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## The Role of The Constitutional Court in The Protection of Basic Rights Based on the 1945 Constitution

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**Abstract:** The Constitutional Court is a state institution established with the main function of being the guardian of the constitution. One of the reasons for the establishment of the Constitutional Court is to protect the fundamental rights guaranteed by the constitution from interference by the legislative and executive branches. Through the mechanism of judicial review, the Constitutional Court plays a very important role in maintaining and ensuring that fundamental rights such as the right to freedom of expression, freedom of religion, the right to education, and protection from discrimination are properly implemented and not violated by laws and regulations that are contrary to the 1945 Constitution. Therefore, it is important to examine the extent to which the Constitutional Court can independently carry out its function of guaranteeing the protection of the fundamental rights of citizens.

**Keyword:** Constitutional Court, FundameNtal RiGhts, 1945 ConstiTutiOn, ConstiTutiOnal ProteCtiOn.

### INTRODUCTION

Indonesia is a state governed by the rule of law, as explicitly stated in Article 1 paragraph (3) of the 1945 Constitution, which affirms that “Indonesia is a state based on law.” One of the fundamental characteristics of a rule-of-law state is the recognition and protection of its citizens' rights. Therefore, the protection, respect, and fulfillment of fundamental rights constitute essential rights possessed by every citizen and are constitutionally guaranteed by the state.

As the guardian of constitutional supremacy, the Constitutional Court handles specific constitutional law cases to ensure that the Constitution is implemented in accordance with its prevailing provisions. This is intended to ensure that citizens' fundamental rights are properly upheld and not violated, and to maintain the stability of state governance. The Constitutional Court also has the responsibility to strengthen the system of checks and balances among the branches of state power. It serves as a judicial institution within the Indonesian judiciary.

In this regard, the Constitutional Court must ensure that constitutionally guaranteed fundamental rights are protected from interference by both the legislative and executive branches. Through the mechanism of judicial review, the Court plays a crucial role in ensuring that fundamental rights, such as freedom of expression, freedom of religion, the right to

education, and protection from discrimination, are properly implemented and not infringed by laws or regulations that contradict the 1945 Constitution. Therefore, it is important to examine the extent to which the Constitutional Court can carry out its functions independently in guaranteeing the protection of citizens' fundamental rights.

## **METHOD**

This study employs a normative (doctrinal) legal research method, namely a method based on statutory regulations and legal doctrines. This approach emphasizes library research by examining legal documents and relevant laws and regulations, to ensure that the issues raised in this study remain within the framework of Indonesian positive law.

In addition, this research adopts a descriptive qualitative approach. Descriptive research can be defined as a process of seeking facts accompanied by proper interpretation. This means the researcher focuses on collecting accurate, factual data about the phenomena or conditions being studied. After the data are collected, the researcher provides a careful interpretation to ensure these facts are properly understood and explained. Thus, the descriptive qualitative method is carried out by analyzing the collected data through systematic explanation and presentation in the form of narratives or well-grounded arguments in an objective manner, so that the resulting interpretations are not subjective.

## **RESULTS AND DISCUSSION**

The Constitutional Court is a state institution that functions as the guardian of constitutional supremacy, commonly referred to as "the guardian of the constitution." It is one of the state institutions explicitly stipulated in the 1945 Constitution and has become one of the most prominent state institutions following the amendments to the 1945 Constitution (Sulistiyowati, Surajiman, et al., 2023). The concept of the Constitutional Court was first introduced by Hans Kelsen, who argued that the effectiveness of constitutional control over legislation can only be guaranteed if there is an organ, separate from the legislative body, that is entrusted with the authority to review legal products and invalidate them when they are deemed inconsistent with the Constitution or unconstitutional.

In Indonesia, the idea of judicial review of laws in light of the 1945 Constitution first emerged during the sessions of the Investigating Committee for Preparatory Work for Indonesian Independence (BPUPKI). During these discussions, Muhammad Yamin proposed that the Supreme Court be granted the authority to "review laws." However, this proposal was not adopted in the 1945 Constitution for several reasons, including the prevailing concept of the separation of powers and the doctrine of the supremacy of the People's Consultative Assembly (Majelis Permusyawaratan Rakyat) at the time. (Vicenzo & Sitabuana, 2022).

The establishment of the Constitutional Court in Indonesia is grounded in several philosophical considerations, including the need for a legal enforcement mechanism and a mechanism to resolve disputes that may arise within the state. The creation of this institution also takes into account the significant roles of both judicial authority and political dynamics in shaping legal products.

The Constitutional Court of the Republic of Indonesia (MKRI) was established by Law Number 24 of 2003 concerning the Constitutional Court, enacted on 13 August 2003 during a plenary session of the People's Consultative Assembly (MPR), and subsequently ratified by President Megawati Soekarnoputri. Thereafter, by Presidential Decree No. 147/M of 2003, dated 15 August 2003, the President appointed the first justices of the Constitutional Court. A significant milestone in the Court's history was the transfer of judicial review cases from the Supreme Court to the Constitutional Court, which exercises judicial power in accordance with the 1945 Constitution.

The Constitutional Court is a state institution entrusted with adjudicating specific constitutional law cases. Its primary purpose is to resolve specific constitutional disputes, safeguard the Constitution, and ensure its responsible implementation in accordance with its principles. (Silaban & Kosariza, 2021). In principle, the Constitutional Court is an institution established by Law Number 24 of 2003 on the Constitutional Court, which has undergone several amendments, with the most recent revision being Law Number 7 of 2020. This institution operates independently and is entrusted with the responsibility of administering justice to uphold the law and democratic principles in Indonesia, as well as to ensure that existing regulations remain consistent with them.

The Constitutional Court possesses a distinctive characteristic, namely its authority to conduct judicial review by examining lower-level laws against the highest law, the Constitution. This function serves to establish and maintain the principle of checks and balances among state institutions. In this regard, the Court has the obligation to strengthen the system of checks and balances among the branches of state power.

The Constitutional Court is a judicial institution that functions as part of Indonesia's judicial branch of power and holds a significant position within the constitutional system. Based on the 1945 Constitution, the Court is authorized to adjudicate specific matters within its jurisdiction. These include the authority to review laws against the Constitution, to resolve disputes concerning the authority of state institutions (constitutional disputes), to decide on the dissolution of political parties (judicial dissolution), and to adjudicate disputes related to general elections (electoral disputes) (Sulistyowati & Nadya Maharani, 2024).

The Constitutional Court exercises judicial power alongside the Supreme Court, holding the highest jurisdiction to assess the constitutionality of laws and regulations. The Constitutional Court is also an independent state institution not subject to external influence in the exercise of its judicial functions, to ensure the enforcement of the law, legal certainty, and justice. (Vicenzo & Sitabuana, 2022). Accordingly, this institution has judicial authority to adjudicate disputes between parties, where the Constitution embodies fundamental principles such as equality before the law, the protection of human rights, and the regulation of the national economy. (Sulistyowati, 2026). Article 24C paragraphs (1) and (2) of the 1945 Constitution of the Republic of Indonesia stipulate the powers of the Constitutional Court as follows:

1. The Constitutional Court has the authority to adjudicate at the first and final instance, with decisions that are final and binding, to review the constitutionality of laws against the Constitution, to resolve disputes concerning the authority of state institutions as regulated by the Constitution, to decide on the dissolution of political parties, and to adjudicate disputes concerning the results of general elections.

There are two types of judicial review that the Constitutional Court may conduct, namely formal review and material review. Formal review refers to the examination of a law based on the process or procedure of its enactment. In this type of review, the Constitutional Court assesses whether the formation of a law has complied with the legislative procedures set out in the 1945 Constitution and the provisions stipulated under Article 22A.

Meanwhile, material review refers to the examination of the substance of a law or its norms to determine whether it conflicts with the provisions of the 1945 Constitution. If a law is found to be inconsistent with the Constitution, the relevant provisions of the law shall have no binding legal force. Conversely, if no contradiction is found between the law being reviewed and the Constitution, the Constitutional Court shall reject the petition, and the law shall remain valid and binding.

Through these powers, the Constitutional Court, as the guardian of the Constitution, ensures that legislative products do not deviate from constitutional norms and the state's objectives. (Suli-styowati, 2025).

2. The Constitutional Court is also obligated to render decisions on the opinion of the House of Representatives (DPR) regarding alleged violations committed by the President and/or Vice President in accordance with the Constitution.

Furthermore, the powers of the Constitutional Court are also regulated under Article 10 of Law of the Republic of Indonesia Number 7 of 2020 concerning the Third Amendment to Law Number 24 of 2003 on the Constitutional Court, which provides the following authorities:

1. To adjudicate at the first and final instance, with decisions that are final and binding, to:
  - a) Review laws against the 1945 Constitution of the Republic of Indonesia;
  - b) Resolve disputes concerning the authority of state institutions whose powers are granted by the Constitution;
  - c) Decide on the dissolution of political parties;
  - d) Resolve disputes concerning the results of general elections.

Disputes over general election results refer to disputes between the General Elections Commission (KPU) and election participants regarding the determination of national election results. Such disputes may arise when the determination made by the KPU affects:

1. The election of members of the Regional Representative Council (DPD);
2. The determination of candidate pairs proceeding to the second round of presidential and vice-presidential elections, as well as the final election results of the President and Vice President; and
3. The allocation of seats for political parties participating in elections within a particular electoral district.

These provisions are set out in Part Ten of Law Number 24 of 2003 concerning the Constitutional Court, specifically Articles 74 to 79.

2. To issue decisions on the opinion of the House of Representatives (DPR) that the President and/or Vice President are alleged to have committed legal violations, including treason against the state, corruption, bribery, other serious criminal offenses, or disgraceful acts, and/or no longer fulfill the requirements to serve as President and/or Vice President in accordance with the 1945 Constitution.

Thus, it can be concluded that the Constitutional Court has four main authorities as stipulated in the 1945 Constitution, namely:

1. To review laws against the Constitution;
2. To resolve disputes concerning the authority of state institutions granted by the Constitution;
3. To decide on the dissolution of political parties;
4. To adjudicate disputes concerning the results of general elections.

In addition, the Constitutional Court has duties and powers that are not explicitly stipulated in the 1945 Constitution but are regulated by statutory law. One such authority is to provide a judgment upon the request of the House of Representatives (DPR) concerning alleged violations committed by the President and/or Vice President, in accordance with the provisions of the Constitution. (Sulistyowati & Nadya Maharani, 2024). The Constitutional Court, as a judicial institution tasked with upholding the Constitution of a state, has the primary function of ensuring that government actions and laws enacted comply with the provisions stipulated in the Constitution. The Court is vested with the authority to review laws against constitutional principles and to issue binding decisions on constitutional matters brought before it. This

enables the Constitutional Court to act as a guardian of constitutional compliance, maintain the balance of power within the state, and protect fundamental individual rights from potential violations by the government or the legislative body.

The roles inherent in the existence of the Constitutional Court, as exercised through its powers, include:

- a) The guardian of the Constitution (the guardian of the Constitution);
- b) The final interpreter of the Constitution (the final interpreter of the Constitution);
- c) The protector of human rights (the protector of human rights);
- d) The protector of citizens' constitutional rights (the protector of citizens' constitutional rights);
- e) The guardian of democracy (the guardian of democracy) (Hari-sudin & Alfi-ella, 2022).

The development of law and legislative policy in Indonesia on the protection of human rights (HAM) has made significant progress since the Reformasi era. Following the fall of the New Order regime in 1998, Indonesia entered a period of democratic transition marked by efforts to integrate human rights principles into the national legal framework. This effort is clearly reflected in the amendments to the 1945 Constitution, which affirm that human rights are inseparable from the Constitution and provide a legal foundation for the development of policies to protect human rights.

In protecting fundamental individual rights, it is essential to implement clear and effective legal frameworks to achieve genuine and substantive justice. Such implementation must take into account the importance of safeguarding the rights of every individual and the role of judicial discretion in judges' decisions when assessing cases involving violations of human rights. (Mudhofir, 1992). Legal policies concerning the protection of human rights in developing countries, including Indonesia, are aimed at ensuring that the rights of citizens, particularly vulnerable groups such as persons with disabilities and stateless individuals, are protected and fulfilled. The responsibility of the state in enforcing human rights is clearly stipulated in Article 28I paragraph (4) of the 1945 Constitution, which states that "the protection, promotion, enforcement, and fulfillment of human rights are the responsibility of the state, especially the government." Therefore, Indonesia has a constitutional obligation to play an active role in safeguarding human rights. These constitutional rights serve to limit state power in two respects. First, they prohibit or restrict the state from undertaking certain actions. Second, they may also impose positive obligations on the state to take specific actions or measures to ensure the protection and fulfillment of such rights. (Aulia et al., 2025).

Indonesia, as a state based on the rule of law, has established regulations concerning human rights, which are fundamentally enshrined both in the Preamble and in the main body of the 1945 Constitution. Human rights, commonly referred to as hak asasi manusia (HAM), are rights inherent to every individual since birth.

Following the amendments to the 1945 Constitution, Indonesia has further strengthened its position as a constitutional democracy that recognizes and respects human rights. This affirmation is also reflected in the more comprehensive and extensive provisions on human rights set out in Articles 27 to 31 of the 1945 Constitution of the Republic of Indonesia. (Sulistiyowati-, Nugroho, et al., 2023). In addition, Articles 28A–28J of the 1945 Constitution, commonly referred to as the Human Rights provisions, clearly stipulate the rights possessed by every individual. These include, among others, the right to life, the right to freedom of thought, expression, and religion, and the right to equal treatment before the law.

As a constitutional judicial institution that also enforces human rights, the Constitutional Court of the Republic of Indonesia (MKRI) has the authority to adjudicate cases involving statutory provisions inconsistent with human rights principles. In principle, the inconsistency of a law with human rights does not always result in direct and immediate

violations against individuals; rather, it often reflects the potential for future violations. Concrete human rights violations generally arise during the implementation of such laws.

Therefore, the existence of the Constitutional Court is crucial as a preventive mechanism against the potential occurrence of legally sanctioned human rights violations. The exercise of power in the formation of legislation must be grounded in legal and constitutional provisions to ensure the proper implementation of the rule of law for the welfare of society. Indonesia has undertaken comprehensive reforms by transforming the system of governance to become more democratic, transparent, and accountable, thereby promoting good governance (S. Si-manjuntak *et al.*, 2021).

The functional role of the Constitutional Court as a judicial body that guarantees the protection of human rights is not explicitly stated in Article 24C paragraphs (1) and (2) of the 1945 Constitution, nor in Law Number 24 of 2003 on the Constitutional Court as amended by Law Number 8 of 2011. However, theoretically, such a function can be derived from the Court's constitutionally attributed powers. In the relationship between the Constitution and state institutions, the Constitutional Court of the Republic of Indonesia (MKRI) gives legal effect to the Constitution, namely the 1945 Constitution, the supreme law of the land, which binds all state institutions, including the legislative body. Since legislative authority originates from the Constitution, every law enacted must conform to and must not contradict the Constitution itself (Tahyudin *et al.*, 2024).

Despite potential shortcomings that may remain, the inclusion of human rights provisions in the 1945 Constitution demonstrates that Indonesia is a state based on the rule of law committed to recognizing and respecting human rights. The essential principles contained in several constitutional provisions on human rights include the following:

1. **Article 27 paragraph (1):** Equality before the law and equal status in government.
2. **Article 27 paragraph (2):** The right to work and to a decent standard of living.
3. **Article 28A:** The right to life and the right to defend one's life and existence.
4. **Article 28B paragraph (1):** The right to form a family and to procreate through a lawful marriage.
5. **Article 28C paragraph (1):** The right to develop oneself through the fulfillment of basic needs, education, and the utilization of science, technology, arts, and culture.
6. **Article 28C paragraph (2):** The right to advance oneself and to collectively strive for the development of society, nation, and state.
7. **Article 28D paragraph (1):** The right to recognition, guarantees, protection, and legal certainty that is just, as well as equal treatment before the law.
8. **Article 28D paragraph (2):** The right to work and to receive fair compensation and treatment in employment.
9. **Article 28D paragraph (4):** The right to citizenship status.
10. **Article 28E paragraph (1):** The right to freedom of religion and worship, to choose education, employment, citizenship, and residence, as well as the right to leave and return to the territory of the state.
11. **Article 28E paragraph (2):** The right to freedom of belief, and to express thoughts and attitudes in accordance with one's conscience.
12. **Article 28E paragraph (3):** The right to freedom of association, assembly, and expression.
13. **Article 28F:** The right to communicate and obtain information, and to seek, possess, store, process, and convey information through various means.
14. **Article 28G paragraph (1):** The right to personal protection, including protection of family, honor, dignity, and property, as well as the right to security and protection from threats.

15. **Article 28G paragraph (2):** The right to be free from torture or degrading treatment, and the right to seek political asylum.
16. **Article 28H paragraph (1):** The right to live in physical and spiritual well-being, to have a place of residence, to enjoy a good and healthy environment, and to obtain health services.
17. **Article 28H paragraph (2):** The right to receive facilities and special treatment to achieve equality and justice.
18. **Article 28H paragraph (3):** The right to social security for the full development of oneself as a dignified human being.
19. **Article 28H paragraph (4):** The right to own private property, which shall not be arbitrarily taken.
20. **Article 28I paragraph (2):** The right to be free from discriminatory treatment and to receive protection against all forms of discrimination.
21. **Article 29 paragraph (2):** The right to freedom of religion and worship.
22. **Article 31 paragraph (1):** The right to education.

The fulfillment of citizens' fundamental rights constitutes an essential element in a democratic rule-of-law state. As a state institution established with the primary function of serving as the guardian of the Constitution, the Constitutional Court bears responsibility for ensuring that constitutionally guaranteed fundamental rights remain protected from interference by the legislative or executive branches. Through the mechanism of judicial review, the Constitutional Court plays a pivotal role in safeguarding and ensuring that fundamental rights such as freedom of expression, freedom of religion, the right to education, and protection against discrimination are effectively implemented and not undermined by laws inconsistent with the 1945 Constitution. (Atqiya et al., 2024).

Judicial review constitutes a mechanism for strengthening the concept of a rule-of-law state, which places the Constitution as the supreme law. Through this mechanism, the Constitutional Court assesses the conformity of laws with the 1945 Constitution. (S. Suli-styowati et al., 2024). Material review, or judicial review, is often initiated by individuals or groups who believe their rights have been violated by government or legislative policies or regulations. In general, judicial review is the process by which judicial institutions evaluate legal provisions to ensure they conform to higher legal norms, particularly the Constitution.

The idea of centralizing judicial review within a single institution is crucial for strengthening the principles of legal certainty and constitutional supremacy. Article 1, paragraph (2) of the 1945 Constitution clearly states that sovereignty resides in the people. A logical consequence of this provision is the acceptance of constitutional supremacy within the Indonesian legal framework. (Hidayat & Adiba, 2023).

Through this mechanism, the Constitutional Court has the authority to uphold the Constitution by invalidating regulations deemed inconsistent with constitutional provisions. In practice, material judicial review before the Constitutional Court often serves as a legal forum for individuals who believe their rights have been violated. Although, in general, the system of checks and balances has been implemented by the House of Representatives (DPR) and the President in the legislative process, judicial review also serves as a forum for the public to defend their constitutional rights against regulations that may infringe upon them. However, not all petitions for judicial review are accepted. (et al. Suli-styowati, 2024). Through these powers, the Constitutional Court plays a crucial role in maintaining the principle of checks and balances among the branches of government, while also safeguarding the constitutional rights of citizens (R. Si-manjuntak & Arsyad, 2024). Therefore, it is important to examine the extent to which the Constitutional Court can perform its functions independently in guaranteeing the protection of citizens' fundamental rights.

In carrying out its functions, the Constitutional Court is responsible for ensuring that citizens' fundamental rights are respected, protected, and guaranteed by the state through laws enacted by the legislative body. As the ultimate authority on constitutional interpretation, the Constitutional Court's decisions are a crucial reference for assessing how legislation aligns with constitutional values that safeguard citizens' rights. In many of its decisions, the Constitutional Court has often acted as the last line of defense for individuals whose rights have been violated by laws or regulations deemed unjust. Its role in protecting human rights is also reflected in decisions that are progressive and, at times, courageous in resisting tendencies toward authoritarianism. Moreover, the Constitutional Court plays a significant role in maintaining the balance of power among the legislative, executive, and judicial branches. In a healthy democratic system, these three branches must operate in equilibrium and provide mutual oversight. In this context, the Constitutional Court is vested with the authority to resolve disputes concerning the powers of state institutions. It serves as a supervisory body to ensure that no single institution dominates the others. (Syafri-yani- e-t al., 2024).

Through its decisions, the Constitutional Court has provided significant protection for citizens' constitutional rights. These rulings have served as important foundations in strengthening the protection of such rights. For instance, in Decision Number 97/PUU-XIV/2016, the Constitutional Court affirmed that Article 284 of the Indonesian Criminal Code (KUHP) concerning adultery must be interpreted as applying only to relationships involving individuals bound by marriage, rather than extending to all extramarital relationships. This interpretation aimed to safeguard citizens' right to privacy, which had previously been subject to legal uncertainty. Such cases demonstrate that, through material judicial review, the Constitutional Court plays a vital role in ensuring that laws do not conflict with constitutionally guaranteed rights.

In addition, in Decision Number 46/PUU-VIII/2010, the Constitutional Court clarified the rights of children born out of wedlock to obtain legal recognition from their biological fathers. This decision was grounded in Article 28B of the 1945 Constitution, which guarantees the protection of children without discrimination, and represents a progressive step toward ensuring justice and protecting individual rights.

Furthermore, in the context of the right to education, the Constitutional Court reviewed Law Number 20 of 2003 on the National Education System in Decision Number 58/PUU-VIII/2010. In its ruling, the Court emphasized that the state has a constitutional obligation to ensure that every citizen has access to quality, equitable, and non-discriminatory education. Similarly, in Decision Number 5/PUU-V/2010, the Court stated that the state's obligation to protect the right to education is not merely declaratory, but constitutes a fundamental principle of administrative law that must be effectively implemented. In these decisions, the Constitutional Court underscored that social justice, equality of access, and improving educational quality must become the primary focus of education policies regulated by law. (Auli-a e-t al., 2025).

In the context of protecting the constitutional rights of society in relation to social justice, this is also reflected in the judicial review of Law Number 7 of 2004 concerning Water Resources, which was declared inconsistent with the Constitution and therefore lacking binding legal force. (Sofi-an & Fuad, 2024). As a final example, in Decision Number 140/PUU-VII/2009, the Constitutional Court declared that the Blasphemy Law (Law No. 1/PNPS/1965) remains consistent with constitutional principles, despite arguments from certain groups that the law violates the right to freedom of religion. The Court reasoned that limitations on religious freedom, as regulated by law, are necessary to maintain social order and preserve harmony among religious communities in Indonesia. This case serves as a concrete example of how the Constitutional Court defines the boundaries between individual freedoms and the public interest in accordance with constitutional principles.

Therefore, the Constitutional Court's authority to conduct judicial review is crucial to ensuring that no laws contradict or violate human rights and constitutionally guaranteed citizens' rights. The decisions rendered by the Court have contributed positively to constitutional interpretation and have strengthened the protection of human rights, positioning the Court as the primary guardian of constitutional rights.

However, despite its significant role, one of the main challenges lies in the weak implementation of its decisions. Many rulings that have obtained final and binding legal force are not promptly followed by policy changes by the government or the legislature, partly because institutions that fail to comply lack sanctions. Additionally, low levels of legal awareness among the public, as well as limited access to justice, which is often perceived as complex and time-consuming, pose further obstacles, particularly for individuals whose constitutional rights have been violated.

Moreover, the lack of strong governmental commitment to enforcing human rights and protecting fundamental rights continues to hinder the effectiveness of constitutional protection. Another challenge arises from controversies surrounding Constitutional Court decisions, which frequently generate public debate. Differences in legal interpretation, the complexity of cases, and political pressures may result in decisions that are not always well received by all parties, despite their final and binding nature.

Furthermore, many Constitutional Court decisions aimed at strengthening human rights protection are not optimally implemented at the regional level due to limited understanding among local authorities and the public, as well as social resistance to change. To address these challenges, the government must reaffirm its commitment to human rights protection as a national priority, strengthen the Constitutional Court's role, enhance public awareness through legal and civic education, and promote transparency and accountability.

## CONCLUSION

The Constitutional Court is a state institution that functions as the guardian of constitutional supremacy. In carrying out its role, the Court is obligated to ensure that the fundamental rights of citizens are respected, protected, and guaranteed by the state through laws enacted by the legislative body. Through its decisions, the Constitutional Court provides safeguards for citizens' constitutional rights, with such rulings serving as important precedents in strengthening constitutional protection. These decisions affirm that, through material review or judicial review, the Constitutional Court plays a vital role in ensuring that laws do not conflict with constitutionally recognized rights.

However, despite its significant role in protecting citizens' rights, the Constitutional Court faces various challenges in implementing its decisions, including weak enforcement, low levels of public legal awareness, a lack of governmental commitment, and controversies and public debates surrounding its rulings. Therefore, the government must reaffirm its commitment to human rights protection as a national priority, strengthen the Constitutional Court's role, and enhance public awareness through legal and civic education, while implementing transparency and accountability principles. Moreover, the Constitutional Court's independence, integrity, and transparency must be maintained at all times to preserve public trust. Consistent, well-reasoned, and constitutionally grounded decisions are essential to sustaining the legitimacy of the Court as the primary guardian of the Constitution.

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