



The Existence of the Highest State Institutions and the Executive and Legislative Powers in the Context of Governance

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ABSTRACT

This study aims to analyze the existence of the highest state institutions and high state institutions in the context of governance in Indonesia. This study uses a literature review method by analyzing journal articles relevant to the research topic. The results indicate that the highest state institutions and high state institutions have played a significant role in Indonesian political history, but also have weaknesses and shortcomings. The change in the status of the People's Consultative Assembly (MPR) from the highest state institution to a legislative body equal to the House of Representatives (DPR) has created uncertainty regarding its role and function. This study recommends the need for improvements and capacity building of legislative institutions to enhance the quality of democracy and governance.

INTRODUCTION

Indonesian history has seen numerous changes and developments in its governmental structure. These changes not only reflect the political and social dynamics of Indonesian society but also demonstrate the nation's efforts to create a better and more democratic system of government. Over time, government institutions have evolved and adapted to the needs and aspirations of the people, shaping the system of government we know today. This adaptation process demonstrates the Indonesian people's ability to learn from past experiences and make the necessary changes to the quality of government.

In Indonesian history, there have been two institutions that served as the highest state institutions: the Provisional People's Consultative Assembly (MPRS) and the People's Consultative Assembly (MPR). The Provisional People's Consultative Assembly (MPRS) played a crucial role in the transition from the Old Order to the New Order. The Provisional People's Consultative Assembly (MPS) was established in 1960 as the country's highest legislative body and had the power to make important state decisions. The Provisional People's Consultative Assembly (MPRS) played a key role in the transition and helped establish the New Order.

The People's Consultative Assembly (MPR), as the highest legislative body, has played a key role in the democratic process and national decision-making. The People's Consultative Assembly (MPR) has the power to make important state decisions and oversee the government. The People's Consultative Assembly (MPR) helps ensure that the government operates in accordance with the interests of the people.

The Provisional People's Consultative Assembly (MPRS), as the highest state institution, is not widely understood by most Indonesians, resulting in many people not understanding its role and impact in Indonesian political history. This lack of knowledge about these institutions can lead to a lack of appreciation for the democratic process and the current system of government. Therefore, it is important for us to study and understand the history of government institutions, including the Provisional People's Consultative Assembly (MPRS), so that we can become better and more responsible citizens. In this way, we can build a better future for the Indonesian nation and the quality of government and public welfare.

By understanding the history of these institutions, we can better appreciate the democratic process and the current system of government. This understanding can also help us be more critical and participatory in the political and governmental processes. In this way, we can contribute to the development of the nation and state. Understanding the history of government institutions can also help us understand the importance of political stability and effective governance. Political stability and effective governance are crucial for owing public welfare and achieving national goals.

All institutions during the Dutch East Indies era became a source of inspiration for the formation of state institutions and in the framework of drafting the Constitution. In the draft of the Constitution drafted by investigating Agency for Preparatory Efforts for Indonesian Independence. (BPUPKI) there are

state institutions such as the President and Vice President, the People's Consultative Assembly (MPR), the House of Representatives (DPR), the Supreme Court (MA), the Supreme Audit Agency (BPK), and the Supreme Court (DPA). When compared to the situation during the Dutch East Indies era, the President can be equated with the Governor General, the House of Representatives (DPR) with the Volksraad, the Court and the Supreme Court with the Landraad, Priesterraad, Raad van Justitie and Hooggerechtshof, and the BPK with the Raad van Nederlandche Indie. The only institution that is completely new in the sense that there is no equivalent to the institutions that already existed during the Dutch East Indies era is the People's Consultative Assembly (MPR). Therefore, several scholars such as Padmo Wahyono consider the existence of the People's Consultative Assembly (MPR) institution as a characteristic of the Indonesian constitutional system (Asshiddiqie, 2007) .

Understanding the history of government institutions can help us understand the importance of public participation in the political and governance process. Public participation is crucial in ensuring that government operates in accordance with the people's interests and overes public welfare. Understanding the history of government institutions is crucial to oving the quality of governance and public welfare.

In the context of governance, the highest state institution usually refers to the institution with the highest power and authority to make important state decisions. Examples of the highest state institutions are the People's Consultative Assembly (MPR) or other legislative bodies that have the power to enact laws and oversee the government.

High state institutions, on the other hand, are institutions that wield significant power and authority in governing. Examples of high state institutions include the Supreme Court, the Supreme Audit Agency, and other institutions that play a crucial role in governing. High state institutions must also be able to collaborate with other institutions in running the government. They must be able to coordinate with the executive, legislative, and judicial branches to achieve the nation's goals.

The highest and highest state institutions are crucial components of a country's governance. They play a crucial role and function in running the government and making important state decisions. Therefore, the highest and highest state institutions must possess high integrity and professionalism, as well as transparency and accountability in carrying out their functions. According to (Asshiddiqie, 2006), state institutions can be categorized into three types based on their function:

1. State Institutions that Execute State Functions Directly: Acting for and on behalf of the state, such as the Presidential Institution, the House of Representatives, and the Judicial Institution.
2. State Institutions that Execute State Functions Indirectly: Do not act directly for and on behalf of the state, but play a crucial role in the state system.
3. Supporting Institutions or Supporting Agencies: Function to support the functions of state apparatuses, such as the Supreme Audit Agency.

In the context of the highest state institutions, before the amendments to the 1945 Constitution, the People's Consultative Assembly (MPR) was the highest state institution exercising popular sovereignty. However, after the amendments, the People's Consultative Assembly (MPR)'s status changed to that of a high state institution equal to other state institutions.

LITERATURE REVIEW

In the Indonesian constitutional system, in making laws, not only the People's Representative Institutions (DPR) but also the executive institutions are involved, (Anna Triningsih, 2022).

The preamble to the 1945 Constitution of the Republic of Indonesia (UUD NKRI 1945) mandates that the Republic of Indonesia is a sovereign state, which in its implementation adheres to the principle of democracy guided by the wisdom of deliberation/representation. To realize this, people's consultative and representative institutions were established, expected to be able to champion the people's aspirations in order to uphold the values of democracy, justice, and the welfare of the people within the framework of the Unitary State of the Republic of Indonesia, (Nafisah, 2023).

Based on this thinking, within the Indonesian constitutional system, state institutions were established that embody the functions of deliberation and representation as part of the implementation of people's sovereignty. Their existence, authority, duties, and functions are determined by the Constitution. They have equal standing and carry out their duties and functions in accordance with the provisions of the Constitution to develop democratic life, guarantee representation, and develop a mechanism of checks and balances between state institutions to realize justice and the welfare of the people, (Nafisah, 2023).

Amendments to the 1945 Constitution of the Republic of Indonesia have drastically overhauled the state system. These reforms included reducing the authority of existing state institutions such as the People's Consultative Assembly (MPR), eliminating the Supreme Court (DPA), and creating new state institutions such as the Regional Representative Council (DPD), the Constitutional Court (MK), and the Judicial Commission (KY), (Wuisang, 2023).

The authority of the People's Consultative Assembly (MPR) granted by the 1945 Constitution of the Republic of Indonesia has shackled the People's Consultative Assembly (MPR) institution, because the People's Consultative Assembly (MPR) does not have routine authority except in the inauguration of the elected President and Vice President which has been determined by the General Election Commission every 5 (five) years, (Widayati, 2014).

Following the People's Consultative Assembly (MPR) Decree No. I/MPR/2003, the title of highest and highest state institution was no longer present, thus establishing equality between state institutions (a system of checks and balances). However, the normative framework for the status of these state institutions was also lost. In other words, there was no longer an umbrella law governing this, resulting in unclear status for these state institutions. Furthermore, the term "state institution" is now scattered throughout various laws, resulting in an excessive number of organs holding the status of state institutions, (Widayati, 2014).

In the future, the People's Consultative Assembly (MPR) should be granted authority beyond that granted by the 1945 Constitution of the Republic of Indonesia. This authority includes the MPR's authority to formulate policies to determine state policy. This is because the People's Consultative Assembly (MPR) is the most representative institution compared to other state institutions. The People's Consultative Assembly (MPR) membership includes both people's representatives and regional representatives. State policy is crucial for realizing a unified, sustainable national development planning system integrated with regional development planning systems, (Widayati, 2014).

(Alrasyid, 2002), states that the New Order was an authoritarian and centralistic regime, with power highly concentrated in President Suharto. The term "authoritarian" refers to a system of government in which government power is highly concentrated and citizens lack the freedom to express their opinions or exercise control over the government.

Furthermore, (Alrasyid, 2002) also stated that the New Order was a centralized regime. This meant that political power and decisions were highly concentrated at the center of government, namely in the hands of President Soeharto and the central bureaucracy. This centralized system meant that regional governments had very limited autonomy and were subject to policies made by the central government. The concentration of power in President Soeharto's hands was so great that almost all important decisions had to be passed through or approved by him. This gave Soeharto very strong control over the government and society. This dominance of power lasted for more than three decades and culminated in a multidimensional crisis in 1998 that led to the collapse of the New Order regime.

(Alrasyid, 2002)'s analysis concludes that the New Order was a highly authoritarian and centralized regime, with President Soeharto's power being dominant and lacking effective checks and balances to control that power. This was one of the main reasons why the New Order regime ultimately collapsed and was replaced by the reform era, which emphasized the importance of democracy, decentralization, and respect for human rights.

According to (Sugiman, 2020), amendments to the 1945 Constitution have been made four times (1999-2002), resulting in changes to the constitutional design of Indonesia. One of the changes in constitutional design that occurred was the change in the function of state institutions. Before the Amendment to the 1945 Constitution, the President played a strategic role in the process of formulating laws. The President was given the power to formulate laws. The House of Representatives (DPR), as an organ of legislative power, only approved draft laws submitted by the President. Therefore, the legislative power function before the amendment to the 1945 Constitution was held and dominated by the President. After the amendment to the 1945 Constitution, there was a shift in legislative power in carrying out its function, namely formulating laws. The role of the DPR as an organ of legislative power after the amendment was further strengthened.

(Sugiman, 2020), explains that the legislative function of the DPR (House of Representatives) after the amendment to the 1945 Constitution has a greater role

in the legislative and oversight processes. This can strengthen the legislature's dominance in the Indonesian government system. This strengthening stems from Article 20A paragraph (1) of the 1945 Constitution, which assigns three main functions to the DPR: legislation, budgeting, and oversight. The establishment of these DPR functions is intended to ensure the DPR functions optimally as a representative institution of the people and to embody the principle of checks and balances by the DPR, as stipulated in Article 20A paragraph 1 of the 1945 Constitution.

This problem often arises because the House of Representative (DPR) and the Regional Representative Council (DPD) members have diverse backgrounds, with the majority lacking a background in law or public policy. As a result, during the deliberation of bills, there is often an inability to conduct comprehensive and in-depth analysis. This low capacity impacts the quality of the resulting laws, making them unable to always respond to the dynamics of societal needs and global developments, (Gitacahyani, 2024).

To address the challenges of the times, the bureaucracy, as the provider of public services, must reflect clean, effective, and efficient governance, as mandated by Law Number 25 of 2009 concerning Public Services. The government is no longer an institution acting on its own whim in providing services. Understanding the public's desires is essential to achieving excellent service. The public's desire for optimal service is a citizen's right, and therefore, the government must be proactive in meeting public expectations, (Alim, 2022).

(Karyono, 2025), legal progressiveness always tries to find new things and new formulations in order to fill legal gaps in state institutional arrangements as an effort to realize national goals, so the formation of independent state institutions needs to be reviewed, all of these institutions are very urgent and need to be strengthened through law.

The bureaucracy is the primary pillar of government in delivering public services. Bureaucratic reform is a key element in improving service quality. In Indonesia, reform failures persist due to weak law enforcement, a lack of accountability, and officials' reluctance to change, (Turner, M., Prasojo, E., & Sumarwono, 2022).

(Muhammad Salman, 2025), in an effort to create effective, clean, transparent, accountable, high-quality, and trustworthy governance, the government refers to Presidential Regulation of the Republic of Indonesia Number 95 of 2018 concerning the Electronic-Based Government System (SPBE). The government recognizes that technology offers significant opportunities to improve the quality of public services more efficiently and effectively.

METHODOLOGY

Research Methods:

Research Type: This study uses a literature review method by analyzing journal articles relevant to the research topic. Data Sources: The data sources in this study are journal articles published in accredited scientific journals. Data Collection Techniques: The data collection technique in this study involves analyzing journal articles relevant to the research topic. Data Analysis Techniques: The data analysis technique in this study uses content analysis to

analyze the data obtained from the journal articles. (Hanum, 2021), a literature review is an essential and inseparable part of any research. It includes a review and analysis of various related literature that has been previously published. The process of preparing a literature review involves six important steps that must be followed sequentially: determining the topic, searching for related literature, developing an argument, conducting a survey of related literature, critiquing the literature, and writing the review.

Research Steps: 1. Topic Identification: Identifying the research topic regarding the existence of the highest state institutions and high state institutions in the context of governance in Indonesia; 2. Literature Search: Searching for literature relevant to the research topic through online scientific journal databases; 3. Literature Selection: Selecting literature relevant to the research topic based on inclusion and exclusion criteria; 4. Data Analysis: Analyzing data obtained from journal articles using content analysis; and 5. Interpretation of Results: Interpreting the results of the data analysis and drawing conclusions.

By using this literature review research method, this study can provide the People's Consultative Assembly (MPR) cohesive overview of the existence of the highest state institutions and high state institutions in the context of governance in Indonesia.

RESULT AND DISCUSSION

Highest State Institutions Ever Existed in Indonesian History

The Trias Politica concept is a theory proposed by Montesquieu in the 18th century, which states that state power should be divided into three branches: legislative, executive, and judicial. This concept aims to prevent abuse of power and ensure that state power is exercised democratically and accountably. In a democratic constitutional system, the separation of powers, according to Montesquieu, has three main functions: the executive, legislative, and judicial.

Relationship with the Highest and High State Institutions

In the context of the highest and high state institutions, the Trias Politica concept has several important implications.

1. **Division of Power:** The Trias Politica concept emphasizes the importance of the division of power between state institutions. In the Indonesian system of government, the People's Consultative Assembly (MPR), as the highest state institution, has the power to make important state decisions, while high state institutions such as the People's Representative Council (DPR), Supreme Court (MA), and Supreme Audit Board (BPK) have specific powers and roles in running the government.
2. **Balance of Power:** The Trias Politica concept also emphasizes the importance of a balance of power between state institutions. In the Indonesian system of government, the balance of power between state institutions is guaranteed by the constitution and laws.
3. **Preventing Abuse of Power:** The Trias Politica concept aims to prevent abuse of power by state institutions. In the Indonesian system of government, the prevention of abuse of power is ensured by a mechanism of checks and balances between state institutions.

In Indonesian history, there have been two state institutions that served as the highest state institutions: the Provisional People's Consultative Assembly (MPRS) and the People's Consultative Assembly (MPR). The existence of these two highest institutions is not only recorded in history but also has a strong legal basis according to the laws and regulations in force at the time. These institutions are:

1. Provisional People's Consultative Assembly (MPRS) (1960-1966)

By using this literature review research method, this study can provide the People's Consultative Assembly (MPR) cohesiveness overview of the existence of the highest state institutions and high state institutions in the context of governance in Indonesia. The People's Consultative Assembly (MPRS) was established on November 3, 1960, based on MPRS Decree No. 1 of 1960. The legal basis for the MPR S as the highest state institution is: Provisional People's Consultative Assembly Decree (TAP MPRS) No. I/MPR S/1960 concerning the Provisional Constitution of the Republic of Indonesia: In this TAP, the Provisional People's Consultative Assembly (MPR S) was granted the power to act as the highest state institution. The establishment of the Provisional People's Consultative Assembly (MPRS) was an effort to ensure political and governmental stability following the dissolution of the Revolutionary Council. Following the dissolution of the Revolutionary Council, the Provisional People's Consultative Assembly (MPRS) was established in 1960 as the country's highest legislative body. The Provisional People's Consultative Assembly (MPRS) had the power to make important state decisions and oversee the government. The Provisional People's Consultative Assembly (MPRS) played an important role in the transition period of government from the Old Order to the New Order.

The Provisional People's Consultative Assembly (MPRS) is one of the highest legislative bodies in Indonesian history. It was formed in an effort to address the power vacuum and promote political stability following the dissolution of the Revolutionary Council. The Provisional People's Consultative Assembly (MPRS) has extensive powers to make important state decisions and oversee the government. It serves as the country's highest legislative body, empowered to enact laws, oversee the government, and decide on important state policies.

During the transition from the Old Order to the New Order, the Provisional People's Consultative Assembly (MPRS) played a crucial role in ensuring the smooth running of government. The Provisional People's Consultative Assembly (MPRS) became a highly influential institution in determining the direction of Indonesian politics and government at that time.

In carrying out its functions, the Provisional People's Consultative Assembly (MPRS) has several duties and authorities, including enacting laws, overseeing the government, and deciding on important state policies. The Provisional People's Consultative Assembly (MPRS) also has the authority to elect and dismiss the president and vice president.

The Provisional People's Consultative Assembly (MPRS) played a crucial role in the transition from the Old Order to the New Order. In 1966, the

Provisional People's Consultative Assembly (MPRS) made the crucial decision to dismiss President Sukarno and remove Messiah Sukarno from power. The Provisional People's Consultative Assembly (MPR S) then mandated General Suharto to take over power and restore political stability.

In Indonesian history, the Provisional People's Consultative Assembly (MPRS) played a crucial role in determining the direction of the country's politics and governance. This institution symbolized efforts to improve political and governmental stability after independence. The MPR S also had a significant impact on Indonesian political history. Its formation reflected efforts to improve political and governmental stability after the dissolution of the Revolutionary Council. The Provisional People's Consultative Assembly (MPR S) can be seen as a highly influential institution in Indonesian political history. Its formation reflected efforts to improve political and governmental stability after independence.

The Provisional People's Consultative Assembly (MPRS) also has weaknesses and shortcomings in carrying out its functions. This institution is considered ineffective in overseeing the government and making important state decisions. The Provisional People's Consultative Assembly (MPRS) is the country's highest legislative body and has played a crucial role in Indonesian political history. The establishment of this institution reflects efforts to improve political and government stability. The Provisional People's Consultative Assembly (MPRS) has broad powers to make important state decisions and oversee the government. During the transition from the Old Order to the New Order, the Provisional People's Consultative Assembly (MPRS) played a crucial role in ensuring the smooth running of government processes.

2. People's Consultative Assembly (MPR):

Although not mentioned in the opening paragraph, the People's Consultative Assembly (MPR) as we know it today was also once the highest state institution. The People's Consultative Assembly (MPR) was formed in 1966 and had the power to make important state decisions, including electing the president and vice president. However, with the constitutional amendment in 2001, the People's Consultative Assembly (MPR) was no longer the highest state institution, but instead became a legislative body equal to the DPR.

There is no People's Consultative Assembly (MPR)'s Decree declaring the People's Consultative Assembly (MPR) the highest state institution because the MPR 's position as the highest state institution was actually stated in Article 1 paragraph (2) of the 1945 Constitution before the amendment, which stated that "Sovereignty is in the hands of the people, and is exercised entirely by the People's Consultative Assembly." However, after the fourth amendment to the 1945 Constitution, Article 1 paragraph (2) was changed to "Sovereignty is in the hands of the people and is exercised according to the Constitution," so The People's Consultative Assembly (MPR) was no longer the highest state institution.

The People's Consultative Assembly (MPR) is one of the highest state institutions in Indonesian history. The People's Consultative Assembly (MPR) has the power to make important state decisions, including electing the president

and vice president. During its time, the People's Consultative Assembly (MPR) played a crucial role in determining the direction of Indonesian politics and government. It wielded extensive powers to make important state decisions and oversee the government.

However, with the constitutional amendments in 2001, the People's Consultative Assembly (MPR) was no longer the highest state institution. It now serves as a legislative body equal to the House of Representatives (DPR). This change in the People's Consultative Assembly (MPR)'s status was part of efforts to reform politics and governance in Indonesia. With the constitutional amendments, the People's Consultative Assembly (MPR) now has a more limited role in government and no longer has the power to unilaterally make important state decisions.

The People's Consultative Assembly (MPR) now focuses more on its legislative and government oversight functions. The People's Consultative Assembly (MPR) retains the power to enact laws and oversee the government, but no longer has the power to elect the president and vice president. This change can be seen as an effort to improve the quality of democracy and governance in Indonesia. Limiting the MPR's powers is expected to increase government accountability and transparency.

This change could also have negative impacts if not balanced by increasing the capacity and quality of other legislative institutions. Therefore, it is crucial to continuously improve the quality and capacity of legislative institutions in Indonesia. Furthermore, this change in the MPR's status can be seen as part of an effort to improve the quality of democracy and governance in Indonesia. Limiting the MPR's powers is expected to increase government accountability and transparency.

The People's Consultative Assembly (MPR) now has a more specific role in government, namely as a legislative body focused on legislation and government oversight. This allows the People's Consultative Assembly (MPR) to be more effective in carrying out its functions and improving the quality of government. This change in the MPR's status can also enhance the role of the House of Representatives (DPR) as a more representative and accountable legislative body. This is expected to improve the quality of democracy and governance in Indonesia.

The change in the MPR's status from the highest state institution to a legislative body equal to the DPR is part of the political and governmental reform efforts in Indonesia. This change can improve the quality of democracy and governance in Indonesia if accompanied by improvements in the capacity and quality of other legislative institutions. The People's Consultative Assembly (MPR) now has a more limited role in government, but still plays a crucial role in legislation and government oversight. Thus, the People's Consultative Assembly (MPR) can improve the quality of government and enhance government accountability and transparency.

This change in the People's Consultative Assembly (MPR)'s status can also improve the quality of democracy in Indonesia by enhancing the role of a more

representative and accountable legislative body. This is expected to improve the quality of government and enhance public welfare.

Analysis of the Existence of the Highest State Institutions That Have Ever Existed

According to (Weber, 1947), bureaucracy has a strict hierarchical structure and specific functions. In the context of the Highest and Highest State Institutions, the structure and function of state institutions such as the People's Consultative Assembly (MPR), the House of Representatives (DPR), the Supreme Court (MA), and the Supreme Audit Agency (BPK) can be analyzed using bureaucratic theory. Weber also emphasized the importance of decision-making based on clear rules within the bureaucracy. In the context of the Highest and Highest State Institutions, decision-making by state institutions such as the People's Consultative Assembly (MPR) and the House of Representatives can be analyzed using bureaucratic theory.

The highest state institutions are crucial components of a country's governance. Throughout Indonesian history, there have been several supreme state institutions, namely the Provisional People's Consultative Assembly (MPRS) and the People's Consultative Assembly (MPR).

The (MPRS) is the highest state institution, established in 1960. It has the power to make important state decisions and oversee the government. The People's Consultative Assembly (MPRS) played a crucial role during the transition from the Old Order to the New Order. The People's Consultative Assembly (MPR), the highest state institution, was established in 1966. Previously, the People's Consultative Assembly (MPR) was the highest state institution, empowered to make important state decisions, including electing the president and vice president. However, with the constitutional amendments in 2001, the People's Consultative Assembly (MPR) was no longer the highest state institution.

Each of these highest state institutions has its own strengths and weaknesses.

The Provisional People's Consultative Assembly (MPRS) had the advantage of carrying out its legislative and oversight functions, but its weakness was the dominance of power by the New Order. The People's Consultative Assembly (MPR) had the advantage of carrying out its legislative and oversight functions, but its weakness was its change in status to a legislative body equal to the House of Representatives (DPR).

In the context of governance, the highest state institutions must possess high integrity and professionalism. They must be able to carry out their functions effectively and efficiently, and have an effective checks and balances mechanism. The highest state institutions are a crucial component of a country's governance. Each of the highest state institutions that have existed in Indonesia has its own strengths and weaknesses. Therefore, it is crucial to continuously improve the quality and capacity of the highest state institutions to carry out their functions effectively and efficiently. To improve the quality of democracy and governance, it is crucial to strengthen the legislative body and improve the quality of

government oversight. This is expected to improve the quality of governance and enhance public welfare.

The change in the status of the People's Consultative Assembly (MPR) from the highest state institution to a legislative body equal to the House of Representatives (DPR) is part of the political and governmental reform efforts in Indonesia. This change can improve the quality of democracy and governance in Indonesia if accompanied by improvements in the capacity and quality of other legislative institutions. In a democratic context, the highest state institutions must comply with the constitution and applicable laws. They must be able to carry out their functions democratically and respect human rights.

The highest state institutions can play a crucial role in improving the quality of governance and achieving national goals. Therefore, it is crucial to continuously improve the quality and capacity of the highest state institutions to carry out their functions effectively and efficiently.

Criticism of the Highest State Institutions According to the Era

The establishment of these three highest state institutions, during their respective eras, was initially considered the best necessity for good governance. However, as political developments progressed, the existence of these highest state institutions was deemed irrelevant to their respective eras. Initially, the existence of these highest state institutions was met with criticism, even to the point of eliminating their status as the highest state institutions.

The following are some criticisms of the two highest state institutions that have ever existed in Indonesia:

The Provisional People's Consultative Assembly (MPRS)

1. **New Order Domination:** During the New Order, the Provisional People's Consultative Assembly (MPRS) was considered a tool of Suharto's power to maintain his grip on power.
2. **Lack of Representation:** During the New Order, the Provisional People's Consultative Assembly (MPRS) did not represent the interests of the people at large, but rather the interests of specific groups.
3. **Involvement in Practical Politics:** The Provisional People's Consultative Assembly (MPRS) frequently engaged in practical politics and failed to maintain its neutrality as a legislative body.

The People's Consultative Assembly (MPR)

1. **Unclear status change:** The People's Consultative Assembly (MPR) 's change in status from the highest state institution to a legislative body equal to the House of Representatives (DPR) has created uncertainty about its role and function.
2. **Lack of effectiveness:** The People's Consultative Assembly (MPR) is often considered ineffective in carrying out its function as a legislative body.
3. **Involvement in practical politics:** The People's Consultative Assembly (MPR) is often involved in practical politics and cannot maintain its neutrality as a legislative body.

Therefore, the People's Consultative Assembly (MPR) needs to be given additional authority in the future, in addition to those already listed in the 1945

Constitution. This authority includes making policies to determine the direction of the state, considering that the People's Consultative Assembly (MPR) is the most representative institution compared to other state institutions. The People's Consultative Assembly (MPR) membership consisting of representatives of the people and regions makes it very suitable to determine the direction of the state. Thus, the unity of the national development planning system that is sustainable and integrated with the regional development planning system can be realized.

Both of Indonesia's highest state institutions have significant weaknesses and shortcomings. Therefore, it is crucial to continuously improve the quality and capacity of these state institutions to carry out their functions effectively and efficiently. Criticism of these state institutions demonstrates that much remains to be improved within the Indonesian government system. Therefore, it is crucial to continue reforming and improving the quality of these state institutions. It is hoped that these state institutions can carry out their functions more effectively and efficiently, and meet the needs and interests of the people.

However, many challenges remain in improving the quality of these state institutions. Therefore, continuous evaluation and improvement are crucial. In improving the quality of these state institutions, it is crucial to pay attention to several factors, such as increasing transparency and accountability, and strengthening checks and balances mechanisms. It is hoped that these state institutions can better carry out their functions and meet the needs and interests of the people.

Furthermore, it is also crucial to increase public awareness and participation in monitoring and assessing the performance of state institutions. This is expected to make state institutions more responsive and accountable to the needs and interests of the people. Improving the quality of state institutions is a shared responsibility that requires cooperation and participation from all parties. Therefore, it is crucial to continuously strive to improve the quality of state institutions to achieve the nation's goals. Indonesia is expected to become a more democratic, just, and prosperous nation. Therefore, it is crucial to continuously improve the quality of state institutions and strengthen the democratic system of governance.

In improving the quality of state institutions, it is crucial to pay attention to several basic principles, such as transparency, accountability, and public participation. This is expected to enable state institutions to carry out their functions more effectively and efficiently. Therefore, it is crucial to continue reforming and improving the quality of state institutions. This is expected to improve Indonesia's performance and meet the needs and interests of the people.

Highest State Institutions Used as Tools to Strengthen the Position of the Government (President)

The highest state institutions that have existed in Indonesia, such as the People's Consultative Assembly (MPR S) and the People's Consultative Assembly (MPR), have been used as tools to strengthen the position of the government, particularly the President. This can be seen in the history of their formation and functions.

The MPRS, established in 1960, also served a similar role. This institution was established to oversee the government and make important state decisions, but in practice, the MPRS was used more as a tool to strengthen President Soeharto's position. The MPRS's status and position are further regulated in a Presidential Decree. The President has the right to determine the number of members and appoint the Provisional People's Consultative Assembly (MPRS) chairman and vice-chairman. When established, the MPRS had 616 members based on Presidential Decree Number 199 of 1960, consisting of 281 members of the DPR-GR, 241 representatives of the Functional Groups (*Golongan Karya*), and 94 representatives from the regions. The first MPRS chairman was Chaerul Shaleh, with deputy chairmen Ali Sastroamidjojo, KH Idham Chalid, D.N. Aidit, and Wilujo Puspojudo. They were Sukarno's closest associates, appointed directly by Sukarno and serving concurrently as the DPR-GR's Temporary Deliberative Committee. The primary task of the MPRS during the Guided Democracy era was to establish the Broad Outlines of State Policy (GBHN), as requested by President Sukarno, who appointed them. The Broad Outlines of State Policy (GBHN) refers to the provisions that guide the nation's political, economic, social, and cultural life (Source: <https://www.kompas.com/stori/read/2024/12/15/210000879/tugas-MPR-s-pada-masa-demokrasi-terpimpin>).

The People's Consultative Assembly (MPR), established in 1966, has not escaped similar criticism. This institution has the power to make crucial decisions for the nation, Indonesia. This institution can be used by the President to maintain his power and control the government.

In practice, these institutions are often used as tools to strengthen the President's position and ignore the interests of the people. This is evident in the decisions made by these institutions, which favour the interests of the President and certain groups. The use of these institutions as tools to strengthen the President's position can impact the quality of democracy in Indonesia. This can lead to uncontrolled power and abuse of power.

Therefore, it is important to reconsider the role and function of state institutions in Indonesia. There needs to be clarity about who holds the highest power in the country and how that power is exercised. In this context, it is crucial to improve the quality of democracy in Indonesia by strengthening independent and accountable state institutions. This can be achieved by increasing government transparency and accountability.

The use of state institutions as a tool to strengthen the President's position can also impact public trust in the government. This can lead to public dissatisfaction and potentially trigger social conflict. Therefore, it is crucial to improve the governance system in Indonesia by strengthening independent and accountable state institutions. This can be achieved by improving the quality of democracy and governance in Indonesia.

In recent years, there have been several efforts to improve the governance system in Indonesia. However, many challenges remain to be overcome to achieve this goal. Therefore, it is crucial to continue striving to improve the

quality of democracy and governance in Indonesia. This way, Indonesia can have a better governance system that can meet the needs and interests of the people.

The use of state institutions as a tool to strengthen the President's position can also impact the quality of public policy in Indonesia. This can result in policies no longer being based on the interests of the people, but rather on the interests of the President and certain groups. Therefore, it is crucial to improve the public policy-making process in Indonesia by increasing public participation and government transparency. This can be achieved by improving the quality of democracy and governance in Indonesia.

The use of state institutions as a tool to strengthen the President's position is a problem that needs to be addressed. Clarity is needed regarding the roles and functions of state institutions in Indonesia and how their powers are exercised. This will enable Indonesia to have a better system of governance that can meet the needs and interests of the people. Therefore, it is crucial to continue striving to improve the quality of democracy and governance in Indonesia.

Indonesia Without a Highest State Institution

Indonesia currently lacks a supreme state institution explicitly stated in the constitution. Following the change in the status of the People's Consultative Assembly (MPR) from the highest state institution to a legislative body equivalent to the House of Representatives (DPR), Indonesia no longer has an institution that clearly holds the highest power in the country. In the Indonesian system of government, supreme power should be held by an institution with the legitimacy and authority to make important state decisions. However, the absence of a supreme state institution makes this authority unclear. In practice, supreme power in Indonesia currently rests with the President as both head of state and head of government. However, the President is not the same as the highest state institution, as he can be removed through impeachment or elections.

The absence of a supreme state institution can create a power vacuum and uncertainty in making important state decisions. This can impact Indonesia's political and governmental stability. Furthermore, the absence of a supreme state institution can also lead to overlapping powers between state institutions, which can impact the efficiency and effectiveness of government.

In recent years, there have been several proposals to establish a new supreme state institution. However, these proposals have yet to be realized. The absence of a supreme state institution could also impact the quality of democracy in Indonesia. In a democratic system, supreme power should be held by a democratically elected institution that enjoys the legitimacy of the people.

It is important to reconsider the role and function of state institutions in Indonesia. There needs to be clarity about who holds the highest power in the state and how that power is exercised. The absence of a supreme state institution could also impact the relationship between state institutions. There needs to be clarity about how state institutions interact and collaborate to achieve the nation's goals.

In some cases, the absence of a supreme state institution can lead to political and governmental crises. Therefore, it is crucial to find an appropriate solution to address this issue. The absence of a supreme state institution in Indonesia is a

problem that needs to be addressed. Clarity is needed regarding who holds the highest power in the country and how that power is exercised. Indonesia can have a more stable, effective, and democratic system of government; therefore, it is crucial to continue seeking appropriate solutions to address this issue.

Main Executive and Main Legislative in Indonesian History

The terms "main executive" and "main legislative" refer to the dominance of one institution over the other two institutions in a given era of government. During the New Order era, the executive branch dominated government compared to the other two institutions, the legislative and the judiciary. However, in the post-reform era, this dominance shifted significantly to the legislative branch.

Executive Dominance in the New Order Era

During the New Order era, the executive branch, led by President Soeharto, dominated government. This was due to the centralistic and authoritarian system of government, which significantly strengthened executive power. Under the New Order system, the legislative and judicial branches were relatively weak and lacked independence. The House of Representatives (DPR) and the People's Consultative Assembly (MPR) functioned more as institutions supporting government policy than as checks and balances.

In the context of the New Order, this authoritarian nature was reflected in the government's strict control over various aspects of public life, including politics, economics, and social life. The New Order government tolerated no opposition or criticism that could threaten the stability of the regime. This left citizens living under conditions of intense surveillance and restricted freedom.

Executive dominance during the New Order era was also driven by the presence of Golkar, a powerful ruling party loyal to the government. This further unchecked executive power. Furthermore, New Order government policies were often opaque and unaccountable, allowing for abuse of power and corruption.

Shift of Dominance to the Legislature Post-Reform

Following the reform era, Indonesia experienced significant changes in its governance system. The strong executive dominance of the New Order era shifted to the legislature. This change was driven by amendments to the 1945 Constitution, which strengthened legislative power and increased the role of the House of Representatives (DPR) in the legislative process and government oversight. Furthermore, the multiparty system implemented after the reform era also allowed political parties to play a greater role in the political process, including controlling the government. In the post-reform era, legislative power became stronger and more independent. The DPR has special rights such as the right of interpellation, the right of inquiry, and the right of petition, allowing them to control government policy.

The post-reform shift in power from the executive to the legislative branch represents a significant change in Indonesia's governance system. Following the New Order era, characterized by strong executive dominance, the reforms brought a breath of fresh air by strengthening the role of the legislature. The

House of Representatives (DPR), as the legislative body, now has greater powers in the legislative, oversight, and budgeting processes. This allows the legislature to act as a counterweight to executive power. This change has also impacted Indonesia's political dynamics. With greater power, the legislature can exercise more effective oversight of government policies. Furthermore, the legislature can initiate interpellations, inquiry requests, and the right to express opinions to the government. This requires the government to be more transparent and accountable in its governance.

The shift in dominance to the legislature also presents challenges. Greater legislative involvement in the government process does not always translate into improved policy quality. There are concerns that the legislature will focus more on party political interests than on the interests of the people. Furthermore, excessive legislative power can also weaken the executive branch and make it ineffective in governing. The shift in power to the legislative branch also has implications for the relationship between the executive and legislative branches. These two institutions must be able to work together effectively to achieve a common goal, namely improving the welfare of the people. Therefore, it is crucial for both institutions to establish good communication and effective coordination in running the government.

In the long term, the shift in power to the legislative branch can have a positive impact on democracy in Indonesia. With greater power, the legislative branch can serve as an effective counterbalance to executive power. However, it is crucial for the legislative branch to use its power wisely and responsibly, prioritizing the interests of the people over party or personal interests.

Challenges and Opportunities

However, legislative dominance also presents its own challenges and opportunities. The challenge is how to improve the quality and integrity of legislative members, as well as enhance the effectiveness of oversight and legislation. The opportunity lies in how the legislative branch can become an effective institution in checking executive power and improving the quality of democracy. Therefore, it is necessary to improve and increase the capacity of legislative institutions, as well as increase transparency and accountability in government.

The challenge facing legislative dominance is how to improve the quality and integrity of its members. This means that legislators must possess sufficient skills and knowledge to carry out their duties effectively. Furthermore, the integrity of legislative members is crucial for building public trust. Another challenge is improving the effectiveness of oversight and legislation. The legislature must be able to effectively oversee executive power and create quality policies. This requires strong analytical skills and the ability to make sound decisions.

On the other hand, legislative dominance also offers the potential to become an effective institution in checking executive power. With greater power, the legislature can conduct more effective oversight and create better policies. This can improve the quality of democracy and make the government more accountable. Another opportunity is to improve the quality of democracy. With

effective legislative dominance, the public can have greater trust in legislative and government institutions. This can increase public participation in the democratic process and make the government more responsive to public needs.

To achieve these opportunities, improvements and capacity building of legislative institutions are necessary. Legislators need to be provided with training and education to enhance their skills and knowledge. Furthermore, legislative institutions need to have a better system for oversight and legislation. Increasing government transparency and accountability is also crucial. Transparency allows the public to understand how the government operates and formulates policies. Government accountability can also make the government more accountable to the public.

In the long term, effective legislative dominance can have a positive impact on democracy and governance. The public can have greater trust in legislative and government institutions, and the government can become more effective in running its affairs. However, to achieve this, a strong commitment is needed from all parties, including legislators, the government, and the public. All parties must work together to improve the quality of democracy and governance.

Legislative dominance presents its own challenges and opportunities. By enhancing the capacity of legislative institutions and increasing government transparency and accountability, legislative dominance can create an opportunity to improve the quality of democracy and governance.

The Future of Governance

The future of Indonesian governance depends heavily on how state institutions can collaborate and effectively monitor each other. Efforts are needed to improve the quality of democracy and increase public trust in state institutions. Furthermore, improvements and capacity building of the judiciary are needed to enhance the quality of law enforcement and justice. This will enable Indonesia to become a more democratic, transparent, and accountable nation, and improve the welfare and justice for all its people.

The future of Indonesian governance also depends heavily on the ability of state institutions to adapt to changing times and global challenges. With technological advances and globalization, the Indonesian government needs to increase its capacity to face new challenges and capitalize on existing opportunities. Therefore, investment in education, training, and capacity building of state institutions is essential. This way, Indonesia can improve the quality of governance and enhance the welfare of its people, as well as become a more competitive and influential nation regionally and globally.

CLOSING

The existence of the highest state institutions and high state institutions in the context of governance in Indonesia. The People's Consultative Assembly (MPR) and the People's Consultative Assembly (MPR S) are the two highest state institutions ever to exist in Indonesia, with significant roles and impacts in Indonesian political history. While the People's Consultative Assembly (MPR) and MPRS have played a significant role in Indonesian political history, they also have weaknesses and shortcomings. The change in the MPR 's status has created

uncertainty regarding its role and function. Improvements and capacity building of legislative institutions are needed to enhance the quality of democracy and governance. However, the change in the MPR 's status from the highest state institution to a legislative institution equal to the House of Representatives (DPR) has created uncertainty regarding its role and function.

Recommendations: 1) Improvements and capacity building of legislative institutions are needed to enhance the quality of democracy and governance; 2) Clarity is needed regarding the roles and functions of state institutions within the Indonesian government system; and 3) Increasing transparency and accountability in government is crucial to bolstering public trust in state institutions.

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