

***COMPARISON OF THE PRESIDENTIAL GOVERNMENT SYSTEM  
BETWEEN INDONESIA AND THE PHILIPPINES***

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**ABSTRAK**

*In Indonesia, the system of government adopted is presidential, where all policies and supreme command are in the hands of the President. The President in Indonesia holds executive power as well as state power, which means that the President acts not only as head of government but also as head of state. The Presidential System of Government applied in many countries, including Indonesia, does not recognize a republic that holds the highest supremacy. In the context of comparing government republics, Indonesia is often compared with other countries as a benchmark, especially when examining presidential government republics. One country that is often used as a comparison is the Philippines, which is also a member of ASEAN and a republic from colonialism in 1898. The Philippines and Indonesia have similarities in adopting a presidential republic and a unitary state in the form of a republic. The research method in this journal uses a comparative study approach. In this study, there are two problem formulations, namely, How is the Presidential System of Government in Indonesia and the Philippines and How is the Comparison of the Presidential System of Government between the two countries. In Indonesia, the President and Vice President are elected directly by the people for a certain term of office as determined by the Constitution. In the context of comparing republics of government, Indonesia is often compared to other countries as a benchmark, especially when examining presidential republics. One country that is often used as a comparison is the Philippines, which is also a member of ASEAN and a republic from colonialism in 1898. The Philippines and Indonesia have similarities in adopting a presidential republic and a unitary state in the form of a republic.*

**Keywords: Legal Aspects, Policy Aspects, Environmental Licensing**

## **A. INTRODUCTION**

The government system aims to maintain the stability of the country, but in some cases, separatist actions are caused by the assumption that the government system is detrimental or burdensome to the people. Therefore, it is important for the government system to have a strong foundation. If a government has a static system, the situation can last a long time, which eventually triggers protests from minority groups. In general, the government system plays a role in maintaining the stability of society, controlling the behavior of the majority and minority, and strengthening the foundations of government, political power, defense, economy, and security.<sup>1</sup>A good system also ensures public participation in the development of sustainable and democratic governance. Unfortunately, until now only a few countries have been able to implement this system of government comprehensively. The presidential and parliamentary systems of government themselves are based on the relationship between executive and legislative powers.

According to Carl J. Friedrich, a system is a whole consisting of several parts that are functionally interconnected, both between parts and to the whole. This relationship creates dependency, where if one part does not function properly, it will affect the entire system. Government, in a broad sense, includes all matters carried out by the state for the welfare of the people and the interests of the state, not only limited to executive functions but also including legislative and judicial functions. In Indonesia, the system of government adopted is presidential, where all policies and highest commands are in the hands of the President.<sup>2</sup>However, in this system, the decision-making process often involves negotiations between the executive and the legislature, which can result in indecisive decisions and slow processes, becoming a challenge in itself that can slow down government performance.

The President in Indonesia holds both executive and state power, meaning that the President not only acts as head of government (chief of executive) but also as head of state (chief of state). As expressed by Rett R. Ludwikowski, "The

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<sup>1</sup> Andi Azikin, *Perbandingan Pemerintah*, Jawa Barat, Adabanu Abimata, 2024.

<sup>2</sup> Rifqi Ridlo Phahlevy, *Hukum Tata Negara I*, Sidoarjo, Umsida Press, 2019.

President, as the sole executive, is elected as head of state and head of the government." In Indonesia, the President and Vice President are elected directly by the people for a certain term. The 1945 Constitution states that "The President of the Republic of Indonesia holds governmental power according to the Constitution," affirming the central role of the President in the system of government.<sup>3</sup>

The amendment to the 1945 Constitution aims to improve the basic rules regarding the state order in order to achieve national goals and strengthen the Unitary State of the Republic of Indonesia (NKRI). In the context of comparing government systems, Indonesia is often compared to other countries as a benchmark, especially when examining the presidential system of government. One country that is often used as a comparison is the Philippines, which is also a member of ASEAN and gained independence from colonialism in 1898. The Philippines and Indonesia have similarities in adopting a presidential system and as a unitary state in the form of a republic. This is stated in the 1987 Philippine Constitution, Chapter 2 Article 1, which states, "The Philippines is a democratic and republican State. Sovereignty resides in the people, and all government authority emanates from them."<sup>4</sup>

The research method in this journal uses a comparative study approach, which is a scientific study based on comparison. Comparative research aims to identify and/or test differences between two or more groups. In addition, this research is used to compare a variable (research object) between different subjects or at different times and to find the cause-and-effect relationship. This comparative method functions to compare data and draw new conclusions. The term "comparison" comes from English, namely "compare," which means to compare with the aim of finding similarities and differences between two or more concepts.<sup>5</sup>By using this comparative method, researchers try to draw conclusions through comparisons of ideas, opinions, and understandings so that they can

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<sup>3</sup> Adisty Farida Putri, *Syarat-Syarat Kepala Negara Menurut Pasal 169 Huruf D Undang-Undang No. 7 Tahun 2017 dan Fiqh Siyasah Pada Pemilihan Presiden Tahun 2024*, Skripsi, Fakultas Syariah dan Hukum UIN Syarif Hidayatullah, Jakarta, 2024.

<sup>4</sup> Yusri Munaf, *Hukum Administrasi Negara*, Marpoyan Tujuh Publishing, Riau, 2016.

<sup>5</sup> M. Arsyam dkk., *Ragam Jenis Penelitian dan Perspektif*, Jurnal Arsyam dan Tahir, Vol.2, No.1 (2019).

identify similarities in these ideas and differences from existing learning standards. In this study, there are two formulations of the problem, namely, How is the Presidential System of Government in Indonesia and the Philippines and How is the Comparison of the Presidential System of Government between the two countries.

## **B. DISCUSSION**

### **1. Presidential System of Government of the Republic of Indonesia**

In a country that adheres to the separation of powers with a republican form of government, the system of government applied is usually a presidential system or a semi-presidential system. On the other hand, if a country is a republic but does not apply the separation of powers, then the system of government used tends to be parliamentary.<sup>6</sup>Therefore, the core of the presidential system of government lies in the separation of powers.

In general, democratic countries adopt various variations of government systems that are adapted to their respective situations and conditions so that quasi or mixed forms of systems emerge, such as quasi-parliamentary or quasi-presidential.<sup>7</sup>The parliamentary system is a system of government in which the relationship between the executive and the representative body (legislature) is very close. This is because the ministers are responsible to parliament. Every cabinet formed must receive majority support from parliament. Therefore, government or cabinet policies must not conflict with the will of parliament.

A system of government is called parliamentary if the executive, who holds executive power, is directly responsible to the legislature. As Strong states, the continuity of executive power depends on the confidence and support of the majority in the legislature. If the executive loses the support of the majority, for example, through a motion of no confidence, the executive must resign and return the mandate to the head of state, such as a king, queen, emperor, or President.

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<sup>6</sup> Zulfan, *Analisis Pengaturan dan Praktik Pemisahan Kekuasaan Sistem Pemerintahan Presidensial Berdasarkan Konstitusi*, Jurnal Media Hukum, Vol.25, No.01 (2018).

<sup>7</sup> Ahmad Qaulan Syadis et.al., *Efektivitas Sistem Pemerintahan Parleментар Presidensial Di Indonesia*, Jurnal Causa, Vol.05, No.04 (2024).

Parliamentary and presidential systems have different historical roots and characteristics, reflecting how power is organized and exercised in a country. Parliamentary systems evolved from constitutional monarchies, where the power of the king or queen is limited by a constitution. In parliamentary systems, the head of state—whether a president, king, or queen—generally has a ceremonial role, while executive power is held by a cabinet led by a prime minister. This cabinet is accountable to parliament and must have the confidence of a majority of parliament to continue to govern.<sup>8</sup> If the cabinet loses majority support, for example, through a motion of no confidence, it must resign. A presidential system, also known as a congressional system, is a system of government in which the executive power is separated from the legislative.

In this system, the President is directly elected by the people and has a fixed term. The President is not responsible to the legislature and cannot be removed by the legislature even if his policies are not approved. In contrast, the executive and legislative bodies function independently and do not have a direct relationship as in a parliamentary system. According to Rod Hague, the presidential system has several main characteristics:

1. The President is elected by the people, leads the government, and appoints government officials.
2. The President and the representative body (legislature) have a fixed term of office and cannot overthrow each other.
3. There is no overlapping status between the executive and legislative bodies.<sup>9</sup>

Although the President in a presidential system has a strong position, there are mechanisms to control the President's power. If the President violates the Constitution, commits treason, or is involved in criminal matters, he can be removed through certain procedures, such as impeachment. If the President is removed, the vice president will usually replace him. This system allows the President to govern stably without constant threats from the legislature but also

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<sup>8</sup> Muhammad Ardhi Razaq Abqa et.al, *Hukum Tata Negara*, Sonpedia Publishing Indonesia, Jakarta, 2023.

<sup>9</sup> Imam Sukadi, *Sistem Pemerintahan Indonesia dan Penerapannya dalam Kehidupan Berbangsa dan Bernegara*, Jurnal Hukum Bisnis Bonum Commune, Vol.04, No.01 (2021).

carries the risk of excessive accumulation of power if there is no effective oversight mechanism.

In a presidential system of government, as implemented in the United States, a president is directly responsible to his voters, not to the legislature. In the United States, if there are allegations of serious violations against the President, the impeachment process can be initiated by the House of Representatives. After that, the Senate decides whether the President is guilty and whether he should be removed from office. The presidential system of government implemented in many countries, including Indonesia, does not recognize an institution that holds the highest supremacy. In this system, state power is strictly separated into three main branches, namely the legislative, executive, and judiciary. This concept, known as "Trias Politica," was first formulated by Montesquieu, a French philosopher, who argued for the importance of the separation of powers to prevent tyranny.

In Indonesia, the President and Vice President are directly elected by the people for a certain term of office as determined by the Constitution. According to the 1945 Constitution of the Republic of Indonesia, specifically Article 1 paragraph (1), Indonesia is a unitary state in the form of a republic, where sovereignty lies in the hands of the people and is implemented according to the Constitution. The President of the Republic of Indonesia holds power as head of state and head of government. This is emphasized in Article 4, paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which states that "The President of the Republic of Indonesia holds governmental power according to the Constitution." Thus, Indonesia adopts a presidential system of government in which the President has a central role in the executive but remains within the legal framework and constitutional limitations.

This presidential system of government is different from the parliamentary system implemented in countries such as England, which is known as the Mother of Parliaments.<sup>10</sup> In the UK, the executive is directly responsible to the legislature, particularly parliament, and the prime minister, as head of government, must maintain majority support in parliament to remain in power. The fundamental

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<sup>10</sup> M. Agus Santoso, *Perkembangan Konstitusi di Indonesia*, Jurnal Yustisia, Vol.02, No.03 (2023).

difference between the two systems lies in the relationship between the executive and legislative branches. In a presidential system, the President has greater autonomy from the legislature, whereas in a parliamentary system, the executive is heavily dependent on legislative support.

## **2. Presidential System of Government of the Philippines**

The Philippines is an archipelago located in the Western Pacific Rim, consisting of 7,107 islands stretching approximately 1,850 kilometers along the western edge of the Pacific Ocean with a total area of 301,780 km<sup>2</sup>. The country has three main islands, namely Luzon, Visayan, and Mindanao, which are the country's centers of life and activities. Most of the 7,107 islands are uninhabited, and about 95% of the country's land area is formed by the 11 largest islands, including Luzon, Visayan, and Mindanao. In 2017, the population of the Philippines was recorded at around 104,498,600, with a society consisting of various ethnicities and religions. The majority of the Filipino population is Catholic, which in the 2000 census was recorded at 82.9% of the population. This diversity affects the social and political dynamics in the Philippines, with various interests emerging among government officials.<sup>11</sup>

The Philippines has undergone several constitutional changes since its independence, with the first Constitution in 1935, followed by the 1973 constitution, and the current Constitution since 1987. Under the 1987 constitution, all government officials, including the President, Vice President, senators, members of the House of Representatives, heads of local government, and members of the House of Regional Representatives, are directly elected by the people through a 'first-past-the-post' system, where the candidate who receives the most votes is declared the winner.

The Philippines has a long history of colonization by three countries, namely Spain, the United States, and Japan. The Spanish colonization lasted for more than three centuries, from 1565 to 1898. This colonization officially began with the signing of the Filipino-Spanish Treaty in Cebu on June 4, 1565. During this period, Spain introduced many changes in the Philippines, especially in the

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<sup>11</sup> Damar Kristal, *Perbandingan (De)Konsolidasi Demokrasi: Studi Penurunan Kualitas Demokrasi di Indonesia dan Filipina Pada Periode 2016-2020*, Jurnal Penelitian Politik, Vol.18, No.02 (2021).

fields of politics, religion, and culture. Spain implemented a centralized political system, with the Governor-General holding supreme power and controlling government administration. Spanish was also introduced and taught in schools in an effort to facilitate communication and spread the Catholic religion. After the Spanish colonial period, the United States took over power in the Philippines in 1898 and ruled for 48 years until the Philippines gained independence in 1946. Japan also briefly occupied the Philippines during World War II, although only for 3.5 years. The influence of these three colonial countries, especially Spain and the United States, is still strongly felt in various aspects of life in the Philippines, especially in the political and governmental systems.<sup>12</sup>

After Spain's defeat in the Spanish-American War in 1898, the United States began to colonize the Philippines, replacing Spain as the new ruler of the archipelago. The hopes of the Filipino people for independence, which had been proclaimed in June 1898 by Emilio Aguinaldo, were dashed because America did not recognize the independence. Instead, America viewed the Philippines as a territory to be governed according to their vision, namely to form the Philippines into a country that implemented a liberal system of power like that implemented in the United States.

The United States adopted a different colonial method than Spain, focusing on education, establishing self-government, and introducing democratic concepts. In 1916, the United States passed the Jones Law Act, which was the first step toward granting independence to the Philippines. This act not only established a strong and stable government structure in the Philippines but also affirmed America's commitment to recognize Philippine independence once the country was politically and administratively ready.

On January 2, 1942, Japan began its occupation of the Philippines after successfully defeating the United States forces in the region. The Japanese army commander, Masharu Homma, declared that the era of American occupation in the Philippines was over. The Japanese tried to win the hearts of the Filipino people with propaganda that they would liberate the Philippines from American oppression. Japan established the Republic of the Philippines on October 14,

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<sup>12</sup> Al-Chaidar et.al, *Mindanao, Konflik dan Terorisme: Kajian Pendahuluan atas Ketegangan di Filipina Selatan*, Jurnal Siasat, Vol.04, No.01 (2019).

1943, appointing Jose P. Laurel as President. However, Japan's efforts to gain the sympathy of the Filipino people were unsuccessful, as many Filipinos were suspicious of Japanese motives and still considered them as invaders. On July 5, 1945, General Douglas MacArthur declared that the Philippines was free from Japanese occupation, marking the end of the Japanese occupation and the return of the Philippines to the United States.<sup>13</sup> After that, the Philippines finally achieved full independence on July 4, 1946, recognized by the United States, and began to rebuild an independent and sovereign nation.

Philippine independence was officially recognized on July 4, 1946, after Japan surrendered the Philippines back to the United States following Japan's defeat in World War II. In the process of recognizing this independence, the Philippines and the United States signed a treaty in 1947 that regulated relations between the two countries, especially regarding the placement of United States military bases in the Philippines. The treaty allowed the United States to base naval and air bases in the Philippines for 99 years, although it was eventually agreed that this period would be reduced to 25 years. The treaty also recognized the full independence of the Philippines and the United States renunciation of sovereignty over the country.

The Philippines is one of the countries that uses the Constitution as the main basis for running the government. Since its independence, the Philippines has experienced four constitutional changes, namely in 1899 (Malolos Constitution), 1935, 1973, and 1987. The 1899 Constitution (Malolos Constitution) This is the first Constitution of the Philippines, drafted after the revolution against Spanish colonialism and the proclamation of independence on June 12, 1898. The Malolos Constitution was approved on January 20, 1899, and became the basis for the first republican government in Asia. In the 1935 Constitution, When the United States controlled the Philippines, the system of government was changed to imitate the American democratic model. The 1935 Constitution provided for presidential elections every four years and implemented

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<sup>13</sup> Richard W. Mansbach et.al, *Ekonomi Politik Internasional: Seri Pengantar Politik Global*, Nusamedia, Jakarta, 2021.

a bicameral legislative system.<sup>14</sup>

1973 Constitution Under President Ferdinand Marcos, the 1935 constitution was amended to a parliamentary system in 1973. This change was seen as a way to consolidate Marcos' power and extend his term in office. However, Marcos' authoritarian policies sparked a popular uprising, which eventually ousted him from power. 1987 Constitution After Marcos was ousted, Corazon Aquino became President and initiated constitutional changes in 1987. The new Constitution repealed many provisions of the 1973 constitution that were considered oppressive. The 1987 constitution reintroduced a presidential system of government with presidential elections every six years and established the basic principles of the division of powers among the executive, legislative, and judicial branches. The Constitution was ratified by referendum on February 2, 1987, and remains the supreme law of the Philippines to this day.

Political parties in the Philippines are generally dominated by members from the elite, which causes the interests of a certain class to dominate in social and economic aspects. This class dominance triggers the formation of conservative and paternalistic parties. To fulfill the interests of the party, they tend to collect resources that support their goals. The Philippines adopts a multi-party system where party members can move according to their political needs in order to gain advantages in their political careers. This country is also known for its political dynasties, one of which is caused by the weakness of the political parties themselves. Some parties even elect close relatives as leaders, leading to political competition that is often driven by personal interests.

The Philippines has a bicameral parliamentary system consisting of the Senate (upper house) and the House of Representatives (lower house), as per the 1987 constitution. The Senate is located in the GSIS Building, Financial Center, Pasay City, and is the highest legislative body in the Philippines. There are 24 senators elected through a national general election, serving a 6-year term.<sup>15</sup> A senator may not serve more than two consecutive terms. The Senate is the only

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<sup>14</sup> Tri Atmayanti, *Perkembangan Partai Komunis Filipina pada Masa Pemerintahan Presiden Marcos 1965-1986*, Skripsi, Fakultas Keguruan Universitas Surakarta, Surakarta, 2007.

<sup>15</sup> Izhaq Muqoddas Hasim, *Peranan Malaysia dalam Penyelesaian Konflik Filipina dengan Milf (Era Pemerintahan Benigno S. Aquino III)*, Skripsi, FISIP Universitas Hasanudin, Makassar, 2016.

body authorized to approve international treaties and is responsible for transmitting approved policies to the President.

*House of Representatives* located in Batasan Complex, Quezon City. As the lower house of the Philippine bicameral parliamentary system, the House of Representatives consists of 295 members as of 2016. Members of the House of Representatives serve a 3-year term and can serve up to 3 terms (a total of 9 years). Members are elected from districts and as party representatives (sectoral), with 80% of the representatives coming from districts—each district sending one representative—and 20% coming from party representatives. General elections in the Philippines are an example of democratic practices that have developed since the influence of the United States during the colonial period in 1898, which introduced a democratic system similar to that in the United States. This is evident in the existence of the Senate and the House of Representatives in the parliamentary systems of both countries and in the presidential election, which is conducted through a general election. The Philippines implements a pluralistic presidential election system, where the candidate with the most votes will be the winner of the election. In addition to electing the President, Philippine elections also include the election of parliament members.

The Philippines is known as a country with a strong commitment to democracy, with presidential elections held every six years through several stages, including voter registration, determining the number of members to be elected in each region, election campaigns, voting, vote counting, and determining the election results. Campaigns are an important part of the election process, aiming to introduce the vision and mission of the candidates to the public and to rally as much support as possible to win the election. Elections in the Philippines are held every six years.

Elections in the Philippines are held to directly elect the President, members of the Senate, and members of the House of Representatives every three years. In the Philippine democratic system, only citizens who are at least 18 years old at the time of the election are eligible to vote. The President and Vice President are

elected for a term of 6 years, as stipulated in the 1987 Constitution.<sup>16</sup>The President can only serve a maximum of two terms. The 1987 Philippine Constitution, the country's fourth constitutional document, consists of 18 chapters and 321 articles. Article II, paragraph 1 of the Constitution states that the Philippines is a democratic and republican state, where sovereignty is in the hands of the people, and the power of government is derived from the people.

The Philippine system of government is presidential, where the President serves as both head of state and head of government. This system is similar to the United States system of government, which also has legislative bodies in the form of the Senate and the House of Representatives. The influence of the United States on the formation of the Philippine democratic system is very large, considering the history of colonialism in the Philippines under America.

The executive branch of the Philippines is headed by the President, who is elected through popular vote. The President is responsible as the head of government and Commander-in-Chief of the Armed Forces of the Philippines and has the authority to declare war and protect the country from threats. The President is also tasked with overseeing the implementation of government. The Philippine legislative branch, which has existed since 1907, consists of the Senate and the House of Representatives. The Jones Law, enacted in 1916, changed the legislative system to a bicameral one. The Senate consists of 24 senators who serve 6-year terms, while members of the House of Representatives serve 3-year terms. The legislative branch's duties include formulating, renewing, and repealing laws, and has the power to override the President's veto if approved by two-thirds of the legislature.

The judiciary in the Philippines is an independent body, headed by the Supreme Court as the highest court, and includes subordinate courts. The Supreme Court consists of a Chief Justice and 14 associate justices, all of whom are appointed by the President.<sup>17</sup>These judges have a maximum age limit of 70 years. The main task of the judiciary is to review and test declarations,

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<sup>16</sup> Abustan, *Perbandingan Dewan Perwakilan Daerah (DPD RI) dengan Negara Lain*, Jurnal Wajah Hukum, Vol.04, No.01 (2020).

<sup>17</sup> Rizky Aulia Adinda et. al., *Perbandingan Sistem Pemerintahan Presidensial di Indonesia dan Amerika Serikat*, Jurnal Pendidikan dan Konseling, Vol.05, No.01 (2023).

international treaties, laws, and presidential decrees to ensure that they do not conflict with Philippine laws and the Constitution. The three main institutions—executive, legislative, and judiciary—operate independently and supervise each other through a mechanism of checks and balances, without any intervention from any party.

### **3. Comparison of Presidential Government Systems Between Indonesia and the Philippines**

Theoretically, based on the 1945 Constitution of the Republic of Indonesia, Indonesia adopts a presidential system of government. However, in practice, elements of the parliamentary system of government are also applied in the Indonesian government. Thus, the system of government in Indonesia can be described as a combination of the presidential system and the parliamentary system. History shows that Indonesia has experienced several changes in the system of government. In the period 1945-1949, Indonesia adopted a parliamentary cabinet system. Then, between 1949 and 1950, a pseudo-parliamentary system of government was implemented. In the period 1950-1959, Indonesia still used a parliamentary system with liberal democracy, which was also pseudo-democratic. Furthermore, from 1959 to 1966, Indonesia implemented a guided democracy system. The 1945 Constitution, which was ratified on August 18, 1945, stated that Indonesia adopted a presidential system. However, three months after the Constitution was in effect, deviations emerged with the formation of a parliamentary cabinet led by Sultan Syahrir as Prime Minister of Cabinet I.<sup>18</sup> Some of the reasons for the formation of a parliamentary cabinet were: first, to show Western countries that Indonesia adopted the ideology of democracy in the hope of gaining international recognition of Indonesia's sovereignty because the allied countries also implemented a liberal democratic system. Second, to avoid the potential dictatorship of President Soekarno, who at that time had a very dominant position and was feared to be heading towards authoritarian power.

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<sup>18</sup> Muhammad Alfin Ardian et. al, *Analisis Yuridis tentang Sistem Pemerintahan Presidensial Berdasarkan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945*, Jurnal Limbago, Vol. 01, No. 01 (2021).

The parliamentary system implemented in Indonesia for a decade was marked by cabinet instability. It was only during the New Order under Soeharto's leadership that the presidential system began to be implemented more consistently. The development of the government system in Indonesia cannot be separated from efforts to compare government systems between countries. As a country with a presidential system, Indonesia has adopted many government practices from the United States, such as direct presidential elections and checks and balances mechanisms. For example, the Golkar Party convention ahead of the 2004 election also adopted convention practices from the United States. However, the Indonesian government system does not completely imitate the United States. For example, Indonesia has the People's Consultative Assembly (MPR), which does not exist in the United States.

A country's government system can be used as a reference or model that is adapted for other countries' government systems, with adjustments according to the needs of each country. The United States and England have proven the effectiveness of their respective presidential and parliamentary government systems, which were then widely imitated by other countries in the world with relevant adjustments.

The Philippines, a unitary democratic republic consisting of 76 provinces, gained independence on July 4, 1946, after being colonized by Spain for three centuries and controlled by the United States for 50 years. The current Philippine Constitution is the 1987 Constitution, which replaced the 1973 Constitution.<sup>19</sup>The 1973 Constitution is considered by many to be a constitution designed specifically for President Marcos, legitimizing the authoritarian system. In fact, through Amendment Number 6, the President's right to rule by decree was strengthened, giving him greater power to change existing rules.

The 1987 Constitution of the Philippines established a presidential system of government for the country. Myrna S. Feliciano stated that, "The government of the Philippines shall be a republic and shall use a presidential system, as distinct from a parliamentary system." The 1987 Constitution provides for the principle of separation of powers, which divides the functions of government into

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<sup>19</sup> Miftah Thoha, *Birokrasi Pemerintah Indonesia di Era Reformasi*, Prenenada Media, Jakarta, 2008.

three parts: legislative, executive, and judicial. In addition, the Constitution also includes institutions such as the Constitutional Commission and the Local Government. In the

Philippine system of government, there is supremacy of each part and coordination and balance between the parts. The Philippines uses a presidential system in which the President serves as both head of state and head of government. The President of the Philippines is directly elected by the people, as is the Vice President of the Philippines, and is often referred to as the “Pangulong Pilipinas” or informally by the Spanish title “Presidente.”<sup>20</sup> Unlike Indonesia, where the President serves a 5-year term and can be re-elected for one additional term, the President of the Philippines serves a 6-year term and cannot be re-elected for a second term. Executive power is vested in the President, who also controls all executive branches, bureaus, and agencies of the government and ensures the proper implementation of laws. The President and Vice President of the Philippines are directly elected by the people for a six-year term. In this system, the executive is not part of the legislature (Congress) and is therefore not accountable to Congress.

### **C. Conclusion**

The Presidential System of Government implemented in many countries, including Indonesia, does not recognize an institution that holds the highest supremacy. In this system, state power is strictly separated into three main branches, namely legislative, executive, and judiciary. This concept, known as "Trias Politica," was first formulated by Montesquieu, a French philosopher, who put forward the importance of the separation of powers to prevent tyranny. In Indonesia, the President and Vice President are directly elected by the people for a certain term of office as determined by the Constitution.

The Philippine system of government is presidential, where the President serves as both head of state and head of government. This system is similar to the United States system of government, which also has a legislative body in the form of a Senate and a House of Representatives. The influence of the United States on

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<sup>20</sup> Yeyen Purwiyanti et.al., *Strategi Komunikasi Pemelajar Bahasa Indonesia bagi Penutur Asing Asal Filipina*, Jurnal Ranah, Vol.06, No.02 (2017).

the formation of the Philippine democratic system is very large, considering the history of the Philippines' colonial rule under America. Elections in the Philippines are held to directly elect the President, members of the Senate, and members of the House of Representatives every three years. In the Philippine democratic system, only citizens who are at least 18 years old at the time of the election are eligible to vote. The election of the President and Vice President is held for a term of 6 years in accordance with the provisions of the 1987 Constitution. The President can only serve a maximum of two terms.

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