

ABSTRACT

SAEFUL. Dismissal of the President and/or Vice President during the term of office according to the 1945 Constitution of the Republic of Indonesia (A Study in the Perspective of a Democratic Law State) Supervised by, **A.Muin Fahmal, Syahrudin Nawi, and Nurul Qamar.**

This research was conducted with the aims to: (1) examine and analyze the nature of the dismissal of the president and/or vice president in the rule of law; (2) To examine, analyze and find the mechanism for the Dismissal of the President and/or Vice President in accordance with the Principles of a Democratic Rule of Law; (3) Testing and analyzing the mechanism for dismissing the President and/or Vice President in Indonesia, is in accordance with the Principles of a Democratic Law State.

This research was conducted using doctrinal/normative legal research methods or library law research, namely legal research conducted by examining library materials or secondary data consisting of primary legal materials, secondary legal materials and tertiary legal materials. These materials are arranged systematically, studied and analyzed, then a conclusion is drawn in relation to the problem under study.

The results of this study indicate that: (1) The essence of the dismissal of the President and/or Vice President in the rule of law is to realize the rule of law and justice in the administration of government; (2) the mechanism for the dismissal of the president and/or vice president in accordance with the principles of the democratic rule of law is the dismissal of the president and/or vice president with the Privilegium Forum model; (3) The mechanism for dismissing the President and/or Vice President in Indonesia is not in accordance with the principles of a Democratic Law State.

The recommendations from this research are: therefore the People's Consultative Assembly (MPR) to carry out the amendments to the 1945 Constitution of the Republic of Indonesia, specifically articles related to the mechanism for dismissing the president, there are articles 7A, 7B paragraphs (1), (3), (5), (6) and (7) and Article 24C paragraph (2), which in essence stipulates that the Process of Dismissing the President and/or Vice President must end in the Constitutional Court as a judicial institution to realize state of law that enforces the supremacy of law, no longer the supremacy of parliament which ends in the political institution.

Keywords: Dismissal of the President and/or Vice President, Principles of the Democratic Rule of Law, Privilegium Forum.