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The Role and Duties of The Government in Providing Legal Protection for Indonesian Migrant Workers Experiencing Violence Abroad

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Abstract

Legal protection for migrant workers is one of the government's main responsibilities in guaranteeing human rights and social justice. This study aims to determine the role and duties of the government in providing protection for Indonesian migrant workers who experience violence abroad. The research method used is the normative legal research method, with data collection techniques through library studies and analysis of various relevant literature. One of the main legal bases used as a reference is Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers. The results of the study show that the government has a very strategic role in formulating regulations, conducting supervision, and providing legal and social protection services to migrant workers who have problems abroad. This protection includes assistance in resolving legal disputes, providing legal assistance, and providing temporary shelter for victims of violence. In addition, the role of Indonesian representatives abroad such as Embassies and Consulates General is an important instrument in implementing direct protection in the country of placement. This study also highlights the importance of strengthening coordination between the central and regional governments, as well as cross-sectoral cooperation involving civil society and international institutions. Effective collaboration between stakeholders is expected to create a comprehensive, sustainable, and responsive legal protection system to the dynamics of migrant worker problems. Thus, protection for Indonesian migrant workers is not only reactive, but also proactive in preventing violations of their basic rights abroad.

Keywords

Migrant Workers; Legal Protection; Government; Human Rights

Introduction

Migrant workers are people who seek work abroad to support their families, due to inadequate economic factors in Indonesia. Migrant workers have the right to receive decent wages with a predetermined time period according to the work agreement in the destination

country (Latipulhayat, 2021). Our country, Indonesia, is the second largest country in Southeast Asia after the Philippines as a sender of migrant workers to more than 25 countries. It can be seen from the Indonesian Migrant Worker Protection Agency [BP2MI] which from the beginning of January to September 2024 BP2MI released and provided 13,500,870 Indonesian migrant workers, which means that every year migrant workers in Indonesia are increasing. with the average number of registrants currently being high school and vocational school graduates.

The increasing number of migrant worker enthusiasts also brings benefits to the Indonesian government because it can reduce poverty and unemployment factors, prospective migrant workers assume that working abroad is more profitable, because they get much higher wages in Indonesia, but they do not think about the high risks that will be experienced, including violence, human trafficking, sexual exploitation, unpaid wages according to the work agreement, and unmet needs, torture, and often rape of workers by their parents (Savero et al., 2024). From the risks experienced by migrant workers, currently there have been complaints received by BP2MI from Indonesian migrant workers [PMI] January - August 2024 contributing to Malaysia, Taiwan, Hong Kong, Saudi Arabia, and Singapore. Complaints from the five countries reached 94 complaints or 65.73% of the previous month which amounted to 35. And the problems that often occur are; lack of documents [illegal], over satisfaction, running away from employers, violence and trafficking of people, especially for women and salaries that do not match the salary promised and many of these are the basis of the world.

Those who cannot be returned to their hometown of the many complaints received, they are illegal workers or what could be called non-procedural workers, this is closely related to PMI leaving until arriving at the destination country who are trapped in games between brokers, which is regulated in Article 72 letter [b] of Law No. 18 of 2017 concerning the prohibition of placement in closed countries, and prospective migrant workers must be placed in a country that is in accordance with the work agreement. This is also regulated as in Article 71 of Law No. 18 of 2017. 2017 (Dewi, 2018). Basically, non-procedural workers are very vulnerable to dangerous risks such as violence, human trafficking and sexual exploitation. It should be remembered that non-procedural migrant workers do not have official documents, so it is very difficult for those who experience violence to provide legal protection for non-procedural migrant workers (Sibuea, 2018).

It is different with migrant workers legally or procedurally, if they experience violence or rights that are violated by their employers, they will receive legal protection in accordance with Article 7 of Law Number 18 of 2017 concerning the protection of Indonesian migrant workers, In relation to writing this journal, we write that the role of the government is important in providing protection for Indonesian migrant workers, and providing a deterrent effect or appropriate law on illegal brokers, and this journal research focuses on legal protection for migrant workers in Indonesia who experience violence against workers who are abroad, in the explanation above, we are very interested in writing this journal because many of you feel how sad it is to travel to another country, tortured and even sent by parents from their hometown to find a bite to eat but died without being able to be buried in their hometown, legal protection provided by the Indonesian government to Indonesian migrant workers who are abroad, both procedurally and non-procedurally, must be established.

Methodology

This study employs a normative juridical method, which is a legal research approach that focuses on the analysis of legal norms and regulations. The method is used to examine legislation and legal principles relevant to the protection of Indonesian migrant workers. The

approaches applied in this research include the statutory approach and the conceptual approach. The statutory approach involves the examination of various national regulations governing migrant workers, such as Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers, along with its implementing regulations. In addition, the conceptual approach is utilized to understand legal concepts that form the foundation for the protection of migrant workers, both from a national and international perspective. The legal materials used in this study consist of primary and secondary legal sources. Primary legal materials include national legislation such as laws, government regulations, as well as international conventions and treaties ratified by Indonesia that relate to the rights of migrant workers. Secondary legal materials include legal literature such as scholarly articles, law journals, textbooks, and expert opinions relevant to the topic.

The technique for collecting legal materials is carried out through a literature review by examining both printed and electronic sources (Prayuda et al., 2024). The researcher conducts a qualitative analysis of the content of the legal materials gathered, aiming to identify legal principles and appropriate interpretations within the context of legal protection for migrant workers. Through this method, the study aims to provide a comprehensive understanding of the legal framework and the role of law in ensuring the protection of Indonesian migrant workers who encounter legal issues abroad.

Discussion

Migrant workers are people who seek work abroad in order to earn wages, to support their families due to inadequate economic factors in Indonesia, migrant workers have the right to receive decent wages and a specified period of time in accordance with the work agreement in the country of destination, because every human being has the right to work anywhere according to their abilities and intentions (Qc, 2019). because Indonesia currently has inadequate or very limited employment opportunities, so that many people who have graduated from high school, vocational school, flock to find work abroad, because they think they get a higher income than in their own country

This is what invites the direction of the community's view to improve their family's economy, which they have not realized that there are many risks that will occur if they work abroad. according to data obtained from the protection of Indonesian migrant workers, BP2MI received 94 complaints or 65.73% from the previous month which was only 35 complaints and the problems that often occur are such as; Violence Until now, many Indonesian migrant workers still experience violence, both physical and mental violence from their employers. This is basically regulated in Articles 10 and 11 of the International Convention on the Protection of the Rights of All Migrant Workers, which states that no one may treat migrant workers who are targets of oppression with inhumane punishment and that migrant workers are not allowed to be enslaved.

Human trafficking

Human trafficking problems are very often found in non-procedural migrant workers who are vulnerable to being deceived by irresponsible individuals. Human trafficking is often forced to carry out sexual exploitation, drug dealers and organ sellers. Basically, it has been regulated in Law No. 21 of 2007, Article 4, which states that someone who brings Indonesian citizens with the aim of exploiting them abroad will be subject to a criminal penalty of 15 years and a fine of 120 million to 600 million

Sexual harassment of migrant workers, especially for women

The problem of sexual harassment of migrant workers often occurs, especially for women, most of whom are pregnant out of wedlock because their employers commit indecent acts with their maids without regard to who and how the consequences of their actions are, migrant workers abroad often experience violence at work and become pregnant without a father who often brings their children back to Indonesia without who the child is. migrant data shows that at least five out of 10 domestic workers [PRT] experience sexual violence while working, the condition is worse with the legal process that is not in favor of PRT.

Undocumented or illegal migrant workers

The increasing interest of people to find work abroad, makes the government often experience obstacles in providing legal protection, especially for people who work illegally, or people who do not have official documents. related to the departure of cooperation, the involvement of brokers, prospective migrant workers who are tempted by what the brokers report with the promised high salary without knowing that it is a hoax. we need to know that undocumented or illegal migrant workers are those who work in a foreign country without a valid work permit or visa

The role and duties of the government to provide legal protection for migrant workers

The government is very important to provide protection to migrant workers who are abroad by providing social security which is an action to provide protection related to social society if an event occurs that has an impact and the rights of the community carried out through its actions in a country (Iqbal, 2021). One of the government's policies is related to optimizing protection for migrant workers by reducing various problems from the initial recruitment stage starting the government to government [G to G] scheme and ensuring the safety of migrant workers by eradicating illegal migrant worker placement syndicates in migrant destination countries. Protection of Indonesian migrant workers {PMI} is the responsibility of the state. for that in Law no. 18 of 2017 concerning the protection of migrant workers in Indonesia it is stipulated that the central government and regional governments have an obligation to protect all PMI starting from before working. with this law, PMI are also given protection through the national social security program.

The regional government or [pemda] must ensure population documentation so that PMI who depart are documented (Masrur, 2018). In addition, the local government together with the protection of Indonesian migrant workers [BP2MI] will facilitate and socialize so that PMI who go abroad have the ability and competence to be ready to work and are far from the pressure that everyone does not want. Not only protecting PMI, the government has issued government regulation [pp] number 59 of 2021 concerning the implementation of protection of Indonesian migrant workers to further guarantee the protection of PMI and their families because the division of tasks and responsibilities between the central government and local governments is clearly outlined. In addition, pp 59/2021 also details the duties and responsibilities of the Company and PMI placement (P3MI), namely seeking job opportunities, placing PMI, and resolving problems of the PMI they place. As is known, in the last seven years the average placement of PMI has reached 234 thousand people per year with the largest destination countries being Hong Kong, Taiwan, and Malaysia where PMI generally work as workers, caregivers, general workers, plantation workers, and operators.

Right to life (Article 9)

Right not to be subjected to torture, cruel, inhuman or degrading treatment or punishment (Article 10) Right not to be held in slavery/servitude or to perform forced labor (Article 10) Promotion of Good, Equitable, Humane and Lawful Conditions of Migrant Workers and States Parties shall provide appropriate Institutions to deal with matters relating to the international migration of migrant workers and members of their families whose functions are to (Article 65 paragraph 1): Formulate and implement policies regarding such migration Exchange information, consult and cooperate with competent authorities of other States Parties Provide appropriate information to all parties regarding policies relating to migration and employment, agreements concluded with other States relating to migration, etc. Provide information and assistance to migrant workers and members of their families regarding licensing requirements and arrangements regarding departure, travel, arrival, residence, employment, taxes and duties, as well as existing and applicable laws in the State of employment

States Parties shall also facilitate the provision of adequate consular services and institutions necessary to meet the social, cultural and other needs of migrant workers and members of their families (Article 65 paragraph 2). The return of migrant workers and members of their families to the State of Origin with the aim of improving economic conditions for resettlement and to facilitate social and cultural reintegration in a sustainable manner in the State of Origin (Article 67). States Parties, including transit States, are obliged to cooperate to prevent and eliminate illegal activities against migrant workers. The measures that must be taken include Appropriate measures to counter the dissemination of misleading information regarding emigration and immigration. Measures to detect and combat the illegal movement of migrant workers and members of their families and to impose effective sanctions on persons, groups or entities that organize, implement or assist in the organization or implementation of such Movement.

A policy to impose effective sanctions on persons, groups or entities that use violence, threats or intimidation against migrant workers and members of their families in irregular situations. States of employment are also obliged to take adequate and effective measures to eliminate the employment of migrant workers in irregular situations in their territory, including, where necessary, imposing sanctions on employers. States Parties shall take appropriate measures to ensure that the situation in which migrant workers and members of their families are in an abnormal situation is continuous (Article 62). States Parties shall take the same measures in relation to migrant workers and members of their families as their own nationals to ensure that the working conditions in which migrant workers and members of their families live in normal situations are in accordance with the highest standards of safety, health and the principles of human dignity (Article 70). Provision of facilities and compensation in the event of the death of a migrant worker or member of his or her family, including the repatriation of remains (Article 71, paragraph 1). States Parties shall provide assistance to persons in contact with the migrant worker or member of his or her family with a view to resolving the problems (Article 71, paragraph 2).

Conclusion

The regulation of the International Convention on migrant workers, namely the establishment of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families is the result of a long struggle. The issue of migrant workers' rights which is being discussed at the UN, which is based on the case of many workers. many migrant workers going abroad that must be considered by the government in order to protect human rights. Legal protection for migrant workers abroad is still relatively low because in reality there are still frequent cases of abuse/torture that lead to the death of Indonesian migrant workers, working beyond the appropriate working hours, human trafficking caused by migrant worker agencies, unpaid wages. From these cases it shows that there are violations made by employers and agencies against the rights of Indonesian migrant workers who are abroad.

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Legal Protection for Victims of Rape of Minors by Stepfathers Reviewed from Law No. 35 of 2014 Concerning Child Protection

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Abstract

This study aims to analyze legal protection for victims of rape of minors by stepfathers, reviewed from Law No. 35 of 2014 concerning Child Protection. Rape by stepfathers is a form of sexual violence that often occurs but is often not reported by victims or families due to various factors, such as fear of social stigma and family breakdown. This study uses a normative legal approach to examine the implementation of existing laws and the obstacles faced in handling these cases. The results of the study show that although the Child Protection Law provides clear legal protection for victims, implementation in the field still encounters various obstacles, such as the lack of adequate protection facilities in the regions and the lack of public understanding of the importance of reporting cases of sexual violence. In addition, many families choose to resolve cases of sexual violence internally, so that these cases do not reach the legal process. This study also found that the role of law enforcement officers and child protection institutions is very important in ensuring that children's rights are properly protected. Therefore, it is necessary to increase public awareness, education about children's rights, and improve rehabilitation facilities to support the victim's recovery process.

Keywords

Legal Protection; Child Rape; Stepfather; Sexual Violence

Introduction

Sexual violence against children, especially that perpetrated by stepfathers, is a very worrying social problem, because children who should receive protection in the family are instead victims of horrific sexual crimes. This condition often worsens the emotional and psychological situation of the victim, which can even impact their ability to function in their social and educational lives (Situngkir, 2018). Many victims of sexual violence in the family, including rape perpetrated by stepfathers, do not have adequate access to the legal system that can protect them from the perpetrators, or even feel pressured to cover up the incident in order to maintain family harmony that is actually threatened by the act of violence itself (Sibuea, 2018).

The causes of sexual violence by stepfathers are very diverse, ranging from unstable family socio-economic conditions, poor communication between family members, to the role of the stepfather figure who is often underestimated. Many victims do not have the strength to fight back because of their emotional ties and economic dependence on the perpetrators. As a result, victims are trapped in a situation that restricts their freedom, where they feel isolated from the outside world, do not know who they can trust, or are afraid that if they report it they will receive negative stigma from society or their own families. The lack of adequate support often leaves victims helpless and forced to accept suffering without any legal remedies that can help.

Sexual violence against children, especially that committed by family members, not only violates the rights of children as individuals, but also violates the social and moral values that are upheld in family and community life (Latipulhayat, 2021). This is of great concern because perpetrators often use their position of power in the family to cover up their actions, making it even more difficult to reveal. In many cases, child victims tend not to report the incident because of fear, guilt instilled by the perpetrator, or because they do not understand that what happened was a serious violation of the law (Dewi, 2018).

In order to protect children from sexual violence, Indonesia has established several legal regulations that focus on child protection, one of which is Law No. 35 of 2014 concerning Child Protection. This law clearly regulates the rights of children to be protected from various forms of violence, including sexual violence. In addition, this law also provides a legal basis for enforcing justice for victims, by involving various institutions such as the police, prosecutors, and courts in handling cases of sexual violence against children. This law also emphasizes the importance of psychological protection for victims and holistic case handling, including physical and mental rehabilitation of victims that require serious attention. However, despite these regulations, implementation in the field often encounters various obstacles that hinder the realization of optimal legal protection for victims (Parthiana, 2015).

Methodology

This study uses a normative legal approach, which is a legal research method that examines the legal norms applicable in the Indonesian legal system, and how they are applied in cases of legal protection for victims of rape of minors by stepfathers. This method will focus on the analysis of relevant laws and regulations, legal doctrines, and legal principles related to the protection of children from sexual violence (Prayuda, Purba, et al., 2024).

The normative legal approach in this study aims to identify and understand how Indonesian law, especially Law No. 35 of 2014 concerning Child Protection, regulates the protection of children who are victims of rape by stepfathers. This approach will also examine the relevance of the application of criminal law in cases of sexual violence against children committed by parents or close family members. In addition, this study will analyze the extent to which Indonesian law provides sufficient protection for children who are victims of sexual violence, and how the law is implemented in the field.

To obtain relevant data, this study uses secondary data, consisting of primary, secondary, and tertiary legal materials. The primary data used in this study are laws and regulations related to child protection, especially Law No. 35 of 2014 concerning Child Protection and the Criminal Code (KUHP) which regulates criminal acts of sexual violence against children. In addition, this study also examines court decisions related to cases of rape of minors by stepfathers, to obtain an overview of how the law is applied in practice. The secondary data used are legal literature such as books, articles, journals, and theses that discuss the topic of protecting children from sexual violence and the application of criminal law to perpetrators of

sexual violence against children. Tertiary sources used include legal dictionaries and legal encyclopedias to help understand the legal concepts used in this study. The data collection technique in this study was carried out through library research, which collected and analyzed various legal documents, laws and regulations, and literature relevant to the research topic. The data obtained from the results of the library study will be analyzed in depth to obtain a comprehensive understanding of the application of existing laws and the challenges faced in providing protection to victims of child rape by stepfathers. In addition, this study will also examine court decisions related to child rape cases, to see how the court applies the law in providing justice for victims.

Data analysis in this study was carried out using normative qualitative analysis, which will examine the legal norms contained in the laws and regulations and their relevance in providing protection for children who are victims of rape (Prayuda, Gultom, et al., 2024). This analysis includes a study of Law No. 35 of 2014 concerning Child Protection and the Criminal Code, to see to what extent this law can provide maximum protection for children. In addition, this study will also evaluate the practice of implementing the law in cases of sexual violence against children involving family members, with a focus on rape committed by stepfathers. Through this analysis, this study aims to identify gaps in the application of the law and provide recommendations that can improve legal protection for children who are victims of sexual violence.

The main objective of this study is to understand and analyze how Law No. 35 of 2014 provides legal protection for children who are victims of rape by stepfathers, as well as to determine the obstacles faced in law enforcement in cases of sexual violence. This study also aims to provide an understanding of the extent to which the legal system in Indonesia provides effective and maximum protection for children who are victims of sexual violence. By using this approach, this study is expected to provide recommendations on steps that need to be taken to improve legal protection for children in Indonesia, as well as provide suggestions for improvements in the justice system to handle cases of sexual violence against children more effectively and fairly.

Discussion

The results of the study show a number of important findings related to legal protection for victims of rape of minors by stepfathers, with a perspective on the implementation of Law No. 35 of 2014 concerning Child Protection. First, the definition of a child in the law is an important legal basis in protecting the rights of child victims of rape. Law No. 35 of 2014 stipulates that a child is someone who has not reached the age of 18, which automatically provides a guarantee of legal protection for children who are victims of sexual violence, including rape by stepfathers. However, even though there is a clear legal umbrella, cases of rape by stepfathers are often not reported by the victim's family. The study found that many cases were not revealed or did not reach the legal process due to social and psychological barriers in the family. This is often caused by fear of social stigma, feelings of shame, or concerns about family discord. In certain cases, families choose to resolve problems internally, which leads to minimal reporting to law enforcement officers.

Another obstacle faced in the legal process is the lack of adequate evidence to support the investigation process. In many cases, victims who experience rape by stepfathers experience severe psychological trauma, which makes it difficult to provide the necessary testimony or evidence (Christianti, 2022). In addition, the lack of understanding and sensitivity of law enforcement officers to the trauma experienced by victims is also an obstacle to handling

these cases. Sometimes, the legal process stops at the investigation stage because there is not enough strong evidence, or even the cases are not continued to court. This shows a gap in law enforcement related to sexual violence against children, especially those involving nuclear family members.

Although the Child Protection Law provides a clear legal basis, its implementation in the field does not always run smoothly. One of the most common problems found is the limited facilities and resources to provide protection to victims in various regions. Several regions that lack rehabilitation centers or child protection homes are often unable to provide adequate support for victims (Aprita et al., 2020). In addition, the lack of socialization to the community regarding children's rights and the importance of reporting acts of sexual violence also worsens this situation. Therefore, even though there are regulations governing child protection, implementation at the regional level still faces various challenges. In the context of families, the large number of unreported cases is also due to the very large role of the family in determining the next steps. Many families of victims choose not to involve law enforcement because they are afraid of the social impacts that may arise, such as family breakdown or stigma against the child and the family. This shows the importance of educating about children's rights and the importance of involving authorities in cases of sexual violence, in order to ensure better protection and recovery for victims.

Based on the results of the study, it can be concluded that although Law No. 35 of 2014 concerning Child Protection has provided clear legal protection for children as victims of sexual violence, there are several factors that affect the effectiveness of its protection. One of them is the existence of obstacles in the implementation of the law related to social and cultural factors. Many victims who are children in families, especially those who are victims of rape by stepfathers, are reluctant to report the case because of fear of the reaction of the family or the surrounding environment. On the other hand, law enforcement officers are also faced with challenges in processing cases of sexual violence involving family members. The investigation and examination process involving the closest family is often slow because of the emotional relationship between the victim and the perpetrator. This often makes victims hesitate to provide honest or open information about the violence they have experienced. In addition, the lack of adequate protection facilities for victims in the legal process is also an obstacle. For example, less than optimal witness protection or inadequate temporary shelters keep child victims of sexual violence exposed to risky environments.

One of the main obstacles found in this study is the lack of socialization about children's rights and protection against sexual violence in the community. Many parents and the general public still do not fully understand the importance of child protection and how they can report sexual violence that occurs in the family environment. In addition, in some cases, fear of social stigma or the possibility of family discord makes victims and families reluctant to report the incident to the authorities. However, there have been several positive efforts made by the government and related institutions to improve protection for child victims of sexual violence. For example, the establishment of the Integrated Service Center for the Empowerment of Women and Children which aims to provide psychosocial and legal services for victims of sexual violence, including children. In addition, the government is also increasing cooperation with non-governmental organizations (NGOs) working in the field of child protection to provide the public with an understanding of the importance of reporting cases of sexual violence and providing support to victims.

However, despite these efforts, there are still many challenges that must be faced to ensure that victims of sexual violence, especially those involving family members such as stepfathers, receive maximum protection. In this case, an active role is needed from all parties, including the government, society, child protection institutions, and law enforcement officers, to ensure that every child who is a victim of sexual violence receives protection in accordance with their rights. Overall, this study shows that although there is a clear legal framework in Law No. 35 of 2014 concerning Child Protection, the implementation of protection for victims of child rape by stepfathers still faces a number of obstacles. More maximum efforts are needed in terms of public education, stricter law enforcement, and better protection for victims, especially in situations involving the nuclear family.

Conclusion

This study examines legal protection for victims of rape of minors by stepfathers, focusing on the implementation of Law No. 35 of 2014 concerning Child Protection. Based on the results of the study, it can be concluded that although this law has provided a strong legal basis for child protection, its implementation still experiences various obstacles in the field. First, many cases of rape by stepfathers that are not reported are caused by social and psychological factors, such as social stigma and fear of family disintegration. This hinders the process of legal protection for victims, who are often forced to suffer in silence. Second, although there are efforts to protect children through the Child Protection Law, law enforcement is often hampered by the inability of victims to provide clear testimony, as well as the lack of understanding and sensitivity of law enforcement officers to cases of sexual violence involving the nuclear family. In addition, limited victim protection facilities, especially in certain areas, worsen the situation.

In this context, legal protection for victims of rape of children by stepfathers requires more serious attention from all parties, including the government, law enforcement officers, and the community. Counseling on children's rights, especially protection against sexual violence, needs to be improved. Law enforcement officers also need to receive special training to be able to handle such cases better. In addition, the provision of adequate protection facilities for victims, as well as a more integrated and holistic approach in handling cases of sexual violence against children, must be a priority to ensure that victims' rights are maximally protected. Overall, although there are clear regulations regarding child protection, major challenges still remain in implementation in the field. Therefore, there needs to be strategic and comprehensive steps to ensure effective legal protection for victims of rape of minors by stepfathers.

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Dynamics of The Journey of Democracy in Indonesia

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Abstract

At Indonesia is basically a democratic country whose government system led by, of, and for the people. The purpose of this article is to discuss the path of democracy in Indonesia, with a focus on the objectives of analyzing the development of democracy in Indonesia to create political and social stability. The method used in this article is by using the bibliographic method. That is, collecting various readings from various existing sources and analyzing and linking them to the issues discussed. problems discussed. The findings show that Indonesian democracy experienced different challenges at different times, including at different times, including corruption, political inequality and social conflict, and social conflict. The study also produced several results, including increased political participation and protection of individual rights. In summary, although many challenges remain to overcome, Indonesia's democracy has brought some positive improvements to politics and society.

Keywords

Ideas; Democracy; State

Introduction

Democracy is a system of government that emphasizes people's participation in political decision-making (Ubaedillah, 2016). This concept does not only reflect the electoral system alone, but also includes the values of freedom, equality, and justice in the life of the nation and state. Since Indonesia's independence in 1945, the journey of democracy in the country has gone through various phases full of dynamics, both in terms of the government system and the implementation of democratic values in political practice. Indonesia is one of the countries in the Southeast Asian region that has had a fairly complex and interesting democratic transition experience to study further.

In the early days of independence, Indonesia implemented a parliamentary democracy system that provided large space for political parties and parliament. However, this system did not last long because it was considered ineffective in uniting the vision of the nation and government. The transition to the Guided Democracy system under President Soekarno changed the direction of democracy to be more authoritarian, with a concentration of power in the head of state. This situation continued during the New Order under President Soeharto with

the Pancasila Democracy system, which although claiming to be democratic, in practice was very centralistic and repressive towards the opposition.

The 1998 reform era was an important milestone in the history of Indonesian democracy. The reform movement, triggered by the economic crisis and the pressure of civil society, succeeded in overthrowing the New Order regime and paving the way for a more open and participatory democratic system. Since then, Indonesia has experienced significant democratic transformation, including more transparent general elections, decentralization of power to the regions, and greater press freedom. However, the post-reform democratic journey has not been free from various challenges, such as political corruption, weak rule of law, and increasing identity politics (Sibuea, 2018).

In the global context, Indonesian democracy is often considered a "success story" among developing countries that have successfully made the transition from authoritarianism to democracy (Choiruzzad, 2016). However, the quality of Indonesian democracy continues to be questioned. Procedural democracy has indeed been running relatively well, but substantial democracy still faces complex obstacles. Economic inequality, money politics, and low political literacy among the public are real challenges in strengthening a just and inclusive democracy.

This paper is here to examine the dynamics of the democratic journey in Indonesia as a whole, from the time of independence to the reform era. This study uses a historical and analytical approach to trace how changes in the system of government and political culture have shaped the direction of Indonesian democracy today. By understanding the various phases of development, it is hoped that we can assess the position of Indonesian democracy within the framework of sustainable political development that is responsive to the aspirations of the people (Putra et al., 2020).

Finally, this article aims to provide an academic contribution to the discourse on Indonesian democracy through critical and reflective analysis. This study is also expected to provide strategic recommendations for policy makers, academics, and civil society in encouraging a more mature and quality democracy. Democracy is not a static system, but rather dynamic and demands the active participation of all elements of the nation to continue to oversee it towards the ideals of social justice and civilized humanity (Masrur, 2018).

Methodology

This research employs a qualitative-descriptive approach with a historical and normative framework to analyze the dynamics of democracy in Indonesia. The method is based on library research that involves the collection and review of primary legal documents, constitutional provisions, and legislative regulations related to Indonesia's political system across different historical periods. The study also uses secondary sources, such as scholarly articles, historical records, political analyses, and expert commentary that offer critical perspectives on the development of Indonesian democracy. The research adopts a conceptual approach to understand the evolving definitions and applications of democracy within the Indonesian context, as well as a comparative approach to position Indonesia's democratic development relative to other transitional democracies. Analytical tools used include content analysis and thematic synthesis, which allow for the identification of patterns, shifts, and contradictions in democratic practices over time. This method enables the researcher to explore both the formal-legal structures of democracy and the socio-political realities that shape its implementation. The scope of analysis spans from the early post-independence era, through the guided democracy and New Order periods, up to the post-1998 reform era, providing a broad

chronological lens through which the dynamics of democratic change in Indonesia can be assessed.

Discussion

Indonesia's democratic trajectory illustrates a complex interplay between institutional reform, historical legacy, and sociopolitical challenges (Prayuda, Purba, et al., 2024). The transition from authoritarian rule to democracy in 1998 was a critical turning point that brought about significant institutional changes. These included constitutional amendments, the establishment of new political bodies such as the Constitutional Court and the Corruption Eradication Commission (KPK), and the introduction of direct elections for both legislative and executive branches. These reforms provided the legal and procedural framework for a more participatory political system. However, democracy in Indonesia is not merely a matter of institutional transformation; it also involves deeply rooted political cultures, public attitudes, and the behavior of political elites. As such, although the post-Reformasi era marked a period of democratic opening, it also revealed structural deficiencies in Indonesia's political system, especially with regard to the quality of representation, the effectiveness of checks and balances, and the actual empowerment of civil society.

One of the persistent issues facing Indonesia's democracy is the oligarchic nature of its political economy. Despite formal democratic mechanisms being in place, power is often concentrated among a small elite who dominate political parties, control access to candidacies, and shape public discourse through their influence in media and capital. This phenomenon has undermined the substance of democracy, turning elections into high-cost contests driven more by patronage and money politics than by genuine ideological or policy debates. As a result, public trust in democratic institutions often suffers, particularly when elected leaders fail to deliver meaningful reforms or appear beholden to private interests. Moreover, vote-buying practices and transactional politics have normalized a cynical view of democracy among voters, weakening democratic accountability and encouraging apathy or disengagement.

Another challenge relates to the growing role of identity politics, particularly in the form of religious and ethnic polarization. In recent years, several regional and national elections have seen the instrumentalization of sectarian rhetoric, often at the expense of social cohesion and democratic tolerance. The politicization of identity undermines pluralism, one of Indonesia's foundational democratic values, and threatens to marginalize minority groups. This trend poses risks not only to democratic integrity but also to national unity, especially if left unchecked by political and civil society actors. The state's inconsistent responses to these issues—ranging from overregulation to selective enforcement—have further complicated efforts to build an inclusive democratic culture that respects both diversity and the rule of law. Despite these setbacks, it is important to recognize the resilience of Indonesia's democratic institutions and the active role of civil society in defending democratic norms. The rise of independent watchdog organizations, investigative journalism, and civic engagement platforms has contributed to greater transparency and public oversight.

Additionally, the judiciary, while facing its own challenges, has occasionally acted as a bulwark against executive overreach. Youth activism and digital movements, particularly during politically charged moments such as the 2019 elections or controversial legislative changes, demonstrate a vibrant democratic spirit among segments of the population. These developments suggest that democracy in Indonesia is not static; rather, it is constantly negotiated and contested through public discourse and civic action.

In essence, Indonesia's democracy is undergoing a process of gradual consolidation that is neither linear nor without contradiction. It is shaped by a unique combination of historical legacies, institutional designs, and contemporary sociopolitical pressures (Prayuda, Gultom, et al., 2024). The democratization process has made significant strides in creating formal mechanisms for representation and accountability, yet it still struggles to ensure equal participation, reduce elite domination, and foster democratic values at the grassroots level. Addressing these challenges requires a long-term commitment to political education, institutional integrity, and inclusive governance. Importantly, it also demands vigilance from both the state and civil society to resist democratic backsliding and to continuously strengthen democratic norms and practices.

Conclusion

Democracy can be said to be a legacy from ancient Greek civilization and has inspired many countries to organize their lives. Until now, democracy is considered the best model, including for Indonesia. If we look at history, it shows that democracy in Indonesia does not always go as expected. Democracy, as an idea obtained from a colonial country, struggles with the realities of life and various ideas that seem unique in Indonesia. Democratic countries experience ups and downs and sometimes reach a critical point. Political elites and democrats in a country often succeed in building a good concept of democracy. Unfortunately, there are two fundamental weaknesses that are often experienced by this country. First, the concept of democracy built by the elite often falls into a single forced interpretation. The two concepts that are developed are often not accompanied by a full will to implement them. As a result, the concept remains a concept and democracy in the country floats without clear boundaries. If we learn to organize national life from this reality and look to a better future, it would be good if we return to Pancasila democracy. Basically, Pancasila democracy must be built through continuous discussion, without forcing the collective will. We must also learn how to engage with the concepts we develop. Only in this way can meaningful concepts emerge and achieve their perfection in order to build a better democratic life. The development of the concept of democracy cannot be separated from the American Declaration of Independence in 1776 and French history in 1789. In developing the concept of democracy, democracy cannot be separated from the existence of equal rights, equal justice, and equal protection of human rights. So it can be said that there has been a development, namely the separation of powers between the executive, legislative, and judicial institutions. This is certainly closely related to the emergence of the concept of a state of law. Countries that adopt a civil law system use the term rule of law, while Anglo-Saxon countries use the term rule of law. democracy in indonesia It can be said that Indonesian democracy developed along with the political changes after the independence of the Indonesian nation itself. The concept of democracy has actually changed, starting with executive democracy, then becoming parliamentary democracy to presidential democracy. However, fundamentally, the role of the government in organizing democracy is still very dominant, because the 1945 Constitution and its amendments still emphasize that the government's power is greater than other powers.

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Impact of Extradition Agreement Policy on the State of Indonesia

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Abstract

This research investigates the impact of extradition treaties on Indonesia's national interests in the context of increasingly complex cross-border law enforcement. As a country based on the rule of law, Indonesia faces major challenges in addressing transnational crimes, especially when offenders escape abroad to avoid legal accountability. Criminals involved in corruption, drug trafficking, money laundering, and international fraud often exploit weak legal cooperation and the absence of extradition treaties between states. The study uses Law No. 1 of 1979 as the legal framework governing extradition in Indonesia, highlighting key principles such as dual criminality and *lex situs*. Employing a quantitative approach and case study analysis—specifically the Djoko Tjandra case—this research evaluates the effectiveness of extradition treaties in supporting Indonesia's law enforcement and protecting its national interests. Findings reveal that extradition contributes significantly to accelerating legal processes, reducing financial losses, and recovering criminal assets, while also promoting stronger legal cooperation among countries. Nevertheless, the study also identifies several obstacles, including limited bilateral agreements, divergent legal systems, and inconsistent international cooperation. To address these challenges, the study recommends expanding bilateral treaties, harmonizing national laws with international standards, enhancing legal diplomacy, and leveraging technology to track transnational crimes. These strategic measures are essential for optimizing the benefits of extradition and reinforcing Indonesia's legal sovereignty and national interests.

Keywords

Cooperation; Bilateral; Extradition; State

Introduction

A country cannot stand alone without the help of other countries (Srilaksmi, 2020). In the era of globalization and rapid development, many problems of a country are increasing. For that, a country needs the help of other countries to achieve Indonesia's national goals. To achieve the goals of the Indonesian national as stated in the opening of the 1945 Constitution, namely the welfare of the people, cooperation with other countries is needed. As we all know,

in addition to the agreements between regions that apply in Indonesia, there are also international agreements between countries that regulate relations between countries in the world, this is regulated in Law no. 24 of 2000, concerning international agreements, such as bilateral relations. Bilateral relations can be carried out in various sectors, such as education, economy, research and technology, and law enforcement. The existence of bilateral relations between countries is an interesting thing to discuss. In the field of law enforcement, international agreements are also called extradition.

Before the extradition agreement, there were many problems and shortcomings in our country, such as for the progress of Indonesian education, the arrest of Indonesian DPOs who are abroad and others (Hasim, 2019). Therefore, cooperation with other countries is needed. This is regulated in Law No. 1 of 1979. Indonesia is a country that has bilateral relations with various countries in the world. One of the factors of bilateral relations is to achieve mutually beneficial cooperation between countries. The order of this writing is that Indonesia is a large country that has potential in various sectors, to develop this potential requires cooperation with other countries. The purpose of writing is so that readers know the importance of bilateral relations between countries, their impact on the country of Indonesia, and make it easier for countries to carry out law enforcement actions outside the territory of Indonesia, develop the progress of the country of Indonesia, and what is the legal basis for cooperating with other countries.

A country cannot stand alone without the help of other countries (Nasution, 2018). Bilateral agreements are a solution for a country to develop and make it easier for a country to solve its problems, such as law enforcement against citizens who are DPOs who have fled to other countries, extradition cooperation between countries is needed. In this study, the author took several relevant and supporting summaries from previous research, in addition the author also took references from regulations or laws that regulate. According to the Diplomatic Library of the Ministry of Foreign Affairs, extradition is an international legal practice involving the surrender of a person accused or convicted of a crime to the country requesting the surrender. According to Law No. 1 of 1979, extradition is the process of surrendering a person by one country to another country at the request of the requesting country for the purpose of undergoing legal proceedings or implementing criminal law for a crime committed in the territory of the requesting country or which has an impact on that country.

Extradition is a process of surrendering a suspect or convict for committing a crime that is formally committed by a country to another country that has the authority to examine and try the perpetrator of the crime (Hanım et al., 2020). According to Dr. Jan S Maringka, in 'Extradition in the Criminal Justice System', extradition is a form of international cooperation to arrest and surrender suspects, defendants or convicts who are under the jurisdiction of another country to the country that has the right to try them.

Methodology

This research is a legal analysis, aimed at analyzing the impact of bilateral relations between Indonesia and other countries, especially on extradition agreements. Related to the arrest and law enforcement of criminals who flee abroad. This research is a type of normative research. In normative legal research, a theory and documents related to the current are examined to analyze written legal norms or regulations or other legal materials. This research focuses on laws that are formulated as norms of community behavior that are considered appropriate so that they become guidelines for individuals and society. According to Terry Hutchinson as quoted by Marzuki, doctrinal research is research that provides a systematic exposition of the rules that govern certain legal categories, analyzes the relationship between

rules, explains difficult and possible areas, predicts future developments. The purpose of normative legal research is to explain how relevant laws are. The research methodology used by the author is qualitative. The data that the author collects indirectly, namely through the library method which takes sources from scientific publications of previously studied research, laws and regulations related to the discussion of this research.

Discussion

The findings of this study indicate that extradition treaties play a crucial role in reinforcing Indonesia's efforts to combat transnational crime and protect national interests. The analysis of various extradition cases, particularly the high-profile case of Djoko Tjandra, reveals that the existence of formal agreements between Indonesia and other countries significantly improves the state's ability to apprehend fugitives and bring them to justice. In the Djoko Tjandra case, the absence of a comprehensive extradition mechanism with the country where he initially fled delayed the legal process, showing how essential it is for Indonesia to build and maintain robust bilateral and multilateral treaties.

Quantitative data collected from legal and governmental reports also show a direct correlation between the existence of extradition treaties and the number of successful extraditions carried out (Prayuda, Purba, et al., 2024). Countries that have long-standing extradition agreements with Indonesia, such as Australia and Malaysia, tend to respond more positively and cooperatively to extradition requests, demonstrating the strategic value of such diplomatic tools. This cooperation not only facilitates law enforcement but also helps recover state assets lost due to corruption and financial crimes. Therefore, extradition treaties directly contribute to national economic resilience and the credibility of the justice system.

However, despite the clear benefits, the study also finds that several obstacles persist in the implementation of extradition in Indonesia. These include the limited scope of Indonesia's extradition agreements, which currently cover only a fraction of the countries where fugitives frequently flee. In addition, differences in legal standards, criminal definitions, and procedural rules across jurisdictions often hinder effective cooperation. Some countries, citing concerns about political interference or human rights standards, are reluctant to approve extradition requests, even in cases where Indonesia provides substantial evidence (Prayuda, Gultom, et al., 2024). These challenges highlight the fragmentation of international criminal law and the need for harmonization of legal frameworks.

The discussion also emphasizes the importance of enhancing Indonesia's legal diplomacy and international legal cooperation. Indonesia must not only expand the number of bilateral extradition agreements but also actively engage in regional and global legal forums to push for the standardization of transnational legal practices. Diplomatic negotiation, supported by strong legal justification and mutual legal assistance treaties (MLATs), should be prioritized as tools for overcoming resistance from partner countries. Further, Indonesia should focus on building trust and demonstrating transparency in its legal processes to strengthen its position in the international legal arena.

To address enforcement inefficiencies, the integration of digital technology in tracking and monitoring fugitives is essential. The development of a centralized international criminal database, in cooperation with agencies such as INTERPOL, would allow for faster identification and arrest of fugitives. Furthermore, digital case management systems could reduce bureaucratic delays and improve the transparency and accountability of the extradition process. Legal professionals and diplomats must also be trained continuously to keep pace with technological and procedural advancements in international law.

In conclusion, while extradition treaties have proven beneficial for Indonesia's national interests, especially in dealing with transnational crime, several institutional and legal gaps remain. A more coordinated, legally robust, and technologically supported strategy is required to make extradition more effective and fairer. Strengthening extradition frameworks will not only bolster Indonesia's legal sovereignty but also reinforce public trust in law enforcement and governance as a whole. By addressing these challenges and leveraging opportunities, Indonesia can establish itself as a resilient state in the global legal order.

Conclusion

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Citizenship Status as A Form of Unity

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Abstract

Citizenship status serves as a fundamental pillar in shaping national identity and fostering unity among diverse communities within a state. This paper explores how citizenship, as both a legal status and a social construct, contributes to the integration of individuals into the national framework by ensuring equal rights, responsibilities, and opportunities. It highlights the role of civic education, political participation, legal frameworks, and institutional support in strengthening citizens' awareness and commitment to national solidarity. Furthermore, this study examines challenges such as ethnic discrimination, social inequality, and weak law enforcement that may hinder unity, emphasizing the importance of inclusive policies and justice-based governance. Ultimately, citizenship is presented not merely as an administrative identity, but as a dynamic force for cultivating shared values, mutual respect, and cohesive nationhood.

Keywords

Citizenship; National Unity; Civic Education; Political Participation

Introduction

Indonesia is a country that consists of many diversities from many aspects such as culture, customs, religion, ethnicity, and language. Therefore, maintaining unity and integrity is the first task of Indonesia as a country filled with differences. Citizenship status is a legal bond attached to a person that shows their relationship with a country. Citizenship is a form of identity that allows individuals to feel the meaning of ownership, rights and social obligations in the country.

Having citizenship means that a person has an identity or status in the national scope (WAHYUNI, 2016). Citizenship makes a person involved and participate in national life. Citizenship also creates interaction between one person and another as citizens so that acceptance grows of shared social values that exist in a country. In Indonesia, for example, the value of mutual cooperation, religious values, or the values contained in Pancasila are shared values.

Article 27 paragraph (1) of the 1945 Constitution emphasizes that "all citizens have equal standing before the law and government and are required to uphold the law and government without exception." This shows that citizenship status is the basis for every individual to enjoy the rights and obligations as a citizen. In addition, Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia also regulates citizenship in more detail.

Although the law has regulated citizenship, in practice, citizenship status as a form of unity still faces many challenges and problems (Yustiana, 2019). This arises from many factors, for example, injustice in the application of laws and policies related to citizenship, for example policies that discriminate against minority groups, gaps in implementation and law enforcement, intolerance, lack of unity, to lack of awareness and participation of the community. This research was conducted so that the concept of one citizenship, namely Indonesian citizens, can increase public and government awareness that citizenship is not only an identity but also a symbol of national unity.

Based on this, the formulation of the problem in this study is how citizenship status can be applied as a form of unity of the Indonesian nation. (Angrayni, 2015).

Methodology

The research method used in this study is the library research method, which is part of the qualitative research approach. In this method, data is collected and analyzed based on written sources that are relevant to the topic of study. These data sources can be academic books, articles in scientific journals, research reports, and various scientific publications and other official documents. In addition, credible digital or online sources such as publications from research institutions, academic portals, and government sites are also used as supporting references. The main purpose of this library method is to explore theories, concepts, and previous findings that have been documented, so that they can form a strong framework for thinking in answering research problems (Prayuda, Purba, et al., 2024). Researchers carry out the process of identifying, classifying, and analyzing information obtained from various literatures in order to gain an in-depth understanding of the issues being studied. Thus, this approach not only describes existing knowledge, but is also used to examine gaps, build syntheses, and find conceptual solutions to the problems raised.

The steps in implementing this method begin with determining a specific research topic, followed by searching for and collecting relevant literature. After that, a critical review of the contents of each source found is conducted, in order to evaluate the extent to which the data can support the research analysis. This analysis process is carried out systematically and in-depth, so that a complete and logical scientific narrative can be compiled. By utilizing this library method, researchers are expected to be able to produce scientific works that are based on a strong theoretical foundation and can be academically accounted for. This method also provides space for researchers to critically reflect on various views or theories that are developing, while developing arguments that are relevant to the context of the problem being studied. (Prayuda, Gultom, et al., 2024).

Discussion

Fostering a sense of belonging and national awareness is a fundamental benefit of citizenship. By holding Indonesian citizenship, each individual acquires equal rights and responsibilities to contribute to the nation's progress. This sense of belonging instills a commitment to participate actively in the country's development across various sectors. Moreover, it obligates citizens to obey the law, respect the rights of others, and engage in activities that benefit the nation collectively. The rights enjoyed by citizens—such as the right to vote and be elected, the right to education, and the right to legal protection—are tangible

evidence of the state's recognition and respect for every citizen's existence. These rights affirm that the nation values equality and is committed to ensuring that every individual feel included and empowered. Through this framework, national identity is cultivated and strengthened. Citizenship, therefore, serves as both a legal and emotional bond between the individual and the nation.

Citizenship also functions as a legal and moral foundation for unity. The 1945 Constitution of the Republic of Indonesia (UUD 1945) clearly outlines the legal parameters of citizenship in Article 26, defining who is considered an Indonesian citizen. Furthermore, Article 28 emphasizes equal rights and responsibilities for all citizens, thereby eliminating discrimination and fostering social harmony. This legal equality forms the basis for moral unity by assuring that all individuals are treated fairly under the law and that their fundamental rights are safeguarded. Political participation is a direct manifestation of citizenship and a crucial element in maintaining national unity. In a democratic society, every citizen has the freedom to exercise their political rights, including voting and running for office. The opportunity to influence governmental policies by contributing to the decision-making process reduces tensions and prevents conflicts. Active and inclusive political participation not only reflects democratic values but also strengthens the bonds of national cohesion by ensuring that all voices are heard and respected.

Civic education acts as a powerful instrument for uniting the nation. As a moral compass, it aims to create intelligent, democratic, and virtuous citizens who uphold the ideals of democracy and contribute to the nation's development. By nurturing a collective identity and promoting shared national goals, civic education becomes a unifying force. It enhances tolerance, mutual respect, and harmony among citizens, and deepens their understanding of rights and responsibilities, ensuring that these are fulfilled with a strong sense of accountability. National institutions play a crucial role in realizing unity and cohesion. Government bodies, parliaments, and judicial institutions must uphold the law fairly and consistently to eliminate discrimination and promote justice. These institutions are responsible for ensuring that citizens have access to education, healthcare, and decent employment, which fosters a sense of security and well-being. Furthermore, by facilitating political participation, state institutions guarantee that every citizen's voice is considered in policymaking, thus reinforcing the democratic process and national solidarity.

However, several challenges still hinder the achievement of national unity. One of the most pressing issues is racial and ethnic discrimination. Indonesia's rich diversity in culture, religion, race, and ethnicity, while a source of strength, also holds the potential for conflict. Despite the long-standing tradition of mutual cooperation (*gotong royong*), incidents of racial and ethnic violence continue to occur, highlighting a lack of unity awareness among some citizens. Discriminatory acts such as harassment, destruction, and violence reflect the urgent need to reinforce national identity and cohesion. Social inequality is another significant barrier to national unity. Often, wealthy citizens are perceived as having superior status compared to those from poorer backgrounds, which results in unequal access to social resources and opportunities. This disparity fosters social jealousy and dissatisfaction among lower-income groups, who may feel marginalized or inferior within the social structure. The resulting tensions can lead to conflict and undermine efforts to build a unified and just society.

Lastly, weak law enforcement presents a major challenge to fostering unity. When the legal system is perceived as unfair or lacking transparency, citizens may lose trust in the government and legal institutions. Such distrust can lead to social fragmentation and conflict. Additionally, lax law enforcement can facilitate abuses such as dual citizenship exploitation for personal gain, which undermines national integrity and harms society. Addressing these challenges requires a firm commitment from all sectors to uphold justice, equality, and the spirit of unity. (Sibuea, 2018).

Conclusion

In conclusion, the concept and practice of citizenship serve as a cornerstone in the construction of a united and harmonious nation. Through citizenship, individuals develop a sense of belonging and national awareness that transcends regional, ethnic, or religious differences. This identity fosters a shared responsibility to contribute to the nation's development in various sectors, from education and economy to politics and social welfare. Citizenship also guarantees equal rights and responsibilities for all, thus promoting inclusivity and participation across the diverse fabric of Indonesian society. Civic education becomes an essential medium in instilling democratic values, moral awareness, and national character. It nurtures responsible, critical, and ethical citizens who are aware of their roles within the country. The educational process encourages the development of tolerance, mutual respect, and cooperation—values that are indispensable in preserving national unity. Furthermore, by increasing knowledge of one's rights and obligations, civic education contributes to the creation of a society that functions in harmony, order, and justice. Civic engagement and education work hand in hand to ensure that unity is built not only from top-down state mechanisms but also from the awareness and will of the people.

The legal foundation of citizenship as outlined in the 1945 Constitution reinforces this unity by offering a framework for equality before the law. Legal recognition of citizenship ensures that every person has access to justice, protection, and opportunity without discrimination. It also forms the moral compass for national unity by emphasizing equal treatment, human dignity, and non-discriminatory governance. Moreover, political participation as a right and responsibility of citizens acts as a mechanism to bridge different social groups and regions in the democratic process. When citizens engage in political life—whether by voting, being elected, or expressing opinions—they contribute to collective decision-making and national stability. The role of state institutions is equally crucial in safeguarding national unity. Fair law enforcement, equitable distribution of resources, and inclusive policy-making are essential to creating a sense of justice and security. When institutions operate transparently and serve the public interest, they gain the trust of citizens, which in turn reinforces a sense of national solidarity. These institutions must also facilitate inclusive political and social participation to ensure that every citizen feels represented and respected in the decision-making process. Effective governance and the rule of law are the backbones of social cohesion and national integrity.

Nonetheless, significant obstacles remain in achieving these ideals. Racial and ethnic discrimination continues to threaten the unity of the Indonesian nation. While Indonesia's pluralism is a strength, it can also lead to division if not managed with sensitivity and justice. Acts of intolerance, exclusion, and violence highlight the need for stronger policies and education that promote intercultural understanding and respect for diversity. Likewise, social inequality creates gaps in access to resources, opportunities, and recognition, often leading to resentment and social unrest. These disparities must be addressed to prevent the marginalization of certain groups and to ensure that every citizen enjoys a dignified and equal place in society.

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