

The Urgency Of Establishing Independent State Institutions In The State System In Indonesia

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Abstract

The essence of this research is to examine the urgency of establishing various independent state institutions in the constitutional system in Indonesia, as well as their correlation in achieving state goals. The method in this research uses normative juridical research (studiPustaka) which is research that examines document studies using various secondary data such as statutory regulations, court decisions, legal theory, and can be the opinions of scholars. Meanwhile, the research type is descriptive qualitative. The results of the research show that the formation of state institutions in the constitutional system in post-reform Indonesia has seen a lot of growth and decline in independent state institutions, this is greatly influenced by the power holders, and also depends on the legal basis for the formation of these state institutions, especially independent state institutions whose regulations are under the law. After the reform, the formation of independent state institutions occurred through Laws/Perpu, Presidential Regulations, Government Regulations and other government regulations with different names. State institutional arrangements that do not have strong legitimacy result in independent state institutions being easily dissolved

I. Introduction

The formation of an organization in a country has aims and objectives, as does the country of Indonesia which is often called the Unitary State of the Republic of Indonesia. The Unitary State of the Republic of Indonesia is the largest archipelagic country in the world consisting of 17,504 islands. The name of the Republic of Indonesia is also referred to as Nusantara. The population of Indonesia was almost 270,054,853 people in 2018, Indonesia is the country with the fourth largest population in the world and has the largest Muslim population in the world with more than 230 million people. Such a large population certainly requires a strong government system and a strong legal system as well.

Indonesia is a country of law, in other words everything that takes place

in Indonesia must be based on law. The rule of law of a country is greatly influenced by the course of its constitutional life, ideology, national philosophy, and the condition of a country. No less interesting thing that influences the course of the Indonesian state are historical factors and the birth of a state of law.

The Indonesian state is a unitary state in the form of a Republic, this is stated in Article 1 Paragraph (1) of the 1945 Constitution of the Republic of Indonesia. There are various forms of state (staats vormen) that exist in various worlds, several types of state forms, including :

- 1) Form a unitary state (unitary state, eenheidstaat),
- 2) The form of a union state (federal, bonds-staat), and
- 3) Form of confederation (confederation, staten-bond).

The form of the unitary state of the Republic of Indonesia is final and inherent to the Republic of Indonesia, this is expressly in accordance with the provisions of Article 37 Paragraph (5) of the 1945 Constitution of the Republic of Indonesia which confirms that, □Specifically regarding the form of the Unitary State of the Republic of Indonesia, no changes can be made. □. The form of a unitary state is a state where the central government is the controller and is responsible for achieving the goals of the state, a unitary state is a state that is not composed of several states, as is the case in a federated state, but rather the state is single, meaning there is only one state, no countries within countries. So, in a unitary state there is only one government, namely the central government which has the highest power or authority in all areas of government. It is this central government that at the final and highest level can decide.

In efforts to achieve state goals, the government system is considered very important in a country's administration. Government organs are state instruments that are formed and structured in order to carry out very important state tasks, and their existence depends on the position, tasks and functions assigned as well as the legal basis for their formation. Therefore, a country must realize the state's goals or the country's national goals. Thus, the function of state instruments becomes strategic and important.

The number of independent state institutions in Indonesia is 104, some of which were formed at the level of law and some which are under law. In an effort to achieve state goals, the role of the president as head of government needs to carry out various breakthroughs in public services, the vacancies in various public services that have not been accommodated in existing state institutions (first tier state institutions and second tier state institutions) then the emergence of third tier state institutions which were formed by the president has the authority to run the government.

Legal progressiveness always tries to find new things and new formulations in order to fill legal gaps in state institutional arrangements, so the existence of state institutions, especially the third tier, needs to be reviewed, everywhere these institutions need to be strengthened with laws and everywhere state institutions that are sufficiently regulated by regulations under the law. This independent state institution is so urgent, how do independent state

institutions need to be regulated in the constitutional system in Indonesia? So that very urgent state institutions are not easily revoked or dissolved just because of a regime change.

2. Research Method

The method in this research uses qualitative descriptive research with a normative juridical type of research. This research uses secondary data sources consisting of primary legal materials, secondary legal materials and tertiary legal materials. Meanwhile, the technical data collection is by conducting a literature study, data obtained from reviewing various primary legal material data such as statutory regulations, court decisions, legal theories, and can be in the form of opinions of scholars and then collected, processed, analyzed and presented qualitatively.

3. Results and Discussion

1. Conception of Independent State Institutions

In simple terms, state institutions can be distinguished from other organizational institutions or community institutions or non-governmental organizations (NGOs). State institutions that are formed theoretically are usually in the legislative, executive and judicial realms, as in the doctrine of trias politica which means three axes of power, as developed by Montesquieu which basically states that there are three functions of power in the state and they must always be reflected in three types of organs. country, even though in the dynamics of its implementation it often seems no longer relevant to be used as a reference. The essence of Montesquieu's teachings with the concept of separation of power, explains that in every country there are always three functions of power, where these three functions of power must be institutionalized respectively in three state organs. One organ may only carry out one function, and must not interfere in each other's affairs in an absolute sense. This is intended to prevent the domination of one branch of power over another branch of power. The concept of trias politica described by Montesquieu is now clearly no longer relevant because it is impossible for one organ to only deal with one function exclusively. The current reality is that the branches of power have a relationship and even have equal positions and control each other in accordance with the principle of checks and balances.

The phenomenon of the emergence of new independent and independent state institutions is not only in the context of the Indonesian state, but in the last thirty years of the 20th century, state institutions have experienced rapid global development. According to Ahmad Basarah, this is due to several things, including:

a) The country is experiencing development where economic and social life has become very complex, resulting in the executive body regulating almost

all of society's life;

b) Almost all modern countries have the aim of achieving prosperity for all their people with the concept of a welfare state. To achieve this goal, the state is required to carry out the functions appropriately, quickly and comprehensively of all existing state institutions;

c) The existence of real conditions and needs, both due to social, economic, political and cultural factors amidst the increasingly complex dynamics of the influence of globalism versus localism, resulting in variations in the structure and function of organizations and state institutions increasingly developing; And

d) The democratic transition occurred, which resulted in various economic difficulties, due to various social and economic changes. Countries experiencing social and economic changes have forced many countries to carry out institutional experimentation.

Nowadays, constitutional practices and public services are increasingly complex, creating a need for this kind of service institution. The number of supporting institutions that are really needed is also increasing, so that the government's tasks are becoming more and more numerous. Daniel E. Hall stated this because, "first, the job of governing has become too large for Congress, the courts, and the President to handle. Second, agencies possess expertise. They can hire specialists and benefit from continuous contact with the same subjects." (First, the task of government becomes too large to be handled by Congress, the states, and the President. Second, agencies have expertise. They can hire specialists and benefit from constant contact with the same subjects)

Meanwhile, Zainal Arifin Mochtar believes that the reasons for establishing independent state institutions are:

a. The neo-liberal reform approach, namely the commission of independent state institutions, exists as a form of criticism of the corrupt attitudes of the authorities, thus drawing out state power to the public through independent state institutions.

b. The need to accelerate democracy is a more participatory democratic transformation so that independent state institutions can supervise institutions.

c. Part of the image of power is that the state creates new state institutions to ensure that power can continue through the regime's willingness to make improvements. Even though these improvements include certain agendas with certain objectives.

d. There is disappointment with the old institution which failed to produce the expected results.

The formation of independent state institutions is usually formed as a supporting function, not as a main function. The formation of this institution was due to special goals to be achieved in a country which were deemed to be unattainable only through the main institution (main state organ), so a subsidiary state institution (auxiliary state organ) was formed. One of the characteristics of a state auxiliary organ is that it is independent or what is usually called an independent state institution. Ideally, state institutions Independent means should be separate from executive, legislative or judicial powers. Because basically independence is defined as freedom, independence, independence and autonomy, and not under personal or institutional domination. In general, the characteristics of these independent state institutions are as follows:

- a. Independence in carrying out its duties and functions
- b. Independent means free from influence, control or the executive branch of power
- c. The mechanism for appointment and dismissal is specifically regulated, not at the will of the president
- d. The leadership of independent institutions does not come from members of a particular political party
- e. The period of leadership of an independent state institution is definitive, that is, when the term of office ends simultaneously and for the following period, he is reappointed for a maximum of 1 term.
- f. The aim of this independent state institution is to balance representation with a non-partisan nature.

Meanwhile, according to Thatcher, the indicators for an institution to be said to be independent based on the concept of Independent Regulatory Agencies (IRAs) are as follows:

- a. Party Politics of appointments, namely the extent to which politicization occurs in determining the leadership of the IRAs
- b. Departures (dismissal and resignation), namely the dismissal of IRAs members before the end of their term of office
- c. The Tenure of IRAs members, the longer their term of office, the greater their independence from elected officials.
- d. The financial and Staffing resources of IRAs, namely independence in terms of finances and resource management.
- e. The use of power to overturn the decisions of IRAs by elected politicians which is defined as the use of power to overturn decisions or policies issued by IRAs.

2. The Position of Independent State Institutions in Indonesian State Administration

As an organization, the state has equipment that has the goals and desires of the state (*staatswill*). These complementary state tools can be called state organs, state institutions or state agencies. In Indonesia, state institutions are grouped into three parts, namely institutions determined by the 1945 Constitution, statutory regulations and state institutions determined by presidential decree. According to Bagir Manan, state institutions are divided into three types, namely:

- a. State organs are institutions that carry out state functions directly and act on behalf of the state, such as the President, Vice President of the DPR and the Judiciary.
- b. Administrative Institutions are institutions that have administrative functions and are not constitutional in nature (they only carry out administrative functions and do not act for and on behalf of the state).
- c. State auxiliary organs/agencies/bodies, namely state institutions that function as support for institutions established by the state and include state organs.

Meanwhile, Jimly Asshiddiqie also classifies institutions into three layers, namely as follows:

- a. First tier institutions are high state institutions whose authority is stated directly by law, including the MPR, President and Vice President, DPR, DPD, MA, MK, BPK
- b. Second tier institutions are state institutions that obtain authority from the 1945 Constitution and also have authority based on statutory regulations. According to Jimly Asshiddiqie, although state institutions are given authority by the 1945 Constitution, they are not necessarily the main state institutions, this is because their function is only to support the main institutions and the authority given by the 1945 Constitution is only by implication and not explicitly formulated. Among these state institutions are the Minister of State, TNI, POLRI, KY, KPU, Central Bank.
- c. The third tier institutions are institutions contained in regions including the Provincial Government, Governor, Provincial DPRD, Regency Regional Government, Regent, City Regional Government, Mayor, City DPRD.

In the Constitution of the Republic of Indonesia, there are at least 34 state institutions mentioned in it. A total of 34 institutions are called constitutional state organs whose authority is directly mandated by the 1945 Constitution, among these institutions are:

- MPR (Chapter II of the 1945 Constitution)
- President (Chapter III of the 1945 Constitution)
- Vice President (Article 4 paragraph (2) of the 1945 Constitution)
- Ministers and State Ministries (Chapter V of the 1945 Constitution)
- Minister of Foreign Affairs (Article 8 paragraph (3) of the 1945 Constitution)
- Minister of Home Affairs (Article 8 paragraph (3) of the 1945 Constitution)
- Minister of Defense (Article 8 paragraph (3) of the 1945 Constitution)
- Presidential Advisory Council (Article 16 of the 1945 Constitution)
- Ambassador (Article 13 Paragraph (1) AND (2) of the 1945 Constitution)
- Consul (Article 13 paragraph 1 of the 1945 Constitution)
- Provincial Government (Article 18 paragraphs (2), (3), (5), (6) and (7) of the 1945 Constitution)
- Governor (Article 18 paragraph (4) of the 1945 Constitution)
- Provincial DPRD (Article 18 paragraph (3)
- Regency Regional Government (Article 18 paragraphs (2), (3), (5), (6) and (7) of the 1945 Constitution)
- Regent (Article 18 paragraph (4) of the 1945 Constitution)
- Regency DPRD (Article 18 paragraph (3) of the Constitution 1945)
- Regency Regional Government (Article 18 paragraph (20, (3), (5), (6), and (7) of the 1945 Constitution)
- Mayor (Article 18 paragraph (4) of the 1945 Constitution)
- City DPRD (Article 18 paragraph (3) of the 1945 Constitution)
- Special Regional Government Units (Article 18B paragraph (1) of the 1945 Constitution)
- DPR (Chapter VII of the 1945 Constitution)
- DPD (Chapter VIIA of the 1945 Constitution)
- Election Management Commission (Article 22E Paragraph (5) of the 1945 Constitution) 24. Central Bank (Article 23D of the 1945 Constitution)
- BPK (Chapter VIIIA of the 1945 Constitution)

- MA (Articles 24 and 24A)
- MK (Article 24 and Article 24C of the 1945 Constitution)
- A. KY (Article 24B of the 1945 Constitution)
- TNI (Article 30 of the 1945 Constitution)
- Army (Article 10 of the 1945 Constitution)
- Navy (Article 10 of the 1945 Constitution)
- Air Force (Article 10 of the 1945 Constitution)
- Police of the Republic of Indonesia (Article 30 of the 1945 Constitution)

Meanwhile, the arrangements for independent state institutions were formed based on regulations under the 1945 Constitution. These institutions were formed based on MPR Decrees, Laws, Perppu, Presidential Decrees, Presidential Decrees, and Government Regulations. According to Lukman Hakim, the institutionalization of state commissions in the constitutional system in Indonesia provides a further basis for the presence of new state institutions which aim to create an effective and efficient government structure. The following are the names of independent state institutions up to year

2017.

Name of Independent State Institution Following Basis of Establishment:

1. Indonesian Institute of Sciences, Presidential Decree no. 103 of 2001
2. BAZNAS, Law no. 23 of 2013
3. National Coordinating Agency for Agricultural, Fisheries and Forestry Extension Law no. 16 of 2006
4. Coordinating Body for the Eradication of Counterfeit Rupiah, Law no. 7 of 2011
5. Extension Coordinating Board, Law no. 16 of 2016
6. National Border Management Agency Law no. 43 of 2008
7. National Professional Certification Agency, Law no. 13 of 2003
8. Professional Sports Agency PP no. 16 of 2007
9. Lake Toba Authority Board Presidential Decree no. 49 of 2016
10. Extension Implementing Agency Law no. 16 of 2006
11. Supporting Agency for the Development of Drinking Water Supply Systems Law no. 7 of 2004
12. Downstream Oil and Gas Regulatory Agency Law no. 22 of 2001
13. Electricity Market Supervisory Agency Law no. 20 of 2002

14. General Election Supervisory Body Law no. 15 of 2011
15. Hospital Supervisory Board Law no. 44 of 2009
16. Regional Level (Border) Management Agency Law no. 43 of 2008
17. Surabaya-Madura Regional Development Agency Presidential Decree no. 27 of 2008
18. Bintan Free Trade Zone and Free Port Control Body Law no. 36 of 2000
19. Karimun Free Trade Zone and Free Port Control Body Law no. 36 of 2000
20. Batam Sabang Free Trade Zone and Free Port Control Body Law no. 36 of 2000
21. Batam Free Trade and Harbor Zone Control Body Perppu no. 2 of 2000
22. Indonesian Film Agency Law no. 33 of 2009
23. National Consumer Protection Agency Law no. 8 of 1999
24. State Civil Apparatus Advisory Body Law no. 5 of 2014
25. Personnel Advisory Body PP No. 24 of 2011
26. National Health Advisory Body Law no. 36 of 2014
27. National Film Advisory Board PP No. 8 of 1994
28. Telecommunication Advisory Body Law no. 3 of 1989
29. Indonesian Tourism Promotion Agency Law no. 10 of 2009
30. Indonesian Telecommunications Regulatory Body Law no. 36 of 1999
31. Peat Restoration Agency Presidential Decree no. 1 of 2016
32. National Sports Standardization and Accreditation Body PP no. 16 of 2007
33. National Energy Council Law no. 30 of 2007 10
34. Council for Titles, Services and Honors Law no. 20 of 2009 35
Indonesian Council of Engineers Law no. 11 of 2014
35. National Guarantee Council Law no. 40 of 2004
36. Batam Free Trade Zone and Free Port Council Presidential Decree no. 19 of 2013
37. Bintan Free Trade Zone and Free Port Council Presidential Decree no. 19 of 2013

38. Karimun Free Trade Zone and Free Port Council Presidential Decree no. 19 of 2013
39. Sabang Free Trade Zone and Free Port Council Presidential Decree no. 19 of 2013
40. National Security Council Presidential Decree no. 101 of 1999
41. Special National Economic Council Law No.39 of 2009
42. Press Council Law no. 40 of 1999
43. National Defense Council Law no. 3 of 2002
44. Regional Autonomy Advisory Council Law no. 23 of 2014
45. Presidential Advisory Council Law no. 19 of 2016
46. National Research Council Law no. 18 of 2002
47. National Resources Council Presidential Decree no. 149 of 2014
48. Information and Communication Technology Council Presidential Decree no. 1 of 2014
49. Food Security Council Presidential Decree no. 83 of 2006
50. Presidential Staff Office Presidential Decree no. 26 of 2015
51. State Civil Service Commission Law no. 5 of 2014
52. Mark Appeal Commission PP No. 7 of 2005
53. Patent Appeals Commission PP No. 40 of 2005
54. Central Information Commission Law no. 14 of 2008
55. Commission on Biosafety of Genetically Engineered Products Presidential Decree no. 53 of 2014
56. Prosecutor's Commission Law no. 16 of 2004
57. National Police Commission Law No.2 of 2002
58. Rice Commission
59. Anti-Violence Against Women Presidential Decree no. 65 of 2005
60. National Commission on Disabilities Law no. 8 of 2016
61. National Human Rights Commission Law no. 39 of 1999
62. National Commission on Elderly Presidential Decree no. 52 of 2004
63. Corruption Eradication Commission Law no. 30 of 2002
64. General Assessment Commission Law no. 22 of 2007
65. National Aids Management Commission, Presidential Decree no. 124 of 2016

66. Indonesian Hajj Monitoring Commission, Law no. 13 of 2008
67. Business Competition Supervision Commission, Presidential Decree no. 80 of 2008
68. Environmental Impact Analysis Assessment Commission, Law no. 32 of 2009
69. Indonesian Broadcasting Commission, Law no. 32 of 2002
70. National Extension Commission, Law no. 16 of 2006
71. Indonesian Child Protection Commission, Law no. 23 of 2002
72. National Accreditation Commission, Law no. 20 of 2014
73. National Anti-Dumping Committee, PP no. 34 of 2011
74. National Economic and Industrial Committee, Presidential Decree no. 8 of 2016
75. National Industrial Committee National Industrial Committee
76. Defense Industrial Policy Committee, Presidential Decree no. 59 of 2013
77. Policy Committee for the Acceleration of Infrastructure Provision, Presidential Decree no. 75 of 2014
78. National Aviation Security Committee, Law no. 1 of 2009
79. 80 National Transportation Safety Committee, Presidential Decree no. 2 of 2012
80. National Sharia Finance Committee, Presidential Decree no. 91 of 2016
81. National Committee for Preparation for the Implementation of the ASEAN Economic Community Presidential Decree no. 37 of 2014
82. Indonesian Trade Security Committee, PP No. 34 of 2021
83. Committee for the Acceleration and Expansion of Indonesian Economic Development Presidential Decree no. 32 of 2011
84. National Trade Commission, Law no. 7 of 2014
85. Company Privatization Committee, Law no. 19 of 2003
86. Public Accounting Profession Committee, Law no. 5 of 2011
87. Indonesian Medical Council, Law no. 29 of 2004
88. Nursing Personnel Council, Law no. 38 of 2014
89. Health Personnel Council, Law no. 36 of 2016
90. Tripartite Cooperation Institute, Law no. 13 of 2003

91. Institute for the Prevention and Eradication of Forest Destruction, Law no. 18 of 2013
92. Witness and Victim Protection Agency, Law no. 13 of 2006
93. National Productivity Institute, Law no. 13 of 2003
94. Film Censorship Institute, Law no. 33 of 2009
95. Green Industry Certification Institute, Law no. 3 of 2014
96. Health Workers Disciplinary Council, Law no. 36 of 2014
97. Nuclear Energy Advisory Council, Law no. 10 of 1997
98. Ombudsman of the Republic of Indonesia, Law no. 37 of 2008
99. Financial Services Authority, Law no. 21 of 2011
100. Center for Financial Transaction Reports and Analysis, Law no. 8 of 2010
101. Peacekeeping Mission Coordination Team, Presidential Decree no. 85 of 2011
102. National Team for the Acceleration of Poverty Reduction, Presidential Decree no. 96 of 2015
103. Presidential Work Unit for Ideology Development, Presidential Decree no. 54 of 2017.

If you look at the list above, there have been the formation of 104 independent state institutions which have different names. There are 7 (seven) independent state institutions with the name "institutions". There are 31 independent state institutions with the name "agency". There are 19 independent state institutions with the name "council". There is 1 (one) institution with the name "office". There are 20 independent state institutions with the name "commission". There are 15 institutions with the name "committee". There are 3 (three) institutions with the name "konsil". There are 2 (two) institutions with the name "assembly". There is 1 (one) institution with the name "ombudsman". There is 1 (one) institution with the name "authority". There is 1 (one) institution with the name "center". There is 1 (one) institution with a "unit" unit and there are 2 (one) independent state institutions with the name "team"

According to Hendra Nurtjahjo, the aims and objectives of establishing this independent state institution are due to two things, namely: because of increasingly complex state tasks that require sufficient independence for their operationalization and efforts to empower the tasks of existing state institutions by forming new institutions that more specific.

In line with this, I Dewa Gede Atmadja emphasized that ultimately independent state institutions exist in the constitutional system of the Republic

of Indonesia in accordance with the aims and objectives of the state as mandated in the constitution as implied and written in the fourth paragraph of the preamble to the 1945 Constitution, namely: a) protecting the entire Indonesian nation and all Indonesian bloodshed; b) promote general welfare; c) enlighten the nation's life; and d) participate in implementing world order based on freedom, eternal peace and social justice.

Protecting the entire Indonesian nation and its entire homeland, the effort to realize this is that the State, through the presence of independent state institutions, has the obligation to protect the entire Indonesian nation without any distinction, so that it can carry out all its rights and obligations.

Considering that one of the reasons that independent state institutions were born was because of public distrust of their performance so far, independent state institutions y who is present and must be able to fill the empty space. This can be proven by the existence of independent state institutions such as: the National Commission on Violence Against Women, the Indonesian Child Protection Commission, the National Human Rights Commission, the Ombudsman of the Republic of Indonesia, the Witness and Victim Protection Agency and other independent state institutions which aim to protect the entire nation and the whole Indonesia's bloodshed.

Advancing general welfare contains efforts to realize this, namely that the State, through the presence of independent state institutions, has the aim and obligation to advance general welfare, in this case the welfare of the Indonesian people, especially in the economic sector so that social inequality and widespread poverty do not occur in the Indonesian State. This is proven by the presence of the Corruption Eradication Commission, National Zakat Agency, Financial Services Authority, National Team for the Acceleration of Poverty Reduction and other independent state institutions that work to advance general welfare.

To make the nation's life intelligent, the effort to realize this is that our country aims and is obliged to provide quality educational services to the Indonesian people, in this case reformulated in the aim of national education, the essence of which is not only intellectually intelligent but also morally and emotionally intelligent. Toward this goal, several independent state institutions that control and supervise this can be seen from the existence of the National Accreditation Committee, the Indonesian Institute of Sciences, the Indonesian Broadcasting Commission, and other independent state institutions that have the aim of making the nation's life more intelligent.

Participating in implementing world order based on independence, eternal peace and social justice means that the State, through independent state institutions, takes responsibility for realizing world peace. In other words, when there is an international conflict problem, the State must actively participate in resolving the conflict or dispute. This can be seen from the

presence of the National Security Council, the Nuclear Energy Advisory Council, and other independent state institutions whose aim is to implement world order.

The presence of these independent state institutions constitutionally adheres to the principle that every state institution must be established by law, indicating a formal, democratic juridical form. This condition is supported by the existence of a constitutional system of government (based on basic law), not based on mere power, so that the presence of independent state institutions constitutes one national policy, namely achieving national goals.

4. Conclusion

Indonesia is a country of law, in other words everything that takes place in Indonesia must be based on law. The rule of law of a country is greatly influenced by the course of its constitutional life, ideology, national philosophy, and the state of a country. All government administration is based on this law in an effort to provide a sense of security and prosperity for all the Indonesian people, whose number is so large, namely 270,054,853 people.

The role of the state through the President as the holder of government power is very urgent amidst the development of economic and social life which has become very complex which has resulted in the executive body regulating almost all of society's life. The presence of 104 independent state institutions which are still massive and have different names (institutions, bodies, offices, commissions, committees, councils, assemblies", Ombudsman, authority, center, unit, team) is the answer to the increasing number of state tasks. complex which requires sufficient independence for its operationalization and efforts to empower the duties of existing state institutions by forming new, more specific institutions.

Legal progressiveness always tries to find new things and new formulations in order to fill legal gaps in state institutional arrangements as an effort to realize national goals, so the formation of independent state institutions needs to be reviewed, all of these institutions are very urgent and need to be strengthened through law. -The law and any independent state institutions are sufficiently regulated by regulations under the law. So that very urgent state institutions are not easily revoked or dissolved just because of a regime change.

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