

MEASURING THE THEORY OF STATE POWER IN THE PERIODIZATION OF THE OFFICE OF THE PRESIDENT OF INDONESIA ACCORDING TO THE 1945 CONSTITUTION OF THE REPUBLIC OF INDONESIA

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ABSTRACT

The theory of state power is a foundation in understanding the dynamics of government, especially in the context of presidential term limits in Indonesia. The 1945 Constitution of the Republic of Indonesia regulates the limitation of presidential power, including the term of office, to prevent authoritarianism and ensure democratic principles. However, constitutional practice shows complexity in its implementation, especially regarding the meaning of executive power, checks and balances, and the potential for abuse of authority. Therefore, examining the theory of state power in presidential periodization is important to evaluate the consistency of the constitution with political practice in Indonesia. Objectives: This study aims to analyze the theory of state power in the context of presidential term limits under the 1945 Constitution, examine the legal and political implications of term limits, and evaluate the effectiveness of constitutional control mechanisms over presidential power. Methods: This research uses a qualitative method with a juridical-normative approach. Data were obtained through a literature study of constitutional texts, laws and regulations, decisions of the Constitutional Court, as well as theoretical studies of the thoughts of Locke, Montesquieu, and modern theories of power. Analysis is done descriptively- critically to compare normative aspects with Indonesian constitutional practice. Results: The results show that the 1945 Constitution has limited presidential power through term limits (maximum two terms) to prevent concentration of power. However, in practice, there are challenges such as the potential expansion of political influence beyond the term of office, unclear post-presidential oversight mechanisms, and flexibility in constitutional interpretation. This study recommends strengthening the system of checks and balances and legal reforms to ensure presidential powers remain in line with the spirit of the constitution. Keywords: Theory of State Power; Presidential Periodization; 1945 Constitution

A. INTRODUCTION

The background of this research focuses on the understanding and analysis of the theory of state power in the context of the presidential term periods in Indonesia, as regulated by the 1945 Constitution of the Republic of Indonesia. Since independence, Indonesia has undergone various changes in its governmental system, including in terms of executive power held by the president. The issue of presidential term periods has become crucial, especially in the context of political stability and government legitimacy. In this study, it is important to review how the constitution provides a legal framework for presidential power and how the practice of that power adapts to the existing political dynamics.

Previous literature reviews indicate that many researchers have discussed the relationship between state power and the constitution. Alif (2020) in his book states that state power cannot be separated from the constitutional framework that governs it. Meanwhile, Budiarjo (2019) emphasizes the importance of a democratic governance system to ensure that executive power is not abused. Ciptaningtyas (2021) provides an in-depth analysis of executive power in the 1945 Constitution, highlighting how changes in the constitution can affect the term limits of the presidency. This research aims to fill the gap in the literature by providing a more comprehensive analysis of how the theory of state power is implemented in the context of presidential term limits.

The research problem focuses on the question: How does the theory of state power play a role in the presidential term periods in Indonesia according to the 1945 Constitution? The proposed hypothesis is that there is a significant relationship between the theory of state power and government stability, where changes in the presidential term periods can affect the legitimacy and effectiveness of the government. This research also aims to explore relevant case examples, such as the presidency of Suharto and the transition to the reform era, to provide a clearer picture of this dynamic.

The aim of this research is to conduct an in-depth analysis of how state power, particularly in the context of presidential authority, is regulated in the 1945 Constitution and how this influences the presidential term limits. Using a qualitative approach and secondary data analysis, this study hopes to significantly contribute to the understanding of the relationship between power, the constitution, and political stability in Indonesia. Additionally, this research is expected to provide recommendations for policymakers to improve the existing governance system for the sake of achieving better political stability in the future.

Through this research, it is hoped that a better understanding can be established regarding how the theory of state power operates within a specific context, namely the presidential term periods in Indonesia, as well as its implications for political and governance dynamics in the country.

B. METHOD

A. Research Variables

The research variables in this journal consist of two main components, namely the theory of state power and the periodicity of the presidential term. The theory of state power refers to the understanding of how power is exercised within the context of governance, particularly within the framework of the constitution. Meanwhile, the periodicity of the presidential term includes the time and duration of the presidential term as regulated in the 1945 Constitution of the Republic of Indonesia. According to Alif (2020), a comprehensive understanding of state power is essential for analyzing the political and governmental dynamics in Indonesia.

Operational Definition of Variables

In this research, the operational definition of variables will be explained as follows:

- 1) Theory of State Power: Defined as the concept that governs how power is exercised and distributed among state institutions. This includes the executive, legislative, and judicial powers that interact within the government system.
- 2) Presidential Term Limit: refers to the duration and time limits set for the presidential term, which is two periods of five years each, in accordance with the provisions stated in Article 7 of the 1945 Constitution. This is important for analyzing political stability and the legitimacy of presidential leadership in the historical context of Indonesia.

B. Research Design

The research design used in this study is qualitative research with a descriptive-analytical approach. This study aims to explore and analyze data related to the theory of state power and the periodicity of presidential terms. This method was chosen because it allows the researcher to gain a deeper understanding of the dynamics of power and how it relates to the presidential term. This research will also utilize case studies to provide concrete examples of the application of power theory in the context of the Indonesian president.

C. Research Subjects

The subjects of this research are legal experts, academics, and political practitioners who possess a deep understanding of the constitution and the government system of Indonesia. Additionally, interviews will be conducted with former government officials and legislative members to gain a broader perspective on the implementation of power theory in the presidential tenure periodization. By involving various informants, it is hoped that this research can provide a comprehensive overview of the topic discussed.

D. Data Collection and Analysis Techniques

The data collection techniques that will be used in this research include in-depth interviews, literature studies, and document analysis. Interviews will be conducted with relevant informants to explore their views and experiences related to state power and the periodization of the presidency. The literature study will encompass previous research, articles, and books related to this topic, as expressed by Budiarjo (2019) and Ciptaningtyas (2021). Data analysis will be conducted using a qualitative approach, where the collected data will be analyzed thematically to identify patterns and relationships between the theory of state power and the periodization of the presidency.

By following the methodology outlined above, it is hoped that this research can make a meaningful contribution to understanding the dynamics of state power in the context of the presidential term periods in Indonesia. This research is also expected to provide recommendations for improving the governance system and strengthening the constitution in the future.

C. RESULTS AND DISCUSSION

E. The Theory of State Power in the 1945 Constitution

The theory of state power is an important aspect of understanding the structure and function of government in Indonesia. According to Cahyono (2021), state power in the context of the 1945 Constitution can be seen from the division of power between the executive, legislative, and judicial branches. This division aims to create a system of checks and balances that prevents the abuse of power. In this regard, the President, as the head of the executive, plays a very significant role in decision-making and the implementation of public policies.

The data shows that between 2004 and 2021, Indonesia experienced several significant changes in presidential leadership. For example, during the presidency of Susilo Bambang Yudhoyono (2004-2014), there was an increase in political and economic stability, which was reflected in an average economic growth of 6% per year (Budi, 2020). However, new challenges arose when Joko Widodo took office in 2014, as he faced various complex social and political issues. This indicates that the power of the president is not only limited to legal aspects but is also influenced by broader social dynamics.

In this context, the theory of state power also emphasizes the importance of political legitimacy. According to Azhari (2019), the legitimacy of executive power can be obtained through democratic elections. However, election results do not always reflect the will of the people, as occurred in the 2019 elections, where many voices were unrepresented. This raises questions about the extent to which presidential power can be considered legitimate and recognized by society.

For example, in the case of the 2019 presidential election, there were massive protests from groups in society who felt dissatisfied with the election results. This shows that even though the constitution grants wide powers to the president, the legitimacy of that power still depends on the acceptance of the people. Therefore, it is important for the president to maintain communication and a good relationship with the public so that the power held can be exercised effectively.

The limitation of this research lies in the lack of longitudinal data that can analyze the long-term impact of presidential policies on society. Further research is needed to understand how the theory of state power can be applied in a broader context and how this affects political stability in Indonesia.

F. Presidential Term Limits and Political Stability

The term limits for the presidency in Indonesia have significant implications for political stability. According to Budi (2020), the presidential leadership period can influence the policies implemented and their impact on society. In this context, the two-term limit for the presidency established in the 1945 constitution provides an opportunity for presidents to implement more sustainable programs. However, this can also pose challenges for the succeeding administration.

Statistics show that between 1998 and 2021, Indonesia underwent a transition from authoritarian rule to a democratic government. During this transition, there were several presidents who served two terms, such as Susilo Bambang Yudhoyono and Joko Widodo. Both succeeded in implementing a number of policies that contributed to economic growth and political stability. However, the challenges faced were also significant, such as corruption, social conflict, and public dissatisfaction. A relevant example is the presidency of Joko Widodo, where he faced significant challenges in dealing with the COVID-19 pandemic. The policies enacted during this crisis situation demonstrate that presidential power is heavily influenced by the existing social and economic context. In this case, the success or failure of policies can affect the public's perception of the president's legitimacy.

Furthermore, Junaidi (2020) emphasizes that political stability is also influenced by the support of political parties. In this context, the relationship between the president and political parties is crucial for maintaining government stability. For example, strong support from coalition parties can assist the president in implementing his political agenda. However, if there is a rift within the coalition, it can threaten government stability.

The limitation of this study is the lack of in-depth analysis regarding the long-term impact of presidential term limits on political stability. Further research is needed to explore how changes in leadership can affect long-term policies and social stability in Indonesia.

G. The implications of presidential power on public policy

The power of the president has a significant impact on public policy in Indonesia. According to Fadli (2022), the president as the head of the executive has the authority to formulate and implement policies that directly affect the lives of the people. In this context, presidential power is not limited to administrative aspects but also encompasses political and social aspects.

Data shows that during Joko Widodo's presidency, several strategic programs were launched, such as the Family Hope Program (PKH) and infrastructure development. These programs aim to improve the welfare of the people and encourage economic growth. However, the successful implementation of these programs is often hampered by various factors, including complex bureaucracy and a lack of support from the public.

As an example, in the implementation of infrastructure programs, many projects experience delays and budget overruns. This indicates that although the president has the power to formulate policies, the challenges in implementation often arise from external factors. In this case, it is important for the president to build synergy with various parties, including local governments and the community, so that the policies implemented can run smoothly.

Kusuma (2021) adds that transparency and accountability in decision-making are also crucial for maintaining the legitimacy of presidential power. The public needs to feel that they have a voice in the decision-making process that affects their lives. Therefore, public involvement in the policy-making process must be enhanced to create a more responsive government.

The limitations of this research lie in the lack of analysis regarding the direct impact of public policies on society. Further research is needed to understand how the policies enacted by the president can affect the daily lives of the people and how the community responds to these policies.

H. Political Dynamics and the Role of the President

The political dynamics in Indonesia are greatly influenced by the role of the president in the system of government. According to Prabowo (2020), the president serves as a symbol of national unity and a leader in political decision-making. In this context, the role of the president is crucial in maintaining political and social stability amidst a diverse society.

Data shows that during the period from 2014 to 2021, there were several challenges faced by the president, including social conflicts, public dissatisfaction, and human rights issues. In this situation, the president's role as a leader was greatly tested. For example, in the case of handling the conflict in Papua, the president had to be able to find a solution that could be accepted by all parties to prevent further escalation of the conflict.

Furthermore, Hidayat (2021) notes that the role of the president is also significantly influenced by the relationship with the legislative body. A strong political coalition can assist the president in implementing their political agenda. However, if there is a division within the coalition, it can hinder the legislative process and complicate the president's ability to perform their duties.

A relevant example is when the president faces rejection from the House of Representatives regarding several bills considered controversial. In this situation, the president must seek a middle ground to reach an agreement with the legislature so that the desired policies can be accepted and implemented. This illustrates that political dynamics significantly influence the president's power in decision-making. The limitation of this study is the lack of in-depth analysis of the interaction between the president and the legislative institution. Further research is needed to explore how this relationship can affect decision-making and political stability in Indonesia.

I. Limitations of the Research

The limitations of this research include several aspects that need to be noted. First, the data used in this analysis is mostly qualitative and does not include more in-depth statistical analysis. This may limit the understanding of the relationship between presidential power and other factors that influence political stability.

Second, this research does not deeply discuss the impact of public policy on society. Although there are some relevant examples, a more systematic analysis is needed to understand how the policies enacted by the president can affect the daily lives of the people.

Third, the complex political dynamics in Indonesia are often difficult to predict. Therefore, this research may not fully encompass all the factors that influence presidential power. Further research is needed to explore how external and internal factors can affect political stability and presidential power.

Thus, it is important to conduct further research that can provide a more comprehensive understanding of the theory of state power and its implications for the periodization of the presidency in Indonesia. This research is expected to contribute to the development of political science and the understanding of the political system in Indonesia.

D. CONCLUSION

In this study, the theory of state power has been discussed in depth in the context of the presidential term periods in Indonesia based on the 1945 Constitution of the Republic of Indonesia. Through a comprehensive analysis, it is evident that the president's power in Indonesia is not only executive but also encompasses legislative and judicial dimensions that interact with one another. The presidential periods that have been experienced, starting from Sukarno, Suharto, to the presidents of the post-reform era, demonstrate the dynamics of power closely related to the constitution and political developments in Indonesia.

During the Soekarno period, for example, presidential power was very dominant with the implementation of the Guided Democracy system that allowed the president to govern without much control from the legislative body. However, this led to authoritarianism and a political crisis that gave rise to the New Order era under Suharto. In this context, state power theory shows that presidential power can develop and change according to the existing social and political context. Statistics indicate that during the New Order, the president had centralized power, with more than 80% of government decisions made without the approval of the House of Representatives (DPR).

After the 1998 reform, Indonesia underwent a transition towards a more open democracy, where presidential power began to be limited by the constitution and legislative bodies. In this context, the direct presidential elections regulated by the

amendment of the 1945 Constitution provided stronger legitimacy to the president, but also increased demands for accountability to the public. Data shows that in the 2019 presidential elections, voter participation reached 81.93% (General Election Commission, 2019), reflecting the increasing political awareness of the public regarding presidential power.

However, challenges remain, particularly in terms of oversight and the limitation of power. Cases of alleged abuse of power by the president and other authorities often emerge, indicating that despite constitutional restrictions, political practices often exceed those limits. For instance, in the case of the ratification of the Omnibus Law, which triggered massive protests, it is evident that the president's power in promoting policies does not always align with the aspirations of the people (Rizal, 2020). This underscores the importance of social control and community participation in maintaining the balance of power.

From all this discussion, it can be concluded that the theory of state power in the periodicity of the Indonesian presidency is greatly influenced by the constitution and the existing political dynamics. The recommendations that can be offered are the need for strengthening democratic institutions and public participation in decision-making, as well as the strict enforcement of law against abuse of power. Thus, it is hoped that presidential power can function optimally within the framework of a healthy and just democracy.

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