

THE 1945 CONSTITUTION OF REPUBLIC OF INDONESIA

THE PREAMBLE

Whereas freedom is the inalienable right of all nations, colonialism must be abolished in this world as it is not in conformity with humanity and justice;

And the moment of rejoicing has arrived in the struggle of the Indonesian freedom movement to guide the people of Indonesia safely and well to the threshold of the independence of the state of Indonesia, which shall be free, united, sovereign, just and prosperous;

By the grace of God Almighty and impelled by the noble desire to live a free national life, the people of Indonesia hereby declare their independence.

Subsequent thereto, to form a government of the state of Indonesia which shall protect all the people of Indonesia and their entire native land, and in order to improve the public welfare, to advance the intellectual life of the people and to contribute to the establishment of a world order based on freedom, abiding peace and social justice, the national independence of Indonesia shall be formulated into a constitution of the sovereign Republic of Indonesia which is based on the belief in the One and Only God, just and humanity, the unity of Indonesia, democracy guided by the inner wisdom of deliberations amongst representatives and the realization of social justice for all of the people of Indonesia.

THE CONSTITUTION

CHAPTER I FORM AND SOVEREIGNTY Article 1

- (1) The State of Indonesia shall be a unitary state, which has the form of a republic.
- (2) Sovereignty shall be vested in the people and implemented based on the Constitution. ***)
- (3) Indonesia shall be a state based on law.***)

CHAPTER II MAJELIS PERMUSYAWARATAN RAKYAT

Article 2

- (1) *Majelis Permusyawaratan Rakyat* (The People's Consultative Assembly) shall consist of the members of *Dewan Perwakilan Rakyat* (the House of Representatives) and *Dewan Perwakilan Daerah* (the Regional Representatives Council) elected in general election and regulated further by law. ****)
- (2) *Majelis Permusyawaratan Rakyat* shall meet at least once in every five years in the capital of the state.
- (3) All decisions of the *Majelis Permusyawaratan Rakyat* shall be taken by a majority vote.

Article 3

- (1) *Majelis Permusyawaratan Rakyat* shall have authority to amend and to determine Constitution. ***)
- (2) *Majelis Permusyawaratan Rakyat* shall appoint President and/or Vice President. ***/****)
- (3) *Majelis Permusyawaratan Rakyat*, based on the Constitution, shall remove President and/or Vice President during his/her term of office. ***/****)

CHAPTER III THE EXECUTIVE POWER

Article 4

- (1) The President of the Republic of Indonesia shall hold the power of government in accordance with the Constitution.
- (2) In exercising his duties, the President shall be assisted by a Vice-President.

Article 5

- (1) President shall have the right to submit bills to *Dewan Perwakilan Rakyat*.*)
- (2) The President shall determine the government regulations to expedite the enforcement of laws.

Article 6

- (1) Candidates of President and Vice President shall hold Indonesian nationality since his/her birth and never hold another nationality by his/her own purpose, never betrayed the state, as well as shall be able mentally and physically to conduct tasks and duties as President and Vice President. ***)
- (2) Modalities for President and Vice President shall be regulated in details by law. ***)

Article 6A

- (1) President and Vice President shall be elected directly by people in one package. ***)
- (2) A political party or joint political parties participated in general election prior to the election day shall propose both candidates for President and Vice President. ***)
- (3) Candidates who obtained votes more than fifty percent in election and won at least twenty percent of vote in each province of more than half of provinces throughout Indonesia shall be appointed as president and vice president. ***)
- (4) In case there is no pair of candidates of President and Vice President elected, two pairs of candidates obtaining first and second majority votes in general election shall be elected by people directly, and the pair who obtained majority votes shall be declared elected as President and Vice President. ****)
- (5) Procedures for presidential and vice presidential candidates shall be regulated in details by law. ***)

Article 7

The President and the Vice President shall hold office for a term of five years and shall be eligible for re-election in the same position only once. *)

Article 7A

President and/or Vice President shall be removed by *Majelis Permusyawaratan Rakyat* based on the proposal of *Dewan Perwakilan Rakyat* during Presidential/Vice Presidential term of office, either he/she is proved violating the law i.e.: betrayed the state, committed corruption, bribe, crime, disgraced manners or he/she could no longer meet the qualifications as President and/or Vice President. ***)

Article 7B

- (1) The proposal to remove President and/or Vice President shall be submitted by *Dewan Perwakilan Rakyat* to *Majelis Permusyawaratan Rakyat* only after having requested the Constitutional Court (*Mahkamah Konstitusi*) to examine, to try and to decide accusation of *Dewan Perwakilan Rakyat* that President and/or Vice President shall have seriously violated the law i.e. betrayed the state, committed corruption, bribery, other crimes and disgraceful manners or could no longer meet the qualifications as President and/or Vice President. ***)
- (2) This accusation, stating that the President and/or the Vice President have violated law or could no longer meet the qualifications as President and/or Vice

President, shall be applied to execute the scrutiny function of *Dewan Perwakilan Rakyat*.***)

- (3) *Dewan Perwakilan Rakyat* shall submit its proposal of impeachment to *Mahkamah Konstitusi* should it only be approved by two-thirds of attending member in the plenary session attended by two-thirds of *Dewan Perwakilan Rakyat* at minimum.***)
- (4) *Mahkamah Konstitusi*, in fair manners, shall oblige to examine, to try, and to decide accusation of impeachment of *Dewan Perwakilan Rakyat*, at the latest, in 90 days of receiving.***)
- (5) Should *Mahkamah Konstitusi* decide that the President and/or the Vice President are proved violating the law i.e. betrayed the state, committed corruption, bribery, other crimes and disgraceful acts; and/or are proved meeting no longer the qualifications as President and/or Vice President, *Dewan Perwakilan Rakyat* shall hold a plenary session and submit the verdict of *Mahkamah Konstitusi* to *Majelis Permusyawaratan Rakyat* to remove the President and/or the Vice President.***)
- (6) *Majelis Permusyawaratan Rakyat* should sit to decide proposal of impeachment of *Dewan Perwakilan Rakyat*, at the latest, in 30 days of the receiving.***)
- (7) Decision of *Majelis Permusyawaratan Rakyat* on the removal of the President and/or the Vice President shall be made on the Plenary Meeting of *Majelis Permusyawaratan Rakyat* attended at least by three-fourths and approved by two-thirds of Members after *Majelis Permusyawaratan Rakyat* gave a chance to President and/or Vice President to deliver his/her explanation before a plenary meeting during the Session.***)

Article 7C

Dewan Perwakilan Rakyat shall not be dissolved by the President.***)

Article 8

- (1) Should the President died or resigned, be removed or disable to execute his/her duties during his/her term of office, Vice President shall replace him/her until the expiry of the term.***)
- (2) Whenever there is a vacancy in office of the Vice President, in 60 days at the latest, *Majelis Permusyawaratan Rakyat* shall sit to elect one of two candidates proposed by the President as Vice President.***)
- (3) Should the President and the Vice President died or resigned, be impeached or disable to execute his/her duties during his/her term of office at the same time, the Persons in Charge in Presidential Tasks are Minister of Foreign Affairs, Minister of Home Affairs, Minister of Defense as altogether. At the latest one month prior to that, *Majelis Permusyawaratan Rakyat* shall convene to elect the President and the Vice President from two single ticket the candidates appointed by political parties or the joint of political parties in which the pairs of candidates

obtained first and second majority votes in the previous election, until the expiry of the term of office.****)

Article 9

- (1) Before assuming the duties of office, the President and the Vice President shall take an oath according to the requirement religion, or shall make a solemn promise before the People's Consultative Assembly or the House of Representatives as follows :

Oath of the President (Vice President)

“ I swear before the God that, to the best of my ability, I will fulfill as justly as possible the duties of the President/Vice President of the Republic of Indonesia; that I will hold faithfully to the Constitution and conscientiously implement all statutes and regulations and; that I will devote myself to the service of Country and Nation.”

Promise of the President (Vice President)

“ I solemnly promise that, to the best of ability, I will fulfill as justly as possible the duties of the President (Vice President) of the Republic of Indonesia; that I will hold faithfully to the Constitution and conscientiously implement all statutes and regulations and; that I will devote myself to the service of Country and Nation.”

- (2) In case the People's Consultative Assembly or the House of Representatives could not hold session, the President and the Vice President shall take an oath according to the requirement of religion, or shall make a solemn promise before the People's Consultative Assembly witnessed by the Supreme Court Leadership.*)

Article 10

The President shall be Commander-in-Chief of the Army, the Navy and the Air Force.

Article 11

- (1) The President, with the approval of *Dewan Perwakilan Rakyat* shall declare war, make peace, and conclude treaties with other states. ****)
- (2) President, in making international treaties which widely and fundamentally affect people's life in connection to burden state finance, and/or to amend existing laws or to make new ones, shall have an approval from *Dewan Perwakilan Rakyat*.***)
- (3) Stipulations on international treaties shall be regulated in details by law.***)

Article 12

The President declares the state of emergency. The conditions for such a declaration and the measures to deal with the emergency shall be governed by law.

Article 13

- (1) The President appoints ambassadors and consuls.
- (2) In case of appointing ambassadors, the President shall take into account the House of Representatives considerations.*0
- (3) The President shall receive the letter of credence of diplomatic representatives from other states by taking into account the House of Representatives considerations.*)

Article 14

- (1) The President shall grant grace and restoration of rights by taking into account the Supreme Court considerations.*)
- (2) The President shall grant amnesty and abolition by taking into account the House of Representatives considerations.*)

Article 15

The President shall grant titles, decorations and other marks of honour, which are regulated by law.*)

Article 16

The President shall compose a council of advisory whose tasks to give advice and consideration to the President that shall be regulated further by law.****)

CHAPTER IV DEWAN PERTIMBANGAN AGUNG (The Supreme Advisory Council) Deleted.

CHAPTER V THE MINISTERS OF THE STATE

Article 17

- (1) The President shall be assisted by the Ministers of State.
- (2) The ministers shall be appointed and dismissed by the President.*)
- (3) Each minister shall occupy certain matters in state administration.*)
- (4) Establishing, restructuring, and dissolving state ministries shall be regulated by law.***)

**CHAPTER VI
THE REGIONAL GOVERNMENT**

Article 18

- (1) The Unitary State of the Republic of Indonesia shall be divided into provinces and those provinces shall be sub-divided into regencies and cities, which each province, regency, and city possess a regional government, as regulated by laws.**)
- (2) The governance of province, regency, and municipal regional shall administer and manage their governmental affairs by themselves according to the autonomy principle and tasks of assistance.**)
- (3) The governance of province, regency, and municipal regional shall have a Regional House of Representatives whose members shall be elected through a general election.**)
- (4) The Governors, Regents, Mayors, respectively as the heads of government of the provincial, regency, and municipal regions shall be elected in a democratic manner.**)
- (5) The regional governments shall carry out the widest possible autonomy, except in governmental affairs that by the laws shall be determined as being the affairs of the Central Government.**)
- (6) The regional governments shall have the right to determine regional regulations and other regulations to carry out autonomy and tasks of assistance.**)
- (7) The structures and procedures of administering of the regional government shall be regulated in laws.**)

Article 18A

- (1) The relationship in authority between the central government and the provincial, regency, and municipal regional governments, or among the provinces, and regencies, and cities, shall be regulated in laws whilst noting the exclusivity and diversity of the regions.**)
- (2) The relationship in finances, public services, utilization of natural resources and other resources between the central government and the regional governments shall be regulated and executed fairly and equitably based on the laws.**)

Article 18B

- (1) The state shall recognize and respect the units of regional government that are exclusive and unique in nature as regulated by laws.**)

- (2) The state shall recognize and respect the units of traditional society with their traditional rights as long as they still exist and are in accordance with community development and the principle of a Unitary State of the Republic of Indonesia, as regulated by the laws.**)

CHAPTER VII DEWAN PERWAKILAN RAKYAT

Article 19

- (1) The members of *Dewan Perwakilan Rakyat* (House of Representatives) shall be elected through general elections.**)
- (2) The structure of *Dewan Perwakilan Rakyat* shall be regulated in laws.**)
- (3) *Dewan Perwakilan Rakyat* shall convene at least once a year.**)

Article 20

- (1) *Dewan Perwakilan Rakyat* shall hold the authority to make statutes.*)
- (2) Every bill shall be discussed by *Dewan Perwakilan Rakyat* and President in order to obtain a mutual approval.*)
- (3) Should those bills not to obtain the approval of both state institutions, the bill may not be resubmitted during the same session of *Dewan Perwakilan Rakyat*.*)
- (4) The President shall ratify bill approved by *Dewan Perwakilan Rakyat* to become a law.*)
- (5) Should the bill that has been mutually approved not ratified by the President within thirty days from the approval of the bill, the bill shall legally be valid as a law and shall be enacted.**)

Article 20A

- (1) *Dewan Perwakilan Rakyat* shall have a legislative function, budgetary function, and supervisory function.**)
- (2) In carrying out its functions, besides the rights regulated in other articles of this Constitution, *Dewan Perwakilan Rakyat* shall also have the rights of interpellation, inquiry and statement of views.**)
- (3) Besides the rights stipulated in other articles of this Constitution, all members of *Dewan Perwakilan Rakyat* shall have the rights of posing questions, recommending proposals and opinions, as well as immunity.**)
- (4) Further rules regarding the rights of *Dewan Perwakilan Rakyat* and the rights of members of *Dewan Perwakilan Rakyat* shall be regulated in laws.

Article 21

The Member of *Dewan Perwakilan Rakyat* shall have the right to submit bills.*)

Article 22

- (1) In the event of a compelling emergency, the President shall have the right to issue government regulations in lieu of laws.
- (2) Such regulations shall have the consent of *Dewan Perwakilan Rakyat* during its subsequent session.
- (3) Where the approval of *Dewan Perwakilan Rakyat* is not obtained, the government regulations shall be revoked.

Article 22A

Further stipulations regarding procedures of making laws shall be regulated in laws.**)

Article 22B

Members of *Dewan Perwakilan Rakyat* may be dismissed from their positions, with the requirements and procedures regulated by laws.**)

Chapter VIIA*) DEWAN PERWAKILAN DAERAH**

Article 22C

- (1) Members of *Dewan Perwakilan Daerah* (Regional Representatives Council) shall be chosen from each province through a general election.***)
- (2) The number of Members of *Dewan Perwakilan Daerah* from each province shall be the same and it shall not be more than one-thirds of *Dewan Perwakilan Rakyat's*.***)
- (3) *Dewan Perwakilan Daerah* shall sit at least once every year.***)
- (4) Composition and position of *Dewan Perwakilan Daerah* shall be regulated by law.***)

Article 22D

- (1) *Dewan Perwakilan Daerah* shall propose bills to *Dewan Perwakilan Rakyat* concerning regional autonomy; central-regional relationship; formation, addition and unification of regions; management of natural and other economic resources; as well as central-regional balancing finance matters.***)

- (2) *Dewan Perwakilan Daerah* shall take a part in bill discussion process concerning unification of regions; management of natural and other economic resources; as well as central-regional balancing finance matters; also give consideration to *Dewan Perwakilan Rakyat* on bills concerning the state budget of revenues and expenditures, taxes, education, and religion.***)
- (3) *Dewan Perwakilan Daerah* shall scrutinize the implementation of laws on regional autonomy; central-regional relationship; formation, addition and unification of regions; management of natural and other economic resources; implementation of the state budget of revenues and expenditures; taxes; education; as well as religion; and shall submit the result to *Dewan Perwakilan Rakyat* as consideration to be implemented.***)
- (4) Members of *Dewan Perwakilan Daerah* shall be removed from his/her membership and the qualifications and modalities shall be regulated in details by law.***)

Chapter VIIB*)** **GENERAL ELECTION**

Article 22E

- (1) General election shall be held every five years in a direct, general, free, secretive, honest, and fair manner.***)
- (2) General election shall be held to elect members of *Dewan Perwakilan Rakyat*, *Dewan Perwakilan Daerah*, President-Vice President and *Dewan Perwakilan Rakyat Daerah* (the Regional House of Representatives of the Republic of Indonesia).***)
- (3) General election participants to members of *Dewan Perwakilan Rakyat*, and *Dewan Perwakilan Rakyat Daerah* shall be political parties.***)
- (4) General election participants to members of *Dewan Perwakilan Daerah* shall be individuals.***)
- (5) General election shall be organized by a general election committee which is national, permanent, and independent in nature.***)
- (6) Stipulations on general election shall be regulated in details by law.***)

CHAPTER VIII **FINANCE**

Article 23

- (1) The budget of revenues and expenditures as a form of state financial management shall be annually enacted by law and implemented transparently and responsibly for the sake of people's welfare.***)

- (2) Bill on the state budget of revenues and expenditures shall be proposed by the President and discussed together with *Dewan Perwakilan Rakyat*, with consideration from *Dewan Perwakilan Daerah*.***)
- (3) Should *Dewan Perwakilan Rakyat*, disapprove the bill proposed by the President, the government shall adopt the state budget of revenues and expenditures of the preceding year. ***)

Article 23A

All kind of taxes and other forced contributions to the needs of the state, shall be regulated by law. ***)

Article 23B

The kinds and values of currency shall be stipulated by law. ****)

Article 23C

Matters concerning state finance shall be regulated by law. ***)

Article 23D

The state shall have a central bank which composition, position, authority, and independence shall be regulated by law. ****)

Chapter VIIIA*) BADAN PEMERIKSA KEUANGAN**

Article 23E

- (1) In order to audit the management and accountability on state finance, a free and independent *Badan Pemeriksa Keuangan* (The Supreme Auditory Board) shall be established. ***)
- (2) The audit shall be submitted to *Dewan Perwakilan Rakyat*, *Dewan Perwakilan Daerah* and *Dewan Perwakilan Rakyat Daerah* in accordance with each authority. ***)
- (3) The audit shall be followed up by representative bodies according to law. ***)

Article 23F

- (1) Members of *Badan Pemeriksa Keuangan* shall be chosen by *Dewan Perwakilan Rakyat* by taking into account *Dewan Perwakilan Daerah's* consideration and shall be legitimated by the President. ***)

- (2) The leadership of *Badan Pemeriksa Keuangan* shall be chosen by and from its members.***)

Article 23G

- (1) *Badan Pemeriksa Keuangan* shall be located in the capital city and have agencies in provinces.***)
- (2) Stipulations on *Badan Pemeriksa Keuangan* shall be regulated in details by law.***)

CHAPTER IX THE JUDICIARY POWER

Article 24

- (1) Judicial power shall be an independent power to execute judiciary in upholding law and justice.***)
- (2) Judicial power shall be vested by one Supreme Court and in such inferior courts as public and religious courts, military tribunal, Administrative High Court and *Mahkamah Konstitusi*.***)
- (3) Other bodies having the function of judiciary power shall be regulated by law.****)

Article 24A

- (1) Supreme Court (*Mahkamah Agung*) shall possess authority to preside over the case in the final degree, to execute judicial review and other authorities contributed by law.***)
- (2) The Supreme Judges shall hold integrity, graceful and just personality, professionalism, and expertise in law.***)
- (3) Candidates of Supreme Judges shall be proposed by Judicial Committee to *Dewan Perwakilan Rakyat* for approval and shall be appointed by the President as Supreme Judges.***)
- (4) Head and Deputies of *Mahkamah Agung* shall be chosen by and from supreme judges.***)
- (5) Composition, position, membership, and material laws of *Mahkamah Agung* and such inferior courts shall be regulated by law.***)

Article 24B

- (1) Judicial Committee shall be independent body, possess authority to propose appointment of supreme judges and other authorities in order to maintain and to uphold honor, dignity and manner of judges.***)
- (2) Members of judicial committee shall possess knowledge and expertise in law as well as integrity and graceful personality.***)
- (3) Members of judicial committee shall be appointed and removed by president with the approval of *Dewan Perwakilan Rakyat*.***)
- (4) Composition, position, and membership of the Judicial Committee shall be regulated by law.***)

Article 24C

- (1) *Mahkamah Konstitusi* shall possess authorities to preside over the case in the first and final degree whose the verdict is final in nature to examine laws toward the Constitution; to decide a dispute on authorities among state institutions embodied by the Constitution and on dissolution of political parties as well as on a disagreement concerning general election result.***)
- (2) *Mahkamah Konstitusi* shall oblige to make decision concerning the proposal of *Dewan Perwakilan Rakyat* on presumption of violating law by the President and/or the Vice President according to the Constitution.***)
- (3) *Mahkamah Konstitusi* shall consist of 9 (nine) members of constitutional judges appointed by the President whom each 3 (three) judges are proposed by *Mahkamah Agung*, *Dewan Perwakilan Rakyat*, and the President.***)
- (4) Chief and Deputy of *Mahkamah Konstitusi* shall be chosen by and from constitutional judges.***)
- (5) Constitutional judges shall possess integrity, just and graceful personality, be a statesman with expertise in Constitution and state administration and shall not hold overlapping position.***)
- (6) Appointment and removal of constitutional judges, the making of material law and others rules on *Mahkamah Konstitusi* shall be regulated by law.***)

Article 25

The appointment and dismissal of judges shall be regulated by law.

CHAPTER IXA) THE NATIONAL TERRITORY**

Article 25A**)**

The Unitary State of the Republic of Indonesia shall be an archipelago nation with the concept of Nusantara in character that has a territory with borders and rights regulated by laws.**)

CHAPTER X CITIZEN AND INHABITANTS)**

Article 26

- (1) Citizens shall be native Indonesians and other nations who have acquired a legal status as citizens.
- (2) The inhabitants consist of Indonesian citizens and foreigners who reside in Indonesia.**)
- (3) Matters concerning the citizen and inhabitants shall be regulated in laws.**)

Article 27

- (1) All citizens shall have equal status before the law and in government and shall abide by the law and the government without any exception.
- (2) Every citizen shall have the right to work and to live in human dignity.
- (3) Every citizen shall have the right and duty to participate in the defense of state efforts.**)

Article 28

Freedom of association and assembly, of verbal and written expression and the like, shall be determined by law.

CHAPTER XA) HUMAN RIGHTS**

Article 28A

Every person shall have the right to live and to defend his/her life and livelihood.**)

Article 28B

- (1) Every person shall have the right to build a family and to have descendant through a legal marriage.**)
- (2) Every child shall have the right to live, to grow, and to be protected against violence and discrimination.**)

Article 28C

- (1) Every person shall have the right to improve himself/herself through fulfillment of basic needs, and entitled to an education and to obtain benefit from science and technology, art and culture, in order to enhance his/her quality of life, for the sake of human welfare.**)
- (2) Every person shall have the right to advance himself/herself by defending his/her rights collectively and develop his/her society, nation, and country.**)

Article 28D

- (1) Every person shall have the right for recognition, guarantees, protection, and a just legal certainty as well as equal treatment before the law.**)
- (2) Every person shall have the right of employment opportunities and receive a just and reasonable compensation from the employment relationship.**)
- (3) Every citizen shall have the right to obtain equal opportunities in governance.**)
- (4) Every person shall have the right of citizenship status.**)

Article 28E

- (1) Every person shall free to adhere his/her respective religion and performance worship according to his/her religion, choose his/her education and learning, choose his/her work, choose citizenship, choose to reside within the nation's territory and depart from it, and is entitled to return.**)
- (2) Every person shall have the right to have freedom of belief, express his/her thoughts and attitudes, in accordance with his/her conscience.**)
- (3) Every person shall have the right of freedom to organize, to assemble, and to express opinions.**)

Article 28F

Every person shall have the right to communicate and to obtain information to develop his/her personality and social environment, as well as the right to seek, to obtain, to possess, to keep, to process, and to convey information by utilizing all available kinds of channels.**)

Article 28G

- (1) Every person shall have the right of self-protection, family, honor, dignity, and property under his/her authority, as well as entitled to a feeling of safety and

protection from threats of fear to do or not to do anything according to the basic rights.**)

- (2) Every person shall have the right to be free from torture or any derogatory treatment demeaning human dignity and is entitled to political asylum from another nation.**)

Article 28H

- (1) Every person shall have the right to live in welfare both physically and spiritually, have a place to reside, and receive a proper and healthy environment, as well as receive medical care.**)
- (2) Every person shall have the right of facilities and special treatment for equal opportunities and benefits in order to achieve equality and equity.**)
- (3) Every person shall have the right of social security guarantees that enable him/her to develop completely as a dignity human being.**)
- (4) Every person shall have the right of personal possessions and those possessions shall not be confiscated arbitrary by any person whatsoever.**)

Article 28I

- (1) The right for living, the right for not being tortured, the right for freedom of thought and conscience, religious rights, the right for not being enslaved, the right for being recognized as an individual before the law, and the right for not being prosecuted based on retroactive laws shall be the rights as human that may not be diminished in any situation whatsoever.**)
- (2) Every person shall have the right to be free from discriminatory treatment on the basis of any pretext and is entitled to receive protection from that discriminatory treatment.**)
- (3) The cultural identity and traditional society rights shall be respected in line with age progress and human civilization.**)
- (4) The protection, advancement, upholding, and fulfillment of human rights shall be the responsibility of the state, especially the government.**)
- (5) To uphold and to protect human rights in accordance with the principles of a legal democratic nation, the practice of human rights shall be guaranteed, arranged, and embodied in statutory laws.**)

Article 28J

- (1) Every person shall have the duty to respect the others' human rights within the orderly context of living in a community, nation, and state.**)
- (2) In carrying out rights and freedoms, every person is required to obey the predetermined limitations regulated by the law for the sole purpose of

guaranteeing recognition and respect over the rights and freedoms enjoyed by other people and to fulfill the just demands in accordance with the considerations of morals, security, and public order within a democratic society.**)

CHAPTER XI RELIGION

Article 29

- (1) The State shall be based upon the belief in the One and Only God.
- (2) The State guarantees all persons the freedom of worship, each according to his/her own religion or belief.

CHAPTER XII NATIONAL DEFENSE AND SECURITY)**

Article 30

- (1) Every citizen shall have the right and duty to participate in the defense and security of the state efforts.**)
- (2) The state's defense and security efforts shall be conducted through a system of total people's defense and security by the Indonesian National Army (TNI) and State Police of the Republic of Indonesia, as the main component, and the people, as the supporting components.**)
- (3) The Indonesian National Army (TNI) shall consist of the Army, Navy, and Air Force as the nation's implements in their duty of defending, protecting, and maintaining the integrity and sovereignty of the state.**)
- (4) The State Police of the Republic of Indonesia as the national tool preserving security and public order shall have the duty to protect, shelter, and serve the public, and to uphold the law.**)
- (5) The structure and position of the Indonesian National Army (TNI), the State Police of the Republic of Indonesia, the relationship in authorities between the Indonesian National Army (TNI) and the State Police of the Republic of Indonesia in conducting their duties, the requirements of the citizen participation in the efforts to defend and provide security for the nation, along with matters related to defense and security, shall be regulated by laws.**)

**CHAPTER XIII
EDUCATION AND CULTURE****)**

Article 31

- (1) Every citizen shall have the right to obtain education.****)
- (2) Every citizen shall have the duty to participate in basic education and government shall oblige to pay.****)
- (3) The government shall establish and conduct a national educational system, in order to increase religious faith, to have noble characters, in the frame of advancing the intellectual life of the people, based on law.****)
- (4) The state shall prioritize the budget for education at least twenty percent of the state budget of revenues and expenditure as well as from the regional budget of revenues and expenditures to fulfill the administration of national education.****)
- (5) The government shall advance the science and technology by upholding the religious values and state unity to civilization advance and human welfare.****)

Article 32

- (1) The state shall advance the national culture among the world civilization by guaranteeing the freedom of society in preserving and developing their cultural values.****)
- (2) The state shall respect and preserve regional dialects as wealth of national culture.****)

**CHAPTER XIV
NATIONAL ECONOMY AND SOCIAL WELFARE**

Article 33

- (1) The economy shall be organized as a common endeavor based upon the principles of the family system.
- (2) Sectors of production, which are important for the country and affect the life of the people shall be controlled by the state.
- (3) The land, the water and the natural riches contained therein shall be controlled by the State and exploited to the greatest benefit of the people.
- (4) The national economy shall be held based on economical democracy by the principles of togetherness, equity, efficiency, sustainability, environmental respect, independence, and keeping the advancement and unity of national economy in balance.****)

(5) Further stipulation on the implementation of the article shall be regulated by law.****)

Article 34

- (1) The poor and destitute children shall be cared for by the state.****)
- (2) The state shall develop a social security system to all of people and empower the weak and disabled society in accordance with human dignity.****)
- (3) The state shall be responsible for providing health service facilities and proper public services facilities.****)
- (4) Further stipulation on the implementation of the article shall be regulated by law.****)

CHAPTER XV THE FLAG, LANGUAGE, NATIONAL SYMBOL, AND NATIONAL ANTHEM)**

Article 35

The national flag of Indonesia shall be the red-and-white.

Article 36

The national language of Indonesia shall be the *Bahasa Indonesia* or the Indonesian language.

Article 36A

The National Symbol shall be the Garuda Pancasila with the slogan *Bhinneka Tunggal Ika*.**)

Article 36B

The National Anthem shall be the "Indonesia Raya." **)

Article 36C

Further stipulations regarding the Flag, Language, and National Symbol, as well as the National Anthem shall be regulated in laws.**)

CHAPTER XVI AMENDMENTS TO THE CONSTITUTION

Article 37

- (1) The proposal of articles amendment of Constitution shall be scheduled in the session of *Majelis Permusyawaratan Rakyat* should be proposed by at least 1/3 of the total number of the members of *Majelis Permusyawaratan Rakyat*.****)
- (2) Every proposal of articles amendment of Constitution shall be submitted in written and shall point out the proposed part of the amendment together with the reason of amendment.****)
- (3) To amend the Constitution, the session of *Majelis Permusyawaratan Rakyat* shall be attended by at least 2/3 of the total number of member of *Majelis Permusyawaratan Rakyat*.****)
- (4) Decisions to amend the articles of Constitution shall be taken by the approval of at least fifty percent plus one of the total number of member of *Majelis Permusyawaratan Rakyat*.****)
- (5) The state form of the Unitary State of the Republic of Indonesia, especially, should not subject to change.****)

TRANSITIONAL PROVISIONS

Article I

All the existing statutory regulations shall remain valid as long as the new ones shall not be enacted yet according to this Constitution.****)

Article II

All the existing state institutions shall have the same function as long as to implement the stipulation of the Constitution and the new ones shall not be formed yet according to this Constitution.****)

Article III

The Constitutional Court shall be formed on the August 17, 2003 at the latest and before that all the authority shall be done by the Supreme Court.****)

ADDITIONAL PROVISIONS

Article I

Majelis Permusyawaratan Rakyat shall have task to review to the material and the law status on the Decree of Provisional *Majelis Permusyawaratan Rakyat* and the decree of *Majelis Permusyawaratan Rakyat* to be enacted on the session of *Majelis Permusyawaratan Rakyat* on 2003.****)

Article II

By the enactment of the Amendment of the Constitution, the 1945 Constitution shall consist of the Preamble and articles. ****)

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- *) : The First Amendment
 - **) : The Second Amendment
 - ***) : The Third Amendment
 - ****) : The Fourth Amendment