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Strengthening Indonesian Constitutional and Citizenship Knowledge:

(A Critical Comparative Framework with the United States Presidential System)

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ABSTRACT

A country's constitution serves as fundamental law regulating relationships between government and citizens in various aspects including state form, institutions, human rights, citizenship rights, and national ideals. This study compares the Indonesian constitution with that of the United States through a citizenship education lens, examining how constitutional frameworks shape citizenship knowledge and civic participation. The research focuses on state structure and government systems, state institutions, human rights arrangements, citizenship provisions, and constitutional amendment mechanisms. Using a normative juridical approach with statutory and comparative methods, data is collected through literature study and presented qualitatively with descriptive-analytical approach. Results indicate that Indonesia and the United States share similarities in government form, several state institutions, human rights regulations, and constitutional amendment mechanisms, while differences emerge in state form, certain institutions, citizenship conceptualization, gun ownership rights, and judiciary involvement in constitutional amendments. The findings contribute to strengthening constitutional literacy and citizenship education, particularly relevant for Pancasila and Civic Education pedagogy in Indonesia.

1. Introduction

In the modern era, nearly all countries possess constitutions as the foundation for societal and state life practices. Constitution and state are two closely interrelated and inseparable entities, as constitutions regulate all relationships between government and citizens.¹ Through *argumentum a contrario*, this means a state cannot exist without a constitution. Constitutions as fundamental law can be written or unwritten, determining the characteristics and governmental concepts of a state by containing basic principles that serve as the foundation for state administration, government oversight, arrangement, division and limitation of different departmental functions, and general descriptions of functions related to controlling sovereign power. In other words, constitutions represent charters delegating authority from the people to rulers.²

Regarding constitutional existence, constitutions fundamentally assert that: first, public power can only be legitimized according to the constitution; democratic elections must be legitimized; third, limitation of authority and separation of powers; fourth, independent judiciary exists to regulate regulations and justice for rulers and individuals; fifth, frameworks exist regulating the military and police to implement law and respect individual privileges; and sixth, security of human rights freedoms.³ The purpose of constitutions is to limit governmental power in guaranteeing the rights of the governed and regulating the exercise of sovereign power, which can be simply summarized in three objectives: limiting and controlling political power; removing rulers themselves from power control; and providing requirements for rulers to exercise their power.⁴

There is argues that in many countries, constitutions are among the tools used to oversee government, resulting in limited government⁵. Constitutions also function to establish state institutions, regulate relationships between government and citizens, and oversee government.⁶ Therefore, constitutions serve as fundamental instruments to control the power process of rulers, and thus should contain limitations and oversight for rulers who become leaders in government.

Constitutional existence is not limited to writings or state administration guidelines without value; constitutions have important functions in sustaining good state life. The relationship between constitutions and citizenship is fundamental to democratic governance, as constitutional frameworks define not only governmental structures but also citizenship rights, responsibilities, and the mechanisms for civic participation. Constitutional citizenship knowledge represents an integrated understanding of how constitutional provisions shape civic identity, protect citizenship rights, and establish mechanisms for citizen engagement in democratic processes.

¹ Ilham Dwi Rafiqi, "Perbandingan Konstitusi Negara Indonesia Dan Rusia." *Widya Yuridika: Jurnal Hukum* 5.1 (2022): 1-14. <https://doi.org/10.31328/wy.v5i1.3561>.

² Dwi Haryanti. "Tinjauan singkat konstitusi tertulis yang pernah berlaku di Indonesia." *Jurnal Selat* 2, no. 1 (2017): 212–225.

³ Asmawati Safriani. "Mahkamah konstitusi di beberapa negara perspektif perbandingan hukum." *Jurnal Al-Qadaw: Peradilan dan Hukum Keluarga Islam* 6, no. 1 (2019): 83–98. <https://doi.org/10.24252/alqadaw.v6i1.9460>.

⁴ M. Darin Arif Mu'allifin. "Hubungan konstitusi dengan tugas dan fungsi negara." *Abkam: Jurnal Hukum Islam* 4, no. 1 (2016): 161–169. <https://doi.org/10.21274/ahkam.2016.4.1.161-169>.

⁵ Kenneth Clinton Wheare. *Modern Constitution*. Oxford University Press, 1975.

⁶ Prince Clinton Immanuel Christian Damanik, et al. "The Role of Teachers in Fostering Digital Literacy and Citizenship among Elementary School Students." *Takuana: Jurnal Pendidikan, Sains, dan Humaniora* 4.3 (2025): 414-421. <https://doi.org/10.56113/takuana.v4i3.166>.

This knowledge is particularly crucial in constitutional democracies like Indonesia and the United States, where constitutional literacy directly impacts the quality of civic participation and the protection of citizenship rights.⁷

Citizenship education, particularly in the Indonesian context through Pancasila and Civic Education, serves as the primary vehicle for developing constitutional and citizenship awareness among citizens. The integration of constitutional knowledge with citizenship education enables students to understand not merely the legal-technical aspects of constitutions, but also their practical implications for citizenship status, rights protection, and civic responsibilities.⁸

It is very important to examine the content contained in constitutions, as constitutions have very broad scope for examination, one of which is through comparative constitutional study. As research objects, national constitutional comparison cannot be separated from general principles of constitutional substance content, often called the scope of comparative constitutional research. The field of comparative constitutional study includes human rights, constitutional supremacy, democracy and power development⁹. There is also need to review national institutions, including power limits and functions as well as basic principles of human rights.

Fundamentally, comparing constitutions between countries is a method identifying similarities and differences and how they influence a country's legal system. Comparing constitutions of different countries can help advance theoretical understanding, particularly constitutional theory and constitutional law generally. Constitutional comparison is also practically useful for practitioners participating in constitutional study and drafting.¹⁰

From a citizenship education perspective, comparative constitutional analysis provides valuable pedagogical opportunities to deepen students' understanding of their own constitutional framework by examining alternative models. This comparative approach enables learners to critically evaluate constitutional provisions related to citizenship, appreciate the contextual factors shaping different constitutional choices, and develop more sophisticated understanding of constitutional citizenship.

Several writings examine comparative constitutions between Indonesia and other countries, such as Nani Ariyani's writing focusing on comparing aspects of constitutional amendment procedures, as well as government form, state form, and government system between Indonesian and Swiss constitutions¹¹. Next, there is writing from Andi Safriani conducting modern state constitutional comparison between Indonesia and South Korea focusing on

⁷ Wawan Rosmawan. "Sejarah Perkembangan Konstitusionalisme Dunia dan Indonesia (Tinjauan Perbandingan)." *Jurnal Ilmiah Galuh Justisi* 3, no. 2 (2015): 271-289. <https://doi.org/10.25157/jigj.v3i2.424>.

⁸ Prince Clinton Immanuel Christian Damanik, and Catherine Lie. "Digital Citizenship Education as a Pathway to SDG Alignment (4, 10, and 16): A Qualitative Study of Indonesian Elementary Education." *Journal of Educational Teaching and Trends* 1.2 (2025): 67-77. <https://doi.org/10.64840/jett.v1i2.58>.

⁹ Jazim Hamidi, and Malik. *Hukum Perubahan Konstitusi*. Prestasi Pustaka Publisher, 2009.

¹⁰ Prince Clinton Immanuel Christian Damanik, et al. "Building Digital Civic Competence in Indonesian Primary Education: A Qualitative Analysis of Sustainable Development Goal Integration." *PeTeKa* 8.4 (2025): 1391-1401. <https://doi.org/10.31604/ptk.v8i4.1391-1401>

¹¹ Nita Ariyani. "Perbandingan Konstitusi Negara Indonesia dengan Negara Swiss Berdasarkan Prosedur Perubahan Konstitusi, Bentuk Pemerintahan, Bentuk Negara Serta Sistem Pemerintahan." *Kosmik Hukum* 17.2 (2017): 138-149. <http://dx.doi.org/10.30595/kosmikhukum.v17i2.2329>

comparing state form, state structure, types of human rights regulated and methods of constitutional amendment¹².

However, existing comparative constitutional studies have given limited attention to how constitutional frameworks shape citizenship knowledge and civic education practices. While legal-technical comparisons provide valuable insights, there remains a gap in understanding how comparative constitutional analysis can enhance citizenship education and strengthen citizens' constitutional literacy.

Based on these research results, there are contextual similarities in the scope of Indonesian constitutional comparison with other countries. The differences and novelties in this writing are constitutional comparisons between countries conducted between Indonesia and the United States, which is notably a superpower country often referenced by countries worldwide. The scope or focus limitation of this research is state form and government system, state institutions, human rights regulations, citizenship provisions, and constitutional amendment mechanisms. The novelty of this study lies in its explicit integration of citizenship education perspectives with comparative constitutional analysis, examining not only legal-technical differences but also their implications for developing constitutional and citizenship knowledge. This research is particularly significant for Pancasila and Civic Education in Indonesia, as it provides a framework for utilizing comparative constitutional analysis as a pedagogical tool to strengthen students' understanding of Indonesian constitutional provisions related to citizenship rights, civic responsibilities, and democratic participation.

2. Research Methods

This research is conducted in normative juridical form. The method used in this research is statutory method and comparative method.¹³ This approach examines main provisions in the 1945 Constitution of the Republic of Indonesia and the United States Constitution.

Next, comparative approach is conducted by comparing differences and similarities of both countries in government form, state institutions, human rights regulations, citizenship provisions, and constitutional amendment mechanisms as research scope or focus limitations. Data collection is conducted through library study, gathering secondary data in the form of primary legal materials namely the constitutions of both countries. As well as using legal supporting materials namely books, journals, articles, scientific works and other things supporting this article's writing.

The research also incorporates analysis of citizenship education literature to examine the pedagogical implications of constitutional comparison for developing constitutional and citizenship knowledge. After data and information is collected, it will be presented qualitatively using descriptive analytical method.

The analytical process follows descriptive-analytical methodology, describing constitutional provisions and institutional arrangements in both countries, then analyzing their similarities,

¹² Andi Safriani. "Komparasi Konstitusi Negara Modern antara Indonesia dan Korea Selatan." *Mazhabibuna: Jurnal Perbandingan Mazhab* (2019): 45-62. <https://doi.org/10.24252/mh.v1i2.11647>

¹³ Depri Liber Sonata. "Metode Penelitian Hukum Normatif dan Empiris: Karakteristik Khas dari Metode Meneliti Hukum." *Fiat Justisia: Jurnal Ilmu Hukum* 8, no. 1 (2015): 15-35. <https://doi.org/10.25041/fiatjustisia.v8no1.283>.

differences, and implications for constitutional citizenship knowledge. This approach enables both legal-technical comparison and pedagogical insight development relevant to citizenship education practice.

3. Result and Discussion

3.1 State Form and Government System

Every country has a state form contained in each country's constitution, as it serves as the foundation for implementing a country's government system. This shows that regulation regarding state form is very primary and important to include in constitutions.

The Indonesian Constitution, namely the 1945 Constitution of the Republic of Indonesia, in Article 1 paragraph (1) clearly regulates that Indonesia's state form is a unitary state with republican form. Meanwhile, the United States in its constitution known as the Constitution of the United States does not specifically regulate in an article or paragraph regarding its state form. However, the United States has expressed its own state form in its country name, namely federal state, with federal republican form consisting of 50 states.¹⁴

With both adhering to Republic, there are similarities in regulations regarding Indonesia and United States government systems. The most apparent similarity is both using presidential government systems. This system is contained in the Indonesian constitution in Article 4 paragraph (1) containing that the President of the Republic of Indonesia holds governmental power, while the United States in its constitution in Article 2 paragraph (1) regulates that executive power is given to the President.

This type of presidential system means the president is directly elected and executive power is balanced by a legislative body not under the president because it is also elected by the people. Thus, the President has direct responsibility to the general public accompanied by power to appoint ministers who are only responsible to the president. In this system, the president and ministers may not hold legislative positions to guarantee separation of powers.¹⁵

The presidential system in both countries has significant implications for citizenship rights and civic participation. In presidential systems, the direct election of presidents establishes a direct accountability relationship between executive power and citizens, strengthening the principle of popular sovereignty embedded in constitutional citizenship. Based on comparison of state form and government system between Indonesia and the United States, it can be seen that while both adhere to republican government form with presidential system, there are quite significant differences in unitary state form used by Indonesia versus the United States adhering to federal state form.

3.2 State Institutions

Constitutions are the highest law regulating ways of living as nation and state. One main thing contained in constitutions is regulation regarding institutions that will implement governmental administration. State institution arrangement describes state principles and systems applied by

¹⁴ U.S. Department of State. *Common Core Document of the United States of America*. 2011.

¹⁵ Ari Wuisang, and Yunani Abiyoso. "Perbandingan Sistem Pemerintahan Presidensial Amerika Serikat Dan Indonesia: Sebuah Pencarian Presidensialisme Yang Efektif." *PALAR (Pakuan Law review)* 8.2 (2022): 294-308. <https://doi.org/10.33751/palar.v8i1.4812>.

each country. To achieve national goals effectively, all state institutions must carry out functions and responsibilities according to their position in constitutions.¹⁶

In state institution arrangement, Indonesia and the United States have similarities by adhering to the *trias politica* concept proposed by Montesquieu, that there are three branches of state power: legislative, executive, and judicial. Legislative has authority to make laws, executive has power to enforce law, and judicial has authority to determine whether legislation has been violated or not. This *trias politica* provides ideas about state life by dividing power so they can mutually control and balance each other.¹⁷

3.3 Legislative Institutions

Legislative is the manifestation of people's presence in state administration; both Indonesia and the United States use bicameral parliamentary systems. This parliamentary system has two chambers or two bodies. Each chamber in Parliament represents specific group interests. This bicameral parliamentary system enables checks and balances among executive, judicial and legislative power branches themselves.

Legislative power division with bicameral parliamentary system is reflected in Article 1 paragraph (1) of the United States Constitution which firmly separates executive and legislative power by stating that legislative power is given to a United States Congress consisting of a Senate and House of Representatives. That power arrangement has similarity with Indonesia, seen in Article 2 paragraph (1) of UUD NRI 1945 explaining that legislative power also uses two-chamber system (bicameral), namely People's Consultative Assembly (MPR) originating from members of People's Representative Council (DPR) and members of Regional Representative Council (DPD).

This comparison reveals similarities between Congress and People's Consultative Assembly, House of Representatives and People's Representative Council, and Senate and Regional Representative Council. In other words, both countries use bicameral parliamentary systems although regarding authority and power of each institution there are quite striking differences.

One significant example of authority differences is seen in presidential impeachment regulations. Based on Article 2 paragraph (5) and Article 3 paragraph (6) of the US Constitution, the House of Representatives and Senate both play roles in the president dismissal process. Far different from legislative power in Indonesia contained in Articles 7A and 7B paragraph (1) of UUD NRI 1945 where the president can be removed by People's Consultative Assembly with proposal from People's Representative Council. Regional Representative Council does not have authority as great as Senate because it cannot get a role in impeachment process, so Regional Representative Council is considered its position not equal with other legislative institutions.

3.4 Executive Power

Regarding executive power, regulation regarding presidential and vice-presidential leadership period in Indonesia is contained in Article 7 of UUD NRI 1945 containing regulation that

¹⁶ Janedjri M. Gaffar. *Demokrasi Konstitusional: Praktik Ketatanegaraan Indonesia Setelah Perubahan UUD 1945*. Konstitusi Pers, 2012.

¹⁷ Efi Yulistyowati, Endah Pujiastuti, and Tri Mulyani. "Penerapan Konsep Trias Politica Dalam Sistem Pemerintahan Republik Indonesia: Studi Komparatif Atas Undang Undang Dasar Tahun 1945 Sebelum Dan Sesudah Amandemen." *Jurnal Dinamika Sosial Budaya* 18.2 (2016): 328-338. <https://doi.org/10.26623/jdsb.v18i2.580>.

executive power period is two periods, with each period for five years. Meanwhile, the United States Constitution regulates in Article 2 paragraph (1) that the term of office is only two periods with four-year term per period. Here it is seen that although term periods differ, both countries limit their power period to only two periods.

Similarity appears regarding presidential power over armed forces in both countries. Article 10 of UUD NRI 1945 states that the President has highest power over Army, Navy and Air Force. This aligns with Article 2 paragraph (2) of the United States Constitution which also states that the President is military commander of United States Army and Navy. It can be concluded both country leaders are fully sovereign in maintaining their country's defense and security stability.

The next comparison relates to authority in producing legislation. The Indonesian President has quite broad authority in the legislation field. Article 5 paragraphs (1) and (2) regulate the President's broad authority to propose draft laws and can also issue government regulations. That authority is even broader in Article 22 paragraphs (1) and (2) regulating presidential authority to produce government regulations replacing laws with People's Representative Council approval.

Different from Indonesia, the United States Constitution clearly regulates executive authority limits according to *trias politica*. The right to propose draft laws is contained in Article 1 paragraph (7) of the US Constitution stating that authority is only owned by House of Representatives and Senate, but the President has the right to agree or refuse to sign it. This indicates that in the realm of making regulations, the Indonesian President is far more powerful than the United States President.

3.5 Judicial Power

Judicial power is an independent institution implementing justice to realize justice. In Articles 24, 24B, and 24C of UUD NRI 1945 it is regulated that power is implemented by the Supreme Court (MA) for general courts, Judicial Commission (KY) which oversees and maintains judiciary code of ethics, and Constitutional Court (MK) related to constitutional scope.

That condition is far different from the United States which regulates in Article 3 paragraph (1) of the United States Constitution that United States judicial power is solely under Supreme Court power. So, it can be concluded that while both firmly separate judicial power, in implementation United States Supreme Court power is far stronger than Indonesian judicial power which must be divided between Supreme Court and Constitutional Court.¹⁸

The structure of judicial power has critical implications for protecting citizenship rights. Constitutional courts and supreme courts serve as guardians of constitutional rights, including citizenship rights, through mechanisms of judicial review and constitutional interpretation.

It can be seen that legislative, executive and judicial power both in Indonesia and the United States have several similarities. However, differences are seen in that Indonesia has examinative institution namely State Audit Board (BPK) contained in Article 23E of UUD NRI 1945 authorized to freely and independently examine management and responsibility for state

¹⁸ U.S. Department of State. *Common Core Document of the United States of America*. 2011.

finances. This institution cannot be compared because it does not exist in the United States Constitution.¹⁹

Table 1 Comparative Institution

No.	Indonesia	United States
1	Legislative MPR, DPR, DPD	Legislative Congress, House of Representatives, Senate
2	Executive President	Executive President
3	Judicial MA, MK, KY	Judicial Supreme court

3.6 Human Rights and Citizenship Rights

One fundamental and very central basis for every person who becomes a citizen is regulation regarding protection of Human Rights (HAM) in state constitutions. Related to this matter, constitutions not only provide written guarantees and protection, but must also provide guarantees for values and norms serving as references for judicial institutions in carrying out their duties.

Reality that often occurs is discrepancy between what should occur (*das sollen*) and what occurs (*das sein*). In constitutions, there are various norms and principles also containing guarantees of human rights protection. However, reality often does not match what is written in constitutions. Ironically, we often find poverty, backwardness, even oppression ignored by authorities.²⁰

3.7 Human Rights Provisions

Regulation regarding human rights in the Indonesian constitution is contained in Articles 28A-J of UUD NRI 1945 which detail state guarantees for every citizen's rights, such as rights to equality before law, rights to freedom of association and assembly, rights to copyrights, rights to freedom of speech and thought, rights to freedom of religion, and rights to just legal recognition and protection.

Meanwhile, the United States contains human rights regulations in the United States Bill of Rights which is the first ten amendments to the United States Constitution. These amendments define fundamental human rights that must be recognized and protected by the state, including rights to freedom of religion, freedom of expression, rights to freedom of press, rights to just legal protection, and rights to gun ownership.

Based on comparison of human rights regulations between the two countries, there are aligned focuses but interesting slight differences. The United States gives broader leeway to its people up

¹⁹ Undang-Undang Dasar Negara Republik Indonesia Tahun 1945. 1945. Republik Indonesia.

²⁰ Mohammad Ibrahim. "Pembatasan Kekuasaan Amendemen Konstitusi: Teori, Praktik di Beberapa Negara dan Relevansinya di Indonesia." *Jurnal Konstitusi* 17.3 (2020): 558-581. <https://doi.org/10.31078/jk1735>.

to aspects of gun ownership, while Indonesia is still within the scope of basic rights contained in the 1948 Universal Declaration of Human Rights.

3.8 Constitutional Citizenship Rights

Beyond general human rights, constitutions also establish specific citizenship rights that create legal and political relationships between individuals and states. Citizenship rights include not only civil and political rights guaranteed to all persons, but also particular rights attached to citizenship status such as voting rights, rights to hold public office, rights to consular protection abroad, and rights related to citizenship transmission to children.

In Indonesia, citizenship is primarily governed by Law No. 12 of 2006 on Citizenship, which implements constitutional provisions regarding citizenship. This law establishes principles of citizenship acquisition, citizenship loss, and dual citizenship restrictions. The United States citizenship framework, rooted in the 14th Amendment's citizenship clause, establishes *jus soli* (birthright citizenship) as a fundamental principle, differing from Indonesia's primarily *jus sanguinis* approach. These different constitutional approaches to citizenship acquisition reflect distinct historical experiences and shape how each country conceptualizes the citizen-state relationship.

3.9 Constitutional Amendment Mechanisms

Written constitutions are the highest law of most existing democratic countries; democratic countries usually also establish written provisions regarding constitutional amendments. One characteristic of written constitutions is provisions for constitutional amendment mechanisms, because people always realize their work is not perfect, including when a constitution is written or enacted.²¹

One reason for adopting constitutional amendments is the existence of unamendable clauses in a country's constitution. It can be seen that in 2011, approximately 42% of countries worldwide have constitutions containing firm provisions that a country's constitution is fixed and cannot be renewed. There are substantive provisions in constitutions prohibiting or excluding certain things from being amended. These unchallengeable provisions are usually related to state form and government form, such as republican form; unitary; or federal.²²

3.10 Amendment Systems

In constitutional amendment mechanisms for countries worldwide, currently there are two systems being developed: renewal systems used by Continental European countries and amendment systems used by Anglo-Saxon countries. In the framework of reconstitution, if constitutional adjustment occurs, new constitutions are generally applied. Countries like Netherlands, Germany, and France adhere to this system. In the amendment system, original constitutions still apply and are not eliminated if there are changes to constitutions, and change results become additions or appendices in adhered constitutions. This system is used by countries like the United States.

²¹ Mohammad Ibrahim. "Pembatasan Kekuasaan Amendemen Konstitusi: Teori, Praktik di Beberapa Negara dan Relevansinya di Indonesia." *Jurnal Konstitusi* 17.3 (2020): 558-581. <https://doi.org/10.31078/jk1735>.

²² Yaniv Roznai. "Unconstitutional constitutional amendments—the migration and success of a constitutional idea." *The American Journal of Comparative Law* 61.3 (2013): 657-720. <https://doi.org/10.5131/AJCL.2012.0027>.

In its history, Indonesia since the 1998 reformation has conducted four amendments aimed at accommodating societal aspirations and demands for century progress. People's Consultative Assembly attempted to convey those aspirations by forming MPR Working Body responsible for drafting 1945 Constitution amendment drafts. Meanwhile, the United States in a session on July 23, 1787 agreed constitutional amendments to be contained in Article 5, causing the United States to frequently conduct amendments from Amendment I-Amendment X named Bill of Rights to Amendment XXVII conducted in 1992.

3.11 Amendment Procedures

Article 37 of the 1945 Constitution of the Republic of Indonesia regulates constitutional amendment mechanisms that must be approved by People's Consultative Assembly meetings attended by at least 2/3 of MPR members. Decisions to change these provisions are made with approval of at least fifty percent (50%) plus one MPR member. So quorum is calculated based on total number of People's Consultative Assembly members.

However in the United States, amendment mechanisms are enshrined in Article 5 of the US Constitution, stating amendments must be based on proposals from each state's House of Representatives. Congress will form Congressional Assembly. Therefore, Congress cannot hold Congress on its own initiative. It is important to note that Congress cannot refuse requests from 2/3 of state Houses of Representatives. Draft constitutional amendments can only be accepted by Congress if at least two-thirds of Congress members agree, and congress decisions must still go to states. Houses of Representatives must be approved by at least 3/4 of House members in all US states.²³

3.12 Judicial Role in Amendments

Indonesia has a Constitutional Court (MK) authorized to test existing legislation, including those contained in 1945 Constitution Amendments. Constitutional Council must request Constitutional Court opinion to determine whether proposed amendments violate principles agreed by previous period Congress members. Drafts will only be submitted to MPR for approval if Constitutional Court considers them as Indonesian state principles.

Compared to current US Constitution, there are no clauses in constitutional amendments substantially limiting amendment implementation. Additionally, US courts do not have power to exercise power in the process of formulating or testing amendment drafts, but they have power to decide constitutional review requests for constitutional amendments, though US Supreme Court has never announced amendments as unconstitutional.

Based on that comparison, it can be concluded that in constitutional amendment mechanisms both countries have similarities, namely both can conduct amendments. In implementation processes, constitutional amendments have similarities, namely requiring approval from legislative institutions, but differences appear in judicial involvement. In Indonesia, judicial power namely Constitutional Court participates in providing opinions regarding constitutional amendment drafts, while United States judicial power namely Supreme Court is not involved at all and only has right to decide ratified amendment results.

²³ Taufiqurrohman Syahuri. *Hukum Konstitusi (Proses dan Prosedur Perubahan UUD di Indonesia 1945-2002 Serta Perbandingannya dengan Konstitusi Negara Lain di Dunia)*. Ghalia Indonesia, 2014.

3.13 Comparative Analysis of Constitutional Structures and Citizenship

Nearly all countries possess constitutions as references in implementing state life. Constitutional comparison between countries leads to discovering direction pictures of a country's goals and ideals. Reviewed from state form and political systems, Indonesia is a unitary state form, republican form, and presidential system, while the United States is a federal republic implementing presidential government.

The comparative analysis reveals that constitutional structures fundamentally shape how citizenship is conceptualized, protected, and exercised in both countries. The unitary versus federal distinction has profound implications for citizenship. In Indonesia's unitary system, citizenship is uniform across the national territory, with constitutional rights and obligations applied consistently. In contrast, the US federal system creates layers of citizenship, both federal and state that affecting how citizenship rights are protected and exercised across different jurisdictions.

3.14 Institutional Arrangements and Citizenship Participation

In state institution aspects, Indonesia and the United States have similarities by adhering to *trias politica* understanding proposed by Montesquieu stating that Legislative, Executive and Judicial are forms of three state powers. However, the United States is more firm by fully surrendering legislation power to parliament, different from Indonesia where some legislation power is still owned by executive. Indonesia also has examinative institution namely State Audit Board which does not exist in United States Constitution.

The bicameral legislative structure in both countries directly impacts how citizenship rights are represented and protected in the legislative process. In democratic constitutional systems, legislative institutions serve as primary vehicles for translating citizens' political will into law and policy, making their structure and function central to constitutional citizenship. The differences in legislative power distribution particularly regarding impeachment procedures and legislative authority, create distinct contexts for citizen advocacy and governmental accountability.

From a citizenship perspective, these differences in executive power have important implications for how citizens engage with governmental decision-making processes. The broader legislative powers of Indonesian presidents create different dynamics for citizen advocacy and participation compared to the more constrained US presidential authority.

3.15 Human Rights, Citizenship Rights, and Constitutional Protection

Related to human rights and citizenship rights regulations, Indonesia explicitly contains in Articles 28A-J of UUD NRI 1945 regarding rights of every citizen guaranteed by the state. Meanwhile, regarding United States Human Rights contained in United States Bill of Rights which is the first ten amendments to United States Constitution. Differences appear in regulations regarding gun ownership, but overall both cover basic rights contained in Universal Declaration of Human Rights.

Critically, this comparative study demonstrates that constitutional citizenship encompasses more than formal legal status it represents a comprehensive framework of rights, responsibilities, participatory mechanisms, and identity formation. The distinction between universal human rights and particular citizenship rights is crucial for constitutional citizenship. While human rights

belong to all persons, citizenship rights create specific legal relationships and political participatory opportunities available only to citizens.

The Indonesian Constitutional Court has played significant roles in protecting and expanding citizenship rights through constitutional interpretation. Notable decisions have addressed citizenship acquisition for children of mixed marriages, citizenship rights for diaspora, voting rights limitations, and other citizenship-related issues. This judicial protection of citizenship rights illustrates how constitutional institutions operationalize abstract constitutional principles into concrete rights protections.

3.16 Constitutional Amendments and Democratic Citizenship

In constitutional amendment implementation processes, there are similarities requiring approval from legislative institutions, but differences appear in judicial involvement. In Indonesia, judicial power namely Constitutional Court participates in providing opinions regarding constitutional amendment drafts, while United States judicial power namely Supreme Court is not involved at all and only has right to decide ratified amendment results. This difference reflects distinct approaches to balancing political and judicial authority in fundamental constitutional change, with implications for how citizenship rights are protected during constitutional evolution.

From a citizenship perspective, constitutional amendment procedures establish critical mechanisms for citizens' constituent power to reshape fundamental law. The degree of citizen participation required in amendment processes reflects constitutional commitments to popular sovereignty and democratic governance. Understanding constitutional amendment mechanisms enables learners to comprehend how constitutions balance stability with adaptability, how citizen participation shapes constitutional development, and what procedures exist for citizens to influence fundamental constitutional change.

3.17 Implications for Constitutional and Citizenship Education

For strengthening Indonesian constitutional and citizenship knowledge, this comparative analysis provides several pedagogical insights. First, examining US constitutional provisions illuminates alternative approaches to protecting citizenship rights and structuring citizen-government relationships, enabling more critical appreciation of Indonesian constitutional choices. Second, the comparison reveals how constitutional structures operationalize abstract citizenship principles into concrete rights and participation mechanisms. Third, understanding both similarities and differences enhances constitutional literacy by contextualizing Indonesian provisions within broader constitutional theory and practice.

The findings of this comparative study have direct implications for Pancasila and Civic Education pedagogy in Indonesia. Incorporating comparative constitutional analysis into citizenship education curricula can enhance students' understanding of Indonesian constitutional provisions by examining them alongside alternative constitutional models. This approach develops critical analytical skills, deepens constitutional literacy, and strengthens appreciation for Indonesia's constitutional framework.

Educators can utilize this comparative framework to design learning activities that engage students in analyzing how constitutional structures shape citizenship rights and civic participation. By examining concrete examples from both Indonesian and US constitutional

practice such as legislative representation, judicial review of citizenship rights, or constitutional amendment procedures students develop more sophisticated understanding of constitutional citizenship.

Furthermore, this comparative approach aligns with global trends in citizenship education emphasizing active, participatory learning and constitutional literacy as foundations for democratic citizenship. By strengthening Indonesian constitutional and citizenship knowledge through critical comparative frameworks, citizenship education can more effectively prepare students for informed, engaged participation in Indonesia's constitutional democracy.

4. Conclusion

This comparative constitutional study demonstrates that Indonesia and the United States, while sharing fundamental commitments to republican government, presidential systems, *trias politica*, and human rights protection, exhibit significant differences in state form (unitary versus federal), institutional power distribution, citizenship conceptualization, and judicial roles in constitutional governance. The analysis reveals that constitutional citizenship encompasses more than formal legal status, representing a comprehensive framework of rights, responsibilities, participatory mechanisms, and civic identity. Constitutional structures fundamentally shape citizenship knowledge, rights protection, and civic participation opportunities. For Indonesian constitutional and citizenship knowledge, this comparative study demonstrates how examining alternative constitutional models deepens understanding of Indonesian provisions, reveals interconnections between constitutional structures and citizenship rights, and provides frameworks for integrating comparative analysis into Pancasila and Civic Education pedagogy. Further comparative research could expand the analysis to include other presidential systems in Asia, providing broader contextual understanding of how different constitutional frameworks shape citizenship in diverse cultural and historical contexts. Longitudinal studies could also track how constitutional interpretation and citizenship rights evolve over time, particularly through judicial decisions and constitutional amendments.

The findings suggest that comparative constitutional approaches in citizenship education can effectively strengthen students' constitutional literacy, critical analytical skills, and civic competencies. By examining how different constitutional systems address similar challenges through distinct institutional arrangements, learners develop deeper appreciation for their own constitutional framework while gaining analytical tools for engaged constitutional citizenship. This research contributes to both comparative constitutional scholarship and citizenship education practice, bridging legal-technical constitutional analysis with pedagogical applications. By strengthening Indonesian constitutional and citizenship knowledge through critical comparative frameworks, this study supports the broader goal of developing informed, engaged citizens capable of meaningful participation in Indonesia's constitutional democracy.

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