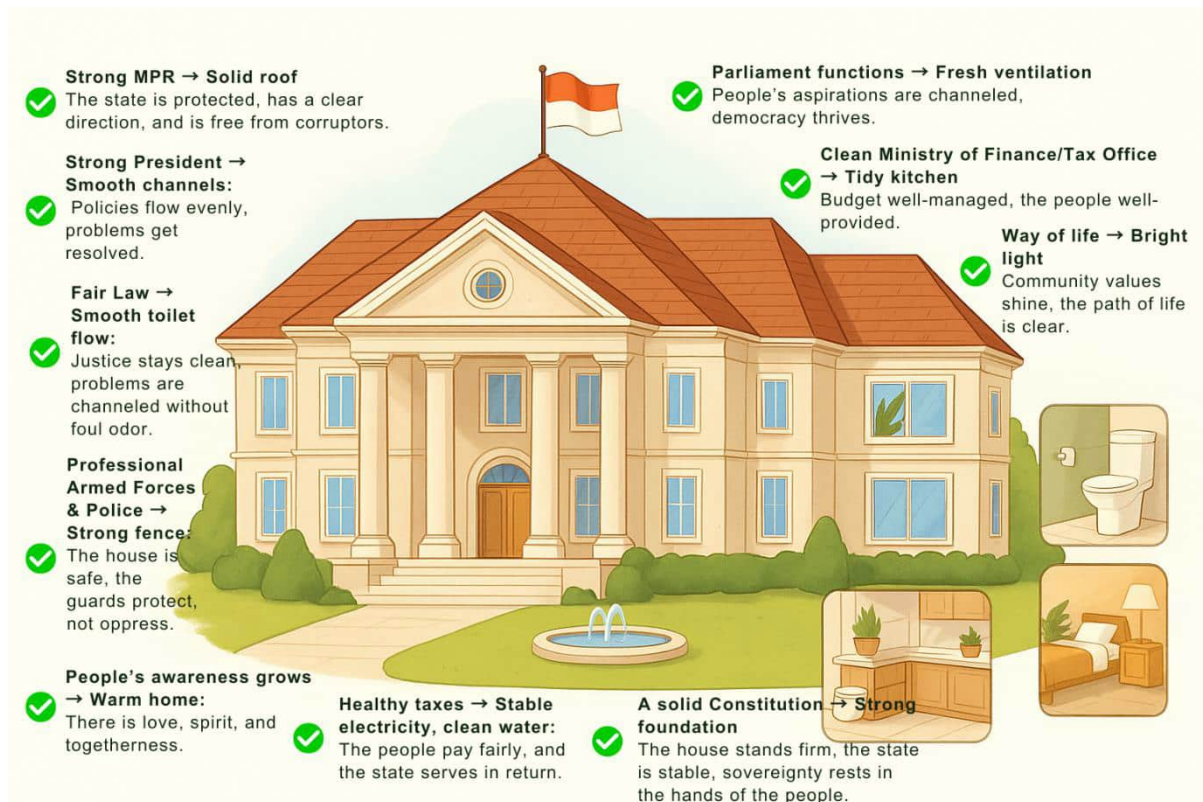


Figure 15. Illustration of a Safe, Comfortable, and Peaceful House

The characteristics of a strong and healthy national house are:

- *The People's Consultative Assembly (MPR) = The Roof of the House*
The People's Consultative Assembly (MPR) is like the roof covering the entire house. A strong roof protects the occupants from heat, rain, and external threats. Likewise, a strong MPR safeguards the people's sovereignty, provides direction, and ensures that the nation's highest decisions are not leaked or corrupted by personal interests. Without an intact roof, the house is vulnerable to thieves. Without a strong MPR, the state is easily destroyed by corruptors.
- *President = The Water Channel*
The President functions like a water channel that distributes policies throughout every space of people's lives. A smooth channel delivers clean water evenly, making the house comfortable and healthy. Similarly, a strong president ensures that policies are

III. TIME FOR A RE-DESIGN: RETURNING THE PEOPLE TO THE CENTER

Rebuilding the nation's house is not merely about patching leaks or repainting walls. We need a total redesign that restores the people as the pancer the central axis of all policies and the direction of the state.

After awareness arises from the people and the four pillars of the state, the next step is to repair the house in real terms. Awareness is not the final goal, but the starting point toward the structural and spiritual transformation of the nation. Now is the time for the damaged house not only to be reflected upon, but to be redesigned and rebuilt.

To build a new house, the people and the four pillars must unite not only in spirit, but also in planning. They must sit together, redesigning the foundations, the walls, the roof, and the living spaces of the nation.

In this redesign, the people are once again recognized as the pancer. Every structure must be grounded in the interests of the people: from the constitution, law, economy, to culture. The state pillars no longer stand separately, but are integrated into a unified system that supports one another—not one that merely controls or undermines.

The principles are clear:

- *The constitution must side with the people, not with groups or parties.*
- *The four pillars of the state must support each other, not bring each other down.*
- *Government must be transparent, not merely accountable on paper.*
- *Political education must be the right of the people, not the monopoly of parties.*

This redesign will not succeed if the people remain mere objects. They must become subjects who choose the architects (the thinkers and visionary leaders) and the contractors (the implementers in the field) who are honest, have integrity, and are committed to the common good.

IV. CHOOSING THE ARCHITECTS AND CONTRACTORS

In building a house, two key actors are needed: the architects who design, and the contractors who execute. The architects are intellectuals and visionary leaders capable of redrawing the face of the nation with humanistic values. They must possess knowledge, integrity, and a clear commitment to the people.

The contractors are the implementers on the ground: honest bureaucrats, protective officers, teachers, farmers, artists, and citizens who are directly engaged. They are the ones who lay the bricks of real life, one by one.

CHAPTER XII

THE STATE AS THE PEOPLE'S HOME: TIME FOR THE PEOPLE TO RECLAIM AND EXERCISE THEIR SOVEREIGNTY

(Analogy of a Safe, Comfortable, and Peaceful Home)

I. HOME CALLED INDONESIA: WHO OWNS IT?

Indonesia is not merely a territory defined by lines on a map. It is a great home built upon the blood, tears, and prayers of the nation's founders. This home was designed to be lived in together, protected together, and passed on to the next generations. The rightful owner of this home is the people every citizen without exception.

Yet today's reality tells a different story. The foundation of this home is cracked, its roof leaks, and its rooms are filled with conflicts of interest. Most troubling, the keys to this home are now in the hands of a small elite from the four pillars of the state: intellectuals, religion, the military/police, and culture some of whom have allied themselves with political parties and oligarchs. The people, who should be seated in the living room as the rightful hosts, have instead been pushed aside, reduced to mere spectators on the porch.

The sovereignty of the people once the very spirit of the original 1945 Constitution has now shrunk into nothing more than a slogan. The state, which was meant to serve the people, has been turned into a tool for the interests of the few.

II. THE DAMAGE TO THE HOME: THE NATION'S BODY AND SOUL

The damage to Indonesia's home is not only about the leaking roof of law or the cracked walls of the economy. More severe is the decay of the home's very soul. The legal system is blunt upward but sharp downward. Power is exercised with the logic of trade, not service. Public services often become fields of extortion, and economic policies favor big capital rather than the common people.

The younger generation, especially Gen Z, inherits a badly damaged home. They not only bear economic and social losses but also suffer from a loss of trust in the state. They grow up without role models, without clear moral direction, and within a system that makes it harder for them to become the rightful heirs of the nation's future.

This destruction is not the fault of the people as its residents but the result of architects and managers of the home who designed it poorly, mismanaged it, and often deliberately damaged it for personal or group gain.

STRUCTURE OF THE PEOPLE'S CONSULTATIVE ASSEMBLY (MPR)

As the Implementation of the Four Pillars of the State as the Mandate Holder of the People

"Four Guardians of the State and One Center of Sovereignty"

"Sedulur Papat Lima Pancer" by Emha Ainun Nadjib (Cak Nun)

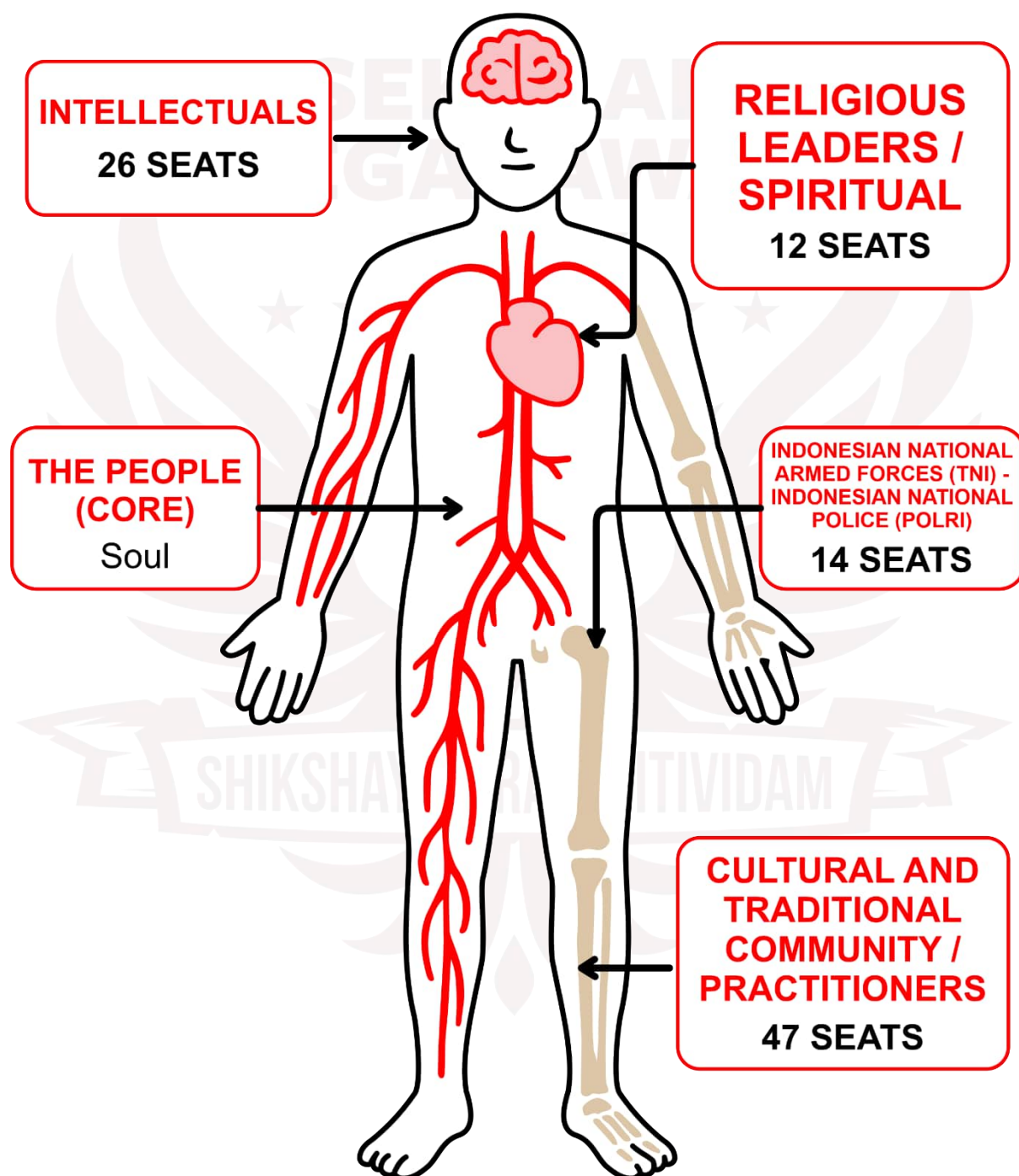


Figure 14. Structure of the People's Consultative Assembly (MPR) as the Implementation of the Four Pillars of the State

<i>Other Professional Groups</i>	7	<i>e.g., modern entrepreneurs, research-oriented MSMEs, etc.</i>
THE RELIGIOUS & SPIRITUAL CLASS (THE HEART) = 12 SEATS		
<i>Religious & Spiritual Leaders</i>	7	<i>One representative from each recognized religion and belief. Since Islam is the majority religion in Indonesia, 2 seats are allocated: 1 from the Muhammadiyah Islamic organization and 1 from Nahdlatul Ulama (NU).</i>
<i>Representatives of spiritually active kingdoms</i>	3	<i>From the 7 kingdoms, it is assumed that 3 seats are allocated.</i>
<i>Healthcare Workers</i>	2	<i>Representing ethics of service and humanitarian values.</i>
MILITARY & POLICE (THE BONES) = 14 SEATS		
<i>TNI (Indonesian Armed Forces)</i>	9	<i>3 from each branch (Army, Navy, Air Force).</i>
<i>Polri (National Police)</i>	5	<i>Representing major regions or main directorates.</i>
CULTURAL & CUSTOMARY CLASS (THE BLOOD & FLESH) = 47 SEATS		
<i>Regional Delegates</i>	26	<i>From a total of 31, reduced by 5 assigned to the Intellectual Group</i>
<i>Archipelagic Kingdoms</i>	4	<i>From a total of 7, reduced by 3 assigned to the Religion & Spirituality Group</i>
<i>Ethnic Groups</i>	10	<i>Representing major ethnic groups such as Javanese, Sundanese, Batak, Bugis, etc.</i>
<i>Artists & Cultural Figures</i>	2	
<i>armers & Fishermen</i>	3	
<i>Laborers & Industrial Workers</i>	4	
<i>Entrepreneurs & MSMEs</i>	2	<i>traditional/local-based</i>

Professional Groups	37	Proportionally distributed based on the following breakdown.
- Teachers & Lecturers	5	
- Farmers & Fishermen	3	
- Workers & Industrial Laborers	4	
- Entrepreneurs & SMEs	4	
- Health Workers (doctors, nurses, midwives)	3	
- Engineers & Technocrats	2	
- Religious & Spiritual Leaders	7	
- Artists & Cultural Figures	2	
- Journalists & Media Professionals	2	
- Lawyers & Legal Experts	2	
- IT / Technology Professionals	3	
TOTAL = 99 SEATS		

**STRUCTURE OF THE PEOPLE'S CONSULTATIVE ASSEMBLY (MPR)
AS THE IMPLEMENTATION OF "FOUR GUARDIANS OF THE STATE AND ONE
CENTER OF SOVEREIGNTY"**

"Sedulur Papat Lima Pancer" by Emha Ainun Nadjib (Cak Nun)"

Representation Group	Number of Seats	Rationale
THE INTELLECTUAL CLASS (THE BRAIN) = 26 SEATS		
Teachers & Lecturers	5	
Engineers & Technocrats	2	
IT/ Technology Professionals	3	
Lawyers & Legal Experts	2	
Journalists & Media	2	
Regional Representatives	5	

They form the framework that upholds the state, ensuring security, sovereignty, and unity. The military and police serve as the frontline of defense as well as symbols of firmness in maintaining national consensus.

4. The Cultural & Traditional Community (Blood & Flesh)

These are the elements that animate, color, and bequeath the nation's identity. Artists, farmers, fishermen, laborers, local MSME actors, as well as ethnic and royal representatives embody the living expression of Indonesia's diversity and cultural wealth.

All the elements above converge on the People. They are the soul of the nation and the holders of the highest sovereignty. In the context of MPR membership, the people are represented through various channels, regional representatives, professional groups, customary communities, and even marginalized groups, who together form the collective consciousness and direction of the nation's future.

The School of Statesmanship offers a conceptual framework in the form of the Structure of the People's Consultative Assembly (MPR) as the embodiment of the "Four Guardians of the State and One Center of Sovereignty." The MPR structure, consisting of 99 seats with a distribution reflecting philosophical values, is not merely a numerical representation. It is a manifestation of a life philosophy that places human beings (the people) at the center, surrounded by the four vital forces of the nation. With this approach, the MPR becomes an institution that is not only politically democratic but also deeply rooted in the culture and spirituality of the Archipelago.

Structure of the People's Consultative Assembly (MPR)

Representation Group	Number of Seats	Rationale
Regional Delegates (Provinces)	31	1 person per province or provincial cluster in Indonesia.
Archipelagic Kingdoms	7	Drawn from active kingdoms recognized culturally and historically.
Ethnic Groups	10	Representing major ethnic groups (Javanese, Sundanese, Batak, Bugis, etc.).
Indonesian Armed Forces (Army, Navy, Air Force)	9	3 seats for each branch (Army, Navy, Air Force).
Indonesian National Police	5	Representing major regions or main directorates.

- *The Military and Police (TNI/Polri) as the Protector*
Maintaining stability, security, as well as the integrity and sovereignty of the state.
- *Culture as the Guardian of Identity*
Revitalizing the character, personality, and diversity of the nation through cultural heritage and traditions.
- *Center: The People as the Bearers of Sovereignty*
All power and mandates originate from the people. They are the center from which every policy and authority must derive and to which they must return.

The People's Consultative Assembly (MPR) as a Philosophical Representation in National Life

- *In Javanese philosophy, the emphasis is placed on balance between the physical and the spiritual, the individual and nature, as well as humanity and the Creator.*
- *In the context of the state, "Sedulur Papat Lima Pancer" can be interpreted as the necessity of maintaining balance among the various elements of society, with the people as the central point (pancer) who serve as the source of authority and the orientation of national development.*
- *In this spirit, the composition of the MPR should ideally be structured based on the balance of these four guardian elements, with the people as the central source of mandate. Thus, the MPR is not only politically representative, but also rooted in the cultural and spiritual values of the Nusantara.*

This concept teaches harmony and balance as the foundation of life—whether personal, social, or national—composed of:

1. The Intellectuals (Brain)

As the center of reasoning and wisdom, intellectuals play a role in providing direction, shaping the national vision, and formulating policies based on knowledge. They include teachers, lecturers, engineers, lawyers, and technology professionals as vital elements who enlighten the nation's life.

2. The Religious & Spiritual Community (Heart)

Serving as moral and ethical guides, this group safeguards noble values, spirituality, and public morality. Religious leaders, spiritual figures, dedicated health workers, and royal representatives who carry spiritual values act as guardians of the nation's inner balance.

3. The Armed Forces & Police (Bones)

CHAPTER XI

THE FOUR PILLARS OF THE PEOPLE'S MANDATE

(Intellectuals, Religion, the Military/ Police, and Culture as Guardians of the State, with the People as the Center of Sovereignty)

Based on Javanese philosophy, the State is not merely an administrative entity, but a living body that possesses a brain, heart, bones, blood & flesh, and a soul as the foundation of balance. The concept of **“Four Guardians of the State and One Center of Sovereignty”** is inspired by the teaching of **“Sedulur Papat Lima Pancer”** by Emha Ainun Nadjib (Cak Nun), which describes the five essential elements of human life. The four true siblings (the cardinal directions) and one center (pancer) are symbolically applied to understand the roles of elements within the life of the State.

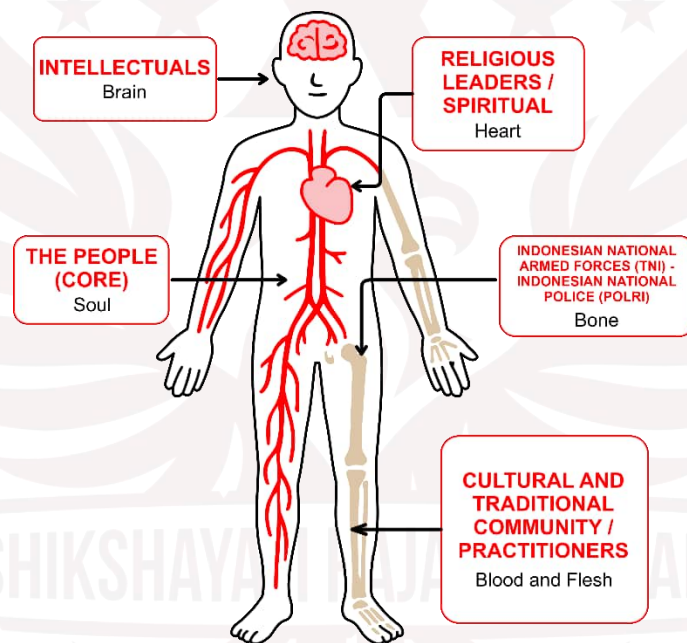


Figure 13. Javanese Philosophy of Sedulur Papat Lima Pancer

In the life of the state, these four guardian elements manifest as the strategic strengths of the nation, all working toward one true center of power: the people.

The Four Guardians of the State and One Center of Sovereignty:

- **Intellectuals as the Guide**
Serving as the center of reason and providing policy direction based on knowledge and wisdom.
- **Religion as the Guardian of Morality**
Safeguarding values, ethics, and spirituality in public life and governance.

- *Ministry of Technology, Innovation, and National Research*
- 2. *Technostructure – Technical units that establish standards, procedures, and government regulations*
 - *Ministry of Law, Legislation, and Human Rights*
 - *Ministry of Communication and Digital Transformation*
 - *Ministry of Government Finance*
 - *Ministry of Government Development Planning*
- 3. *Operating Core - Core units that implement policies and provide direct public services to the community*
 - *Ministry of Agriculture, Environment, and Forestry*
 - *Ministry of Trade, Industry, and Investment*
 - *Ministry of Manpower and Community Empowerment*
 - *Ministry of Education, Youth, and Culture*
 - *Ministry of Transportation*
 - *Ministry of Health and Social Affairs*
 - *Ministry of Public Works and Public Housing*
 - *Ministry of Maritime Affairs, Fisheries, and Food*
- 4. *Middle Line - Units that ensure optimal internal coordination within the country*
 - *Ministry of Home Affairs*

With this model, the President's position as the strategic controller is supported by a management system comparable to a large corporate structure, where roles are clearly defined, the chain of command is structured, and support functions are strengthened. This design corrects weaknesses of the previous structure, which tended to have over lapping authorities and was less optimal in cross-sector coordination.

CHAPTER X

SOVEREIGN GOVERNMENT DESIGN OF THE REPUBLIC OF INDONESIA

(Proposed Structure of the Government of the Republic of Indonesia)

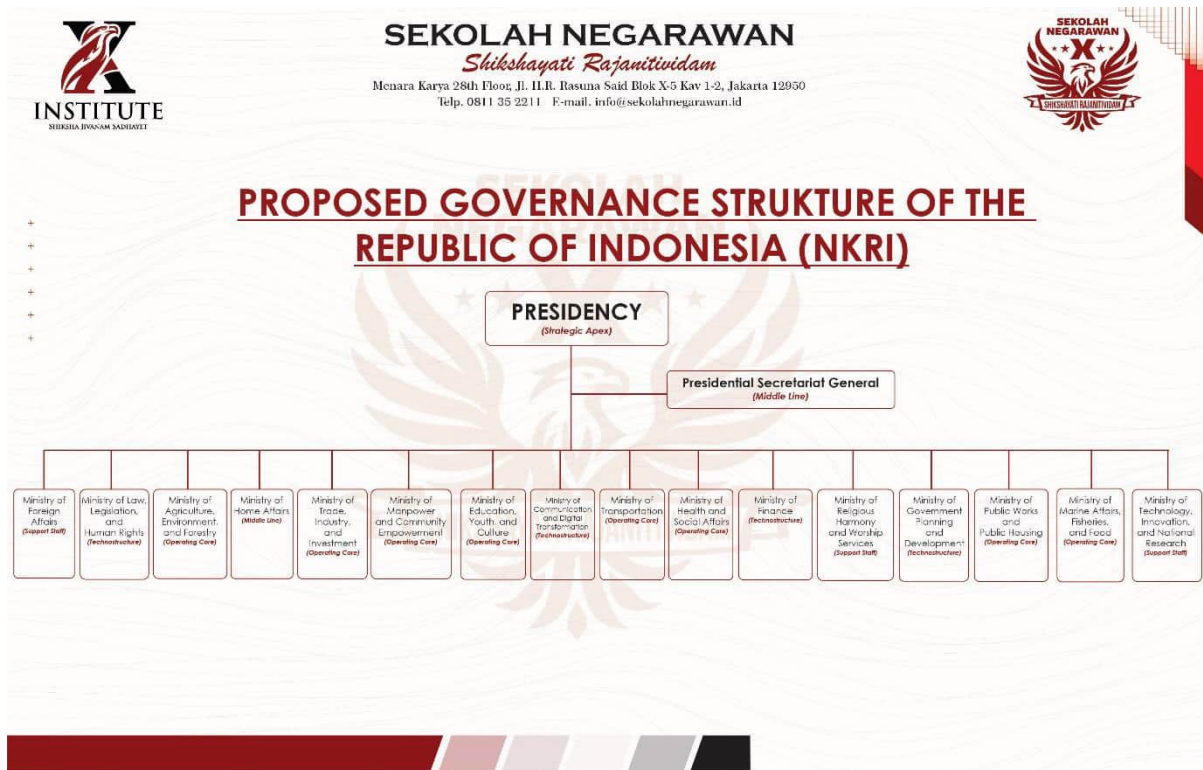


Figure 12. Proposed Structure of the Government of the Republic of Indonesia

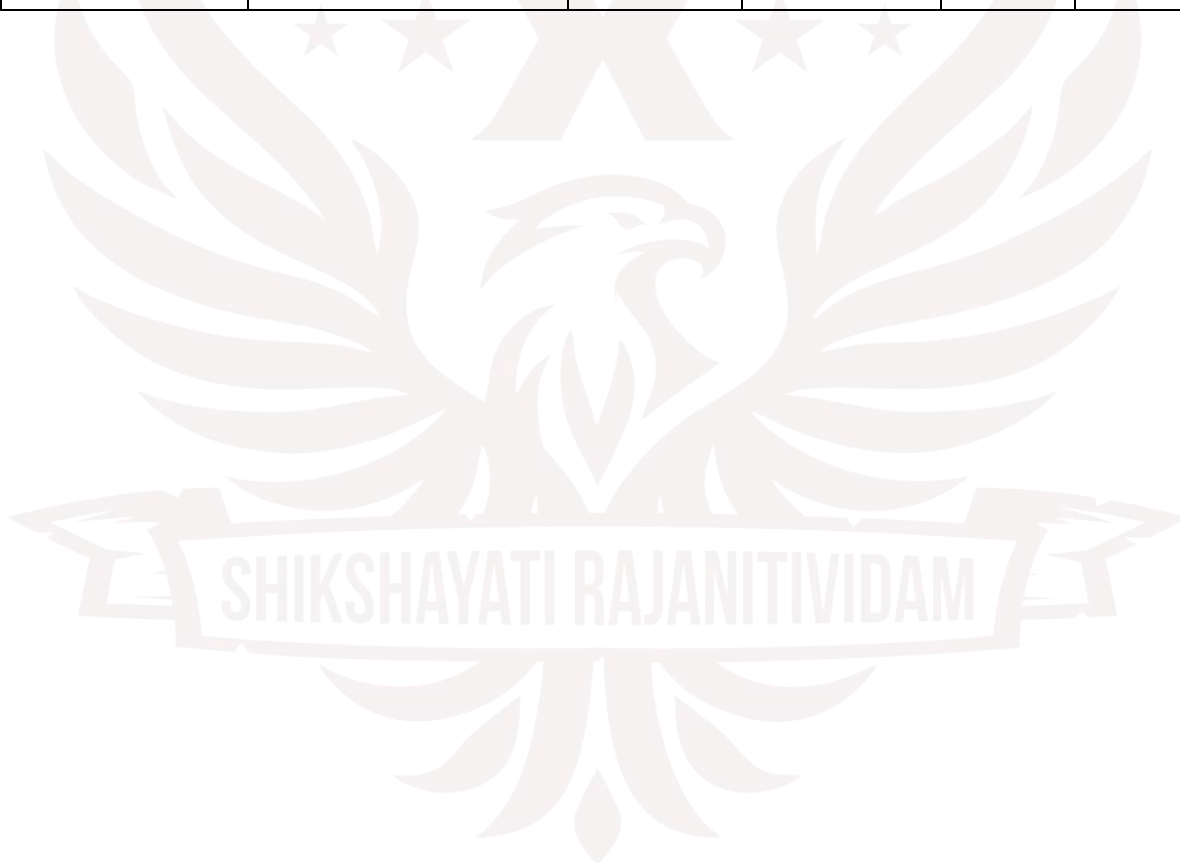
A sovereign government design requires a structure capable of accommodating the principles of efficiency, cross-sector coordination, and alignment with modern management theories. Based on this proposal, the President holds the top position as the Strategic Apex, the strategic control center of the state that sets the national vision, mission, and policy direction.

The President is assisted by the Presidential Secretariat General as the Middle Line, which serves as a liaison and coordinator between the top leadership and the ministries implementing policies.

The ministry structure is divided according to the main functions in corporate management theory, namely:

1. *Support Staff - Units that provide administrative and external relations support services*
 - Ministry of Foreign Affairs
 - Ministry of Religious Harmony and Worship Services

	<i>religious, and innovation support</i>				
<i>Ministry of Religious Harmony and Worship Services</i>	<i>Administrative, communication, religious, and innovation support</i>	✓	✓	✓	✓
<i>Ministry of Technology, Innovation, and National Research</i>	<i>Administrative, communication, religious, and innovation supports</i>	✓	✓	✓	✓



Ministry of Education, Youth, and Culture	Technical implementers and direct public service providers				
Ministry of Transportation	Technical implementers and direct public service providers				
Ministry of Health and Social Affairs	Technical implementers and direct public service providers				
Ministry of Public Works and Public Housing	Technical implementers and direct public service providers				
Ministry of Maritime Affairs, Fisheries, and Food	Technical implementers and direct public service providers				
Ministry of Law, Legislation, and Human Rights	Regulates systems, policies, regulations, and planning				
Ministry of Communication and Digital Transformation	Regulates systems, policies, regulations, and planning				
Ministry of Government Finance	Regulates systems, policies, regulations, and planning				
Ministry of Government Development Planning	Regulates systems, policies, regulations, and planning				
Ministry of Foreign Affairs	Administrative, communication,				

Compliance Checklist of Government Institutions with Management Theories
(Statesmanship School Framework)

Institution Name	Government Institution Duties	Compliance Checklist			
		Corporate Function	Mintzberg's Theory	Henri Fayol's Theory	ISQM Theory
Presidency	Top leadership, determining strategic direction	✓	✓	✓	✓
Presidential Secretariat General	Connecting the President with other government institutions, coordinating implementation of the President's decisions into operational activities	✓	✓	✓	✓
Ministry of Home Affairs	Bridge between top leadership and technical executors (Regional Government)	✓	✓	✓	✓
Ministry of Agriculture, Environment, and Forestry	Technical implementers and direct public service providers	✓	✓	✓	✓
Ministry of Trade, Industry, and Investment	Technical implementers and direct public service providers	✓	✓	✓	✓
Ministry of Manpower and Community Empowerment	Technical implementers and direct public service providers	✓	✓	✓	✓

<i>Ministry of Government Development Planning</i>	<i>Quality Risk Identification & Assessment</i>	<i>System Analysts, Legal Team, R&D Team</i>	<i>System, policy, regulation, and planning management.</i>
<i>Ministry of Foreign Affairs</i>	<i>Information & Communication</i>	<i>Secretariat, HRD Team, Public Relations, IT Support, Office Facilities</i>	<i>Administrative support, communication, religious affairs, innovation.</i>
<i>Ministry of Religious Harmony and Worship Services</i>	<i>Information & Communication</i>	<i>Secretariat, HRD Team, Public Relations, IT Support, Office Facilities</i>	<i>Administrative support, communication, religious affairs, innovation.</i>
<i>Ministry of Technology, Innovation, and National Research</i>	<i>Resources (Human, System, Information)</i>	<i>Secretariat, HRD Team, Public Relations, IT Support, Office Facilities</i>	<i>Administrative support, communication, religious affairs, innovation.</i>

Based on the management theories previously discussed namely Mintzberg's Theory, Henri Fayol's Theory, and ISQM Theory along with the Corporate Function approach as an analogical framework, the implementation of state and government governance in Indonesia can be analyzed through the perspective of the Statesmanship School. By referring to these theories, conclusions can be drawn regarding the extent to which the functions of state institutions align with modern managerial principles oriented toward effectiveness, accountability, and sustainable quality, as follows:

		/ Production or Service Operator	
Ministry of Manpower and Community Empowerment	Control Activities	Implementation Staff / Field Team / Production or Service Operator	Technical executor and direct public service.
Ministry of Education, Youth, and Culture	Control Activities	Implementation Staff / Field Team / Production or Service Operator	Technical executor and direct public service
Ministry of Transportation	Control Activities	Implementation Staff / Field Team / Production or Service Operator	Technical executor and direct public service.
Ministry of Health and Social Affairs	Control Activities	Implementation Staff / Field Team / Production or Service Operator	Technical executor and direct public service.
Ministry of Public Works and Public Housing	Control Activities	Implementation Staff / Field Team / Production or Service Operator	Technical executor and direct public service.
Ministry of Maritime Affairs, Fisheries, and Food	Control Activities	Implementation Staff / Field Team / Production or Service Operator	Technical executor and direct public service
Ministry of Law, Legislation, and Human Rights	Monitoring & Remediation	System Analysts, Legal Team, R&D Team	System, policy, regulation, and planning management.
Ministry of Communication and Digital Transformation	Resources (Human, System, Information)	System Analysts, Legal Team, R&D Team	System, policy, regulation, and planning management.
Ministry of Government Finance	Control Activities	System Analysts, Legal Team, R&D Team	System, policy, regulation, and planning management.

This component ensures accurate, timely, and transparent information flows across all units. Information flows must be efficient and transparent. Good decisions can only be made if information between institutions and to the public is clear and open. Examples include e-government systems, public information transparency, and inter-ministry/agency coordination.

6. Control Activities

Refers to concrete actions and policies to ensure that all work complies with standards. In the context of a state, this includes SOPs (Standard Operating Procedures), regulations, reporting mechanisms, as well as inherent internal control processes.

The following is a classification table of Indonesian Government Institutions based on ISQM Theory and Corporate Function Analogy, emphasizing that the People are the Shareholders or Owners.

***Classification of Indonesian Government Institutions According to ISQM Theory
(International Standard On Quality Management)***

<i>Institution Name</i>	<i>Function (ISQM)</i>	<i>Function (Corporate)</i>	<i>Institutional Duties</i>
<i>Presidency</i>	<i>Governance & Leadership</i>	<i>Chief Executive Officer (CEO)</i>	<i>Top leadership, determining strategic direction</i>
<i>Presidential Secretariat General</i>	<i>Information & Communication</i>	<i>Corporate Secretary/ Chief of Staff (COS)</i>	<i>Connect the President with other government institutions; coordinate implementation of Presidential decisions</i>
<i>Ministry of Home Affairs</i>	<i>Monitoring & Remediation</i>	<i>General Manager / Division Head / Operations Director</i>	<i>Bridge between top leadership and technical implementers (Local Government)</i>
<i>Ministry of Agriculture, Environment, and Forestry</i>	<i>Control Activities</i>	<i>Implementation Staff / Field Team / Production or Service Operator</i>	<i>Technical implementer and direct public service</i>
<i>Ministry of Trade, Industry, and Investment</i>	<i>Control Activities</i>	<i>Implementation Staff / Field Team</i>	<i>Technical executor and direct public service.</i>

- *Objective-Oriented* : Focuses on ensuring organizational goals are achieved with the highest quality.
- *Systemic Dynamics*: : Emphasizes ongoing monitoring and adjustment of systems (continual improvement).

In the context of a nation, ISQM can serve as a systematic approach to ensure that every state institution, from the executive to oversight bodies, carries out its duties effectively, transparently, and sustainably.

Below are the six main components of ISQM:

1. Governance & Leadership

Represents the top management fully responsible for the quality of the system. In the context of a nation, this means that leadership and governance systems must be strong and accountable. National leaders are tasked with creating an ethical work climate oriented toward public service.

2. Quality Risk Identification & Assessment

This component functions to identify risks that may disrupt the achievement of quality and organizational objectives. In the context of a nation, every state institution must be able to recognize risks that can compromise work quality, such as corruption, policy overlaps, or weak oversight. For example, the Audit Board (BPK) and the National Development Planning Agency (Bappenas) play critical roles in assessing risks to financial management and national development planning.

3. Monitoring & Remediation

This involves routine monitoring, evaluating system effectiveness, and continuous improvement. In the context of a nation, the government and state institutions must continuously monitor the system and make corrections when deviations occur. Examples include regular audits, performance evaluations of institutions, and follow-ups on findings as conducted by the Audit Board (BPK), Judicial Commission (KY), or internal inspectorates.

4. Resources (Human, Systems, and Information)

This component provides human resources, technology, information, and infrastructure to support quality. The state must ensure the availability of competent personnel, reliable digital systems, and good access to data so that programs run effectively. Examples include BP-ASN managing civil servants or ministries/agencies managing big data and national budgets.

5. Information & Communication

<i>Ministry of Government Development Planning</i>	<i>Strategic Planning</i>	<i>System Analysis, Legal Team, R&D Team</i>	<i>Regulator of systems, policies, regulations, and planning.</i>
<i>Ministry of Foreign Affairs</i>	<i>Coordination, Organizing</i>	<i>Secretariat, HR Team, Public Relations, IT Support, Office Facilities</i>	<i>Administrative support, communication, religious affairs, innovation.</i>
<i>Ministry of Religious Harmony and Worship Services</i>	<i>Coordination, Organizing</i>	<i>Secretariat, HR Team, Public Relations, IT Support, Office Facilities</i>	<i>Administrative support, communication, religious affairs, innovation.</i>
<i>Ministry of Technology, Innovation, and National Research</i>	<i>Organizing, Coordination</i>	<i>Secretariat, HR Team, Public Relations, IT Support, Office Facilities</i>	<i>Administrative support, communication, religious affairs, innovation.</i>

C. ISQM THEORY (INTERNATIONAL STANDARD ON QUALITY MANAGEMENT)

ISQM (International Standard on Quality Management) is an international quality management standard issued by the IAASB (International Auditing and Assurance Standards Board) to help organizations work efficiently, purposefully, and free from significant errors.

The main objectives of ISQM are to ensure that an organization has an effective quality management system, so that every activity:

- Is consistent with established standards and principles.
- Produces high-quality decisions and performance.
- Manages risks proactively.

Key characteristics of ISQM include:

- Risk-Based : Organizations must understand risks to quality and design appropriate responses.
- Flexible & Adaptable : Can be tailored for both large and small organizations, including governmental entities.

<i>Ministry of Manpower and Community Empowerment</i>	<i>Commanding, Supervising</i>	<i>Operational Staff / Field Team / Production or Service Operator</i>	<i>Technical implementers and direct public service</i>
<i>Ministry of Education, Youth, and Culture</i>	<i>Commanding, Supervising</i>	<i>Operational Staff / Field Team / Production or Service Operator</i>	<i>Technical implementers and direct public service</i>
<i>Ministry of Transportation</i>	<i>Commanding, Supervising</i>	<i>Operational Staff / Field Team / Production or Service Operator</i>	<i>Technical implementers and direct public service.</i>
<i>Ministry of Health and Social Affairs</i>	<i>Commanding, Supervising</i>	<i>Operational Staff / Field Team / Production or Service Operator</i>	<i>Technical implementers and direct public service.</i>
<i>Ministry of Public Works and Public Housing</i>	<i>Commanding, Supervising</i>	<i>Operational Staff / Field Team / Production or Service Operator</i>	<i>Technical implementers and direct public service.</i>
<i>Ministry of Maritime Affairs, Fisheries, and Food</i>	<i>Commanding, Supervising</i>	<i>Operational Staff / Field Team / Production or Service Operator</i>	<i>Technical implementers and direct public service.</i>
<i>Ministry of Law, Legislation, and Human Rights</i>	<i>Planning, Coordination, Supervision</i>	<i>System Analysis, Legal Team, R&D Team</i>	<i>Regulator of systems, policies, regulations, and planning</i>
<i>Ministry of Communication and Digital Transformation</i>	<i>Planning, Coordination, Supervision</i>	<i>System Analysis, Legal Team, R&D Team</i>	<i>Regulator of systems, policies, regulations, and planning.</i>
<i>Ministry of Government Finance</i>	<i>Planning, Supervision</i>	<i>System Analysis, Legal Team, R&D Team</i>	<i>Regulator of systems, policies, regulations, and planning.</i>

- The Top Leader (President) does not directly manage all institutions, but does so through a layered delegation system and structured division of functions.
- Each superior can directly manage a maximum of 16 work units or other institutions, hence a hierarchical and functional structure is created.

Below is the table classifying Indonesian Government Institutions according to Henri Fayol's Theory and Corporate Function Analogy, emphasizing that the People are the Shareholders.

Classification of Indonesian Government Institutions According to Henri Fayol's Theory

Institution Name	Function (Mintzberg)	Function (Corporate)	Tasks of State Institutions
Presidency	Planning, Organizing, Coordinating, Supervising	Chief Executive Officer (CEO)	Top leadership, strategic direction setter
Presidential Secretariat General	Coordination, Organizing	Corporate Secretary/ Chief of Staff (COS)	Connects the President with other government agencies, coordinating the implementation of Presidential decisions into agency operations.
Ministry of Home Affairs	Organizing, Coordination	General Manager / Division Head / Operational Director	Bridge between top leadership and technical implementers (Regional Government).
Ministry of Agriculture, Environment, and Forestry	Commanding, Supervising	Operational Staff / Field Team / Production or Service Operator	Technical implementers and direct public service.
Ministry of Trade, Industry, and Investment	Commanding, Supervising	Operational Staff / Field Team / Production or Service Operator	Technical implementers and direct public service.

<i>Ministry of Government Finance</i>	<i>Techno-Structure</i>	<i>System Analysts, Legal Team, R&D Team</i>	<i>Regulates systems, policies, regulations, and planning</i>
<i>Ministry of Government Development Planning</i>	<i>Techno-Structure</i>	<i>System Analysts, Legal Team, R&D Team</i>	<i>Regulates systems, policies, regulations, and planning</i>
<i>Ministry of Foreign Affairs</i>	<i>Support Staff</i>	<i>Secretariat, HRD Team, Public Relations, IT Support, Office Facilities</i>	<i>Administrative support, communication, protocol, and innovation</i>
<i>Ministry of Religious Harmony and Worship Services</i>	<i>Support Staff</i>	<i>Secretariat, HRD Team, Public Relations, IT Support, Office Facilities</i>	<i>Administrative support, communication, religious affairs, innovation</i>
<i>Ministry of Technology, Innovation, and National Research</i>	<i>Support Staff</i>	<i>Secretariat, HRD Team, Public Relations, IT Support, Office Facilities</i>	<i>Administrative support, communication, religious affairs, innovation</i>

B. HENRI FAYOL THEORY

Henri Fayol is one of the pioneers of modern management who developed 14 management principles. One unwritten yet practically implemented principle is the “span of control,” which refers to the optimal number of direct subordinates a leader can manage effectively.

Fayol argued that for effectiveness and efficiency, a leader should not oversee too many direct subordinates, and the organizational structure should be designed hierarchically to maintain proper communication and control. In the context of government or state administration, this principle can be adapted to explain the structure of state institutions based on the leader’s span of control.

Basic Principles of Adapting Fayol’s Theory to State Structure are as follows:

- The people are the Owners of the State / Shareholders.
- The MPR acts as the Representative of Sovereignty (Board of Governance).

		<i>Production or Service Operators</i>	
<i>Ministry of Trade, Industry, and Investment</i>	<i>Operating Core</i>	<i>Executing Staff / Field Team / Production or Service Operators</i>	<i>Direct technical implementers and public service providers.</i>
<i>Ministry of Manpower and Community Empowerment</i>	<i>Operating Core</i>	<i>Executing Staff / Field Team / Production or Service Operators</i>	<i>Direct technical implementers and public service providers.</i>
<i>Ministry of Education, Youth, and Culture</i>	<i>Operating Core</i>	<i>Executing Staff / Field Team / Production or Service Operators</i>	<i>Direct technical implementers and public service providers</i>
<i>Ministry of Transportation</i>	<i>Operating Core</i>	<i>Executing Staff / Field Team / Production or Service Operators</i>	<i>Direct technical implementers and public service providers</i>
<i>Ministry of Health and Social Affairs</i>	<i>Operating Core</i>	<i>Executing Staff / Field Team / Production or Service Operators</i>	<i>Direct technical implementers and public service providers</i>
<i>Ministry of Public Works and Public Housing</i>	<i>Operating Core</i>	<i>Executing Staff / Field Team / Production or Service Operators</i>	<i>Direct technical implementers and public service providers</i>
<i>Ministry of Maritime Affairs, Fisheries, and Food</i>	<i>Operating Core</i>	<i>Executing Staff / Field Team / Production or Service Operators</i>	<i>Direct technical implementers and public service providers</i>
<i>Ministry of Law, Legislation, and Human Rights</i>	<i>Techno-Structure</i>	<i>System Analysts, Legal Team, R&D Team</i>	<i>Regulates systems, policies, regulations, and planning</i>
<i>Ministry of Communication and Digital Transformation</i>	<i>Techno-Structure</i>	<i>System Analysts, Legal Team, R&D Team</i>	<i>Regulates systems, policies, regulations, and planning</i>

CHAPTER IX

REFORM OF GOVERNMENT INSTITUTIONS: PROPOSALS AND ANALYSIS BASED ON MANAGEMENT THEORY

A. MINTZBERG'S THEORY

Mintzberg's Theory is a theory about organizational structure developed by Henry Mintzberg, a management expert from Canada. This theory explains that every organization, including government, consists of five main parts, each having a specific role in executing the organization's functions.

Below is a table classifying Indonesian Government Institutions according to Mintzberg's Theory and Corporate Function Analogy, emphasizing that the People are the Shareholders.

Classification of Indonesian Government Institutions According to Mintzberg's Theory

Institution Name	Function (Mintzberg)	Function (Corporate)	Tasks of State Institutions
Presidency	Strategic Apex	Chief Executive Officer (CEO)	Highest leadership, determinant of strategic direction
Presidential Secretariat General	Middle Line	Corporate Secretary/ Chief of Staff (COS)	Connecting the President with other government institutions; coordinating the implementation of the President's decisions into the operational activities of related agencies
Ministry of Home Affairs	Middle Line	General Manager / Division Head / Director of Operations	A bridge between top leadership and technical implementers (Regional Governments)
Ministry of Agriculture, Environment, and Forestry	Operating Core	Executing Staff / Field Team /	Direct technical implementers and public service providers

	<i>the management of the national budget is accountable and transparent.</i>				
<i>State Finance and Asset Management Agency (BPKAN)</i>	<i>Manages state finances and assets professionally; responsible for regulating the budget and national wealth.SS</i>				
<i>The State Treasury Management Agency (BPKN)</i>	<i>the state treasury and government cash flow; ensures liquidity availability for the efficient implementation of the State Budget (APBN).</i>				
<i>The National Civil Service Agency (BP-ASN)</i>	<i>Regulates and manages the civil service (ASN); provides human resource support functions to ensure effective government bureaucracy.</i>				

Constitutional Court (CC)	Safeguarding the constitution and constitutional order; adjudicating constitutional disputes and upholding the supremacy of the 1945 Constitution.				
Judicial Commission (KY)	Carrying out judicial oversight functions (especially judges' conduct) to maintain integrity and the supremacy of law.				
Attorney General's Office of the Republic of Indonesia	Uphold the law and safeguard justice; handle criminal prosecutions and ensure compliance with the law.				
National Security Council (NSC)	Safeguard national security and stability; conduct risk mitigation in the fields of defense and security in a coordinated manner.				
National Development Planning Agency (Bappenas)	Formulate strategic policies and national development plans; conduct long-term planning for the nation's development.				
Audit Board of Indonesia (BPK)	Conduct audits and oversight of state finances; ensure that				

<i>Secretariat General of the People's Consultative Assembly (MPR)</i>	<i>Connecting the MPR with other state institutions; coordinating the implementation of MPR decisions into the operations of the relevant institutions.</i>				
<i>House of Representatives (DPR)</i>	<i>Carries out legislation, budgeting, government oversight, and accommodates the people's aspirations in the administration of government.</i>				
<i>President of the Republic of Indonesia</i>	<i>Serves as the Head of Government who manages the administration of governance and serves the people in day-to-day executive affairs.</i>				
<i>Resource Management Agency (BPSD)</i>	<i>Managing natural resources and capital resources for the welfare of the people, ensuring that the results are utilized to the fullest extent for the prosperity of the people.</i>				
<i>Supreme Court (MA)</i>	<i>Conducts the highest level of judicial review (cassation) within the legal system; upholds the supremacy of law through fair rulings.</i>				

<i>State Treasury Management Agency (BPKN)</i>	<i>Control Activities</i>	<i>Chief Treasury Officer (CTrO)</i>	<i>Manages the state treasury and government cash flows; ensures liquidity availability for the efficient implementation of the State Budget (APBN).</i>
<i>National Civil Service Agency (BP-ASN)</i>	<i>Resources (Human, System, Information)</i>	<i>Chief Human Resources Officer (CHRO)</i>	<i>Regulates and manages the state civil apparatus (ASN); carries out human resource support functions to ensure government bureaucracy runs effectively.</i>

Based on the management theories previously discussed namely Mintzberg's Theory, Henri Fayol's Theory, and ISQM Theory along with the Corporate Function approach as an analogical framework, the implementation of state and government governance in Indonesia can be analyzed through the perspective of the Statesmanship School. By referring to these theories, conclusions can be drawn regarding the extent to which the functions of state institutions align with modern managerial principles oriented toward effectiveness, accountability, and sustainable quality, as follows:

***Compliance Checklist of State Institutions with Management Theories
(Statesmanship School Framework)***

<i>Institution Name</i>	<i>Functions of State Institutions</i>	<i>Compliance Checklist</i>			
		<i>Corporate Function</i>	<i>Mintzberg's Theory</i>	<i>Henri Fayol's Theory</i>	<i>ISQM Theory</i>
<i>People's Consultative Assembly (MPR)</i>	<i>The Speaker of the MPR as Head of State and Holder of People's Sovereignty. The people grant a mandate to the Supreme State Institution, the MPR, to govern the State.s</i>				

			<i>disputes and upholds the supremacy of the 1945 Constitution.</i>
<i>Judicial Commission (KY)</i>	<i>Monitoring & Remediation</i>	<i>Chief Legal Officer (CLO)</i>	<i>Carrying out the supervision function of the judiciary (especially judges' behavior) to maintain integrity and the supremacy of law.</i>
<i>Attorney General's Office of the Republic of Indonesia</i>	<i>Control Activities</i>	<i>Chief Compliance Officer (CCO)</i>	<i>Carries out the judicial oversight function (particularly the conduct of judges) to safeguard integrity and uphold the supremacy of law.</i>
<i>National Security Council (DKN)</i>	<i>Quality Risk Identification & Assessment</i>	<i>Chief Security Officer (CSO)</i>	<i>Safeguards national security and state stability; carries out risk mitigation in the fields of defense and security in a coordinated manner.</i>
<i>National Development Planning Agency (Bappenas)</i>	<i>Quality Risk Identification & Assessment</i>	<i>Chief Strategy Officer (CSO)</i>	<i>Formulates strategic policies and national development plans; conducts long-term planning for the nation's development.</i>
<i>Supreme Audit Agency (BPK)</i>	<i>Monitoring & Remediation</i>	<i>Chief Audit Officer (CAO)</i>	<i>Conducts audits and oversight of state finances; ensures that the management of the national budget is accountable and transparent.</i>
<i>State Finance & Asset Management Agency (BPKAN)</i>	<i>Resources (Human, System, Information)</i>	<i>Chief Financial Officer (CFO)</i>	<i>Manages state finances and assets professionally; responsible for the regulation of the budget and the nation's wealth.</i>

			grant a mandate to the Supreme State Institution, namely the MPR, to administer the State.
Secretary General of the People's Consultative Assembly (MPR)	Information & Communication	Corporate Secretary / Chief of Staff (COS)	Connecting the MPR with other state institutions; coordinating the implementation of MPR decisions into the operations of the relevant institutions.
House of Representatives (DPR)	Monitoring & Remediation	Legislative Council / Board of Commissioners (BOC)	Carrying out legislation, budgeting, government oversight, and accommodating the people's aspirations in the administration of government.
President of the Republic of Indonesia	Governance & Leadership	Chief Executive Officer (CEO)	Acts as the Head of Government who manages the course of governance and serves the people in day-to-day executive affairs.
Resource Management Agency (BPSD)	Resources (Human, System, Information)	Chief Operating Officer (COO)	Manages natural resources and capital resources for the welfare of the people, ensuring that their benefits are utilized to the greatest extent for the prosperity of the people.
Supreme Court (SC)	Control Activities	Chief Judicial Officer (CJO)	Exercises the highest judiciary (cassation level) within the legal system; upholds the supremacy of law through fair rulings.
Constitutional Court (MK):	Control Activities	Chief Constitutional Officer (CCO)	Safeguards the constitution and constitutional order; adjudicates constitutional

Development Planning Agency (Bappenas) play critical roles in assessing risks to financial management and national development planning.

3. Monitoring & Remediation

This involves routine monitoring, evaluating system effectiveness, and continuous improvement. In the context of a nation, the government and state institutions must continuously monitor the system and make corrections when deviations occur. Examples include regular audits, performance evaluations of institutions, and follow-ups on findings as conducted by the Audit Board (BPK), Judicial Commission (KY), or internal inspectorates.

4. Resources (Human, Systems, and Information)

This component provides human resources, technology, information, and infrastructure to support quality. The state must ensure the availability of competent personnel, reliable digital systems, and good access to data so that programs run effectively. Examples include BP-ASN managing civil servants or ministries/agencies managing big data and national budgets.

5. Information & Communication

This component ensures accurate, timely, and transparent information flows across all units. Information flows must be efficient and transparent. Good decisions can only be made if information between institutions and to the public is clear and open. Examples include e-government systems, public information transparency, and inter-ministry/agency coordination.

6. Control Activities

Refers to concrete actions and policies to ensure that all work complies with standards. In the context of a state, this includes SOPs (Standard Operating Procedures), regulations, reporting mechanisms, as well as inherent internal control processes.

The following is a classification table of Indonesian State Institutions based on ISQM Theory and Corporate Function Analogy, emphasizing that the People are the Shareholders or Owners.

Classification Table of Indonesian State Institutions According to ISQM Theory

Institution Name	Functions (ISQM)	Functions (Corporate)	Duties of the State Institution
People's Consultative Assembly (MPR)	Governance & Leadership	Board of Directors (BOD)	The Chairperson of the MPR serves as the Head of State and the Holder of People's Sovereignty. The People

C. ISQM THEORY (INTERNATIONAL STANDARD ON QUALITY MANAGEMENT)

ISQM (International Standard on Quality Management) is an international quality management standard issued by the IAASB (International Auditing and Assurance Standards Board) to help organizations work efficiently, purposefully, and free from significant errors.

The main objectives of ISQM are to ensure that an organization has an effective quality management system, so that every activity:

- *Is consistent with established standards and principles.*
- *Produces high-quality decisions and performance.*
- *Manages risks proactively.*

Key characteristics of ISQM include:

- *Risk-Based : Organizations must understand risks to quality and design appropriate responses.*
- *Flexible & Adaptable : Can be tailored for both large and small organizations, including governmental entities.*
- *Objective-Oriented : Focuses on ensuring organizational goals are achieved with the highest quality.*
- *Systemic Dynamics: : Emphasizes ongoing monitoring and adjustment of systems (continual improvement).*

In the context of a nation, ISQM can serve as a systematic approach to ensure that every state institution, from the executive to oversight bodies, carries out its duties effectively, transparently, and sustainably.

Below are the six main components of ISQM:

1. Governance & Leadership

Represents the top management fully responsible for the quality of the system. In the context of a nation, this means that leadership and governance systems must be strong and accountable. National leaders are tasked with creating an ethical work climate oriented toward public service.

2. Quality Risk Identification & Assessment

This component functions to identify risks that may disrupt the achievement of quality and organizational objectives. In the context of a nation, every state institution must be able to recognize risks that can compromise work quality, such as corruption, policy overlaps, or weak oversight. For example, the Audit Board (BPK) and the National

<i>National Security Council (DKN)</i>	<i>Head of Security & Intelligence</i>	<i>Chief Security Officer (CSO)</i>	<i>Ensuring national security and state stability; coordinating risk mitigation in defense and security sectors.</i>
<i>National Development Planning Agency (Bappenas)</i>	<i>Strategic Planner</i>	<i>Chief Strategy Officer (CSO)</i>	<i>Formulate strategic policies and national development plans; conduct long-term planning for the country's development.</i>
<i>Supreme Audit Agency (BPK)</i>	<i>Auditor Internal</i>	<i>Chief Audit Officer (CAO)</i>	<i>Conduct audits and oversight of state finances; ensure the management of the national budget is accountable and transparent.</i>
<i>State Finance & Asset Management Agency (BPKAN)</i>	<i>Manage state finances and assets</i>	<i>Chief Financial Officer (CFO)</i>	<i>Manage state finances and assets professionally; be responsible for the administration of the budget and the nation's wealth.</i>
<i>State Treasury Management Agency (BPKN)</i>	<i>Manage cash flow</i>	<i>Chief Treasury Officer (CTrO)</i>	<i>Manage the state treasury and government cash flow; ensure the availability of liquidity for the efficient implementation of the State Budget (APBN).</i>
<i>National Civil Service Agency (BP-ASN)</i>	<i>National HR Manager</i>	<i>Chief Human Resources Officer (CHRO)</i>	<i>Manage and administer the state civil apparatus (ASN); carry out HR support functions to ensure the government bureaucracy operates effectively.</i>

<i>President of the Republic of Indonesia</i>	<i>Top Executive</i>	<i>Chief Executive Officer (CEO)</i>	<i>Acts as the Head of Government, managing the administration and serving the people in daily executive affairs.</i>
<i>Resource Management Agency (BPSD)</i>	<i>Resource Manager</i>	<i>Chief Operating Officer (COO)</i>	<i>Managing natural resources and capital resources for the welfare of the people, ensuring that the outcomes are used to maximize public prosperity.</i>
<i>Supreme Court (SC)</i>	<i>Head of Legal Division</i>	<i>Chief Judicial Officer (CJO)</i>	<i>Carry out the highest court of appeal in the legal system; uphold the rule of law through fair and just decisions.</i>
<i>Constitutional Court (MK):</i>	<i>Guardian of the Constitution</i>	<i>Chief Constitutional Officer (CCO)</i>	<i>Safeguarding the constitution and constitutional order; adjudicating constitutional disputes and upholding the supremacy of the 1945 Constitution (UUD 1945).</i>
<i>Judicial Commission (KY)</i>	<i>Judicial Ethics Overseer</i>	<i>Chief Legal Officer (CLO)</i>	<i>Carrying out oversight of the judiciary (especially judges' behavior) to maintain integrity and the supremacy of law.</i>
<i>Attorney General's Office of the Republic of Indonesia</i>	<i>Head of Law Enforcement</i>	<i>Chief Compliance Officer (CCO)</i>	<i>Uphold the law and protect justice; handle the prosecution of criminal cases and ensure compliance with the law.</i>

- *The people are the Owners of the State / Shareholders.*
- *The MPR acts as the Representative of Sovereignty (Board of Governance).*
- *The Top Leader (President) does not directly manage all institutions, but does so through a layered delegation system and structured division of functions.*
- *Each superior can directly manage a maximum of 16 work units or other institutions, hence a hierarchical and functional structure is created.*

Below is the table classifying Indonesian State Institutions according to Henri Fayol's Theory and Corporate Function Analogy, emphasizing that the People are the Shareholders.

Classification of Indonesian State Institutions According to Henri Fayol's Theory

<i>Institution Name</i>	<i>Function (Mintzberg)</i>	<i>Function (Corporate)</i>	<i>Tasks of State Institutions</i>
<i>People's Consultative Assembly (MPR)</i>	<i>Ultimate Authority</i>	<i>Board of Directors (BOD)</i>	<i>Chairperson of the MPR as Head of State and Holder of the People's Sovereignty. The people grant a mandate to the Highest State Institution, the MPR, to run the country.</i>
<i>Secretary General of the People's Consultative Assembly (MPR)</i>	<i>Strategic Administrative Staff</i>	<i>Corporate Secretary / Chief of Staff (COS)</i>	<i>Connecting the MPR with other state institutions; coordinating the implementation of MPR decisions into the operations of the related institutions.</i>
<i>House of Representatives (DPR)</i>	<i>Oversight & Legislator</i>	<i>Legislative Council / Board of Commissioners (BOC)</i>	<i>Carrying out legislation, budgeting, government oversight, and accommodating the aspirations of the people in the administration of governance.</i>

			<i>planning for the country's development.</i>
<i>Supreme Audit Agency (BPK)</i>	<i>Techno-Structure</i>	<i>Chief Audit Officer (CAO)</i>	<i>Conduct audits and oversee state finances; ensuring the management of the national budget is accountable and transparent.</i>
<i>State Finance & Asset Management Agency (BPKAN)</i>	<i>Techno-Structure</i>	<i>Chief Financial Officer (CFO)</i>	<i>Manage state finances and assets professionally; responsible for overseeing the national budget and state wealth.</i>
<i>State Treasury Management Agency (BPKN)</i>	<i>Techno-Structure</i>	<i>Chief Treasury Officer (CTrO)</i>	<i>Manage the state treasury and government fund flows; ensure the availability of liquidity for efficient implementation of the state budget (APBN).</i>
<i>National Civil Service Agency (BP-ASN)</i>	<i>Support Staff</i>	<i>Chief Human Resources Officer (CHRO)</i>	<i>Manage and administer the civil servants (ASN); carry out HR support functions to ensure the government bureaucracy operates effectively.</i>

B. HENRI FAYOL THEORY

Henri Fayol is one of the pioneers of modern management who developed 14 management principles. One unwritten yet practically implemented principle is the "span of control," which refers to the optimal number of direct subordinates a leader can manage effectively.

Fayol argued that for effectiveness and efficiency, a leader should not oversee too many direct subordinates, and the organizational structure should be designed hierarchically to maintain proper communication and control. In the context of government or state administration, this principle can be adapted to explain the structure of state institutions based on the leader's span of control.

Basic Principles of Adapting Fayol's Theory to State Structure are as follows:

<i>Resource Management Agency (BPSD)</i>	<i>Operating Core</i>	<i>Chief Operating Officer (COO)</i>	<i>Managing natural and capital resources for the welfare of the people, ensuring that the outcomes are maximized for the prosperity of the citizens.</i>
<i>Supreme Court (SC)</i>	<i>Operating Core</i>	<i>Chief Judicial Officer (CJO)</i>	<i>Carries out the highest court functions (cassation level) within the legal system; upholds the rule of law through fair and just decisions.</i>
<i>Constitutional Court (MK):</i>	<i>Operating Core</i>	<i>Chief Constitutional Officer (CCO)</i>	<i>Safeguards the constitution and constitutional order; adjudicates constitutional disputes and upholds the supremacy of the 1945 Constitution.</i>
<i>Judicial Commission (KY)</i>	<i>Operating Core</i>	<i>Chief Legal Officer (CLO)</i>	<i>Carries out judicial oversight functions (especially judges' conduct) to maintain integrity and uphold the rule of law.</i>
<i>Attorney General's Office of the Republic of Indonesia</i>	<i>Operating Core</i>	<i>Chief Compliance Officer (CCO)</i>	<i>Upholds the law and protects justice; handles criminal prosecutions and ensures compliance with legal regulations.</i>
<i>National Security Council (DKN)</i>	<i>Operating Core</i>	<i>Chief Security Officer (CSO)</i>	<i>Safeguarding national security and state stability; coordinating risk mitigation in defense and security sectors.</i>
<i>National Development Planning Agency (Bappenas)</i>	<i>Techno-Structure</i>	<i>Chief Strategy Officer (CSO)</i>	<i>Formulating strategic policies and national development plans; conducting long-term</i>

- *Function* : Supports operations through administrative services, HR, etc.
- *Who* : HR, general affairs, support services (e.g., BP-ASN).
- *Corporate Analogy* : HR, administrative services.

Here is the Table of Classification of Indonesian State Institutions according to Mintzberg's Theory and Corporate Function Analogy, emphasizing that the People are the Shareholders.

Classification Table of Indonesian State Institutions According to Mintzberg's Theory

<i>Institution Name</i>	<i>Function (Mintzberg)</i>	<i>Function (Corporate)</i>	<i>Tasks of State Institutions</i>
<i>People's Consultative Assembly (MPR)</i>	<i>Strategic Apex</i>	<i>Board of Directors (BOD)</i>	<i>The Speaker of MPR acts as Head of State and Holder of People's Sovereignty. The people grant mandate to the highest state institution, MPR, to run the country.</i>
<i>Secretary General of the People's Consultative Assembly (MPR)</i>	<i>Middle Line</i>	<i>Corporate Secretary / Chief of Staff (COS)</i>	<i>Connecting the MPR with other state institutions; coordinating the implementation of MPR decisions into the operations of the relevant institutions</i>
<i>House of Representatives (DPR)</i>	<i>Operating Core</i>	<i>Legislative Council / Board of Commissioners (BOC)</i>	<i>Carrying out legislation, budgeting, government oversight, and channeling the people's aspirations in the administration of governance</i>
<i>President of the Republic of Indonesia</i>	<i>Operating Core</i>	<i>Chief Executive Officer (CEO)</i>	<i>Acts as the Head of Government, managing the administration and serving the people in day-to-day executive affairs.</i>

CHAPTER VIII

REFORMULATION OF STATE INSTITUTIONS: PROPOSAL AND ANALYSIS BASED ON MANAGEMENT THEORY

A. MINTZBERG'S THEORY

Mintzberg's theory is a theory of organizational structure developed by Henry Mintzberg, a management expert from Canada. This theory explains that every organization, including the state, consists of five main parts, each with a specific role in carrying out organizational functions.

1. Strategic Apex

- *Function* : Directs the strategy, vision, and long-term goals of the organization.
- *Who* : The top leader (e.g., Chairman of the MPR in the context of the State).
- *Corporate Analogy* : Board of Directors.

2. Middle Line

- *Function* : Bridges between top management and frontline operatives.
- *Who* : Middle-level leaders who connect the top leadership with the operational staff (e.g., Secretary-General of the MPR).
- *Corporate Analogy* : Division Head, Chief of Staff, or Corporate Secretary.

3. Operating Core

- *Function* : Carries out the core work and daily operations.
- *Who* : Frontline staff or executive, legislative, and judicial institutions, etc.
- *Corporate Analogy* : CEO, COO, and main operational teams.

4. Techno Structure

- *Function* : Designs systems, procedures, policies, planning, and oversight.
- *Who* : Planners, internal auditors, policy analysts (e.g., BPK, Bappenas).
- *Corporate Analogy* : CFO, CAO, CSO – planning and control units.

5. Support Staff

- Chief Justice (MA) as Chief Judicial Officer (CJO), leading the highest judicial authority.
- Chief Justice of the Constitutional Court (MK) as Chief Constitutional Officer (CCO), ensuring the constitution is upheld.
- Chair of the Judicial Commission (KY) as Chief Legal Officer (CLO), overseeing judges' ethics and integrity.
- Technical institutions such as BPKAN, BPKN, BPSD, BPK, BN-ASN, BPPN, etc. are mapped to CFO, CTO, COO, CAO, CHRO, CSO, CCO, and the Techno Structure, according to their respective functions.

Under the President, ministries act as executive divisions or departments in a big corporate structure, equivalent to Senior Vice Presidents (SVPs), executing operational functions in their respective fields, ranging from finance, defense, education, health, to infrastructure.

Meanwhile, Regional Heads as representatives of local governments (provinces, regencies/cities) are mapped to Regional Managers, implementing central policies with local adjustments and reporting performance to the central government.

This mapping shows that the NKRI structure under the Fifth Amendment draft is already comparable to the organizational structure of a large modern corporation — effective, integrated, and streamlined. Unlike the pre-amendment or post-Fourth Amendment structures, which did not fully resemble a big corporate model, this design reflects clear functional divisions, a structured chain of command, and optimal coordination mechanisms — much like a multinational company with a strong headquarters, competent functional divisions, and adaptive regional branches.

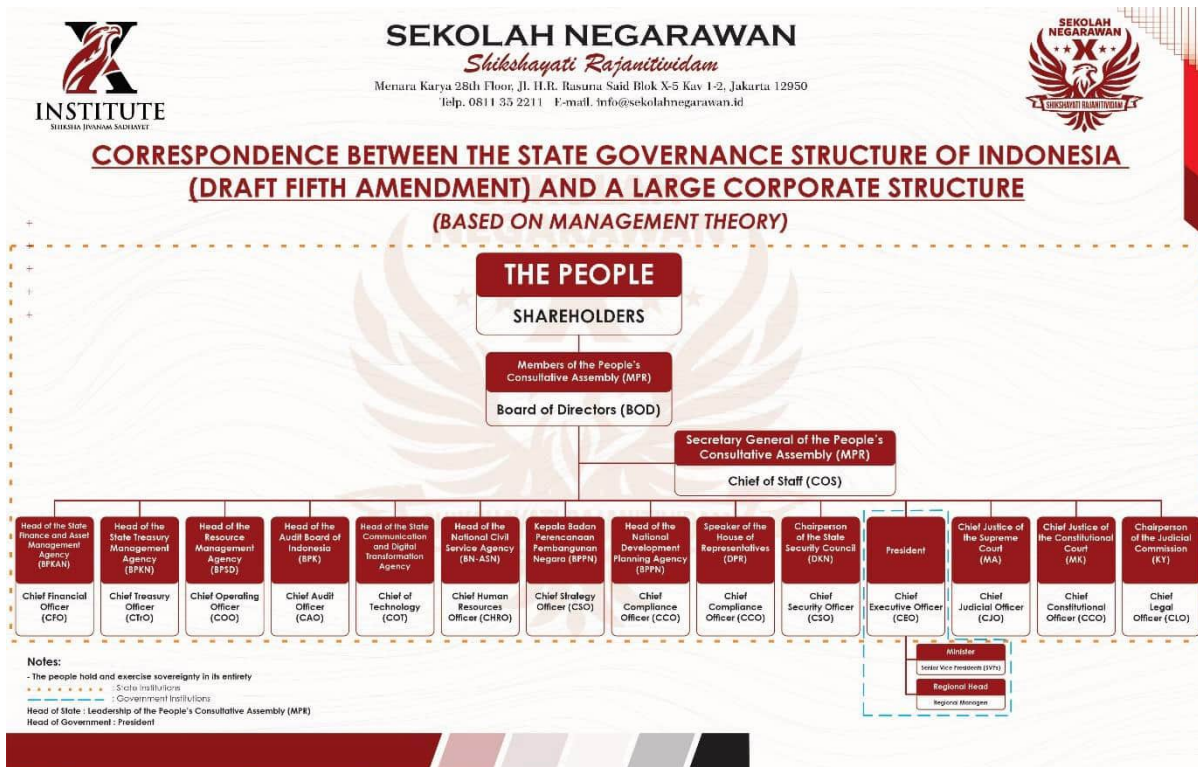


Figure 11. Correspondence of Indonesia's State Structure According to the Draft Fifth Amendment of the 1945 Constitution with a Big Corporate Structure Based on Management Theory

The state structure of Indonesia (NKRI) according to the Draft Fifth Amendment of the 1945 Constitution can be paralleled with the management structure of a large corporation (big corporate). In this analogy, the people occupy the position of shareholders, being the owners of sovereignty and full proprietors of the "company" called the Unitary State of the Republic of Indonesia (NKRI). The people hold supreme power through constitutional mechanisms and exercise oversight over government operations through their representatives.

Below the people, the People's Consultative Assembly (MPR) functions as the Board of Directors (BOD), serving as the highest strategic decision-maker and the determinant of national policy direction. The Secretary General of the MPR acts as the Chief of Staff (CoS), supporting coordination among the heads of institutions.

The structure beneath consists of various state institutions equivalent to the company's top-level executives (C-Level Executives), including:

- President as Chief Executive Officer (CEO), the highest executive authority in charge of leading the country's operational management.
- Speaker of the House (DPR) as Chief Compliance Officer (CCO), ensuring policies comply with regulations and serve the interests of the people.
- Chair of the National Defense Council (DKN) as Chief Security Officer (CSO), responsible for ensuring national security.

executing the people's mandate, not ruling over the people. In this framework, the people are not merely the object of policy but the primary subject holding full sovereignty. They sit at the top of the structure, granting a mandate to the People's Consultative Assembly (MPR) as the highest representative body to set the nation's strategic direction. The people are the true owners of the state, giving a mandate to state administrators to implement the vision, mission, and strategies for the common good. All policies and development directions must reflect the interests and consent of the people. This popular sovereignty is directly represented through the People's Consultative Assembly (MPR) as the highest state institution. The MPR functions like a "Board of Directors" in management theory, setting strategic direction, making major policy decisions, and acting as the primary supervisor of the state's operations.

3. The Role of the MPR in the New Structure

In this draft, the MPR serves as the center for the nation's strategic decision-making. The MPR coordinates and directs other state institutions according to their respective functions and authorities. The MPR Secretariat General acts as an administrative support body, ensuring that all legislative, coordination, and oversight processes run effectively.

4. Correspondence with Big Corporate Management Theory

The state structure proposed in the Draft Fifth Amendment of the 1945 Constitution has been designed to align with modern management principles used in large corporations (big corporate). Unlike the pre-amendment state structure, which placed the MPR as the highest institution without an efficient division of functions, and the post-fourth-amendment structure, which fragmented the sovereignty of the people and weakened strategic coordination, this draft provides clear roles for each state institution according to their management functions.

CHAPTER VII

A NEW DIRECTION FOR THE NATION: PROPOSED STATE STRUCTURE ACCORDING TO THE DRAFT AMENDMENT OF THE 1945 CONSTITUTION

(The People as Sovereignty Owners and Its Parallel in Management Theory)

1. Background

The Draft of the Fifth Amendment to the 1945 Constitution proposes a fundamental change in Indonesia's state structure. Essentially, the sovereignty of the country fully resides in the hands of the people, and all state institutions act merely as implementers of the people's mandate. This draft seeks to reorganize the division of functions and authority among state institutions to make them clearer, more efficient, and accountable, while simultaneously strengthening the system of checks and balances.

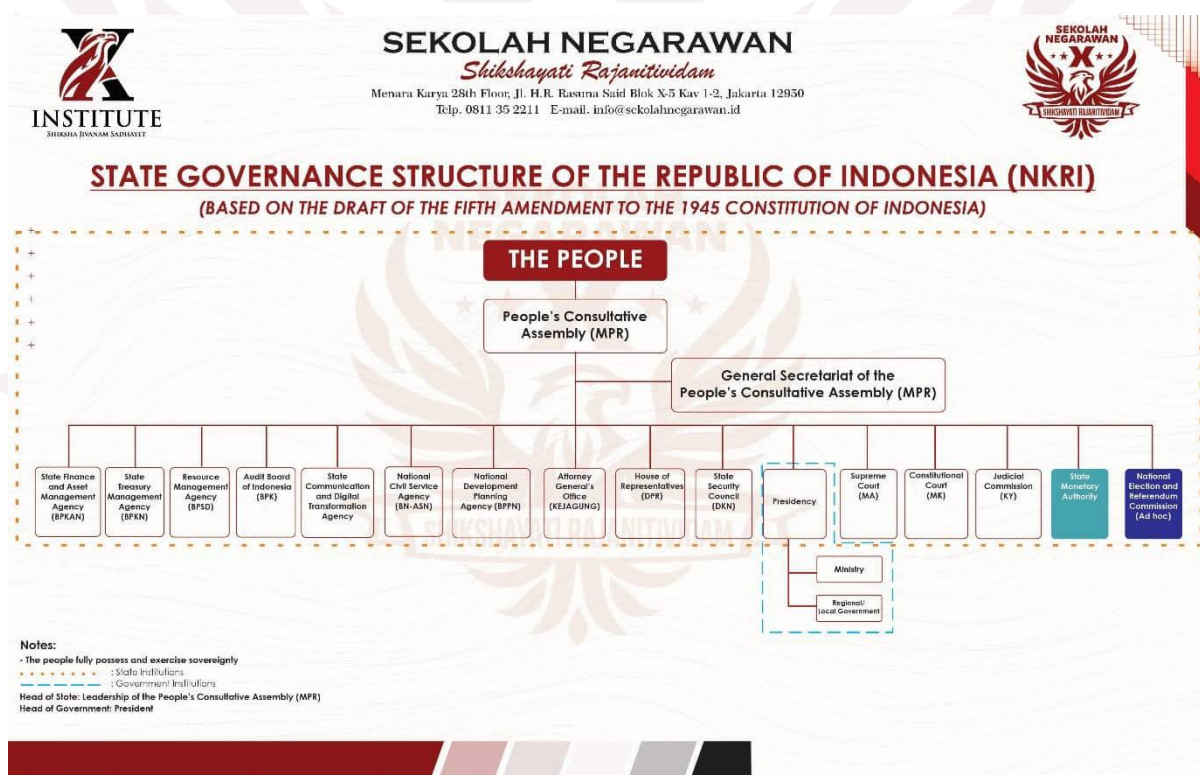


Figure 10. The State Structure of the Republic of Indonesia Based on the Draft of the Fifth Amendment to the 1945 Constitution

2. The People as the Sovereign Owner

In the state system concept according to the Draft of the Fifth Amendment to the 1945 Constitution, the people are placed as the full owners and sovereign of the state. All state institutions and government bodies are tasked with managing, safeguarding, and

**CORRESPONDENCE BETWEEN THE STATE GOVERNANCE STRUCTURE OF INDONESIA
(POST-FOURTH AMENDMENT TO THE 1945 CONSTITUTION) AND A LARGE CORPORATE STRUCTURE
(BASED ON MANAGEMENT THEORY)**

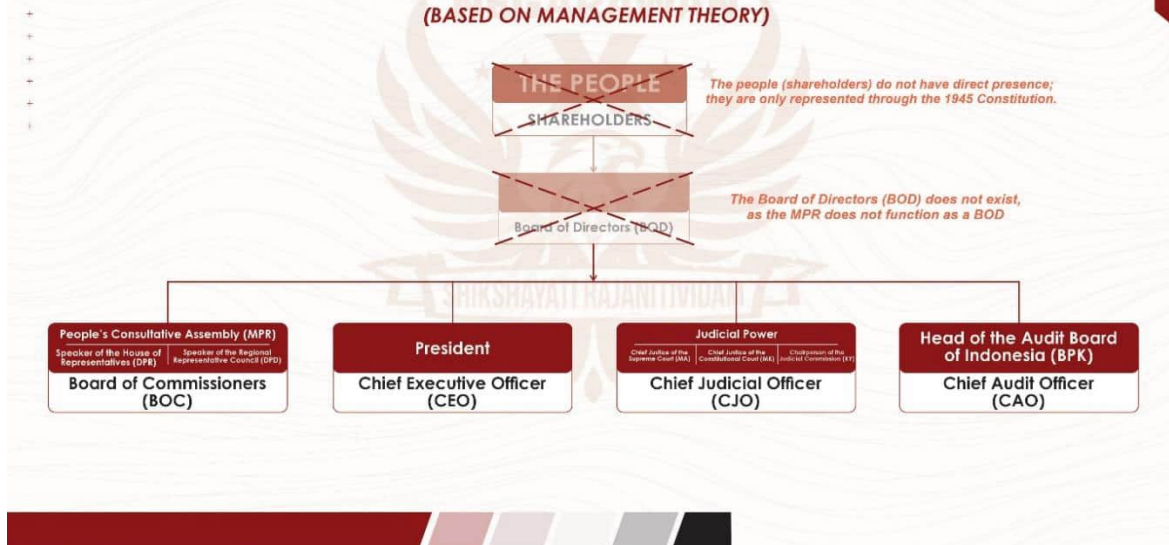


Figure 9. Comparison of the Indonesian State Governance Structure Post-4th Amendment of the 1945 Constitution with a Large Corporate Structure Based on Management Theory

The General Elections Commission (KPU), despite its crucial role in the democratic process, does not fit into the corporate analogy, as it does not perform a strategic managerial function but rather an administrative one. As a result, the mechanism of vertical accountability from the people to the state remained weak.

The transformation from the pre-amendment system to the post-fourth amendment system has left the people in a structural vacuum. Before the amendment, the people were absent as owners. After the amendment, the people were still not positioned as controllers. Therefore, the Fifth Amendment of the 1945 Constitution is needed to explicitly:

- Place the people as the sovereign holders and rightful owners of the state (shareholders);
- Establish a Board of Directors representing the will of the people in setting the strategic direction of state policies;
- Clearly separate the roles of head of state and head of government to ensure effective state management.

Without this reformulation, Indonesia will remain in structural disorientation, where state institutions operate without collective direction, and the people remain outside the decision-making system.

Instead of establishing a more organized and accountable structure, these changes created a condition in which:

- *The state was governed by multiple actors, each pursuing its own direction (fragmentation of authority).*
- *No institution clearly functioned as a strategic guide or equivalent to a Board of Directors.*
- *The President, as CEO, lost a strategic coordination point, since he was no longer accountable to the MPR, which had previously played the role of “direction setter” for the state.*
- *The people still did not appear as a formal actor exercising control over the strategic course of state policy.*

In the management theory analogy, this structure lost both its Shareholders and its Board of Directors (BOD), which should have represented the organization’s strategic direction. A corporation without shareholders inevitably suffers from a lack of orientation, as there is no entity ensuring continuity and long-term strategic objectives. The MPR no longer held the role of the highest state organ. The President remained as CEO, the Supreme Court and other judicial bodies as CJO, the Audit Board (BPK) as CAO, and the DPR/DPD as BOC. Yet, without a BOD and without legitimate shareholders, the state operated without a consolidated direction—much like a large corporation lacking ownership and a strategic guiding body.

Furthermore, the absence of a Board of Directors (BOD) resulted in the loss of a central body responsible for setting the nation’s strategic direction. The legislature functioned merely as a supervisory and law-making institution, rather than as the single guiding authority of the state. Consequently, this led to policy disorientation, overlapping authorities, and the weakening of collective leadership in safeguarding the nation’s course.

Within the corporate analogy, the role of the Supreme Court can be compared to that of a Chief Judicial Officer (CJO), who leads the company's legal and compliance division and is responsible for the resolution of disputes.

The pre-amendment constitutional structure of the 1945 Constitution demonstrated a concentration of power in the hands of the MPR, while the people were not directly involved in state decision-making. In management theory, this system resembles that of a closed (non-transparent) corporation, in which the owners have no direct access to the management or strategic direction of the company.

2. The Constitutional Structure after the Fourth Amendment to the 1945 Constitution

Following the amendments, the state structure underwent significant changes: the powers of the MPR were curtailed, the President began to be elected directly, and various independent institutions were established. However, no clear substitute emerged for the position of "Shareholder" within this constitutional framework. The people's status as the holders of sovereignty was still not explicitly recognized as the supreme authority in the state.



Figure 8. The Constitutional Structure of the Unitary State of the Republic of Indonesia (NKRI) after the Fourth Amendment to the 1945 Constitution

In a corporate system, shareholders are the legitimate owners of the company and hold the highest voting rights, such as in the General Meeting of Shareholders (GMS). However, in the pre-amendment constitutional structure, the people did not occupy a position as the supreme holders of sovereignty, since all power was concentrated in the People's Consultative Assembly (MPR). In other words, the people, as the formal subject of sovereignty, were effectively absent from the state power structure.

2. People's Consultative Assembly (MPR) = Board of Directors (BOD)

The MPR functioned as the highest authority of the state, determining the direction of national policy, including appointing and dismissing the President. Within the corporate framework, this role is analogous to the Board of Directors (BOD), which possesses the authority to appoint and evaluate the CEO (President Director) as well as to set the company's strategic direction.

3. President = Chief Executive Officer (CEO)

In the pre-amendment system, the President was not the supreme leader of the state directly elected by the people, but rather the mandate holder of the MPR, responsible for implementing the Broad Guidelines of State Policy (Garis-Garis Besar Haluan Negara or GBHN). This position is comparable to that of a Chief Executive Officer (CEO) in a corporation, an operational leader appointed by the Board of Directors to manage the organization's daily affairs in accordance with the board's directives.

4. House of Representatives (DPR) = Board of Commissioners (BOC)

The DPR functioned as an oversight body over the administration of government. In the corporate context, this role is analogous to the Board of Commissioners (BOC), which is responsible for supervising the management carried out by the CEO and ensuring compliance with strategic policies.

5. Audit Board of Indonesia (BPK) = Chief Audit Officer (CAO)

The BPK carried out the function of financial oversight over the administration of the state. In the corporate context, this role is comparable to that of a Chief Audit Officer (CAO), who is responsible for independently auditing the use of funds and assets across the company.

6. Supreme Advisory Council (DPA) = Board of Advisors (BoA)

The DPA provided counsel to the President in the execution of governance. This role is comparable to a Board of Advisors (BoA) in a corporation, a group of strategic advisors who offer recommendations to the CEO but do not possess formal decision-making authority.

7. Supreme Court (MA) = Chief Judicial Officer (CJO)

- *Audit Board of Indonesia (BPK): tasked with auditing the management and accountability of state finances.*
- *Supreme Advisory Council (DPA): providing advice and recommendations to the President in the execution of governmental duties.*
- *Supreme Court (MA): the judicial body vested with the authority to exercise judicial power.*



Figure 7. The Analogy between the Constitutional Structure of the Unitary State of the Republic of Indonesia (NKRI) before the Amendments to the 1945 Constitution and the Structure of a Large Corporation (Big Corporate) Based on Management Theory

In the constitutional structure prior to the amendments to the 1945 Constitution, the people held sovereignty only in a symbolic sense, without directly possessing or exercising control over the operation of state power. The relationships among state institutions were not organized through a system of checks and balances but were instead vertical in nature and centralized in the MPR. Moreover, a clear distinction between state institutions and governmental bodies had not yet been explicitly established.

Before the amendments to the 1945 Constitution, Indonesia's constitutional structure was highly unique and distinct from modern democratic systems. Viewed through the lens of management theory, particularly the organizational structure of large corporations, this constitutional system can be mapped into the following managerial analogies:

1. The People (Shareholders) Absent from the System

STATE GOVERNANCE STRUCTURE OF THE REPUBLIC OF INDONESIA (NKRI)

(PRIOR TO THE 1945 CONSTITUTION AMENDMENTS)



Notes:

- The position of the people is that they possess sovereignty but do not yet exercise control
- State institutions have not yet been explicitly defined
- Government institutions have not yet been explicitly defined
- Head of State: President
- Head of Government: President

*An amendment to the 1945 Constitution of Indonesia is necessary so that the people can possess and exercise sovereignty
*There is a need to separate the powers of the Head of State and the Head of Government

Figure 6. The Constitutional Structure of the Unitary State of the Republic of Indonesia (NKRI) before the Amendments to the 1945 Constitution

The People's Consultative Assembly (MPR) was positioned as the highest state institution, not only exercising popular sovereignty but also serving as the source of authority for other institutions such as the President, the House of Representatives (DPR), the Supreme Court (MA), the State Audit Board (BPK), and the Supreme Advisory Council (DPA). The relationships among these institutions were vertical in nature, lacking a clear principle of separation of powers.

In the pre-amendment structure, the People's Consultative Assembly (MPR) held a central position as the sole bearer of popular sovereignty. This concept was enshrined in the 1945 Constitution, which declared that "sovereignty is in the hands of the people and is fully exercised by the MPR." This meant that all other state institutions, including the President, were placed under the command and authority of the MPR.

The following illustrates the structure of state institutions under the People's Consultative Assembly (MPR):

- House of Representatives (DPR): the legislative body responsible for enacting laws together with the President.
- President: the holder of executive power, yet accountable to the MPR rather than directly to the people.

CHAPTER VI

TRACING THE PATH: THE STRUCTURE OF STATE INSTITUTIONS BEFORE AND AFTER THE FOURTH AMENDMENT TO THE 1945 CONSTITUTION

(The Transformation of Indonesia's State System and Its Correspondence with Management Theory)

Indonesia's constitutional journey has undergone several significant phases. One of the most fundamental was the transformation of state institutional structures brought about through four amendments to the 1945 Constitution during the Reform Era. These changes were not merely legal-formal in nature but also reflected a profound transformation in the philosophy and paradigm of the system of governance.

To fully comprehend this matter, we will compare two major phases of Indonesia's constitutional structure:

1. Before the Amendment to the 1945 Constitution
2. After the Fourth Amendment to the 1945 Constitution

Furthermore, to enrich our understanding, we will examine their analogies through the lens of corporate management theory, particularly as applied to large enterprises (Big Corporations).

1. The Constitutional Structure before the Amendments to the 1945 Constitution

In its initial phase, Indonesia's constitutional system was characterized by a centralistic orientation.

6. Internal Guard (Police) and External Guard (Military)

The internal guard and external guard are truly focused on protecting the family: the Police safeguard internal security, while the Military guards against external threats. They are no longer exploited for the interests of a few, but genuinely protect the people.

7. Guardians of Wealth and Dignity

In the fifth amendment draft, the role of guardians of wealth and dignity emerges, reminding the family not to go astray. They ensure the nation's resources are not leaked and the dignity of the nation remains preserved. This analogy symbolizes the presence of balancing institutions that function to protect national sovereignty from external interests.

With all roles functioning as they should, the household of the state becomes a happy family. The husband leads wisely, the wife feels safe and respected, the children grow up healthy, the household assistant serves loyally, the overseer works fairly, the guards protect sincerely, and the wealth returns for the family's welfare. This is the hope of constitutional refinement through the Fifth Amendment: the creation of a state system that is balanced, healthy, and harmonious, where the people remain the center and Pancasila remains the foundation of the state.

when the people are involved and protected in their rights, a strong nation is born. A healthy state is one that places the people at its center, makes the law its guide, and enlivens the values of Pancasila as the basis for every policy.

The state is like a big family: its leaders are role models, its people feel protected, and its younger generation grows with strong moral and educational values. Unity, justice, and welfare are no longer just slogans but realities in daily life. In such conditions, the nation can move forward together toward the ideals written in the constitution.

If the entire state structure is carried out as it should be, the nation will no longer be likened to a “broken home” family, but rather a happy and harmonious one. This analogy is illustrated in the draft of the Fifth Amendment to the 1945 Constitution, where the relationship between state institutions is arranged more proportionally, balanced, and mutually reinforcing.

1. The Husband (MPR) returning to his role

In a happy family, the husband (MPR) resumes his main duty: leading, guiding, and maintaining the integrity of the family. He no longer abandons his wife nor cheats with the household assistant (ART), but leads with the qualities of a scholar, spiritualist, and culturalist. With these qualities, the husband can educate, guide, and protect the wife (the people) and their children (Pancasila).

2. The Wife (the People) being cared for

The wife (the people) is no longer burdened alone. In a happy family, the people are placed at the center of national life. All policies are directed so that wealth and prosperity return to the people. Thus, the people obtain their rightful noble position.

3. The Children (Pancasila) being protected

The children (Eka, Dwi, Tri, Catur, and Panca) grow up healthy because they receive love from their father and mother, as well as moral guidance from scholars, spiritualists, and culturalists. This means the values of Pancasila are truly practiced and passed down, not merely empty slogans.

4. The Government (President) as a loyal Household Assistant (ART)

In an ideal condition, the government (ART) returns to its true role, which is to serve and assist the family, not dominate the household. The President, along with his staff (DJP/Ministry of Finance), works professionally to manage family assets for the welfare of the wife and children, not for personal or external interests.

5. The DPR as Overseer of the Household Assistant (ART)

The DPR truly carries out its oversight function. It ensures the ART works according to household rules, does not misuse finances, and does not stray from its duties. In this way, the system of checks and balances functions properly.

B. HAPPY FAMILY

A healthy and happy family is a place where love, respect, and trust grow abundantly. A father is present as a wise leader, protecting and guiding his family with full responsibility. He is not only the head of the household but also a role model who provides moral, spiritual, and ethical guidance for all family members. The mother serves as a loyal companion, maintaining balance, offering wise advice, and ensuring the home remains warm and full of love.

Children who grow up in such a family feel safe, valued, and loved. They learn discipline, honesty, cooperation, and mutual respect. Moral education and noble values are passed down from an early age, so the children grow into a strong generation with character, ready to carry on the family's ideals. The household becomes a place of peace, not a field of conflict.

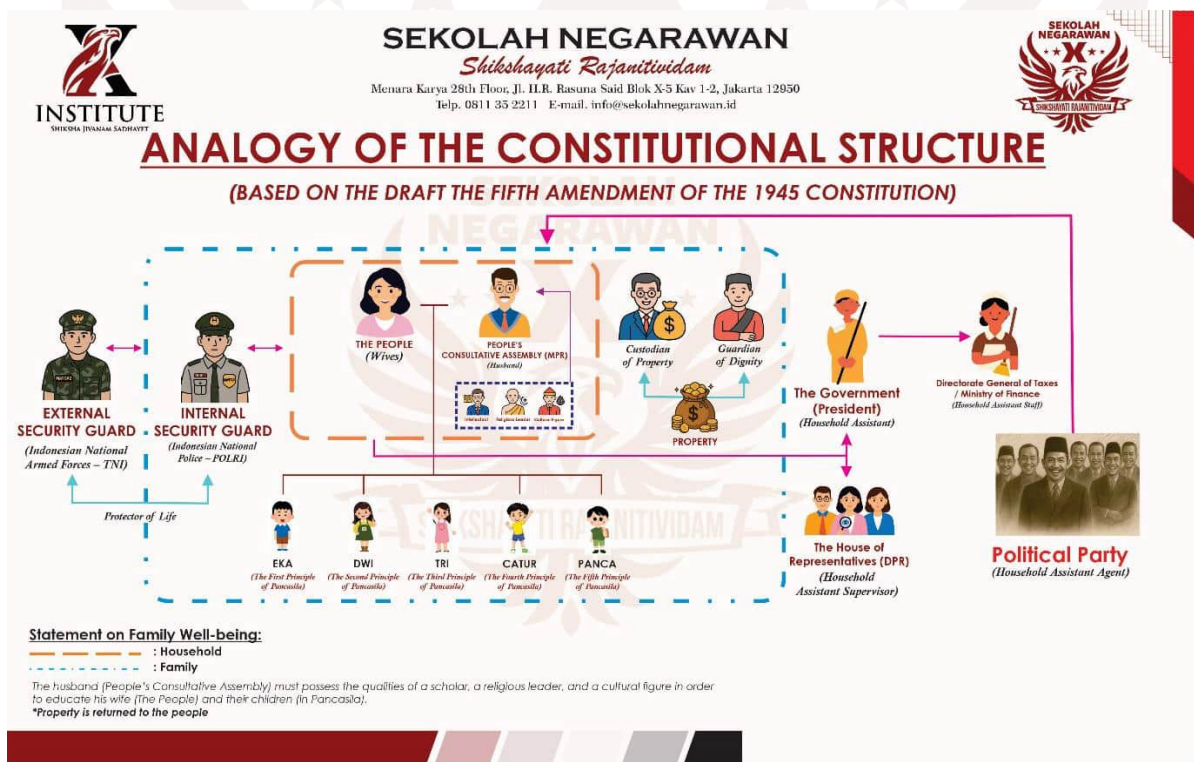


Figure 5. Analogy of Constitutional Structure Based on the Draft of the Fifth Amendment to the 1945 Constitution

A happy family does not mean being free from problems, but every issue is faced with discussion, wisdom, and shared responsibility. Each member understands their role, respects differences, and places family interests above personal ones. A strong foundation enables the family to endure external challenges without losing direction and identity.

The same applies to a nation. When leaders carry out their mandate fairly and honestly, when balancing institutions perform their functions according to rules, and

5. Parliament (DPR) as the Maid's Supervisor

Parliament (DPR) is depicted as the maid's supervisor. Yet this supervision is not neutral. Instead of defending the wife (the people), the DPR often sides with the husband and the maid, even sharing in their gains. It loses its controlling function and becomes part of the problem.

6. Tax Directorate/ Ministry of Finance as the Maid's Staff

The Tax Directorate and the Ministry of Finance act as the maid's staff in charge of finances. They often borrow money from neighbors (foreign creditors), but the wife (the people) bears the installments. Meanwhile, the husband, the maid, her staff, and her supervisors enjoy the benefits.

7. Internal and External Guards (Police and Military)

The Police (internal guard) and the Military (external guard) should protect the house from threats. In reality, they often serve to protect the husband and maid rather than the wife and children. Household security becomes increasingly fragile.

8. Foreign Creditors as Neighbors

Foreign creditors are likened to neighbors who lend money when the household is short on cash. Ironically, the wife (the people) is the one repaying the debt, while the maid and her circle enjoy the funds.

9. Intellectuals, Religious Leaders, Cultural Figures, and Political Parties

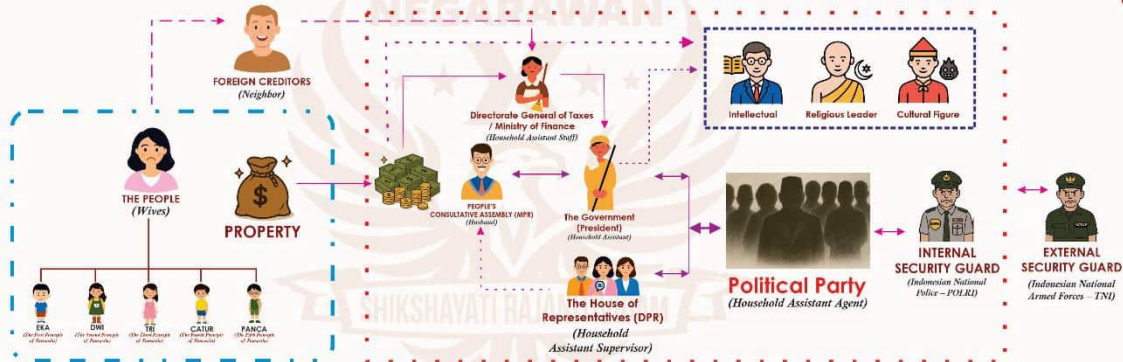
These external groups often share in the household's gains. Political parties act as the maid's agents, while intellectuals, clerics, and cultural figures are reduced to accessories, rarely genuine defenders of the wife and children's interests.

From this analogy, it becomes clear that the state today is like a broken home family. The husband (MPR) abandons his wife (the people) and their children (Pancasila), even having an affair with the household assistant (the government). The parliament (DPR), which should serve as a watchdog, instead colludes with them. The house guards (Police and Military) fail to focus on protecting the family. The debt burden is borne by the people, while its benefits are enjoyed by parties outside the core family.

A family that should have been harmonious is instead destroyed by infidelity and betrayal of roles. This reflects how the constitutional structure after the fourth amendment has failed to function according to the original ideals of the 1945 Constitution. This family analogy provides a simple illustration of our constitutional problems: state institutions no longer fulfill their roles properly. If the household is to be restored, then the husband must return to his wife and children. In other words, the MPR, government, DPR, and all state elements must once again place the people and Pancasila at the center of national life.

ANALOGY OF THE CONSTITUTIONAL STRUCTURE

(BASED ON THE FOURTH AMENDMENT TO THE 1945 CONSTITUTION)



Statement on Broken-Home Family:

- The husband (People's Consultative Assembly - MPR) abandons his wife (the People) and their children (in Pancasila).
- Internal Security Guards (POLRI) and External Security Guards (TNI) are supposed to protect the household, but instead they safeguard outsiders: the Government/President (household assistant), the Directorate General of Taxes/Ministry of Finance (Household Assistant Staff), the House of Representatives (Household Assistant Supervisor), and Political Parties (Household Assistant Agent).
- The domestic helper staff (DJP/Ministry of Finance) borrowed money from a neighbor (Foreign Creditor), but the debt is paid by the Wife (the People), while those benefiting from the money are the Husband (MPR), the Domestic Helper (Government / President), the domestic helper staff (DJP/Ministry of Finance), and the Supervisors of the Domestic Helper (DPR).

*Property is taken by the MPR (husband), the Government/President (household assistant), the Directorate General of Taxes/Ministry of Finance (Household Assistant Staff), the House of Representatives (Household Assistant Supervisor), political parties (Household Assistant Agent), as well as scholars, religious leaders, and cultural figures.

Figure 4. Analogy of State Structure Based on the Fourth Amendment of the 1945 Constitution

1. Husband as the MPR

The husband symbolizes the People's Consultative Assembly (MPR). In a family, he should be the leader and guide who protects his wife (the people) and children (Pancasila). In reality, however, the husband has lost his central role and is even "having an affair" with the maid (government).

2. Wife as the People

The wife represents the people, faithfully supporting all household needs. In reality, however, she is abandoned and betrayed. Heavy burdens, paying foreign debts, bearing taxes, sustaining the family, fall on the people, without receiving proper attention.

3. Children as Pancasila

The children symbolize Pancasila: Eka, Dwi, Tri, Catur, and Panca. They should be protected and nurtured. Yet, because the husband is busy with the maid and the wife is left to carry all the burdens alone, the children are neglected. This reflects how Pancasila is increasingly abandoned in state practice.

4. Government (President) as the Maid

The maid symbolizes the government (President). She should help manage the household for the family's benefit. Instead, the maid becomes dominant, even forming a secret relationship with the husband. The maid's interests take precedence over the welfare of the wife and children.

CHAPTER V

FAMILY ANALOGY: UNDERSTANDING THE STATE STRUCTURE IN A SIMPLE WAY

In understanding the constitutional structure of Indonesia, ordinary people often find it difficult because constitutional terms and mechanisms are considered too complicated. One way to understand it is by portraying the state as a family.

A. BROKEN HOME FAMILY

In everyday life, the family is the main foundation for nurturing love, trust, and harmony. However, when a family experiences a breakdown, everything that was once orderly turns into chaos. A father who should be the leader instead becomes preoccupied with his personal interests, even having an affair with the housemaid. The mother, who should serve as a companion and balancer, feels betrayed, hurt, and loses her authority within the household. The children born from such a family become the victims, losing their role models, confused about whom to follow, and trapped in endless conflict. A household that should be a safe place instead turns into an arena of quarrels, distrust, and the collapse of values.

So it is with a nation: when leaders are busy with their own interests, when balancing institutions are not respected, and when the people, as the nation's children lose their direction, the state runs without certainty. Conflict, corruption, and power struggles replace the common purpose. A state that should protect its people instead becomes a source of disappointment and division.

THE DYSFUNCTION OF STATE INSTITUTIONS IN INDONESIA

<i>A. Prosecutor's Office Sector</i>	<i>11 Cases</i>	GRAND TOTAL: 176 CASES
<i>B. Ministerial Sector</i>	<i>19 Cases</i>	
<i>C. Non-Ministerial Government Institutions Sector</i>	<i>3 Cases</i>	
<i>D. Judicial Institutions Sector</i>	<i>16 Cases</i>	
<i>E. Judicial Commission (KY) Sector</i>	<i>7 Cases</i>	
<i>F. Indonesian National Armed Forces (TNI) Sector</i>	<i>8 Cases</i>	
<i>G. Indonesian National Police (POLRI) Sector</i>	<i>14 Cases</i>	
<i>H. Audit Board of Indonesia (BPK) Sector</i>	<i>12 Cases</i>	
<i>I. Corruption Eradication Commission (KPK) Sector)</i>	<i>6 Cases</i>	
<i>J. People's Cnsultative Assembly (MPR) Sector</i>	<i>6 Cases</i>	
<i>K. House of Representatives (DPR) - Political Parties Sector</i>	<i>70 Cases</i>	
<i>L. Regional Representative Council (DPD) Sector</i>	<i>4 Cases</i>	

23	M. Romahurmuziy	Member, Commission XI DPR RI (PPP Chair)	PPP	2019	Proven (Verdict)
2019 – 2024 TERM					
1	Harun Masiku	DPR Candidate 2019	PDIP	2020	Fugitive
2	Azis Syamsuddin	Deputy Speaker of DPR RI (2019–2021)	Golkar	2021	Proven (3.5 Years)
3	Alex Noerdin	Member of DPR RI	Golkar	2021	Proven (9 Years)

L. REGIONAL REPRESENTATIVE COUNCIL (DPD) SECTOR

No	Name	Position/ Role	Regional Representation	Case Year	Legal Status
1	Chaidir Djafar	Member of DPD RI (2014–2019)	West Papua	2014	Suspect
2	Zulkarnain Karim	Member of DPD RI (2014–2019)	Bangka Belitung	2014	Suspect
3	RA Rafiq Al Amri	Member of DPD RI (2024–2029)	Sulawesi Tengah	2024	Reported
4	Irman Gusman	Chairman of DPD RI (2014–2016)	Sumatera Barat	2016	Proven (4.5 Years)

14	Musa Zainuddin	Member, Commission V DPR RI	PKB	2017	Proven (Verdict)
15	Fayakhun Andriadi	Member, Commission I DPR RI	Golkar	2018	Proven (Verdict)
16	Amin Santono	Member, Commission XI DPR RI	Demokrat	2018	Proven (Verdict)
17	Eni Maulani Saragih	Deputy Chairman, Commission VII DPR RI	Golkar	2018	Proven (Verdict)
18	Usman Jafar	Member, Commission VI DPR RI	PPP	2018	Proven (Verdict)
19	Sukiman	Member, Commission XI DPR RI	PAN	2018	Proven (Verdict)
20	Taufik Kurniawan	Deputy Speaker of DPR RI	PAN	2018	Proven (Verdict)
21	Bowo Sidik Pangarso	Member, Commission VI DPR RI	Golkar	2019	Proven (Verdict)
22	I Nyoman Dhamantra	Member, Commission VI DPR RI	PDIP	2019	Proven (Verdict)

5	Patrice Rio Capella	Member, Commission III DPR RI	Nasdem	2015	Proven (Verdict)
6	Budi Supriyanto	Member, Commission V DPR RI	Golkar	2016	Proven (Verdict)
7	I Putu Sudiartana	Member, Commission III DPR RI	Demokrat	2016	Proven (Verdict)
8	Andi Taufan Tiro	Member, Commission V DPR RI	PAN	2016	Proven (Verdict)
9	Setya Novanto	Speaker of DPR RI (2014–2017)	Golkar	2017	Proven (Verdict)
10	Markus Nari	Member, Commission VII DPR RI	Golkar	2017	Proven (Verdict)
11	Zulfadhli	Member, Commission X DPR RI	Golkar	2017	Proven (Verdict)
12	Miryam S. Haryani	Member, Commission II DPR RI	Hanura	2017	Proven (Verdict)
13	Yudi Widiana Adia	Deputy Chairman, Commission V DPR RI	PKS	2017	Proven (Verdict)

4	Zulkarnaen Djabar	Member, Commission VIII DPR RI	Golkar	2012	Proven (Verdict)
5	Luthfi Hasan Ishaaq	Member, Commission I DPR RI (PKS President)	PKS	2013	Proven (Verdict)
6	Anas Urbaningrum	Member of DPR RI (Demokrat Chairman)	Demokrat	2013	Proven (Verdict)
7	Chairun Nisa	Member, Commission II DPR RI	Golkar	2013	Proven (Verdict)
2014 – 2019 TERM					
1	Sutan Bhatoegana	Chairman, Commission VII DPR RI	Demokrat	2014	Proven (Verdict)
2	Damayanti W. Putranti	Member, Commission V DPR RI	PDIP	2015	Proven (Verdict)
3	Adriansyah	Member, Commission IV DPR RI	PDIP	2015	Proven (Verdict)
4	Dewie Yasin Limpo	Member, Commission VII DPR RI	Hanura	2015	Proven (Verdict)

3	Bulyan Royan	Member, Commission V DPR RI	PBR	2008	Proven (Verdict)
4	Azwar Chesputra	Member, Commission IV DPR RI	Golkar	2009	Proven (Verdict)
5	Fachry Andi Leluasa	Member, Commission IV DPR RI	Golkar	2009	Proven (Verdict)
6	Hilman Indra	Member, Commission IV DPR RI	PBB	2009	Proven (Verdict)
7	Abdul Hadi Djamal	Member, Commission V DPR RI	PAN	2009	Proven (Verdict)
8	Sarjan Tahir	Member, Commission IV DPR RI	Demokrat	2010	Proven (Verdict)
2009 – 2014 TERM					
1	Muhammad Nazaruddin	Member, Commission III DPR RI	Demokrat	2011	Proven (Verdict)
2	Angelina P. Sondakh	Member, Commission X DPR RI	Demokrat	2011	Proven (Verdict)
3	Wa Ode Nurhayati	Member, Budget Committee DPR RI	PAN	2011	Proven (Verdict)

23	Budiningsih	Member, Commission IX DPR RI	PDIP	2010	Proven (Verdict)
24	M. Iqbal	Member, Commission IX DPR RI	PDIP	2010	Proven (Verdict)
25	Jeffrey T. Lumban	Member, Commission IX DPR RI	PDIP	2010	Proven (Verdict)
26	Max Moein	Member, Commission IX DPR RI	PDIP	2010	Proven (Verdict)
27	Rusman Lumbantoruan	Member, Commission IX DPR RI	PDIP	2010	Proven (Verdict)
28	Poltak Sitorus	Member, Commission IX DPR RI	PDIP	2010	Proven (Verdict)
29	Williem Tutuarima	Member, Commission IX DPR RI	PDIP	2010	Proven (Verdict)
2004 – 2009 TERM					
1	Yusuf Erwin Faishal	Member, Commission V DPR RI	PKB	2007	Proven (Verdict)
2	Al Amin Nur Nasution	Member, Commission IV DPR RI	Demokrat	2008	Proven (Verdict)

14	Hengky Baramuli	Member, Commission IX DPR RI	Golkar	2010	Proven (Verdict)
15	Sofyan Usman	Member, Commission IX DPR RI	PPP	2010	Proven (Verdict)
16	Daniel Tandjung	Member, Commission IX DPR RI	PPP	2010	Proven (Verdict)
17	Panda Nababan	Member, Commission IX DPR RI	PPP	2010	Proven (Verdict)
18	Ni Luh Mariani T.	Member, Commission IX DPR RI	PDIP	2010	Proven (Verdict)
19	Sutanto Pranoto	Member, Commission IX DPR RI	PDIP	2010	Proven (Verdict)
20	Soewarno	Member, Commission IX DPR RI	PDIP	2010	Proven (Verdict)
21	Matheos Pormes	Member, Commission IX DPR RI	PDIP	2010	Proven (Verdict)
22	Engelina Pattiasina	Member, Commission IX DPR RI	PDIP	2010	Proven (Verdict)

5	Agus Condro. P	Member, Commission IX DPR RI	PDIP	2008	Proven (Verdict)
6	Ahmad Hafisz Zawawi	Member, Commission IX DPR RI	Golkar	2010	Proven (Verdict)
7	Marthin B. Seran	Member, Commission IX DPR RI	Golkar	2010	Proven (Verdict)
8	Paskah Suzetta	Member, Commission IX DPR RI	Golkar	2010	Proven (Verdict)
9	Bobby Suhardiman	Member, Commission IX DPR RI	Golkar	2010	Proven (Verdict)
10	Antony Zeidra Abidin	Member, Commission IX DPR RI	Golkar	2010	Proven (Verdict)
11	T.M. Nurlif	Member, Commission IX DPR RI	Golkar	2010	Proven (Verdict)
12	Reza Kamarullah	Member, Commission IX DPR RI	Golkar	2010	Proven (Verdict)
13	Baharuddin Aritonang	Member, Commission IX DPR RI	Golkar	2010	Proven (Verdict)

5	Cucu Riwayati	Goods/Services Procurement Officer (Delivery & Duplication), MPR Secretariat (2020–2021)	Jakarta	2025	Witness (Examined by KPK)
6	Fahmi Idris	Working Group Member, UKPBJ, MPR Secretariat (2020)	Jakarta	2025	Witness (Examined by KPK)

K. HOUSE OF REPRESENTATIVES (DPR) - POLITICAL PARTIES SECTOR

No	Name	Position/ Role	Fraksi Partai	Case Year	Legal Status
1999 – 2004 TERM					
1	Hamka Yandhu	Member, Commission IX DPR RI	Golkar	2008	Proven (Verdict)
2	Dudhie M. Murod	Member, Commission IX DPR RI	PDIP	2008	Proven (Verdict)
3	Endin A.J. Soefihara	Member, Commission IX DPR RI	PPP	2008	Proven (Verdict)
4	Udju Djuhaeri	Member of DPR	TNI/ Polri	2008	Proven (Verdict)

					(Ethics Investigation)
6	<i>Firli Bahuri</i>	<i>Ketua KPK</i>	<i>Jakarta</i>	2023	<i>Suspect</i>

J. PEOPLE'S CONSULTATIVE ASSEMBLY (MPR) SECTOR

No	Name	Position/ Role	Case Region	Case Year	Legal Status
1	<i>Syariefuddin "Syarief" Hasan</i>	<i>Deputy Speaker of the MPR RI (2019–2024)</i>	<i>Jakarta</i>	2023	<i>Witness (Examined by KPK)</i>
2	<i>Ma'ruf Cahyono</i>	<i>Secretary General of the MPR RI (2019–2021)</i>	<i>Jakarta</i>	2025	<i>Suspect (KPK Investigation)</i>
3	<i>Dyastasita Widya Budi</i>	<i>Commitment- Making Officer (PPK), Bureau of Sessions & Socialization, MPR Secretariat (2020)</i>	<i>Jakarta</i>	2025	<i>Witness (Examined by KPK)</i>
4	<i>Joni Jondriman</i>	<i>Head of Goods/Services Procurement Unit (UKPBJ), MPR Secretariat (2020)</i>	<i>Jakarta</i>	2025	<i>Witness (Examined by KPK)</i>

8	Auditor BPK (anonim)	BPK Regional Office, Riau	Riau	2023	Alleged
9	Auditor BPK (anonim)	BPK Auditor	Jakarta	2024	Alleged
10	Robertus Kresnawan	BPK Auditor	Jakarta	2024	Alleged
11	Auditor BPK (anonim)	BPK Auditor	Jakarta	2024	Under Investigation (Suspect)
12	Sandra Willia Gusman	Head of Secretariat, AKN IV – BPK	Jakarta	2025	Examined as Witness

I. CORRUPTION ERADICATION COMMISSION (KPK) SECTOR

No	Name	Position/ Role	Case Region	Case Year	Legal Status
1	Fikri Arief	KPK Staff	Jakarta	2018	Proven (4 Years)
2	Yulianto	KPK Public Prosecutor	Jakarta	2019	Proven (1 Year 6 Months)
3	Stepanus Robin Pattuju	KPK Investigator (Indonesian Police)	Jakarta	2021	Proven (11 Years)
4	Ajun Komisaris Polisi Rossa Purbo Bekt	KPK Investigator (Indonesian Police)	Jakarta	2021	Proven (4 Years)
5	Harun Al Rasyid	KPK Investigator	Jakarta	2021	Alleged

		<i>Division (Propam)</i>			
14	<i>Teddy Minahasa (Irjen)</i>	<i>Former West Sumatra Regional Police Chief</i>	<i>West Sumatra / Jakarta</i>	<i>2022- 2023</i>	<i>Proven (Verdict)</i>

H. AUDIT BOARD OF INDONESIA (BPK) SECTOR

No	Name	Position/ Role	Case Region	Case Year	Legal Status
1	<i>Hadi Poernomo</i>	<i>Chairman of BPK</i>	<i>Jakarta</i>	<i>2014</i>	<i>Case Dismissed (Pretrial 2015)</i>
2	<i>Patrice Lumumba Sihombing</i>	<i>Member of BPK</i>	<i>Jakarta</i>	<i>2017</i>	<i>Proven (Verdict)</i>
3	<i>Abu Hanifa</i>	<i>Member of BPK</i>	<i>Jakarta</i>	<i>2017</i>	<i>Proven (Verdict)</i>
4	<i>David Patasaung</i>	<i>Member of BPK</i>	<i>Jakarta</i>	<i>2017</i>	<i>Proven (Verdict)</i>
5	<i>Rizal Djalil</i>	<i>Member of BPK</i>	<i>Jakarta</i>	<i>2019</i>	<i>Under Investigation (Suspect)</i>
6	<i>Achsanul Qosasi</i>	<i>Member III of BPK</i>	<i>Jakarta</i>	<i>2023</i>	<i>Proven (2.5 Years)</i>
7	<i>Pius Lustrilanang</i>	<i>Member VI of BPK</i>	<i>Jakarta</i>	<i>2023</i>	<i>Under Investigation (Suspect)</i>

		<i>Crimes, Bareskrim</i>			
8	<i>Djoko Susilo (Irjen, Purn)</i>	<i>Former Chief of Traffic Police (Kakorlantas)</i>	<i>Jakarta</i>	<i>2012- 2013</i>	<i>Proven (Verdict)</i>
9	<i>Didik Purnomo (Brigjen, Purn)</i>	<i>Former Deputy Chief of Traffic Police (Wakakor Lantas)</i>	<i>Jakarta</i>	<i>2014- 2015</i>	<i>Proven (Verdict)</i>
10	<i>Budi Gunawan (Komjen)</i>	<i>(Candidate) Chief of Criminal Investigation / Former Deputy Chief of HR (2004–2006)</i>	<i>Jakarta</i>	<i>2015</i>	<i>Alleged</i>
11	<i>Prasetijo Utomo (Brigjen)</i>	<i>Former Head of Civil Servant Investigator Supervision, Bareskrim</i>	<i>Jakarta</i>	<i>2020</i>	<i>Alleged</i>
12	<i>Napoleon Bonaparte (Irjen)</i>	<i>Former Head of International Relations Division</i>	<i>Jakarta</i>	<i>2020- 2021</i>	<i>On Trial</i>
13	<i>Ferdy Sambo (Irjen)</i>	<i>Former Head of Profession and Internal Security</i>	<i>Jakarta</i>	<i>2022- 2023</i>	<i>Proven (Verdict)</i>

		<i>Investigation Department (Bareskrim)</i>			
2	<i>Irman Santoso (Kombes, Purn)</i>	<i>Former Head of Banking Unit II, Criminal Investigation Department (Bareskrim)</i>	<i>Jakarta</i>	<i>2003- 2006</i>	<i>Proven (Verdict)</i>
3	<i>Suyitno Landung (Komjen, Purn)</i>	<i>Former Chief of Criminal Investigation (Kabareskrim)</i>	<i>Jakarta</i>	<i>2005- 2006</i>	<i>Proven (Verdict)</i>
4	<i>Susno Duadji (Komjen, Purn)</i>	<i>Former Chief of Criminal Investigation (Kabareskrim)</i>	<i>West Java / Jakarta</i>	<i>2009– 2011</i>	<i>Proven (Verdict)</i>
5	<i>Komjen Pol Susno Duadji</i>	<i>Former Chief of Criminal Investigation (Kabareskrim)</i>	<i>Jakarta</i>	<i>2010</i>	<i>Proven (3,5 Years)</i>
6	<i>Raja Erizman (Irjen, Purn)</i>	<i>Former Director III of Corruption Crimes, Bareskrim</i>	<i>Jakarta</i>	<i>2011</i>	<i>Under Investigation</i>
7	<i>Edmon Ilyas (Brigjen, Purn)</i>	<i>Former Director II of Special Economic</i>	<i>Jakarta</i>	<i>2011</i>	<i>Under Investigation</i>

5	Brigjen TNI Teddy Hernayadi	Finance Director, Indonesian Army / Head of Finance, Ministry of Defense	Jakarta (Ministry of Defence)	2016	Proven (Life Sentence)
6	Laksda TNI (Purn) Leonardi	Head of Facilities Agency, Ministry of Defense	Jakarta (Ministry of Defence)	2016	Under Investigation (Suspect)
7	Marsma TNI Fachry Adami	Procurement Officer for AW- 101 Helicopter, Indonesian Air Force	Jakarta (Air Force)	2016- 2017	Under Investigation (Suspect)
8	Marsda TNI Henri Alfiandi	Head of Basarnas (National Search and Rescue Agency)	Jakarta (Basarnas)	2021- 2023	On Trial

G. INDONESIA NATIONAL POLICE (POLRI) SECTOR

No	Name	Position/ Role	Case Region	Case Year	Legal Status
1	Samuel Ismoko (Brigjen, Purn)	Former Director II of Economic Crimes, Criminal	Jakarta	2003- 2006	Proven (Verdict)

		<i>Commission (2018–2020)</i>			<i>Conflict of Interest in Supreme Court Justice Selection</i>
7	<i>Siti Nurjanah</i>	<i>Member of the Judicial Commission (2020–2025)</i>	<i>Jakarta</i>	<i>2023</i>	<i>Reported to KPK</i>

F. INDONESIA NATIONAL ARMED FORCES (TNI) SECTOR

No	Name	Position/ Role	Case Region	Case Year	Legal Status
1	<i>Letjen TNI (Purn) Hari Sabarno</i>	<i>Minister of Home Affairs</i>	<i>Jakarta</i>	<i>2002</i>	<i>Proven (2.5 Years)</i>
2	<i>Kolonel Czi (Purn) Cori Wahyudi AHT</i>	<i>Head of Army Housing Fund Management Agency (TWP AD)</i>	<i>West Java (Nagreg)</i>	<i>2013- 2020</i>	<i>Proven (11 Years)</i>
3	<i>Brigjen TNI Yus Adi Kamrullah</i>	<i>Finance Director, Army Housing Fund (TWP AD)</i>	<i>West Java (Karawang/Subang)</i>	<i>2013- 2020</i>	<i>Proven (16 Years)</i>
4	<i>Kolonel Czi (Purn) CW AHT</i>	<i>Head of Army Housing Fund Management Agency (TWP AD)</i>	<i>West Java (Nagreg)</i>	<i>2013- 2020</i>	<i>Under Investigation (Suspect)</i>

E. JUDICIAL COMMISSION (KY) SECTOR

<i>No</i>	<i>Name</i>	<i>Position/ Role</i>	<i>Case Region</i>	<i>Case Year</i>	<i>Legal Status</i>
1	<i>Iratwady Joenoes</i>	<i>Coordinator for Judicial Oversight & Honor, Judicial Commission</i>	<i>Jakarta</i>	<i>2007</i>	<i>Arrested by KPK for Bribery</i>
2	<i>Eman Suparman</i>	<i>Chair of the Judicial Commission (2013)</i>	<i>Jakarta</i>	<i>2013</i>	<i>Investigated by Criminal Investigation Agency (Bareskrim)</i>
3	<i>Suhartoyo</i>	<i>Member of the Judicial Commission (2010 – 2015)</i>	<i>Jakarta</i>	<i>2015</i>	<i>Accused of Lack of Independence in Constitutional Court Justice Selection</i>
4	<i>Bambang Warsito</i>	<i>Member of the Judicial Commission (2015 – 2020)</i>	<i>Jakarta</i>	<i>2018</i>	<i>Reported to KPK</i>
5	<i>Taufiqurrohman Syahuri</i>	<i>Member of the Judicial Commission (2015–2020)</i>	<i>Jakarta</i>	<i>2019</i>	<i>Reported to KY Ethics Council</i>
6	<i>Jaja Ahmad Jayus</i>	<i>Chair of the Judicial</i>	<i>Jakarta</i>	<i>2020</i>	<i>Alleged Dual Position &</i>

12	Muhammad Arif Nuryanta	Chief Judge, South Jakarta District Court	Jakarta	2025	Under Investigation (Suspect)
13	Djuyamto	Judge, Central Jakarta District Court	Jakarta	2025	Under Investigation (Suspect)
14	Agam Syarif Baharuddin	Judge, Central Jakarta District Court	Jakarta	2025	Under Investigation (Suspect)
15	Ali Muhtarom	Ad Hoc Judge, Central Jakarta District Court	Jakarta	2025	Under Investigation (Suspect)
16	Rudi Suparmono	Chief Judge, Surabaya District Court	Surabaya	2025	On Trial

		<i>Constitutional Court</i>			
2	<i>Germawan Ginting</i>	<i>Judge, Medan Administrative Court</i>	<i>Medan</i>	<i>2015</i>	<i>Proven (Verdict)</i>
3	<i>Tripeni Irianto Putro</i>	<i>Judge, Medan Administrative Court</i>	<i>Medan</i>	<i>2015</i>	<i>Proven (Verdict)</i>
4	<i>Amir Fauzi</i>	<i>Judge, Medan Administrative Court</i>	<i>Medan</i>	<i>2015</i>	<i>Proven (Verdict)</i>
5	<i>Patrialis Akbar</i>	<i>Justice of the Constitutional Court</i>	<i>Jakarta</i>	<i>2017</i>	<i>Proven (Verdict)</i>
6	<i>Sudrajad Dimiyati</i>	<i>Supreme Court Justice</i>	<i>Jakarta</i>	<i>2022</i>	<i>Proven (Verdict)</i>
7	<i>Gazalba Saleh</i>	<i>Supreme Court Justice</i>	<i>Jakarta</i>	<i>2023</i>	<i>Proven (Verdict)</i>
8	<i>Erintuah Damanik</i>	<i>Judge, Surabaya District Court</i>	<i>Surabaya</i>	<i>2024</i>	<i>Proven (7 Years)</i>
9	<i>Mangapul</i>	<i>Judge, Surabaya District Court</i>	<i>Surabaya</i>	<i>2024</i>	<i>Proven (7 Years)</i>
10	<i>Heru Hanindyo</i>	<i>Judge, Surabaya District Court</i>	<i>Surabaya</i>	<i>2024</i>	<i>Proven (10 Years)</i>
11	<i>Zarof Ricar</i>	<i>Supreme Court Staff</i>	<i>Jakarta</i>	<i>2025</i>	<i>On Trial</i>

19	<i>Edward O. S. Hiariej</i>	<i>Deputy Minister of Law and Human Rights</i>	<i>Jakarta</i>	<i>2023</i>	<i>Under Investigation (Suspect)</i>
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C. NON-MINISTERIAL GOVERNMENT INSTITUTIONS SECTOR

No	Name	Position/ Role	Case Region	Case Year	Legal Status
1	<i>Rudi Rubiandini</i>	<i>Head of SKK Migas (Special Task Force for Upstream Oil and Gas Business Activities)</i>	<i>Jakarta</i>	<i>2013</i>	<i>Proven (7 Years)</i>
2	<i>Syafruddin A. Temenggung</i>	<i>Head of BPPN (Indonesian Bank Recturing Agency)</i>	<i>Jakarta</i>	<i>2017</i>	<i>Proven (15 Years)</i>
3	<i>Marsdya TNI Henri Alfiandi</i>	<i>Head of Basarnas (National Search and Rescue Agency)</i>	<i>Jakarta</i>	<i>2023</i>	<i>Suspect (Ongoing Legal Process under Military Jurisdiction)</i>

D. JUDICIAL INSTITUTIONS SECTOR

No	Name	Position/ Role	Case Region	Case Year	Legal Status
1	<i>Akil Mochtar</i>	<i>Chief Justice of the</i>	<i>Jakarta</i>	<i>2013</i>	<i>Proven (Verdict)</i>

11	Irman	Director General of Population and Civil Registration, Ministry of Home Affairs	Jakarta	2017	Proven (15 Years)
12	Antonius Tonny Budiono	Director General of Sea Transportation, Ministry of Transportation	Jakarta	2017	Proven (5 Years)
13	Idrus Marham	Minister of Social Affairs	Jakarta	2018	Proven (2 Years)
14	Imam Nahrawi	Minister of Youth and Sports	Jakarta	2019	Proven (7 Years)
15	Edhy Prabowo	Minister of Marine Affairs and Fisheries	Jakarta	2020	Proven (5 Years)
16	Juliari Batubara	Minister of Social Affairs	Jakarta	2020	Proven (12 Years)
17	Johnny G. Plate	Minister of Communication and Informatics	Jakarta	2023	Proven (15 Years)
18	Syahrul Yasin Limpo	Minister of Agriculture	Jakarta	2023	Under Investigation (Suspect)

					<i>Years on Judicial Review)</i>
2	<i>Achmad Sujudi</i>	<i>Minister of Health</i>	<i>Jakarta</i>	2009	<i>Proven (4 Years)</i>
3	<i>Hari Sabarno</i>	<i>Minister of Home Affairs</i>	<i>Jakarta</i>	2010	<i>Proven (5 Years)</i>
4	<i>Bachtiar Chamsyah</i>	<i>Minister of Social Affairs</i>	<i>Jakarta</i>	2010	<i>Proven (1 Year 8 Months)</i>
5	<i>Wafid Muharram</i>	<i>Secretary of the Ministry of Youth and Sports</i>	<i>Jakarta</i>	2011	<i>Proven (3 Years)</i>
6	<i>Andi Mallarangeng</i>	<i>Minister of Youth and Sports</i>	<i>Jakarta</i>	2012	<i>Proven (4 Years)</i>
7	<i>Siti Fadilah Supari</i>	<i>Minister of Health</i>	<i>Jakarta</i>	2014	<i>Proven (4 Years)</i>
8	<i>Jero Wacik</i>	<i>Minister of Energy and Mineral Resources</i>	<i>Jakarta</i>	2014	<i>Proven (4 Years)</i>
9	<i>Waryono Karno</i>	<i>Secretary General of Energy and Mineral Resources</i>	<i>Jakarta</i>	2014	<i>Proven (7 Years)</i>
10	<i>Suryadharma Ali</i>	<i>Minister of Religious Affairs</i>	<i>Jakarta</i>	2014	<i>Proven (10 Years)</i>

		<i>District Attorney's Office</i>			
7	<i>Pinangki Sirna Malasari</i>	<i>Prosecutor at Attorney General's Office</i>	<i>Jakarta</i>	<i>2020</i>	<i>Proven (4 Years)</i>
8	<i>Chandra Saptaji</i>	<i>Head of Yalimo District Attorney's Office</i>	<i>Papua</i>	<i>2022</i>	<i>Under Investigation (Suspect)</i>
9	<i>Gilang Pradana</i>	<i>Functional Prosecutor</i>	<i>Batu, East Java</i>	<i>2023</i>	<i>Proven (Verdict)</i>
10	<i>Prosecutor (Initial S)</i>	<i>Public Prosecutor</i>	<i>South Konawe District Attorney's Office</i>	<i>2024</i>	<i>Under Investigation</i>
11	<i>Alleged Prosecutors of North Sumatra High Prosecutor's Office</i>	<i>Prosecutor Team in UINSU Case</i>	<i>North Sumatra</i>	<i>2024</i>	<i>Alleged</i>

B. MINISTRIES SECTOR

No	Name	Position/ Role	Case Region	Case Year	Legal Status
1	<i>Rokhmin Dahuri</i>	<i>Minister of Marine Affairs and Fisheries</i>	<i>Jakarta</i>	<i>2007</i>	<i>Proven (7 Years, reduced to 4.5</i>

house. In the end, its residents, the people will lose comfort, security, and even their future.

The following are concrete data reflecting the broken house in the real form of state institution malfunctions across various sectors:

A. PROSECUTION SECTOR

No	Name	Position/ Role	Case Region	Case Year	Legal Status
1	Edi Sutomo	Head of District Attorney's Office	Bondowoso, East Java	2006	Proven (Verdict)
2	Urip Tri Gunawan	Prosecutor at BLBI Task Force	Jakarta	2008	Proven (20 Years)
3	Cirus Sinaga	Public Prosecutor	Jakarta	2011	Proven (5 Years)
4	Heru Edwar	Head of Cimahi District Attorney's Office	Cimahi, West Java	2016	On Trial
5	Yanuar Reza Muhammad & Fristo Yan Presanto	Head of Investigation & Subsection Head of Corruption at DKI Jakarta High Prosecutor's Office	Jakarta	2019	Proven (Verdict)
6	Eka Safitra & Satriawan Sulaksono	Prosecutors at Yogyakarta & Surakarta	Yogyakarta & Surakarta	2019	Proven (Verdict)

In an ideal condition, these four pillars should stand firmly around one center of sovereignty: the people. They should work together to repair the leaking roof, clean the drains, drive away the rats and cockroaches, and strengthen the foundation. Yet what happens now is that each pillar is preoccupied with its own agenda:

- *The Intellectual Pillar is busy polishing its own blueprint. They spend too much time debating and displaying beautiful designs on paper, without ever stepping down to directly lead the repair of the leaking roof or the rotting floor.*
- *The Religious Pillar is busy preaching on closed stages. Delivering moral messages only to their own groups, while outside the stage of the house, the inhabitants are left confused in search of guiding values.*
- *The Military/Police Pillar is busy patrolling the yard but not entering the house. They keep the exterior looking secure, while allowing thieves to roam inside, stealing furniture piece by piece.*
- *The Cultural Pillar is busy painting the exterior ornaments to look beautiful. Highlighting grandeur before guests, while leaving the inside of the house in disarray and its authentic identity slowly fading away.*

IV. THE MAIN PILLAR: THE PEOPLE AS THE HOMEOWNERS

Above all these pillars, there is one true center of sovereignty that holds control: the people. The people are the homeowners of the house called the nation. The constitution affirms that sovereignty lies in the hands of the people, yet in reality, their voices are often only needed during elections and then forgotten afterwards.

People's sovereignty should serve as the compass that directs all state institutions. Without the active involvement of the people in supervising and controlling their home, damage will continue to spread and be worsened by the negligence of those entrusted to manage it.

V. MALFUNCTION OF STATE INSTITUTIONS: A BROKEN HOUSE IN REALITY

The image of a broken house is not a fantasy. It is a real reflection of the malfunction of state institutions in various sectors. A leaking roof represents policies that are easily altered to serve the interests of the elite. Damp walls symbolize corruption that is allowed to take root. Clogged drains illustrate a convoluted and obstructive bureaucracy. Rats and cockroaches are symbols of organized crime that gnaws away at the system.

These damages do not stand alone. They are interconnected, forming a destructive cycle from top to bottom. If one point is ignored, the damage will spread to the entire

function according to their purpose. Yet instead of directing the repairs of the house, some intellectuals are preoccupied with becoming “paid contractors” who follow the will of capital owners or rulers rather than the needs of the inhabitants.

2. **Religion as the Guardian of Morality** – They are the keepers of the moral compass, ensuring that the inhabitants live by values of virtue and justice. But today, these guardians of morality are often trapped in struggles for influence, with some even turning sacred values into bargaining chips for politics, leaving the inhabitants confused about the true direction of morality.
3. **The Military and Police as Protectors** – They are the fences and locks of the house, ensuring it is safe from both internal and external threats. Unfortunately, the gates sometimes open for those seeking personal gain, while the people knocking at the door are ignored. Political and business interventions have eroded the neutrality of these protectors.
4. **Culture as the Guardian of Identity** – Culture is the decoration, layout, and tradition of the house that makes it unique and livable. Yet the currents of globalization and commercialization have displaced authentic culture. This house is slowly losing its uniqueness, becoming just another building that resembles everyone else’s.

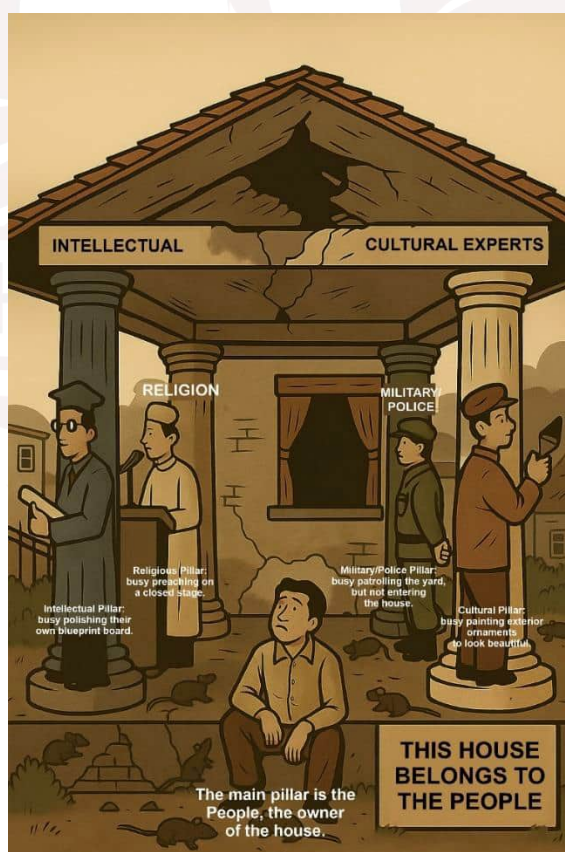


Figure 3. Illustration of the Four State Pillars Acting Separately

that point, the house is no longer a safe, comfortable, or proper dwelling. This is precisely what we witness in a nation when its institutions fail to perform their functions, resulting in a systemic malfunction.

II. DAMAGE UPON DAMAGE IN EVERY CORNER OF THE HOUSE

The damage to a house does not always happen suddenly; it often begins with small things that are ignored. Cracks in the walls are left unattended, a leaky roof remains unrepaired, broken furniture is not replaced. Over time, the damage spreads and eventually undermines the overall function of the house.

In the context of the State, such damage can take the form of:

- *A leaking roof everywhere, symbolizing state regulations and policies that leak and are easily manipulated by elite interests.*
- *Damp and moldy walls, reflecting a nation's foundations weakened by entrenched corruption and negligence.*
- *A cracking foundation, representing a constitutional and state structure undermined by short-term interests.*
- *A dirty and disorganized kitchen, symbolizing state finances and the national budget (APBN) mismanaged, full of irregularities, with funds enjoyed for personal gain.*
- *A messy, uninhabitable bedroom, symbolizing the people's lives that are uncomfortable, costly, and burdened by economic pressures.*
- *A foul-smelling bathroom with broken drains, symbolizing a judiciary and justice institutions tainted by injustice, lack of transparency, and conflicts of interest.*
- *Peeling, sharp ceramic tiles, representing a legal infrastructure that looks neat from the outside but cuts and harms ordinary people.*
- *Stifling, stale air circulation, symbolizing a democracy and freedom of expression that feels suffocating, with no fresh air from the people.*
- *Clogged drains causing stagnant water, symbolizing bureaucratic and public service channels that are blocked, inefficient, extortion-ridden, and sluggish.*
- *Rats and cockroaches everywhere, symbolizing rampant corruption across all sectors without any serious eradication effort.*

III. THE STATE'S PILLARS LOST IN THEIR OWN AFFAIRS

The great house called the nation does not only stand upon its foundation, roof, and walls, but is also supported by four main pillars that should work in harmony:

1. **Intellectuals as Guides** – *They are the architects and engineers of the house, tasked with designing, providing solutions, and ensuring that all parts of the house*

CHAPTER IV

POTRAIT OF A CRISIS: DYSFUNCTION OF STATE INSTITUTIONS IN INDONESIA

(Including an Illustration of a Damaged House as an Analogy)

I. INTRODUCTION: THE HOUSE CALLED NATION



Figure 2. Illustration of a Damaged House (Nation)

A house is a simple symbol of a nation. It has a roof that provides protection, walls that support, a floor that serves as a foundation for standing, rooms that function according to the needs of its inhabitants, and a foundation that keeps the entire structure upright. This house stands not for itself, but to protect and ensure the welfare of its residents.

So it is with a nation, which has structures, functions, and elements that work together to sustain the lives of its people. The roof may be likened to national leadership that provides protection. The walls are state institutions that safeguard the sovereignty of law and social order. The floor represents the economic system that supports the people's livelihood. The foundation is the constitution and the core values that unify the nation.

But what happens when one by one these parts of the house begin to deteriorate? The roof leaks, the walls crack, the floor decays, and even the foundation begins to shift. At

**COMPARATIVE RECAPITULATION TABLE: EVALUATION OF IDEAS FOR THE
FIFTH AMENDMENT TO THE 1945 CONSTITUTION BY 11 PUBLIC FIGURES**

PUBLIC FIGURE	FOCUS ON RESTORING PEOPLE'S SOVEREIGNTY	DISTINCTION BETWEEN STATE INSTITUTIONS & GOVERNMENT	FULL IMPLEMENTATION OF PANCASILA VALUES (DELIBERATION, CONSENSUS)
<i>Bambang Soesatyo</i>	65%	70%	75%
<i>Prof. Dr. Jimly Asshiddiqie</i>	75%	75%	80%
<i>Arsul Sani</i>	60%	60%	60%
<i>Fadel Muhammad</i>	60%	60%	70%
<i>Prof. (Emeritus) H.R. Taufik Sri Soemantri Martosoewignjo</i>	80%	80%	85%
<i>Prof. Dr. H. Albert Hasibuan</i>	80%	80%	85%
<i>Prof. Dr. Hasnawi Haris, M.Hum</i>	75%	70%	80%
<i>Tamsil Linrung</i>	85%	85%	90%
<i>AA La Nyalla Mahmud Mattalitti</i>	90%	90%	95%
<i>Emha Ainun Nadjib (Cak Nun)</i>	100%	100%	100%

	<i>whose members comprise representatives from intellectual, spiritual, cultural, and security sectors (not only politicians). This resembles a people's council that elects leaders based on spiritual/ethical quality and capability (spiritual meritocracy), rather than mere electability.</i> 4. <i>People's Sovereignty Council — although this term is also used within Party X, the idea aligns with Cak Nun's vision: a council truly representing the broad population to oversee the running of the state (perhaps similar to the ideal MPR he envisions).</i> 5. <i>Statesmanship School — Cak Nun supports the nurturing of leaders with integrity. Party X, inspired by him, established the X Institute Statesmanship School to produce leaders who serve the people with deep statecraft knowledge and high ethical standards.</i> ASSESSMENT PERCENTAGES • <i>Focus on Restoring People's Sovereignty: 100%</i> • <i>Distinction between State Institutions & Government: 100%</i> • <i>Full Implementation of Pancasila Values (Deliberation, Consensus): 100%</i>	
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	ASSESSMENT PERCENTAGES • <i>Focus on Restoring People's Sovereignty: 90%</i> • <i>Distinction between State Institutions & Government: 90%</i> • <i>Full Implementation of Pancasila Values (Deliberation, Consensus): 95%</i>	
Emha Ainun Nadjib (Cak Nun)	Proposed the concept of the "Heavenly Constitution" (Konstitusi Langit), a renewal of the state system based on spiritual and moral foundations. Cak Nun believes the current "Earthly Constitution" (Konstitusi Bumi) is dominated by oligarchy — procedural democracy has become a mere formality that sidelines the people as the true holders of sovereignty. The Heavenly Constitution is a revolutionary alternative to "return all supreme authority to the people" as the central source of power. Its implementation includes: 1. A new state structure with the people as the holders of absolute sovereignty — for example, through a draft of the Fifth Amendment placing the people not merely as objects of five-yearly elections, but as the main subjects who can determine the nation's direction at any time. 2. Overhauling the democratic paradigm: the people not only elect leaders every election cycle but also take part in determining the correct system. Without fundamental structural change, leadership transitions are seen as merely cosmetic. 3. The highest leader as a "People's Meritocracy King" — not just a popular president, but a figure chosen by the MPR	Advocates the Heavenly Constitution, people as the center of absolute sovereignty, clear separation of state and government, fully spiritual and consensus-based governance.

	four previous amendments to the 1945 Constitution, which he believes have deviated from its original spirit. Specifically, La Nyalla argued that the direct presidential election system introduced after the Reform era created “cosmetic politics” — costly and divisive, with voters choosing based solely on popularity. Therefore, he proposed fundamental changes: 1. Restore the MPR as the Supreme State Institution that fully embodies the sovereignty of the people. This means the President would be elected — and could be dismissed — by the MPR, as before 2004, and would be obliged to implement the GBHN (State Policy Guidelines) set by the MPR. 2. Adopt a “sufficient democracy” model — all elements of the nation represented in the MPR (comprising elected members through general elections plus group representatives selected bottom-up). La Nyalla wants Indonesia’s system to be based on authentic Pancasila democracy, not a copy-paste of Western liberal democracy. 3. Optional: Independent presidential candidates — he has at times supported the option for non-party presidential candidates as a middle ground if direct presidential elections are maintained, giving opportunities for leaders outside the party oligarchy. These proposals were outlined in the DPD’s August 2023 submission to national stakeholders. In essence, they aim to perfect and strengthen the state system in accordance with the founding fathers’ design.	people’s sovereignty, return to deliberative system, anti-liberal model.
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	5. Adjustment of judicial power (e.g., relations among the Supreme Court, Constitutional Court, and Judicial Commission). 6. Adjustment of the legal system and legislation based on Pancasila as the source of law. 7. Implementation and dissemination of the values of Pancasila, the 1945 Constitution, the Unitary State of the Republic of Indonesia (NKRI), Bhinneka Tunggal Ika, and MPR decrees (strengthening ideological education/implementation). Tamsil also specifically advocated for opening Article 6 of the 1945 Constitution to allow independent (non-party) presidential and vice-presidential candidates to be nominated through the DPD. This, he argued, would correct a system that currently limits national leadership alternatives to political parties, a result of the high presidential threshold. Overall, he emphasized that constitutional amendment is legitimate and should not be feared as long as the objective is clearly to strengthen the state system. ASSESSMENT PERCENTAGES • Focus on Restoring People's Sovereignty: 85% • Distinction between State Institutions & Government: 85% • Full Implementation of Pancasila Values (Deliberation, Consensus): 90%	
AA La Nyalla Mahmud Mattalitti	Initiated the idea of "Returning to the Founding Fathers' Original Formula" in the state system. He criticized the results of the	MPR as the supreme body = embodiment of

	<i>This idea aligns with the proposal of Senator Tamsil Linrung, and Prof. Haris strongly supports the independent presidential candidate discourse. He also mentioned the need to strengthen the presidential system and the role of the MPR/DPD as part of the amendment content, but to be carried out in a limited manner focused only on urgent matters (avoiding excessive changes).</i> ASSESSMENT PERCENTAGES • Focus on Restoring People's Sovereignty: 75% • Distinction between State Institutions & Government: 70% • Full Implementation of Pancasila Values (Deliberation, Consensus): 80%	
Tamsil Linrung	<i>One of the key initiators of constitutional amendment studies within the DPD. He described the Fifth Amendment as an evaluation of the nation's trajectory, which he believes has been hindered in several areas. Tamsil explained that in 2019 the MPR recommended seven important agendas to be reviewed as a step toward amendment:</i> <i>1. State Policy Guidelines (GBHN) reinstatement.</i> <i>2. Adjustment of the MPR's authority (reviewing whether the MPR's role/powers should be strengthened).</i> <i>3. Adjustment of the DPD's authority (strengthening the DPD's role in legislation, budgeting, and oversight).</i> <i>4. Adjustment of the presidential system (possibly related to cabinet stability and executive-legislative relations).</i>	<i>Focus on systemic correction for the people, opening the path for independents, strengthening State Policy Guidelines and Pancasila, but still accommodating the existing system.</i>

	<i>Amendment must comprehensively address existing shortcomings so that further changes will not be necessary in the near future. Albert Hasibuan also suggested that the amendment agenda should not be too narrowly confined; if needed, its scope should be expanded for the good of the Constitution (for example, not only dealing with the PPHN, but also addressing other weak aspects).</i> ASSESSMENT PERCENTAGES • <i>Focus on Restoring People's Sovereignty: 80%</i> • <i>Distinction between State Institutions & Government: 80%</i> • <i>Full Implementation of Pancasila Values (Deliberation, Consensus): 85%</i>	<i>formal institutions.</i>
<i>Prof. Dr. Hasnawi Haris, M.Hum</i>	<i>An academic who supported the proposal of the Regional Representative Council (DPD RI) to carry out the Fifth Amendment (as stated in an FGD in Makassar, 2021). He stated that the amendment is necessary because the dynamics of national life continue to evolve, and the Constitution — as the foundation of a rule-of-law state and a welfare state — must be adaptive to the times. He emphasized that, both normatively and factually, constitutional amendment is a necessity. He also highlighted the importance of reinstating the State Policy Guidelines (GBHN) as a clear national development direction. In addition, Prof. Haris agreed that there should be an alternative mechanism for electing the President and Vice President, not only through political parties, but also by opening a path for independent (non-party) candidates as a balancing measure.</i>	<i>Opens the door for independent candidates, seeks to restore Pancasila values, remains normative and adaptive, not entirely radical.</i>

<i>Prof. (Emeritus) H.R. Taufik Sri Soemantri Martosoewignjo</i>	<i>A constitutional law professor who led the Constitutional Study Institute (LKK) after the fourth amendment. The results of the LKK's study (2004–2008) recommended the necessity of a Fifth Amendment because many articles/provisions of the 1945 Constitution needed improvement to perfect the constitution as a long-term fundamental law. Sri Soemantri emphasized that the Constitution must serve the nation's long-term political interests, not merely short-term political goals, and that constitutional changes should aim to eliminate existing weaknesses. Key points from his study included: inconsistencies in the post-amendment 1945 Constitution, suboptimal distribution of power, and the need for a stronger foundation for the state ideology, among others (the complete study was submitted to President SBY in 2008).</i> ASSESSMENT PERCENTAGES • <i>Focus on Restoring People's Sovereignty: 80%</i> • <i>Distinction between State Institutions & Government: 80%</i> • <i>Full Implementation of Pancasila Values (Deliberation, Consensus): 85%</i>	<i>Emphasizes perfecting the constitution for the people, calls for synchronization between state institutions and government, but not as “radical” as Cak Nun.</i>
<i>Prof. Dr. H. Albert Hasibuan</i>	<i>A legal reform figure and member of the Constitutional Study Institute (LKK) alongside Sri Soemantri. He shared the view that the 1945 Constitution needs to be amended again to perfect the results of the reform era. He emphasized the hope that the Constitution would become a “living constitution” — one that can endure for decades or even centuries without weaknesses. This means that the Fifth</i>	<i>Focuses on institutional harmonization, aligned with Soemantri, prioritizing the people but still within the framework of</i>

	1. Strengthening the presidential system (restructuring the executive–legislative relationship for greater stability). 2. Strengthening the legislative function by increasing the DPD’s role in the legislative process alongside the DPR and restructuring the role of the MPR. 3. Enhancing the relationship among judicial institutions (Constitutional Court, Supreme Court, Judicial Commission) to improve the system of checks and balances. 4. Restructuring central–regional relations, including evaluating whether regional autonomy needs adjustments (e.g., the division of authority between provinces and regencies) 5. Opening the path for independent (non-party) presidential candidates in presidential elections. Irman supports the idea of independent presidential candidates to make competition more open and not dominated by political parties (avoiding party oligarchy in nominations). He argued that many potential figures cannot run because of party-based mechanisms, so a personal/independent pathway in presidential elections should be provided. ASSESSMENT PERCENTAGES • Focus on Restoring People’s Sovereignty: 70% • Distinction between State Institutions & Government: 70% Full Implementation of Pancasila Values (Deliberation, Consensus): 75%	party-based system.
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	the MPR (for example by restoring the GBHN) and increasing the DPD's authority should be done through a constitutional amendment, initiated by the MPR in the next period (after 2024). However, Fadel rejects extreme proposals such as returning to the system where the president is elected by the MPR. He stated that until 2023 there has been no discussion in the MPR to change the presidential election mechanism to MPR voting, because such a move would betray the spirit of the 1998 Reform (which mandated the direct election of the president by the people). Fadel even noted that political parties would not agree to revive the old model. As an alternative, Fadel encourages strengthening the role of the DPD without amendments through regulatory means (e.g., involving the DPD together with the DPR in regulating transfer funds to regions, etc.). ASSESSMENT PERCENTAGES • Focus on Restoring People's Sovereignty: 60% • Distinction between State Institutions & Government: 60% • Full Implementation of Pancasila Values (Deliberation, Consensus): 70%	
Irman Gusman	Initiated the proposal for the Fifth Amendment while serving as Chairman of the DPD (during the SBY era) as part of the DPD's mission to strengthen the constitutional system. He described this amendment as potentially becoming the "masterpiece" of the SBY–Boediono administration if realized. At the time, the DPD's ideas included:	Independent presidential candidate pathway, stronger role for DPD, greater public accommodation, but still within a

	amendment, which also contributed to the postponement. Arsul argues that the ideal time to discuss the amendment is after the 2024 elections — for example, in March 2024 when the election results are already known but the outgoing DPR is still in office — so that discussions are free from the conflicts of interest arising from electoral competition. He also believes that if the amendment proceeds, it must address fundamental issues (e.g., the presidential candidacy threshold and the parliamentary threshold) to ensure that the effort is comprehensive. ASSESSMENT PERCENTAGES • Focus on Restoring People's Sovereignty: 60% • Distinction between State Institutions & Government: 60% • Full Implementation of Pancasila Values (Deliberation, Consensus): 60%	
Fadel Muhammad	Views the refinement of the 1945 Constitution as necessary to strengthen legislative bodies (MPR, DPR, DPD). He pointed out that after four amendments, the MPR lost many of its powers: it is no longer the highest state institution, can no longer issue MPR Decrees binding outside the institution, and the GBHN (State Policy Guidelines) was abolished. As a result, the national development direction has become unclear without a state policy framework. In addition, the post-reform Constitution is seen as giving too little role to the DPD — causing it to be “looked down upon” and to contribute less to regional development. Fadel believes that strengthening	GBHN as a tool for guiding the people's direction, but still conservative, not fully prioritizing the people at the top.

	4. <i>Improving the governmental system: the President remains directly elected by the people, but the Vice President would be chosen through an MPR approval mechanism.</i> <i>Jimly also proposes a Constitutional Aspiration Forum as a platform within the MPR to absorb public input (similar to a caucus of functional group envoys). In strengthening the DPD, he reminds that the DPR's authority should not be taken over; the DPD should be empowered without surpassing the DPR.</i> ASSESSMENT PERCENTAGES • Focus on Restoring People's Sovereignty: 75% • Distinction between State Institutions & Government: 75% • Full Implementation of Pancasila Values (Deliberation, Consensus): 80%	
<i>Arsul Sani</i>	<i>Supports the discourse on the Fifth Amendment with a limited scope (particularly on regulating the PPHN and reinstating functional group envoys), but takes a cautious stance regarding its timing. He revealed that attempts to amend the Constitution were nearly carried out in the 2019–2022 period, including plans to reintroduce functional group envoys to the MPR — but failed because of political demands such as extending the presidential term and postponing the 2024 elections, which raised concerns about opening a “Pandora’s box.” Even the DPD Chairman (La Nyalla) had pushed for an independent presidential candidate clause in the</i>	<i>Procedural and cautious focus; supports PPHN and functional group envoys but tends to compromise with the existing system.</i>

	<i>touching controversial issues such as presidential term limits.</i> ASSESSMENT PERCENTAGES • <i>Focus on Restoring People's Sovereignty: 65%</i> • <i>Distinction between State Institutions & Government: 70%</i> • <i>Full Implementation of Pancasila Values (Deliberation, Consensus): 75%</i>	
<i>Prof. Dr. Jimly Asshiddiqie</i>	<i>Advocates for a comprehensive constitutional evaluation after 24 years of reform. States that the Fifth Amendment is inevitable due to many weaknesses in the 1945 Constitution as amended in 1999-2002. He does not intend to revert to the original 1945 Constitution but rather to improve the current one. His main ideas include:</i> <i>1. Reorganizing the representation system according to the founding fathers' concept: representation by political parties (DPR), regional representation, and functional group representation. Thus, he proposes the return of functional group envoys to the MPR (to represent professional, customary, and other societal elements).</i> <i>2. Restructuring the DPD: with the option to abolish the DPD as a separate chamber and make regional envoys part of the DPR (to make regional voices more effective).</i> <i>3. Strengthening the MPR's role, including restoring its authority to establish the Broad Guidelines of State Policy (PPHN/GBHN).</i>	<i>Strong proposal to strengthen the MPR and reinstate functional group envoys, while maintaining a modern structure without returning to an absolute deliberative system.</i>

CHAPTER III

COMPARATIVE TABLE: EVALUATION OF IDEAS FOR THE FIFTH AMENDMENT TO THE 1945 CONSTITUTION BY 11 PUBLIC FIGURES

This table compares the ideas of several figures regarding the proposed Fifth Amendment to the 1945 Constitution, along with the main focus of the ideas expressed by public figures who advocate for the necessity of the Fifth Amendment to the 1945 Constitution.

NAME OF FIGURE	IDEAS RELATED TO THE FIFTH AMENDMENT TO THE 1945 CONSTITUTION	BRIEF DESCRIPTION
Bambang Soesatyo	<i>Proposed a limited amendment to improve the state governance design in the post-reform era. Supports Prof. Jimly's proposal:</i> <i>1. Abolish the Regional Representative Council (DPD) and integrate it as a regional envoy faction within the House of Representatives (DPR) to better represent regional voices.</i> <i>2. Strengthen the People's Consultative Assembly (MPR) by reinstating the functional group faction (representatives of professions, mass organizations, etc.) and granting it the authority to establish the Broad Guidelines of State Policy (PPHN or GBHN).</i> <i>3. Maintain direct presidential elections, but have the Vice President nominated by the elected President for MPR approval (to avoid transactional coalitions).</i> <i>4. Establish a National Ethics Court as the highest ethical judiciary to oversee state officials.</i> <i>Emphasizes that the Fifth Amendment should be limited only to these crucial points, without</i>	<i>Seeks a stronger MPR with functional group envoys, but still maintains a top-down approach via political party elites.</i>

governance—not only as a normative foundation but also as an ethical and operational guide in national life.

XI. EMHA AINUN NADJIB (CAK NUN) – CULTURAL FIGURE & NATIONAL THINKER



Emha Ainun Nadjib, better known as Cak Nun, is a cultural figure and informal national thinker who brings a unique and profound approach to statehood issues. Amid the discourse on the Fifth Amendment to the 1945 Constitution, Cak Nun introduced a visionary idea called the “Heavenly Constitution” – a paradigmatic

revolution concept that emphasizes the importance of divine morality and spirituality as the foundation of Indonesia’s state system.

Unlike technical or legal-formal approaches, Cak Nun views Indonesia’s current state system—what he calls the “Earthly Constitution”—as having been dominated by oligarchy and procedural democracy, which alienate the people from their rightful position as the highest sovereign power. In his view, the five-yearly general election is merely a formality ritual of power, while the people remain excluded from the nation’s strategic decision-making.

Cak Nun stresses that any change in the structure of power must be accompanied by the enforcement of honesty, trustworthiness, and consensus values guided by the spirituality of Pancasila. The government must submit to the mandate of the people, not the elites, and must be institutionally separate from the sovereign state body.

Although the “Heavenly Constitution” may sound idealistic, Cak Nun’s thinking has inspired civil society circles and alternative political groups such as Party X, which adopted ideas like “Separate state institutions from the government,” “People’s Sovereignty Council,” and “Statesmanship School” in their platforms.

Cak Nun can be seen as the nation’s moral locomotive, reminding that without fundamental change in the system, the people will continue to be victims of pseudo-democracy, and the state will lose the blessings that should grow from the people’s mandate and the noble values of Pancasila.

Inspired by him, Party X established the Statesmanship School X Institute to produce leaders as servants of the people, equipped with high-level statecraft knowledge and ethics.

X. AA LA NYALLA MAHMUD MATTALITTI (FORMER CHAIRMAN OF THE REGIONAL REPRESENTATIVE COUNCIL, SENATOR OF THE REGIONAL REPRESENTATIVE COUNCIL FROM EAST JAVA)



AA La Nyalla Mahmud Mattalitti, a senator of the Regional Representative Council (DPD RI) from East Java and former Chairman of the DPD RI for the 2019–2024 term, is one of the most vocal national figures advocating the importance of the Fifth Amendment to the

1945 Constitution. Since 2021, La Nyalla has consistently promoted the amendment discourse as an effort to restore the original spirit of the Constitution and reaffirm the principle of consensus (musyawarah mufakat) in Indonesia's democratic system.

In a public lecture at UIN Alauddin Makassar (May 29, 2021), La Nyalla argued that the 1999–2002 constitutional amendments overly adopted the Western liberal democratic model. He proposed that the Fifth Amendment should serve as a means to restore a state system based on Pancasila democracy, emphasizing the values of kinship and mutual cooperation (gotong royong) inherited from the nation's founders.

During a visit to Tarakan, North Kalimantan (May 25, 2021), he also voiced the importance of opening a pathway for independent presidential candidates through the DPD and abolishing the presidential nomination threshold (presidential threshold) to create a more inclusive and fair political system.

At a discussion held at Muhammadiyah University of Jakarta (December 7, 2021), La Nyalla highlighted the need for academic studies on several crucial amendment issues, such as strengthening the Broad Guidelines of State Policy (PPHN), enhancing the presidential system, and repositioning the institutional roles of the MPR and DPD RI.

Culminating on June 23, 2024, at the Senayan Building, he declared that restoring the 1945 Constitution to its original text with improvements is his top priority during the 2024–2029 DPD RI term. He also expressed hope that President-elect Prabowo Subianto would support this agenda for a comprehensive improvement of the national constitution.

La Nyalla also voiced criticism of foreign influence in the reform amendment process, citing the involvement of international donor agencies such as USAID, UNDP, and IFES, which he claimed influenced the constitutional changes to deviate from the nation's identity.

Through his ideas, La Nyalla champions the Fifth Amendment as a corrective step for Indonesia's democratic direction, aiming to restore the spirit of Pancasila in state

VIII. PROF. DR. HASNAWI HARIS, M.HUM (LEGAL SCHOLAR, VICE-RECTOR OF UNIVERSITAS NEGERI MAKASSAR)



In November 2021, a group of academics from Universitas Negeri Makassar (UNM) expressed support for the fifth amendment to the 1945 Constitution. UNM Vice-Rector I, Prof. Dr. Hasnawi Haris, M.Hum., stated that the fifth amendment “is a necessity, both normatively and factually”, as the dynamics of national life require a constitution that can adapt. He emphasized the need to realize Pancasila as the fundamental national consensus that must continue to serve as a guiding principle amid the challenges of the times—such as by reviving the Broad Guidelines of State Policy (Pokok-Pokok Haluan Negara, PPHN). Haris also considered the amendment important for accommodating alternative presidential election mechanisms (for example, independent candidates) in order to create a more balanced presidential system.

IX. TAMSIL LINRUNG (POLITICIAN, SENATOR OF THE REGIONAL REPRESENTATIVE COUNCIL FROM SOUTH SULWESI)



Prof. Dr. Tamsil Linrung, a senator of the Regional Representative Council (DPD RI) from South Sulawesi, also advocated for the fifth amendment. In late November 2021, he explained that the fifth amendment is necessary as an “evaluation of the nation’s course,” which has not sufficiently strengthened several key aspects of the Constitution. The study he led at Universitas Negeri Makassar (UNM) highlighted the People’s Consultative Assembly’s (MPR) 2019 recommendation regarding seven constitutional reform agendas—namely, the Broad Guidelines of State Policy (PPHN), restructuring the powers of the MPR/DPD, the presidential system, judicial power, and the formulation of legislation based on Pancasila. Tamsil stated that the amendment discourse is important to correct the direction of future national policies, particularly in strengthening state institutions such as the DPD and MPR, as well as the presidential system.

presidential elections more competitive. All these statements were delivered by Irman in Mamuju, West Sulawesi, on March 31, 2011.

VI. PROF. (EMERITUS) H.R. TAUFIK SRI SOEMANTRI MARTOSOEWGNJO (LEGAL SCHOLAR, PROFESSOR AT PADJAJARAM UNIVERSITY)



Prof. H.R. Taufik Sri Soemantri Martosoewgnjo (alm.) was a prominent Constitutional Law scholar who, in 2008, headed the Constitution Study Institute (Lembaga Kajian Konstitusi, LKK). According to the official report of the Constitutional Court, the LKK led by Sri Soemantri, together with Prof. Albert Hasibuan, met with President Susilo Bambang Yudhoyono on April 21, 2008, to propose the fifth amendment to the 1945 Constitution. His ideas included highlighting inconsistencies between articles following the fourth amendment. This statement was recorded in a 2008 news report by the Constitutional Court of the Republic of Indonesia (MKRI), which noted that many parties (including Sri Soemantri) believed the four previous amendments had “deviated from the spirit of the 1945 Constitution” and therefore required further improvements.

VII. PROF. DR. H. ALBERT HASIBUAN (LEGAL SCHOLAR, FORMER CHAIRMAN OF THE NATIONAL COMMISSION ON HUMAN RIGHTS)



Prof. H.R. Albert Hasibuan (alm.) was a co-founder of the Constitutional Study Institute (Lembaga Kajian Konstitusi, LKK) and former Chairman of the National Commission on Human Rights. Like Sri Soemantri, he was actively involved in the discourse on the fifth amendment. A report by the Constitutional Court noted that the LKK under Hasibuan’s leadership also met with President Susilo Bambang Yudhoyono on April 21, 2008, to propose the amendment. Their reason was that the post-four-amendment Constitution needed to be reviewed and refined, as it was considered not fully aligned with the original spirit of the 1945 Constitution.

IV. FADEL MUHAMMAD (POLITICIAN, DEPUTY SPEAKER OF THE MPR RI 2019 – 2024)



Senator Ir. H. Fadel Muhammad, M.Sc, Deputy Speaker of the MPR RI for the 2019 – 2024 term, has stated since 2024 that the MPR will recommend the fifth amendment to the 1945 Constitution to the next MPR. In his remarks during the Constitution Day commemoration (August 2024), he declared, “We will recommend

changes (amendments) to the 1945 Constitution of the Republic of Indonesia, or the fifth amendment, to the incoming MPR” so that the constitution can accommodate the ideas of all parties. Fadel emphasized that the MPR wanted the constitutional changes to “accommodate all parties and the ideas that are developing,” especially within Indonesia’s plural democratic system. By June 2024, Fadel even mentioned that President Joko Widodo had given the “green light” to this discourse. He stated, “This amendment to the 1945 Constitution is a necessity... So, the fifth amendment, to put it bluntly. This discourse is needed for the improvement of this nation going forward.”

V. IRMAN GUSMAN (POLITICIAN, FORMER SPEAKER OF THE REGIONAL REPRESENTATIVE COUNCIL 2008 – 2016)



Irman Gusman, Speaker of the Regional Representative Council (DPD RI) for the 2008 – 2016 term, was actively promoting the fifth amendment. In March 2011, he stated that the fifth amendment proposed by the DPD would “strengthen Indonesia’s constitutional system”

and become the “masterpiece” of the SBY – Boediono administration if successfully passed. According to Irman, the amendment would strengthen the presidential system, enhance cooperation among state institutions (including the DPR, DPD, MPR, Supreme Court, Constitutional Court, and Judicial Commission), and reinforce regional autonomy through better structuring of central–regional relations. He also proposed that the amendment include provisions for independent presidential candidates to make

occasions proposed the fifth amendment to the 1945 Constitution. In 2011, he stated that the fifth amendment was needed as “a systemic reform of governance and state institutions to make them more efficient.” Jimly also reminded that such a proposal must be supported by existing political forces, including the Regional Representative Council (DPD) and political parties in the House of Representatives (DPR), warning that without political support, the amendment discourse would be difficult to realize. Furthermore, in August 2024, Jimly once again stressed the need for a constitutional evaluation in the post-reform era. He stated that it was time for the Indonesian nation “to conduct a comprehensive evaluation” of the Constitution resulting from the 1999–2002 reform, and to use the 2024–2029 period as the momentum to implement the fifth amendment.

III. ARSUL SANI (POLITICIAN, DEPUTY SPEAKER OF THE MPR RI)



Dr. H. Arsul Sani, M.Si, Pr.M., a PPP politician who served as Deputy Speaker of the MPR RI (2014 – 2019 and 2019 – 2024), also raised the discourse on the fifth amendment. He stated that during his three years as Deputy Speaker of the MPR,

many community groups requested the reinstatement of functional group representatives through an amendment (as recommended by the 2014–2019 MPR), particularly for determining the Broad Guidelines of State Policy (PPHN). Arsul said that this aspiration was “in line with the recommendation of the 2014–2019 MPR for the current leadership to conduct a study on the Broad Guidelines of State Policy” through constitutional change. He explained that the amendment discourse “almost happened” in 2022 before demands emerged to extend the presidential term, which caused it to be halted. Arsul believes that the fifth amendment could be carried out as early as March 2024 after the general election, with the aim of resolving systemic issues such as improving the Election Law and adjusting the party threshold.

CHAPTER II

VOICES FOR CHANGE: 11 PUBLIC FIGURES SUPPORTING THE FIFTH AMENDMENT TO THE 1945 CONSTITUTION

(Profiles and Views of National Figures)

I. **BAMBANG SOESATYO (POLITICIAN, FORMER SPEAKER OF THE MPR RI 2019 – 2024)**



Bambang “Bamsoet” Soesatyo, Speaker of the People’s Consultative Assembly (MPR RI) for the 2019-2024 term and currently a member of the House of Representatives (DPR), expressed his support for the proposed fifth amendment to the 1945 Constitution. He believes the fifth amendment is necessary

to “address the challenges of the times,” as more than two decades of reform have yet to produce an adequate state system. Bamsoet views the post-first to fourth amendment institutional design as insufficiently mature, requiring serious structural reforms. In his opinion, the MPR should be strengthened by reinstating regional and group representative factions to make it more representative, as well as reviving the function of Establishing the Broad Outlines of State Policy (PPHN). He emphasized that the amendment should be carried out “without touching controversial issues” such as extending the presidential term of office. These statements were delivered by Bamsoet in Jakarta on 30 June 2025 in response to Prof. Jimly Asshiddiqie’s proposal regarding the fifth amendment.



II. **JIMLY ASSHIDDIQIE (LEGAL SCHOLAR, FORMER CHIEF JUSTICE OF THE CONSTITUTIONAL COURT 2003 – 2008)**

Prof. Dr. Jimly Asshiddiqie, former Chief Justice of the Constitutional Court (2003 – 2008) and Professor of Constitutional Law, has on several

<i>Head of Government</i>	<i>President (also head of state).</i>	<i>President (also head of state).</i>	<i>President only as head of government, administrative operator under MPR mandate.</i>
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<i>Supreme Decision</i>	<i>MPR decisions are supreme and binding on all state institutions.</i>	<i>No supreme decision; power is dispersed among President, DPR, Constitutional Court, etc.</i>	<i>MPR decisions, as the representation of popular sovereignty, remain supreme, complemented by people's referendum mechanisms.</i>
<i>Executor</i>	<i>President elected and dismissed by the MPR, accountable to the MPR.</i>	<i>President elected directly by the people, not accountable to the MPR, practically very difficult to dismiss.</i>	<i>The Government (President + Cabinet) is only the executor of the people's mandate through the MPR, subject to control/dismissal if deviating.</i>
<i>Supervisor</i>	<i>The MPR as the highest body supervises the President: DPR limited to legislation.</i>	<i>DPR carries out legislation, budget, oversight; Constitutional Court established for judicial review. However, its control is weak.</i>	<i>Main oversight by the MPR as the People's Mandate Holder, reinforced by the people's referendum to correct policies.</i>
<i>Distinction between State Institutions & Government</i>	<i>Blurred: The President is both head of state and head of government.</i>	<i>Unclear: President remains both head of state and head of government, MPR loses its state role.</i>	<i>Clear: State Institution = MPR (People's Mandate Holder, collective head of state). Government Institution = President & Cabinet (administrative operator).</i>
<i>Head of State</i>	<i>President (elected by and mandated to the MPR).</i>	<i>President (directly elected by the people, but without direct accountability → party oligarchy).</i>	<i>Collective Head of State = MPR leadership, representing popular sovereignty, symbol of unity.</i>

- Clarifying the limits of presidential authority and strengthening the MPR's oversight of both the executive and judiciary.
- Building a transparent and accountable public financial system by separating the functions of the state treasurer and state cashier.

With the Fifth Amendment, Indonesia will return to a path of democracy rooted in Pancasila stable, just, and oriented toward the people. It not only corrects the mistakes of the past but also reshapes the future of the nation on a sounder constitutional foundation.

The following is a comparative table of sovereignty concepts and state structures based on the Original 1945 Constitution, the Fourth Amendment of the 1945 Constitution, and the Draft Fifth Amendment of the 1945 Constitution.

COMPARATIVE TABLE OF SOVEREIGNTY CONCEPTS AND STATE STRUCTURE

POINT	ORIGINAL 1945 CONSTITUTION (18 AUGUST 1945)	FOURTH AMENDMENT OF THE 1945 CONSTITUTION (2002)	DRAFT FIFTH AMENDMENT (PROPOSAL)
Holder of Sovereignty	The People (Article 1 paragraph 2: "Sovereignty is in the hands of the people, and is fully exercised by the MPR").	The People (Article 1 paragraph 2: "Sovereignty is in the hands of the people and exercised according to the Constitution") → but in practice fragmented through the party system.	The People as full sovereign, realized through direct mechanisms (referendum) and the People's Mandate Holder (MPR).
Authority of Sovereignty	The MPR as the highest state institution, holder and executor of the people's sovereignty.	No highest institution; all institutions are equal. Strong President, MPR lost its primary role.	The MPR as the People's Mandate Holder (Mandataris Rakyat) restored as the sovereign authority, directing and supervising the government.

Currently, the appointment of leaders of state institutions is heavily influenced by the President. The Fifth Amendment reassigns this authority to the MPR.

- The Speaker of the DPR, the Chief Justice of the Supreme Court (MA), the Chief Justice of the Constitutional Court (MK), the Chair of the Audit Board (BPK), and other heads of high state institutions must be elected and approved by the MPR.*
- The MPR may revoke the mandate of high-ranking officials proven to have violated their oath of office or abused their authority.*
- This system establishes real accountability and restores the people as the ultimate holders of control over the state.*

4. Building a Transparent and Accountable Public Financial System

The Fifth Amendment separates the functions of state treasurer and state cashier into two independent bodies: the National Agency for Financial and Asset Management (BPKAN) and the National Treasury Management Agency (BPKN), both directly accountable to the MPR.

- This separation reduces the risk of misuse of state funds, as no single institution will simultaneously control both budget formulation and disbursement.*
- The principle of checks and balances is strengthened by creating a structure that allows for tighter oversight of budget planning, allocation, and accountability.*
- Public funds will be managed transparently and accountably, directed fully toward the welfare of the people.*

V. CONCLUSION

The Fifth Amendment to the 1945 Constitution represents a crucial step in correcting the course of Indonesia's constitutional system. Since the four prior amendments, various distortions have emerged: the President's power has grown excessively, the DPR's oversight has weakened, the integrity of the judiciary has been eroded, and the system of direct elections has generated high campaign costs, social conflict, and dependency on oligarchic forces.

The Fifth Amendment offers concrete solutions:

- Restoring the People as the Holders and Sovereigns of Power through the MPR as the Executor of Popular Sovereignty.*
- Rectifying direct presidential elections that contradict the spirit of deliberative democracy in Pancasila, and replacing them with a more prudent representative system.*

Department of Finance formulates fiscal policy, while cash management and budget execution are handled by separate entities such as a Treasury Service or a Government Payment Office. This separation is essential to ensure accountability, enhance efficiency, and prevent the misuse of public funds.

IV. POSITIVE IMPACTS OF THE FIFTH AMENDMENT

The Fifth Amendment is not merely a correction measure against constitutional malfunctions, but also a blueprint for building a healthier, fairer, and more democratic state structure. The following are the anticipated positive impacts of its implementation:

1. Restoring the People as the True Holders and Sovereigns of Power through the MPR as the Executor of Popular Sovereignty

With the Fifth Amendment, the People's Consultative Assembly (MPR) is reinstated as the highest state institution exercising the full sovereignty of the people. The MPR would consist of representatives from the regions, professional groups, the TNI/Polri, as well as customary and ethnic representatives, thereby reflecting the comprehensive will of the people.

- The people will no longer hold sovereignty merely symbolically, but will exercise and direct it through the MPR.*
- The MPR will have strategic authority to determine the direction of the state, appoint and dismiss high-ranking state officials, and oversee the implementation of government.*

2. Rectifying Direct Presidential Elections that Contradict Pancasila

Direct presidential election have produced social division, money politics, and dependence on financial power. The Fifth Amendment abolishes this system and replaces it with a deliberative mechanism within the MPR.

- The election mechanism through the MPR aligns with the Fourth Principle of Pancasila: "Democracy guided by the inner wisdom of deliberations among representatives." Under this model, presidential candidates are first selected by the MPR, after which the chosen candidates are presented to the people for direct election.*
- This hybrid model creates a more stable government, prevents extreme polarization, and ensures leadership is chosen wisely by representatives of all segments of society.*

3. Strengthening Oversight of the Executive and Other High State Institutions

the very institutions entrusted with combating crime instead serve as its protectors, law loses its meaning and the people lose their protection.

In truth, the TNI and Polri should firmly stand on the side of the people. The TNI must return to its true function: safeguarding the sovereignty of the people, defending national borders, and preparing to confront external threats. Likewise, the Polri must restore public trust by enforcing the law fairly, free from corruption, and with a genuine commitment to serve society. Without fundamental corrections, the TNI–Polri will continue to be seen not as protectors of the people, but as instruments of power.

8. The Merger of the State Treasurer and Cashier Functions within the Ministry of Finance

One of the most serious weaknesses in Indonesia's current public financial structure is the merger of two vital functions, the state treasurer and the state cashier under a single institution: the Ministry of Finance. In this system, the Minister of Finance simultaneously controls both state revenues and expenditures. This arrangement concentrates excessive fiscal power in the hands of one institution.

When a single body manages the entire flow of state funds, both incoming revenues and outgoing expenditures the risk of irregularities becomes extremely high. There is no clear separation between the authority that manages the budget and the entity that executes disbursements. This weakens internal oversight and opens the door to collusion, inflated budgets (mark-up), or manipulation of disbursement processes.

Because the entire financial system is centralized in the Ministry of Finance, other institutions, including the House of Representatives (DPR) and the Audit Board of Indonesia (BPK), play only a passive or merely formal role in fiscal processes. There are no real-time mechanisms to prevent budget leakages as they occur. All financial reports are prepared by the same body that also holds the state's cash reserves, making audits highly vulnerable to interference and bias.

This consolidation of functions also creates significant operational overlap. The Ministry of Finance not only designs fiscal policy but also acts as the technical executor of payments and receipts. This dual role fosters bureaucratic inefficiency, slow decision-making, and systemic stagnation, since all processes must pass through a single command line. In some cases, fund disbursements are delayed or used in ways that lack accountability.

By contrast, in many countries such as Germany, the United States, and Australia, the functions of treasurer and cashier are institutionally separated. The

more than a formality. Ironically, amid the worsening crisis of corruption, the KPK has lost the legitimacy and credibility that were once its greatest assets.

Today, the erosion of the KPK's integrity only lengthens the list of state institutions that have collapsed. When the last bastion of corruption eradication becomes fragile, the people are left without a safeguard. The great hope once placed in the KPK has all but vanished, replaced by deep disappointment that corruption in this country is increasingly legitimized, while the very institution that was supposed to be the "eyes and hands of the people" no longer stands with the people, but is instead held hostage by elite interests.

7. The TNI-Polri: From Protectors of the People to Guardians of Power

Since the founding of the Republic of Indonesia, the Indonesian National Armed Forces (Tentara Nasional Indonesia – TNI) and the Indonesian National Police (Polri) were positioned as servants of the state whose primary duty was to protect the people. The TNI was established to safeguard the nation's sovereignty and defense against external threats, while the Polri was tasked with upholding the law, maintaining order, and protecting society. However, today's reality shows a significant shift away from these original ideals. Instead of serving as the people's shield, the TNI and Polri are increasingly perceived as being aligned with political parties, government officials, and ruling elites.

Public anger toward the Polri has long been apparent. Numerous cases of abuse of power, bribery, and illegal levies have eroded public trust. Satirical criticism from citizens has even surfaced in popular songs such as "Bayar-bayar", which reflect how difficult it is to obtain police services without paying bribes. The Polri's image further declined as many of its top officials transitioned into civilian public offices, blurring the boundaries between law enforcement and political interests.

Public frustration with the TNI is no less significant. Although constitutionally the TNI's role is clearly confined to national defense, in practice it has increasingly intruded into civilian domains. Their presence on university campuses, in civilian institutions, and in public office appointments has raised concerns about neutrality. Citizens question whether the TNI can still be distinguished from civilian governance, despite the reform-era mandate that emphasized a return of the military to the barracks and withdrawal from practical politics and civilian posts.

Even more troubling are the strong suspicions that certain TNI and Polri elites act as protectors (beking) of illegal businesses that harm the state and society alike. From illegal mining and smuggling to narcotics and online gambling, such illicit activities are widely believed to operate under the "umbrella" of security forces. When

compromise and abuse of power. In practice, it is exceedingly rare for the BPK to issue findings that genuinely threaten the authority of the executive.

6. The Collapse of the Corruption Eradication Commission (KPK)

From its inception, the Corruption Eradication Commission (Komisi Pemberantasan Korupsi – KPK) was heralded as the people’s hope in combating the extraordinary crime of corruption that undermines the foundations of the state. The KPK once symbolized firmness, independence, and courage in fighting corruption, even against high-ranking officials. However, over time, this institution has lost its edge, become entangled in political power struggles, and now faces a profound crisis of integrity.

One of the main causes of the KPK’s downfall lies in its leadership. Several KPK leaders, who should have served as role models, were themselves embroiled in controversies and even corruption cases. Some were exposed for accepting gratuities, engaging in conflicts of interest, or committing actions that damaged the institution’s independence. This raised a serious public question: how could an institution entrusted with cleaning the state from corruption be tainted by its own leaders?

The weakness became more apparent after the 2019 revision of the KPK Law, which placed the institution under executive control through the establishment of a Supervisory Board. Since then, the KPK’s room for maneuver has narrowed, investigations have frequently been hampered by bureaucracy, and the independence that was once its main strength has been eroded. Many major cases involving political elites have not been pursued seriously, some even disappearing entirely from public discourse. As a result, the public increasingly perceives the KPK as more of a “spectator” than the frontline force in fighting corruption.

The collapse of the KPK is also evident in systematic internal weakening. The case of the National Insight Test (Tes Wawasan Kebangsaan – TWK), which dismissed 75 integrity-driven employees, including senior investigators, was a stark example of how committed anti-corruption figures were deliberately removed. They were replaced by individuals whose independence was widely questioned. This further eroded public trust and reinforced the perception that the KPK had been engineered to become submissive under political power.

Consequently, public trust in the KPK has plummeted. Indonesia’s Corruption Perception Index has shown stagnation and even decline, in line with the weakening of the KPK’s role. An institution once feared by corrupt officials is now seen as little

the National Land Agency (Badan Pertanahan Nasional – BPN). Although the legal proceedings were eventually halted, the case left a dark mark on the institution's credibility. When even the watchdog becomes compromised, the legitimacy of the judiciary as a whole collapses.

With the Supreme Court mired in corruption, the Constitutional Court breaching constitutional ethics, and the Judicial Commission tarnished by integrity issues, it is clear that the crisis of trust in judicial institutions and judicial oversight has reached its lowest point. The public perceives law no longer as the supreme authority, but as a tool for elite bargaining. If this condition persists, justice will remain nothing more than an empty slogan, while the people lose their final fortress for defending their rights and dignity.

5. The Credibility Crisis of the Audit Board of Indonesia (BPK)

The Audit Board of Indonesia (Badan Pemeriksa Keuangan – BPK) is supposed to be the frontline guardian in ensuring that state finances are managed honestly, efficiently, and in accordance with regulations. In reality, however, the BPK has been engulfed in a credibility crisis due to corruption practices that have eroded its role as an independent state audit institution.

Several major cases have revealed that the highest audit opinion, **Wajar Tanpa Pengecualian** (Unqualified Opinion), can be traded to local governments or ministries. In fact, some BPK officials have been convicted for accepting bribes in exchange for smoothing out the audit results of certain institutions. This proves that audit opinions are no longer objective assessments based on data, but negotiable outcomes shaped by vested interests.

This situation is extremely dangerous, because financial reports, which should serve as instruments of transparency and accountability have instead become tools of manipulation to conceal budget leaks and financial misconduct. Public funds may be embezzled, yet still receive a “clean” stamp of approval.

The credibility of the BPK is further undermined by its non-independent appointment structure. The Chairperson of the BPK is sworn in by the Chief Justice of the Supreme Court (MA), while its members are inaugurated by the President through a Presidential Decree (Keputusan Presiden – Keppres). On the other hand, the BPK is tasked with auditing executive institutions led by the President, as well as judicial institutions under the MA.

This relationship creates a serious potential conflict of interest. How can auditors truly be independent if they are appointed and sworn in by the very institutions they are supposed to audit? This opens wide opportunities for

Under such conditions, real power effectively resides in the hands of a small circle of party elites. Ironically, despite the immense power they hold, they have failed to realize the ideals of independence—namely, to deliver justice and prosperity for the entire Indonesian people.

4. The Collapse of Judicial Institutions and Judicial Oversight

The highest judicial bodies, such as the Supreme Court (Mahkamah Agung – MA) and the Constitutional Court (Mahkamah Konstitusi – MK), are supposed to serve as the final bastions of justice and guardians of the Constitution. In reality, however, both institutions have fallen into a severe crisis of integrity. Public trust has eroded, as these bodies, meant to be neutral and exalted have instead become entangled in ethical scandals and legal misconduct.

Several Supreme Court justices and officials within the MA were arrested by the Corruption Eradication Commission (Komisi Pemberantasan Korupsi – KPK) for proven involvement in bribery and case trading. This demonstrates that Indonesia's highest judicial system is not immune to corruption. When verdicts can be bought, justice no longer exists in the courtroom. The MA, which should uphold the supremacy of law, has instead undermined public trust in the legal system. The judiciary has turned into a marketplace for transactions, rather than a forum for justice. This reflects a systemic failure, not merely isolated misconduct by individuals.

The most striking case occurred in 2023, when the MK amended the age requirement for vice-presidential candidates shortly before the registration period for the 2024 elections. This abrupt change was widely believed to accommodate the candidacy of Gibran Rakabuming Raka, the son of President Joko Widodo. The ruling not only sparked legal controversy but also raised strong suspicions of executive interference in the judiciary. The Constitutional Court's Honorary Council (Majelis Kehormatan MK – MKMK) subsequently declared that the Chief Justice at the time had committed a serious ethical violation. Yet, ironically, the MK's decision was never annulled and remained valid for the election process. This set a dangerous precedent: that the Constitution could be bent for the interests of individuals or ruling dynasties.

A similar crisis also struck the Judicial Commission (Komisi Yudisial – KY), the body entrusted with monitoring judicial conduct. The KY, which should function as a moral guardian, has itself been tainted. For example, its former chairman, Jaja Ahmad Jayus, was named a suspect by the West Java Regional Police in 2012 in a case involving alleged document forgery and abuse of authority during his tenure at

risks being led by individuals unprepared or insufficiently qualified for long-term leadership.

3. The Ineffectiveness of the DPR's Oversight of the Government

One of the primary functions of the House of Representatives (Dewan Perwakilan Rakyat – DPR) is to oversee the administration of government in order to ensure that the President's policies truly serve the people's interests. In practice, however, this oversight function has become almost paralyzed. The DPR no longer possesses strong bargaining power against the executive branch. In many cases, it functions more as an extension of the government rather than as its supervisor.

Procedurally, the Speaker of the DPR is elected by DPR members, but the inauguration is conducted by the Chief Justice of the Supreme Court (Mahkamah Agung – MA). At the same time, the Chief Justice is inaugurated by the President. This procedural chain creates a conflict of interest that blurs the independence among state institutions. Consequently, the DPR is indirectly drawn into the orbit of executive power. The President wields significant influence over appointments within both the judiciary and the legislature, undermining the DPR's independence in performing its oversight function. The principle of checks and balances, which should serve as the foundation of democracy, has therefore weakened.

Beyond these formal issues, the ineffectiveness of DPR oversight also stems from hidden power – namely, the dominance of political party elites. These elites, in reality, control the operation of state power. Since they determine the candidates for both DPR membership and the presidency, the sovereignty of the people is effectively consumed by party elites. Citizens are reduced to mere spectators within an electoral system wholly dominated by party mechanisms.

This explains why the DPR so often fails to stand on the side of the people. When the President introduces policies that harm the people or deviate from the Constitution, the DPR should be able to act summoning, criticizing, or even rejecting such measures. Yet in reality, this rarely occurs. Most government policies, whether emergency regulations (Perppu), controversial bills, or state budget proposals are almost always approved by the DPR without significant resistance.

Instead of serving as an effective watchdog, the DPR has repeatedly endorsed policies that are clearly opposed by the people. Mass demonstrations against certain bills, for example, have rarely resulted in parliamentary corrections. This indicates that the DPR has lost its strategic role as the people's representative and has become little more than a “rubber stamp” for the President as well as a political tool of party elites.

The Fourth Principle of Pancasila states: “Democracy guided by the inner wisdom of deliberation among representatives.” This formulation emphasizes that the people’s sovereignty should be exercised through deliberation and representation, not merely through a majority vote. The spirit of democracy in Pancasila is not the Western-style liberal democracy that relies on electoral competition and absolute majoritarianism, but rather a democracy that prioritizes deliberation (musyawarah), consensus (mufakat), and moral leadership.

With the adoption of Article 6A through the Third and Fourth Amendments to the 1945 Constitution, the principle of deliberation was effectively sidelined. Direct presidential elections transformed the role of head of government into an electoral contest driven by the logic of rivalry, rather than by wisdom. The forum of statesmen’s deliberation once conducted by the People’s Consultative Assembly (MPR) to collectively choose the best leader was eliminated.

Although direct elections may give the impression of being democratic, in practice they have shifted Indonesia’s deliberative democracy into an electoral democracy dominated by financial power, media popularity, and the logistical machinery of political parties. This has distanced the state’s leadership process from the principles of wisdom and prudence that should guide national governance.

In reality, the direct election system has triggered excessively high campaign costs. Presidential candidates must build broad coalitions, finance nationwide campaigns, purchase media advertisements, hire political consultants, and mobilize logistics. In many cases, this can only be achieved with the backing of major financiers, economic oligarchs, or even foreign interests. Consequently, transactional politics emerge, in which government positions, policies, and even state projects become bargaining chips after electoral victory.

Direct elections have also sharpened social divisions. Campaigns frequently split society into rival camps filled with hostility. Many citizens quarrel simply because they support different candidates. This weakens national unity, whereas Indonesian democracy should foster gotong royong (mutual cooperation) and togetherness, not enmity.

Moreover, the enormous costs of campaigning open the door for foreign funds and influence. In a direct election system, it is difficult to trace the true sources of campaign financing. This creates the risk of future leaders becoming indebted to external powers that could shape domestic policy directions.

In practice, direct elections also tend to prioritize image and popularity over track record and vision. Figures who are widely recognized but lack substantial ideas or experience may find it easier to win than genuine statesmen. As a result, the nation

policies have been passed without sufficient scrutiny or meaningful opposition. Even government regulations in lieu of law (*Perppu*) can be easily approved by the DPR once they are packaged as “emergency measures” by the President, bypassing meaningful public deliberation.

As a result, the President has become an almost untouchable figure within the state system. He can appoint and dismiss top officials (from ministers, the Attorney General, to the heads of state institutions), issue Presidential Regulations without rigorous checks, and steer the direction of governance and law with minimal obstacles. In a modern democracy, this represents a dangerous deviation, contradicting the principles of separation of powers and accountability.

When presidential power exceeds limits and is no longer effectively monitored, the consequences are far-reaching:

- **Judicial independence is compromised:** The President directly or indirectly influences the appointment of Supreme Court (MA) justices, Constitutional Court (MK) justices, Judicial Commission (KY) members, and other legal officials, making the judiciary vulnerable to executive interference.
- **Financial and legal oversight bodies are weakened:** The President plays a role in appointing leaders of the Audit Board (BPK), the Attorney General's Office, and even security institutions, significantly reducing checks on financial and legal policies.
- **Democracy is reduced to a mere formality:** Elections continue to be held, but competition becomes unfair as incumbents exploit state apparatus, media, and bureaucratic networks to retain power.
- **The people lose substantive channels of representation:** Citizens no longer trust state institutions to safeguard their rights and justice, creating systemic disillusionment that risks leading to a prolonged legitimacy crisis.

2. Direct Presidential Election Contrary to Pancasila

One of the most striking changes introduced by the post-reform amendments to the 1945 Constitution was the inclusion of Article 6A, which stipulates that the President and Vice President are to be directly elected by the people. At first glance, this system appears democratic because it involves direct public participation. However, upon closer examination, this model actually deviates from the fundamental principles of Indonesian democracy as enshrined in the nation's ideology, Pancasila.

a. Violation of the Presidential Oath

Every President of the Republic of Indonesia is inaugurated with the oath prescribed in Article 9 of the 1945 Constitution, which states:

“I swear to fulfill the duties of the President of the Republic of Indonesia to the best of my ability and with utmost fairness, to uphold the Constitution of the Republic of Indonesia of 1945, and to faithfully implement all laws and regulations, while dedicating myself to the nation and the people.”

In reality, this oath has often been violated, both openly and covertly by sitting presidents. One of the most controversial examples occurred during the administration of Indonesia’s 7th President, when indications arose of executive interference in the Constitutional Court’s (Mahkamah Konstitusi, MK) decision regarding the age requirement for vice-presidential candidates.

The sudden change in the Court’s ruling, which enabled Gibran Rakabuming Raka, the son of President Joko Widodo to run for vice president despite not meeting the original age requirement, became a turning point in the public’s crisis of trust toward judicial independence. More troubling was the acknowledgment by the Constitutional Court’s Honorary Council (MKMK) that the Chief Justice at the time, who happened to be the President’s in-law had committed a grave ethical violation. This raised strong suspicions of conflict of interest and executive interference in the constitutional judiciary.

This incident not only undermined the authority of the Constitutional Court but also demonstrated that the President wields disproportionate influence over institutions that are supposed to be independent. If even the guardian of the Constitution can be swayed by presidential power, the Constitution itself loses its binding force and the people lose their ultimate safeguard.

b. The Absence of Substantive Oversight by the MPR and DPR

The President’s dominance is not only rooted in his role as head of government but is also reinforced by a constitutional framework that stripped the People’s Consultative Assembly (MPR) of its authority as the collective bearer of the people’s sovereignty after the Fourth Amendment.

Meanwhile, the House of Representatives (DPR), which theoretically functions as the daily overseer of government, has in practice acted more as the President’s coalition partner than as an independent watchdog. Many major

life. Government has become an arena of transactional politics, law has frequently been weaponized as an instrument of power, and the economy has tended toward wealth accumulation for a narrow elite rather than shared prosperity.

This condition worsened when the MPR, formerly the Mandate-Bearer of the people was stripped of its supremacy through the Third Amendment in 2001. Since then, the MPR has no longer functioned as the highest state institution representing the full sovereignty of the people, but has been reduced to the same level as other state organs. Consequently, many legislative products now harm the people as sovereign holders and often contradict the values of Pancasila.

This has given rise to public perceptions of “regulatory colonialism,” whereby laws and regulations are used to legitimize the plundering of national wealth. Rather than protecting the people, regulations often serve political elites and vested economic interests. Law has become a vehicle for dispossessing the people’s rights, legal in form, but profoundly unjust and contrary to Pancasila’s principles.

Therefore, the Fifth Amendment must serve as the path to restore Pancasila in its entirety as the nation’s philosophy, guiding principle, and foundational doctrine. Pancasila must not remain a mere symbol or rhetorical ornament, but a living constitutional compass. Every public policy, every statute, and every institutional framework must be grounded in the values of Divinity, Humanity, Unity, Democracy, and Social Justice.

To restore Pancasila is to reunite law, morality, and common sense in the life of the nation. Law will cease to be an instrument of power and instead become a tool of justice. Policy will no longer be transactional, but an expression of people’s sovereignty. Economic development will no longer serve the enrichment of the few, but the welfare of all Indonesians.

III. EMPIRICAL FACTS OF MALFUNCTIONING STATE INSTITUTIONS THAT NECESSITATE THE FIFTH AMENDMENT

1. The President’s Unchecked Power

In a healthy constitutional system, the authority of the President as head of government must be limited by strong mechanisms of checks and balances to prevent overreach and safeguard the sovereignty of the people. However, in practice, especially after the Fourth Amendment to the 1945 Constitution the President has instead become the dominant actor controlling nearly all elements of state power, both formally and informally, with minimal oversight from other institutions. This has created a phenomenon of “concealed absolutism,” which poses a serious threat to democracy.

other high institutions, all serving as guardians of the people, their property, lives, and dignity as sovereign holders.

Meanwhile, the President is explicitly placed only as Head of Government, responsible for administration and service. The functions of the state thus become threefold: to protect the people, to regulate the people, and to serve the people.

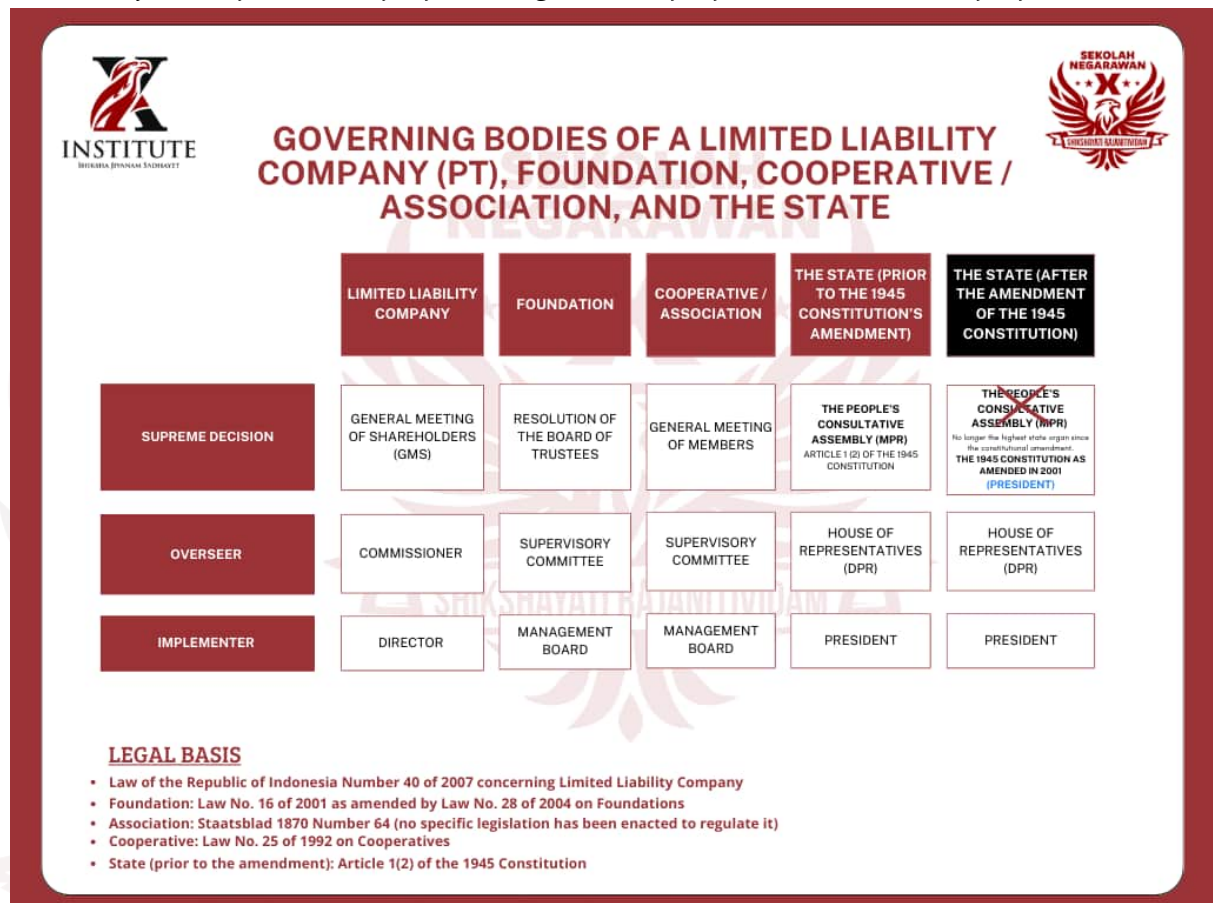


Figure 1. Comparison of Supreme Decision - Making Authority

This separation prevents concentration of power in one hand, strengthens checks and balances, and ensures that the government remains subordinate to the state, not the other way around. The people, as the sovereign, gain rightful protection, while the government delivers effective, efficient, and transparent service.

4. Restoring Pancasila as the Nation's Philosophy, Guiding Principle, and Foundational Doctrine

Since the earlier amendments, state policy has increasingly drifted away from the foundational values of Pancasila. Many laws, regulations, and economic systems no longer reflect social justice, solidarity, or national unity. Market logic and short-term interests often prevail, displacing the noble values that should guide national

2. Fulfilling the Mandate of the 1945 Proclamation in Its Entirety

The Proclamation of Independence on 17 August 1945 carried two essential mandates: first, the independence of the Indonesian nation; second, the transfer of power to be carried out “carefully and as swiftly as possible.” Historically, the Dutch recognition of sovereignty through the Round Table Conference (RTC) in 1949 formally fulfilled part of this mandate. Yet substantively, the domestic exercise of power has never been executed “carefully” in a systemic sense.

Today, Indonesia’s governmental structure still concentrates excessive authority in the hands of the President. The President appoints and dismisses high officials, exerts direct and indirect control over law enforcement institutions, and issues presidential regulations even without a clear mandate from statutory law. This dominance creates a condition akin to “veiled absolutism.”

Thus, the Fifth Amendment is necessary to complete the mandate of the Proclamation by ensuring that power is no longer centralized in one hand, but subject to people’s oversight through a sound, just, and accountable constitutional system. Within this framework, the mandate of “carefully executing the transfer of power” acquires new meaning. The inclusion of traditional communities, indigenous kingdoms, and Nusantara courts within the MPR symbolizes that authority is not confined to modern bureaucratic structures but also recognizes the nation’s historical, cultural, and moral heritage. Hence, the Proclamation’s mandate is fully realized: sovereignty belongs to the people, not only procedurally, but substantively, rooted in history and national identity.

3. Clearly Separating the State and the Government

A core problem of Indonesia’s constitutional order is the lack of clear separation between the state as the embodiment of sovereignty and the government as the executor of power. Under the current system, the President serves both as Head of State and Head of Government. This dual role creates institutional confusion, as though the President were both owner and executor of sovereignty.

In modern organizational practice, whether in corporations, non-profits, or democratic states the separation between the sovereign (the owner) and the executive is a fundamental principle. The sovereign determines direction and safeguards interests, while the executive is tasked with carrying out the mandate effectively and accountably.

The Fifth Amendment seeks to reassert this principle. The state, as the embodiment of sovereignty, is represented by the MPR as the Mandate-Bearer of the people. The MPR leadership functions as a collective Head of State, together with

Accordingly, the MPR must be reconstituted as a genuine forum representing all elements of the nation, not merely filled with party cadres, but composed of true statesmen with integrity and a vision for the nation. Its composition should reflect four principal pillars of the nation:

- a. **Intellectuals and scholars**, who guide the nation's direction;*
- b. **Religious leaders**, who serve as moral guardians ensuring that policy remains grounded in ethics and justice;*
- c. **The military (TNI) and police (Polri)**, who safeguard sovereignty and public security;*
- d. **Culture figures**, who preserve identity and ensure the nation remains rooted in its historical and civilization traditions.*

These pillars must all be centered on the people as the sovereign, ensuring that no policy diverges from the people's mandate as the highest authority in the Republic.

Representation should also include regions, professional groups, indigenous communities, traditional kingdoms and courts of the archipelago, as well as other socio-cultural forces arising from society. In this way, democracy is not limited to electoral procedures but achieves substantive justice, living authentically within the cultural roots of the nation and grounded in the will of the people as the supreme sovereign.

II. URGENCY OF THE FIFTH AMENDMENT

1. Restoring People's Sovereignty

The original 1945 Constitution, Article 1 paragraph (2), declared: "Sovereignty is in the hands of the people and is fully exercised by the People's Consultative Assembly (MPR)." This provision reflected a firm philosophical and political foundation: the people are the ultimate holders of sovereignty, while the MPR is its principal executor within Indonesia's distinctive system of deliberation and representation. This was not a mere procedural construct, but a manifestation of democracy rooted in collective wisdom and deliberation as the nation's identity.

However, since the Third Amendment in 2001, the text was altered to read: "Sovereignty rests with the people and is exercised in accordance with the Constitution." The removal of the phrase "fully exercised by the People's Consultative Assembly" subtly but significantly shifted the architecture of sovereignty. What had once been exercised collectively through the MPR became abstract—unclear as to who holds and executes it—and in practice was increasingly monopolized by political parties and executive actors.

This shift was reinforced by the introduction of direct presidential elections under Article 6A. While ostensibly democratic, in practice this system conceals the fact that candidates for national leadership must still pass through the "filter" of political parties. The people do vote, but their choices are predetermined within narrow political frameworks. Sovereignty has thus been reduced to a ritualistic, five-yearly formality.

Moreover, the amendments eliminated an important explanatory note in the original 1945 Constitution which stated: "The Head of State is responsible to the People's Consultative Assembly and must pay close attention to the House of Representatives." The removal of presidential accountability to the MPR has weakened checks on executive authority. The President now appears institutionally and morally unrestrained, while the people, the rightful sovereign have been reduced to passive objects within a democracy they are supposed to direct.

Direct elections have further opened the door to oligarchic domination, media manipulation, vote buying, and transactional politics. Procedural democracy has supplanted substantive democracy. Political parties no longer serve as vehicles of the people, but rather as gatekeepers of power itself.

In this context, the Fifth Amendment is envisioned as a vital corrective to restore the true meaning of people's sovereignty. The goal is not a return to the past, but a renewal of deliberative democracy consistent with the Fourth Principle of Pancasila: "Democracy guided by the inner wisdom of deliberation among representatives."

This systemic crisis is now increasingly evident. The President, as head of government, wields near-absolute powers, from appointing constitutional judges and heads of oversight bodies to leading institutions of law and security. Meanwhile, the House of Representatives (DPR) has largely failed in its oversight role, functioning more as an echo chamber of the executive than as the people's representative. The Supreme Court, the Constitutional Court, and other institutions have also suffered from public distrust due to recurring ethical and legal scandals. Within such a political landscape, the people's voice has been deprived of legitimate and effective channels.

The constitutional crisis has been further deepened by the centrality of political parties since the Third Amendment (2001) and the Fourth Amendment (2002). Rather than functioning as instruments of the people, political parties have evolved into oligarchic machines controlled by narrow elites. The nomination of public officials, both legislative and executive, has become monopolized by parties, effectively suffocating popular aspirations within the closed corridors of partisan interests. Many observers thus argue that the constitution in force today is no longer the 1945 Constitution in substance, but a "2002 Constitution" reflecting partisan compromises rather than the mandate of people's sovereignty.

*It is against this backdrop that **Sekolah Negarawan** proposes a Fifth Amendment to the 1945 Constitution: a systemic correction rooted not only in technocratic logic, but also in the nation's moral and historical mandate. This proposal rests on the conviction that the state and the government must be clearly distinguished. The state represents the embodiment of sovereignty vested in the people, whereas the government is merely its executor, bound to account to the people through their Mandate-Bearer (Mandataris). The conflation of these two spheres has produced unhealthy structures prone to abuse of power.*

The Fifth Amendment seeks to restore constitutional order by restructuring state institutions, reviving the People's Consultative Assembly (MPR) as the Mandate-Bearer of the people, and positioning its leadership as a form of collective Head of State. It also calls for strengthening the mechanism of referenda as a channel for direct popular sovereignty, while firmly distinguishing between the sovereignty of the state and the administrative functions of government. In this way, the people are placed once again at the center, not merely as the formal holders of sovereignty, but as the substantive determinants of national direction and guardians of the country's future. The ultimate objective is to uphold the principle that the people are indeed the true owners and rulers of sovereignty in the Unitary State of the Republic of Indonesia.

CHAPTER I

WHY IS THE FIFTH AMENDMENT TO THE 1945 CONSTITUTION AN URGENT NECESSITY?

(A Study on the Background and Urgency of the Fifth Amendment to the 1945 Constitution)

I. INTRODUCTION

Since the Proclamation of Independence on 17 August 1945, the Indonesian nation has declared itself a sovereign state whose authority resides in the people. Yet over time, particularly in the post-Reformasi era marked by four successive amendments to the 1945 Constitution, the original spirit of fully realizing people's sovereignty has been gradually eroded. The concentration of power, the weakening of the role of the highest state institutions, and the blurred distinction between the state as a sovereign entity and the government as an administrative apparatus have all contributed to this distortion.

Historical experience demonstrates that constitutional change does not automatically lead to justice or efficiency, unless it is accompanied by clear principles and a proper separation of functions. Indeed, many of the past amendments have produced institutional ambiguities, weakened accountability, and allowed the executive branch to dominate other state organs. As a result, state institutions have grown increasingly distant from the people, often becoming part of the very constitutional problems they were meant to solve.

A deeper historical reading suggests that since 17 August 1945, Indonesia has not been fully liberated from colonial structures. The Proclamation was more a symbolic gateway to independence than the realization of substantive freedom. In practice, the colonial logic was inherited and perpetuated by the national elite who maintained governance, legal, and economic frameworks designed during the Dutch colonial era. What was proclaimed as an independent state thus continued patterns of resource exploitation, centralized authority, and the marginalization of popular sovereignty, amounting to little more than a change of flag, rather than true emancipation.

Since then, the Indonesian people have endured new forms of domination: internal colonialism and external dependency. Through international treaties, colonial debt, and the control of resources by a small elite in alliance with foreign corporations, the people have once again been relegated to objects of sacrifice rather than subjects of sovereignty. In this sense, 17 August 1945 can also be interpreted not only as the day of independence, but simultaneously as the beginning of a "new colonialism" concealed within the framework of a nominally independent state.

List Of Figures

	Hal
Figure 1. Comparison of Supreme Decision - Making Authority	12
Figure 2. Illustration of a Damaged House (Nation)	49
Figure 3. Illustration of the Four State Pillars Acting Separately	51
Figure 4. Analogy of State Structure Based on the Fourth Amendment of the 1945 Constitution	79
Figure 5. Analogy of Constitutional Structure Based on the Draft of the Fifth Amendment to the 1945 Constitution	81
Figure 6. The Constitutional Structure of the Unitary State of the Republic of Indonesia (NKRI) before the Amendments to the 1945 Constitution	85
Figure 7. The Analogy between the Constitutional Structure of the Unitary State of the Republic of Indonesia (NKRI) before the Amendments to the 1945 Constitution and the Structure of a Large Corporation (Big Corporate) Based on Management Theory	86
Figure 8. The Constitutional Structure of the Unitary State of the Republic of Indonesia (NKRI) after the Fourth Amendment to the 1945 Constitution	88
Figure 9. Comparison of the Indonesian State Governance Structure Post-4th Amendment of the 1945 Constitution with a Large Corporate Structure Based on Management Theory	90
Figure 10. The State Structure of the Republic of Indonesia Based on the Draft of the Fifth Amendment to the 1945 Constitution	91
Figure 11. Correspondence of Indonesia's State Structure According to the Draft Fifth Amendment of the 1945 Constitution with a Big Corporate Structure Based on Management Theory	93
Figure 12. Proposed Structure of the Government of the Republic of Indonesia	123
Figure 13. Javanese Philosophy of Sedulur Papat Lima Pancer	125
Figure 14. Structure of the People's Consultative Assembly (MPR) as the Implementation of the Four Pillars of the State	130
Figure 15. Illustration of a Safe, Comfortable, and Peaceful House	133
Figure 16. Illustration of the Roadmap Towards the People's House	136
Figure 17. Six Options to Realize People's Sovereignty in Its Entirety	138

CHAPTER IX.....	110
REFORM OF GOVERNMENT INSTITUTIONS: PROPOSALS AND ANALYSIS BASED ON MANAGEMENT THEORY.....	110
CHAPTER X	123
SOVEREIGN GOVERNMENT DESIGN OF THE REPUBLIC OF INDONESIA	123
CHAPTER XI.....	125
THE FOUR PILLARS OF THE PEOPLE'S MANDATE.....	125
CHAPTER XII	131
THE STATE AS THE PEOPLE'S HOME: TIME FOR THE PEOPLE TO RECLAIM AND EXERCISE THEIR SOVEREIGNTY.....	131

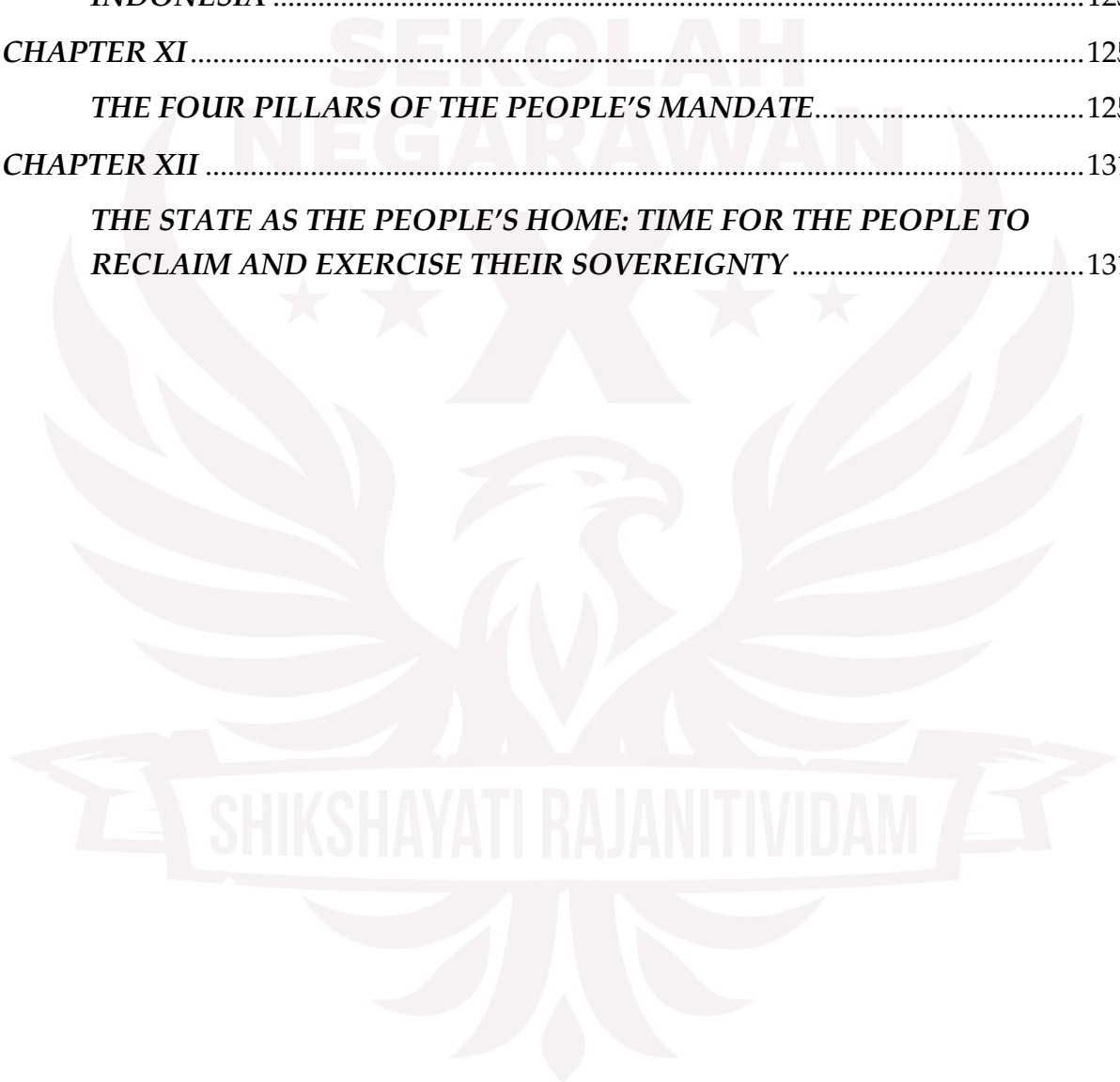


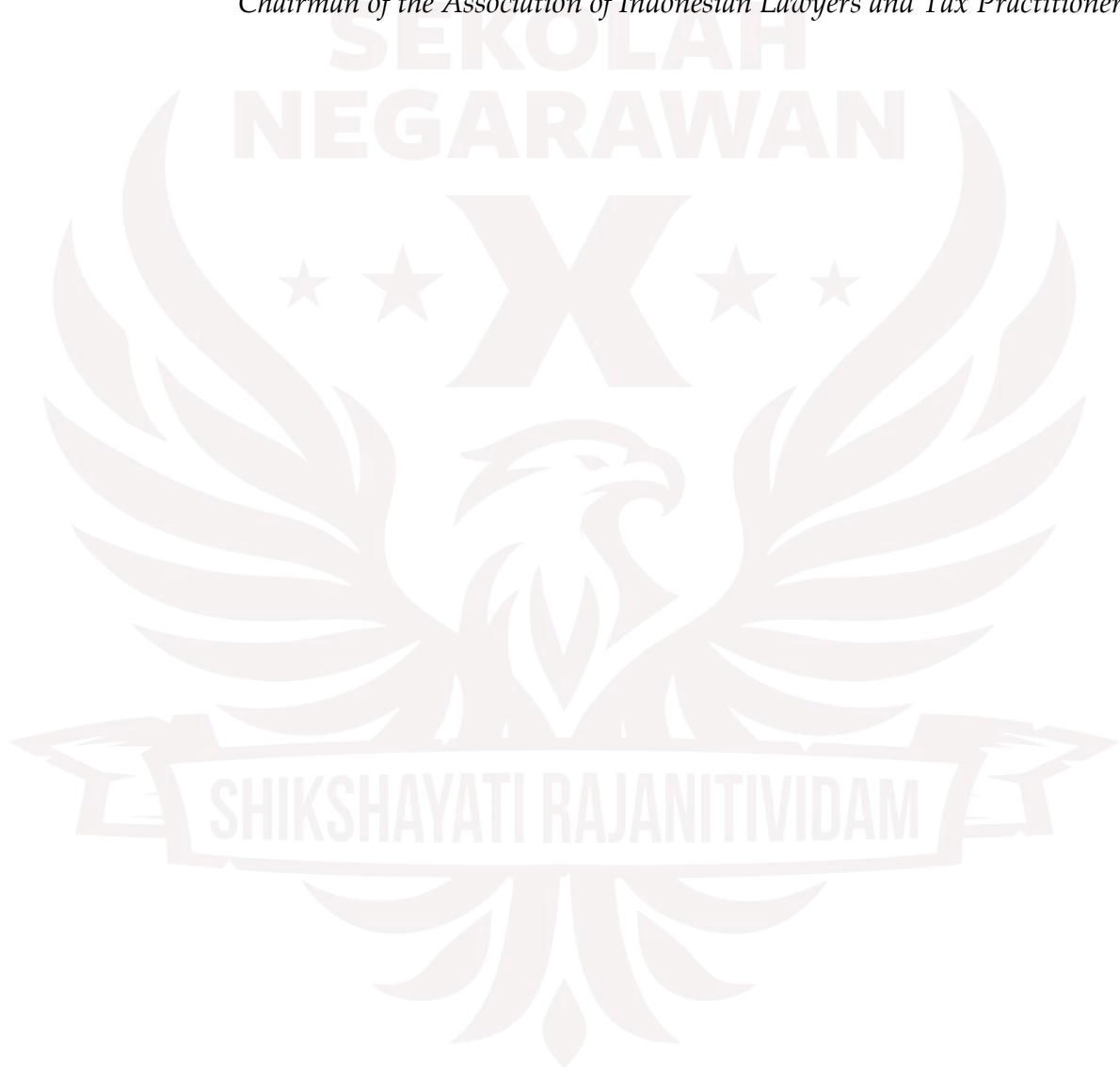
Table Of Contents

	Hal
PREFACE	2
CHAPTER I.....	7
WHY IS THE FIFTH AMENDMENT TO THE 1945 CONSTITUTION AN URGENT NECESSITY?	7
<i>(A Study on the Background and Urgency of the Fifth Amendment to the 1945 Constitution)</i>	<i>7</i>
CHAPTER II	28
VOICES FOR CHANGE: 11 PUBLIC FIGURES SUPPORTING THE FIFTH AMENDMENT TO THE 1945 CONSTITUTION	28
<i>(Profiles and Views of National Figures)</i>	<i>28</i>
CHAPTER III.....	35
COMPARATIVE TABLE: EVALUATION OF IDEAS FOR THE FIFTH AMENDMENT TO THE 1945 CONSTITUTION BY 11 PUBLIC FIGURES	35
CHAPTER IV	49
POTRAIT OF A CRISIS: DYSFUNCTION OF STATE INSTITUTIONS IN INDONESIA	49
<i>(Including an Illustration of a Damaged House as an Analogy)</i>	<i>49</i>
CHAPTER V.....	78
FAMILY ANALOGY: UNDERSTANDING THE STATE STRUCTURE IN A SIMPLE WAY	78
CHAPTER VI	84
TRACING THE PATH: THE STRUCTURE OF STATE INSTITUTIONS BEFORE AND AFTER THE FOURTH AMENDMENT TO THE 1945 CONSTITUTION	84
CHAPTER VII.....	91
A NEW DIRECTION FOR THE NATION: PROPOSED STATE STRUCTURE ACCORDING TO THE DRAFT AMENDMENT OF THE 1945 CONSTITUTION	91
CHAPTER VIII	95
REFORMULATION OF STATE INSTITUTIONS: PROPOSAL AND ANALYSIS BASED ON MANAGEMENT THEORY	95

contribution to readers. May this book spark constructive discussions and become a valuable subject of study.

Jakarta, September 2025

Dr. Alessandro Rey, S.H., M.H., M.Kn., BSC., MBA.
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PREFACE



Dr. Alessandro Rey, S.H., M.H., M.Kn., BSC., MBA.

As a practitioner and also a lecturer at the Faculty of Law, Universitas Sahid and Universitas Tarumanagara, I am confident that this book will be highly valuable for students, lecturers, researchers, and practitioners who wish to gain deeper insights into People's Sovereignty. This work sparks awareness and offers critical reflections on the relationship between the state, the people, and the taxation system, which should serve as a bridge toward social justice.

People's sovereignty is a fundamental principle of democracy, affirming that the highest authority in a state lies in the hands of the people. The people are not merely the object of policy but the primary subject who determine the legitimacy of government. People's sovereignty is reflected in the right to elect their representatives, to oversee governmental authority, and to actively participate in public decision-making processes. It also means that every state policy—including in taxation, economics, and law—must be rooted in the interests and aspirations of the people, rather than merely serving the interests of the ruling elite. In an ideal order, the state functions as an instrument for the people to achieve justice, prosperity, and dignified humanity.

This book will be highly significant, given the urgent need for literature on people's sovereignty as an essential foundation for citizens in statehood. In this regard, both theoretical and practical guidance are needed to help readers properly understand the concept of people's sovereignty. This book is not only an important reference source but also provides a fresh perspective that will undoubtedly enhance the culture of literacy in Indonesia, particularly concerning the concept of people's sovereignty.

The author has successfully dedicated research and studies on various aspects of people's sovereignty into this book. Concepts of people's sovereignty that were once complex become easier to understand here, making this book not only relevant for students, lecturers, researchers, and practitioners, but also valuable for the general public as the people themselves.

In conclusion, I extend my congratulations to the author on the publication of this book. I deeply value and appreciate the author's efforts and dedication in compiling it. It is hoped that this book will bring great benefits to the development of political science, which studies how power and government function within society, and that it will serve as a meaningful

PREFACE

All praise and gratitude be to God Almighty, for His abundant grace and blessings that have enabled the completion of this book entitled “The People Reclaim Sovereignty.”

This book is born out of both concern and hope. Concern that the sovereignty of the people, as the fundamental basis of our constitutional system, has increasingly been marginalized by elite interests and practices of governance often far removed from the ideals of the Constitution. Hope that through reflection, study, and awareness, the people—as the highest holders of sovereignty—may once again assume their rightful place: at the very center of national and state life.

The content of this book seeks to bridge understanding between constitutional theory, political practice, and everyday analogies so that it may be more easily grasped by all segments of society. Family, corporate, and even modern management models are employed as analogies to illustrate how a state should operate with the people as the rightful owners of sovereignty.

The author fully realizes that this book is far from perfect. Nevertheless, it is our sincere hope that this work can serve as a contribution of thought for academics, practitioners, policymakers, and the wider public in efforts to strengthen democracy, uphold justice, and revive the noble ideals of Pancasila and the 1945 Constitution.

Finally, may this book be of benefit and become an inspiration for the birth of a collective movement toward a more sovereign, just, and prosperous Indonesia, where the people truly stand as the principal subjects of the state.

Malang, September 2025

The Author

THE PEOPLE REGAIN SOVEREIGNTY

(English Language)



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