

**THE 1945 CONSTITUTION
OF THE
REPUBLIC OF INDONESIA**

**DEPARTMENT OF INFORMATION
REPUBLIC OF INDONESIA**

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1. THE OPENING TO THE 1945 CONSTITUTION

Whereas Independence is the natural right of every nation, colonialism must be abolished in this world because it is not in conformity with Humanity and Justice.

And the Struggle of the movement for the independence of Indonesia has now reached the hour of rejoicing by leading the People of Indonesia safe and sound to the gateway of the Independence of an Indonesian State which is free, united, sovereign, just and prosperous.

Thanks to the blessing of God Almighty and impelled by the noble desire to lead their own free national life, the People of Indonesia hereby declare their independence.

Following this, in order to set up a government of the State of Indonesia which shall protect the whole of the Indonesian People and their entire native land of Indonesia, and in order to advance the general welfare, to develop the intellectual life of the nation and to contribute in implementing an order in the world which is based upon independence, abiding peace and social justice, the structure of Indonesia's National Independence shall be formulated in a Constitution of the Indonesian State which shall have the structural state form of a Republic of Indonesia with sovereignty of the people, and which shall be based upon : Belief in the One, Supreme God, just and civilised Humanity, the unity of Indonesia, and democracy which is guided by the inner wisdom in the unanimity arising out of deliberation amongst representatives, meanwhile creating a condition of social justice for the whole of the People of Indonesia.

2. THE 1945 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 in the hands of the People and shall be exercised in full by the Majelis Permusyawaratan Rakyat.

Chapter II. The Majelis Permusyawaratan Rakyat.

Article 2.

(1) The Majelis Permusyawaratan Rakyat *) shall consist of members of the Dewan Perwakilan Rakyat **) augmented by delegates from the regional territories and the groups in accordance with regulation prescribed by statute.

(2) The Majelis Permusyawaratan Rakyat shall sit at least once in every five years in the capital of the State.

(3) All decisions of the Majelis Permusyawaratan Rakyat shall be determined by majority vote.

Article 3.

The Majelis Permusyawaratan Rakyat shall determine the Constitution and the guidelines of the policy of the State.

*) The People's Consultative Assembly.

**) The House of Representatives.

Chapter III. The Powers of Government of the State.

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) The President shall hold the power to make statutes in agreement with the Dewan Perwakilan Rakyat.

(2) The President shall determine the Government Regulations necessary to implement statutes.

Article 6.

(1) The President shall be a native-born Indonesian.

(2) The President and Vice-President shall be elected by the Majelis Permusyawaratan Rakyat by majority vote.

Article 7.

The President and Vice-President shall hold office for a term of five years and shall be eligible for re-election.

Article 8.

Should the President die, cease from executing or be unable to execute his duties during his term of office, his office shall be taken by the Vice-President until the expiry of that term.

Article 9.

Before assuming the duties of office, the President and Vice-President shall take an oath according to the requirements of religion, or shall make a solemn promise, before the Majelis Permusyawaratan Rakyat, or the Dewan Perwakilan Rakyat as follows :

Oath of the President (Vice-President).

“I swear before 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 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”.

Article 10.

The President shall hold the highest authority over the Army, the Navy and the Air Force.

Article 11.

The President, with the agreement of the Dewan Perwakilan Rakyat, declares war, makes peace and concludes treaties with other states.

Article 12.

The President declares the state of emergency. The conditions governing, and the consequences of, the state of emergency shall be prescribed by statute.

Article 13.

(1) The President appoints diplomatic representatives and consuls.

(2) The President receives the diplomatic representatives of other states.

Article 14.

The President grants grace, amnesty, abolition and restoration of rights.

Article 15.

The President grants titles, decorations and other marks of honour.

Chapter IV. The Supreme Advisory Council.

Article 16.

(1) The structure of the Supreme Advisory Council shall be prescribed by statute.

(2) This Council shall submit replies to issues raised by the President and shall have the right to submit proposals to the Government.

Chapter V. The Ministers of State.

Article 17.

(1) The President shall be assisted by the Ministers of State.

(2) These Ministers shall be appointed and dismissed by the President.

(3) These Ministers shall lead the Government Departments.

Chapter VI. Local Government.

Article 18.

The division of the area of Indonesia into large and small regional territories together with the structure of their administration, shall be prescribed by statute, with regard for and in observance of the principle of deliberation in the governmental system of the State, and the traditional rights in the regional territories which have a special character.

Chapter VII. The Dewan Perwakilan Rakyat (The Legislative Body).

Article 19.

(1) The structure of the Dewan Perwakilan Rakyat shall be prescribed by statute.

(2) Dewan Perwakilan Rakyat shall sit at least once a year.

Article 20.

(1) Every statute shall require the agreement of the Dewan Perwakilan Rakyat.

(2) Should a draft law not obtain the agreement of the Dewan Perwakilan Rakyat, that draft may not be submitted again during the same session of the Dewan Perwakilan Rakyat.

Article 21.

(1) Members of the Dewan Perwakilan Rakyat shall have the right to submit draft laws.

(2) Should those drafts, although agreed to by the Dewan Perwakilan Rakyat, not be ratified by the President, those drafts may not be submitted again during the same session of the Dewan Perwakilan Rakyat.

Article 22.

(1) Should exigency compel, the President shall have the right to determine Government Regulations in lieu of statutes.

(2) Those Government Regulations must obtain the agreement of the Dewan Perwakilan Rakyat in its next session.

(3) Should that agreement not be obtained, the Government Regulation shall be revoked.

Chapter VIII. Finance.

Article 23.

(1) The estimates of revenue and expenditure shall be fixed each year by statute. Should the Dewan Perwakilan Rakyat not agree to the estimates proposed by the Government, the Government shall work to the estimates of the previous year.

(2) All kinds of taxes for the needs of the State shall be based upon statutes.

(3) All kinds and values of the currency shall be prescribed by statute.

(4) Further matters of the finances of the State shall be regulated by statute.

(5) In order to investigate the accountability for state Finances, a Body for the investigation of finances shall be set up, the regulations for which shall be prescribed by statute.

The results of that investigation shall be made known to the Dewan Perwakilan Rakyat.

Chapter IX. The Judicial Powers.

Article 24.

(1) The judicial powers shall be exercised by a Supreme Court and other courts of law in accordance with statute.

(2) The structure and powers of those courts of law shall be regulated by statute.

Article 25.

The conditions for becoming a judge and for being dismissed shall be prescribed by statute.

Chapter X. Citizens.

Article 26.

(1) Citizens shall be persons who are native-born Indonesians and persons of other nationality who are legalised by statute as being citizens.

(2) Conditions with regard to citizenship shall be prescribed by statute.

Article 27.

(1) Without any exception, all citizens shall have equal positions in Law and Government and shall be obliged to uphold that Law and Government.

(2) Every citizen shall have the right to work and to a living, befitting for human beings.

Article 28.

Freedom of association and assembly, of expressing thoughts and of issuing writing and the like, shall be prescribed by statute.

Chapter XI. Religion.

Article 29.

(1) The State shall be based upon Belief in the One, Supreme God.

(2) The State shall guarantee freedom to every resident to adhere to his respective religion and to perform his religious duties in conformity with that religion and that faith.

Chapter XII. Defence.

Article 30.

(1) Every citizen shall have the right and the duty to participate in the defence of the State.

(2) Conditions concerning defence shall be regulated by statute.

Chapter XIII. Education.

Article 31.

(1) Every citizen shall have the right to obtain an education.

(2) The Government shall establish and conduct a national educational system which shall be regulated by statute.

Article 32.

The Government shall advance the national culture of Indonesia.

Chapter XIV. Social Well-being.

Article 33.

(1) The economy shall be organised as a common endeavour based upon the principle of the family system.

(2) Branches of production which are important for the State and which affect the life of most people shall be controlled by the State.

(3) Land and water and the natural riches contained therein shall be controlled by the State and shall be made use of for the people.

Article 34.

The poor and destitute children shall be cared for by the State.

Chapter XV. Flag and Language.

Article 35.

The Flag of the Indonesian State shall be the Honoured Red-and-White.

Article 36.

The Language of the State shall be the Indonesian Language.

Chapter XVI. Alterations to the Constitution.

Article 37.

(1) In order to alter the Constitution, at least two-thirds of the total members of the Majelis Permusyawaratan Rakyat must be in attendance.

(2) A decision shall be taken with the agreement of at least two-thirds of the total number of members who are in attendance.

3. TRANSITIONAL PROVISIONS.

Clause I.

The Preparatory Committee for Indonesia's Independence shall regulate and execute the transfer of government to the Indonesian Government.

Clause II.

All existing institutions and regulations of the State shall continue to function so long as new ones have not been set up in conformity with this Constitution.

Clause III.

The President and Vice-President shall be elected for the first time by the Preparatory Committee for Indonesia's Independence.

Clause IV.

Before the Majelis Permusyawaratan Rakyat, the Dewan Perwakilan Rakyat and the Supreme Advisory Council have been set up in conformity with this Constitution, all their powers shall be exercised by the President with the assistance of a National Committee.

4. ADDITIONAL PROVISIONS.

1. Within six months after the end of the Greater East Asia War, the President of Indonesia shall regulate and implement all things which are stipulated in this Constitution.

- 1. Within six months after the Majelis Permusyawaratan Rakyat has been set up, the Majelis shall sit in order to determine the Constitution.**
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5. ELUCIDATION OF THE CONSTITUTION

GENERAL.

I. The written Constitution, a part of Fundamental Law.

The written Constitution of a state is only a part of the Law which is the basis of the state. The Constitution is that part of the Fundamental Law which is **written down**, while besides that Constitution there also prevails a Fundamental Law which is not written down, namely, the basic rules which arise and are maintained in the **practice** of running a state, although they are not written down.

Certainly, in order to study the Fundamental Law (**Droit Constitutionnel**) of a state, it is not enough only to study the articles of its written Constitution (**Loi Constitutionnel**) alone, but one must also study how it is applied and what is the spiritual background (**Geistlichen Hintergrund**) of that written Constitution.

The Constitution of any state whatsoever can not be understood if merely its text is read alone. Truly, to understand the meaning of the Constitution of a state, we must also study how that text came into being, we must know the explanations made of it and we must also know under what conditions that text was made.

In this way we shall be able to understand what is the meaning and purpose of the Constitution we are studying, and what current of thought it was which became the foundation of that Constitution.

II. Fundamental ideals in the “Opening” (Preamble).

What are the fundamentals contained in the Preamble to the Constitution ?

1. The State — so the text runs — is what “shall protect the **whole** of the Indonesian People and their **entire** native land of Indonesia..... based upon..... unity..... meanwhile creating a condition of **social justice for the whole** of the People of Indonesia”.

2. In this Preamble, the current of thought is accepted of the **unitary state**, the state which protects and covers the whole of the people. Thus the state encompasses every kind of group opinion, encompasses all opinions of individuals. The state, in accordance with the concept of this Preamble, seeks unity, and extends over the whole of the Indonesian People. This is one foundation of the state which may not be forgotten.

3. The third fundamental idea contained in the Preamble is that of **sovereignty of the people**, based upon democracy and **deliberation amongst representatives**. Therefore, the system of state which is given form in the Constitution must be based upon **sovereignty of the people** and must be based upon **deliberation amongst representatives**. Indeed, this current of thought accords with the character of the Indonesian society.

4. The fourth fundamental idea contained in the Preamble is that the state is based upon that **Belief in the One, Supreme God** which conforms with the principles of just and civilised humanity.

Therefore, the Constitution must oblige the Government and other authorities of state to nurture the

nobility of human character and to hold fast to the fine moral ideals of the people.

III. The Constitution gives form in its articles to the fundamental ideas contained in the Preamble.

The above fundamental ideas pervade the spiritual background of the Constitution of the State of Indonesia. These fundamental ideas give rise to those ideals of law (**Rechtsidee**) which dominate the Fundamental Law of the State, both written law (the constitution) and unwritten law.

The Constitution gives form to these fundamental ideas in its articles.

VI. The Constitution is short and flexible in character.

The Constitution has only 37 articles. The other paragraphs contain only additional and transitional provisions. This draft is thus very brief when compared, for instance, with the constitution of the Philippines.

It is enough if the Constitution contains only fundamental rules, contains only guidelines of instruction to the Central Government and to other authorities of the State for conducting the life of the State and providing social well-being. Especially for a new state and a young state, it is better if that written Fundamental Law contains only basic rules, whilst the provisions implementing those basic rules are left to statutes which are more easily drawn up, altered and revoked.

This is the system of the Constitution.

We must always remember the dynamic of the life of the Indonesian society and state. The Indonesian society

and state are growing, the era is changing, especially during this present period of physical and spiritual revolution.

Therefore, we must live dynamically, we must watch every kind of movement in the life of the Indonesian society and state. In that connection, let us not precipitately crystallize, provide form to (*Gestaltung*), ideas which can still easily alter.

Certainly, it is the nature of those written rules to be binding. For that reason, the more flexible ("elastic") those rules are, the better. Thus we must guard against the constitutional system being left behind the times. Let us not go so far as to make a constitution which is quickly out-moded (*verouderd*). What is extremely important in the administration and in the life of the state is **the spirit**, the spirit of the authorities of the state, the spirit of the leaders of the administration. Although a constitution is drawn up which, according to the letter, is characterised by the family principle, if the spirit of the authorities of the state, the leaders of the administration, individualistic, that constitution is certain to have no meaning in practice. On the other hand, although that constitution is not perfect, if the spirit of the authorities of the administration is good, that constitution will certainly not obstruct the course of the state. Thus what is most important is the spirit. That spirit is a living thing, or, in other words, it is dynamic. In this connection, only the fundamental rules alone must be laid down in the constitution whilst what is necessary for executing those fundamental rules must be left to statutes.

6. THE SYSTEM OF GOVERNMENT OF THE STATE

The system of the government of the State which is stipulated in the Constitution is :

I. Indonesia is a State based on Law ("Rechtstaat").

1. The State of Indonesia is based upon law (**Rechtstaat**), it is not based upon more power (**Machtstaat**).

I. The System is Constitutional.

2. The government is based upon constitutionalism (Fundamental Law) not absolutism (authority without limits).

III. The Highest Authority of the State is in the hands of the Majelis Permusyawaratan Rakyat ("die gesamte Staatsgewalt liegt allein bei der Majelis").

3. The sovereignty of the people is held by a body named the Majelis Permusyawaratan Rakyat as the embodiment of the whole of the People of Indonesia (**Vertretungsorgan des Willens des Staatvolkes**). This Majelis determines the Constitution and the guidelines of the policy of the State. The Majelis appoints the Head of State (President) and the Vice-Head of State (Vice-President).

It is this Majelis which holds the highest authority of the State, whilst the President must execute the policy of the State according to the guidelines which have been determined by the Majelis.

The President, who is appointed by the Majelis, is **subordinate to and responsible to the Majelis**. He is the “mandatary” of the Majelis, he is obliged to execute the decisions of the Majelis.

The President is not “neben” but is “untergeordnet” to the Majelis.

IV. The President is the Highest Executive of the Government of the State below the Majelis.

Below the Majelis Permusyawaratan Rakyat, the President is the Highest Executive of the government of the State.

In conducting the administration of the State, authority and responsibility are in the hands of the President (concentration of power and responsibility upon the President).

V. The President is not responsible to the Dewan Perwakilan Rakyat.

Besides the President there is the Dewan Perwakilan Rakyat. The President must obtain the **agreement** of the dewan Perwakilan Rakyat in order to make laws (**Gesetzgebung**) and in order to fix the estimates of the revenues and expenditures of the State (**Staatsbegroting**).

Because of this, the President must work together with the Dewan Perwakilan Rakyat, but the President is **not responsible to the Dewan**, which means that the President's position is not dependent upon the Dewan.

VI. The Ministers of State are Assistants to the President : the Ministers of State are not responsible to the Dewan Perwakilan Rakyat.

The President appoints and dismisses the Ministers of State. Those Ministers are not responsible to the Dewan Perwakilan Rakyat. Their positions are not dependent upon the Dewan but are dependent upon the President. They are the assistants of the President.

VII. The Authority of the Head of State is not unlimited.

Although the Head of State is not responsible to the Dewan Perwakilan Rakyat, he is not a "dictator", which means that his authority is not unlimited.

It has been stressed above that he is responsible to the Majelis Permusyawaratan Rakyat. Apart from this, he must carefully and thoroughly pay attention to the voice of the Dewan Perwakilan Rakyat.

The Position of the Dewan Perwakilan Rakyat.

The position of the Dewan Perwakilan Rakyat is strong. The Dewan can not be dissolved by the President. (This is at variance with the parliamentary system). Apart from this, the members of the Dewan are **all of them concurrently members of the Majelis Permusyawaratan Rakyat**. For that reason the Dewan Perwakilan Rakyat can at all times control the acts of the President, and if the Dewan considers that the President has in fact transgressed against the policy of the State determined by the Constitution or by the Majelis Permusyawaratan Rakyat. The Majelis can be called for a special sitting so that can ask the President to account for his responsibility.

The Ministers of State are not ordinary high-ranking Civil Servants.

Although the position of the Ministers of State is dependent upon the President, nevertheless they are not ordinary high-ranking civil servants, because it are those Ministers who, in the first place, in practice execute the authority of the Government (**pouvoir exécutif**).

As the leaders of Departments, the Ministers know the ins and outs of matters connected with their jurisdictions. In this connection, Ministers have a great influence upon the President in determining that part of the state's policy with which their Departments are concerned. Indeed, what is intended is that the Ministers are Leaders of the State.

In determining Government policy and in co-ordinating the administration of the State, the Ministers work together as closely as possible, one with the other, under the leadership of the President.

CONCERNING THE ARTICLES.

Chapter 1. The Form and Sovereignty of the State.

Article 1.

This prescribes that the form of the state shall be unitary and a Republic, and contains the fundamental idea of sovereignty of the People.

The Majelis Permusyawaratan Rakyat is the highest organ of the State. This Majelis is considered to be the embodiment of the People which holds the sovereignty of the State.

Chapter II. The Majelis Permusyawaratan Rakyat.

Article 2.

Clause 1.

The intention is that the whole of the people, all the groups and all the regional territories throughout the country, shall have representatives in the Majelis, so that the Majelis can truly be considered to be the embodiment of the People.

What are referred to as "groups" are bodies such as co-operatives, workers' associations and other collective bodies. Such rule is indeed in harmony with the trend of the times. In connection with the recommendation to establish the co-operative system in the economy, this clause recalls the existence of groups in economic organisations.

Clause 2.

This organ which will have a large total membership, sits at least once in five years. At least once, therefore if necessary of course it may sit more than once in five years by holding special sessions.

Article 3.

Because the Majelis Permusyawaratan Rakyat holds the sovereignty of the State, its powers are not limited. In view of the dynamic of society, once in five years the Majelis reviews everything which has happened and considers all the trends at that time, and determines what policies it desires to be used for the future.

Chapter III. The Powers of Government of the State.

Article 4 and Article 5, clause 2.

The President is the head of the executive power in the State. In order to execute laws, he possesses the power to prescribe government regulations (**pouvoir réglementaire**).

Article 5, clause 1.

Apart from the executive power, the President together with the Dewan Perwakilan Rakyat exercises the legislative power in the State.

Articles 6, 7, 8, 9.

Already clear.

Articles 10, 11, 12, 13, 14, 15.

The powers of the President provided by these articles are consequences of the President's position as Head of State.

Chapter IV. The Advisory Council.

Article 16.

This Council is a Council of State which is obliged to provide considered views to the Government. It is purely an advisory body.

Chapter V. The Minister of the State.

Article 17.

See above.

Chapter VI. Local Government.

Article 18.

I. Because the State of Indonesia is a unitary state, Indonesia, therefore, will not have within its jurisdiction areas which have the character of "states".

The area of Indonesia will be divided into provinces, and these provinces will likewise be divided into smaller regional territories. These regional territories will have an autonomous character (**streek- and locale rechtsgemeenschappen**), titles of so-called autonomous areas during the colonial period, or have the character of purely administrative regions, all to be in accord with rules to be laid down by statute.

In those regional territories with an autonomous character, local representative bodies will be set up, because local government also will be founded upon the principle of deliberation.

II. Within the territory of the State of Indonesia there are to be found about 250 **zelfbesturende landschappen**, and **volksgemeenschappen**, titles of so-called selfgoverning localities during the colonial period, such as the **desa** of Java and Bali, the **nagari** of Minangkabau, the **dusun** and **marga** : names of various social-administrative units.

Those localities have their own traditional structures, and for this reason can be considered to have a special character.

The State of the Republic of Indonesia respects the position of the said special regional territories, and all its regulations affecting those areas will bear in mind their traditional rights.

Chapter VII. The Dewan Perwakilan Rakyat.

Articles 19, 20, 21 and 23.

See above.

The Dewan Perwakilan Rakyat must give its agreement to each and every draft law originating with the Government. The Dewan Perwakilan Rakyat also possesses the right to initiate legislation.

III. The Dewan also possesses the **hak begroting** (right to fix the budget, Article 23). Through this right, the Dewan controls the Government.

It must also be recalled that all members of the Dewan Perwakilan Rakyat are concurrently members of the Majelis Permusyawaratan Rakyat.

Article 22.

This article concerns the **noodverordeningsrecht** (right to make emergency regulations) of the President. Such a provision is indeed necessary, so that the safety of the State can be ensured by the Government in critical conditions which compel the Government to quick and appropriate action. Although this is so, the Government is not, however, to be released from the control of the Dewan Perwakilan Rakyat. Therefore, the Government Regulations referred to in this article, which have the same force as laws, have also to be ratified by the Dewan Perwakilan Rakyat.

Chapter VIII. Finance.

Article 23, clauses 1, 2, 3, 4.

Clause 1 lays down the budget-making right of the Dewan Perwakilan Rakyat.

The method of fixing the estimates of revenues and expenditures is a criterion of the character of the government of a state. In countries based upon fascism, those estimates are fixed solely by the administration. But in democratic states or states based upon sovereignty of the people, such as the Republic of Indonesia, the estimates of revenues and expenditures are fixed by statute, which means : with the agreement of the Dewan Perwakilan Rakyat.

How the people — as a nation — shall live, and from where the expenses for living shall be obtained, must be determined by the People themselves through the intermediary of their representative body. The People determine their own fate and therefore their way of life also.

Article 23 states that in fixing revenues and expenditures, the position of the Dewan Perwakilan Rakyat is stronger than the position of the Government. This is a sign of the sovereignty of the People.

Because the fixing of expenditures concerns the right of the People to determine their own fate, all measures placing burdens upon the people, such as taxes etc., must be prescribed by statute, that is, with the agreement of the Dewan Perwakilan Rakyat.

Also the kinds and values of currency are prescribed by statute. This is important because the position of the currency has great influence upon the community. Money in the first place is an **instrument of exchange and of measurement of value**. As an instrument of exchange its purpose is to facilitate exchange—buying and selling—in society. It follows that it is necessary for there to be those kinds and forms of money needed by the people as

measures of value as a basis for fixing the worth of the respective goods which are exchanged. The thing which becomes the measure of value must have it fixed worth, it must not be allowed to rise and fall because of the irregular condition of the money. Therefore, the state of the currency must be prescribed by statute.

Related to this, the position of Bank Indonesia, which is to issue and to regulate the circulation of paper money, is prescribed by statute.

Clause 5.

The way in which the Government makes use of the allocations already agreed by the Dewan Perwakilan Rakyat must be in keeping with that decision. In order to investigate the Government's responsibilities in this respect, a body is needed which is free from the Government's influence and authority. A body which is subordinate to the Government could not perform so heavy a duty. On the other hand, neither is that body one which stands above the Government.

Because of this, the powers and duties of that body are prescribed by statute.

Chapter IX. The Judicial Powers.

The Judicial powers are powers which are independent, which means that they are free from the influence of the Government's authority. Therefore, guarantees must be established by statute concerning the position of judges.

Chapter X. Citizens.

Article 26, clause 1.

People of other nations, for instance, people of Dutch descent, of Chinese descent and of Arab descent, who are

domiciled in Indonesia, who recognise Indonesia as their country and who are loyal to the State of the Republic of Indonesia, can become citizens.

Article 26, clause 2.

Already clear.

Articles 27, 30 and 31 clause 1.

These articles concern the rights of citizens.

Articles 28, 29 clause 1, and 34.

These articles concern the position of the residents.

The articles referred to here, both those which concern citizens alone as well as those which concern all residents, contain the desire of the Indonesian people to build a state with a democratic character which seeks to put into practice social justice and the principle of humanity.

Chapter XI. Religion.

Article 29, clause 1.

This clause states the belief of the Indonesian people in the One, Supreme God.

Chapter XII. Defence of the State.

Article 30.

Already clear.

Chapter XIII. Education.

Article 31, clause 2.

The nation's culture is the culture which grows as the outcome of the endeavours expressing the identity and vitality of the entire People of Indonesia.

The ancient and indigenous cultures which are to be found as cultural heights in all the regions throughout Indonesia are part of the nation's culture. Cultural efforts should lead toward advances in civilisation, culture and unity without rejecting from foreign cultures new materials which can bring about the development of or enrich the nation's own culture, as well as to raise the height of humanity of the Indonesian nation.

Chapter XIV. Social Well-being.

Article 33.

In Article 33 is laid down the basis of economic democracy, production by all for all, under the leadership or control of the members of the community. It is prosperity of the community which is stressed, not prosperity of the individual.

For that reason, the economy is organised as a common effort, based upon ways of working that accord with the family principle. The co-operative is the form of enterprise in harmony with this.

The economy is based upon economic democracy, prosperity is for everybody. Therefore, branches of production which are important for the state and which affect the life of most people should be under the control of the State. If they are not, the top management of production will fall into the hands of individuals who are in power and numbers of people will be oppressed by them.

Only those enterprises which do not affect the life of most people may be in the hands of individuals.

The earth and waters and the natural riches contained therein are the fundamentals of the people's prosperity. Therefore they should be controlled by the State and be made use of for the greatest possible prosperity of the people.

Article 34.

Already clear enough; see above.

Chapter XV. Flag and Language.

Article 35.

Already clear.

Article 36.

Already clear.

In the areas possessing languages of their own which are actively used by the people concerned (for instance, Javanese, Sundanese, Madurese, and so forth), those languages will be respected and also cared for by the State.

Those languages are a part of the living culture of Indonesia.

Chapter XVI. Alteration to the Constitution.

Article 37.

Already clear.