

Constitution amendment process; a comparison between Indonesia and Japan / Fatmawati

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Abstrak

ABSTRACT

Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 (The 1945 Constitution of The Republic of Indonesia or UUD 1945) -which restored back through Presidential Decree July 5, 1959 - experience a nonformal changes by the establishment of various laws and policies by the parliament and government, then impacted by the maiaay crisis and the economic crisis followed by political crises, which pushed the formal change of UUD 1945. Formal changes of the Constitution of Japan, set forth in Article 96 which stipulates that at least required the approval of 2/3 members of the Diet and approved by a majority of citizens in a referendum; and until now the formal change to The Constitution of Japan has not yet taken placed but what happened in the constitutional practice is a constitutional transformation (kempo henshen) of Article 9 The Constitution of Japan, which can be seen in the constitutional practices conducted by the legislative, executive, and judicial body.