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PANCASILA AND SOCIAL CHANGE IN INDONESIA

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ABSTRACT

This research is to find out how Pancasila in dealing with social change in Indonesia. This research uses normative juridical method with concept approach and statutory approach. Based on this research, it was concluded that despite social changes in society, Pancasila should not change, because Pancasila has a position as the basis of the state, as the philosophy of the state, as the ideology of the nation, as the basis of the state, as the source of all legal sources, and as the moral of the Indonesian nation

INTRODUCTION

In the era of globalization, the world is growing more advanced, science and technology is growing very rapidly, it brings changes in people's social life in all fields, be it in the field of social society, in the field of economics, as well as in the field of law.

Change is a changing thing or circumstance, or a transition, or an exchange. Change is an inevitability, change is a sure thing. Social affairs with regard to society. Social change is a changing state with regard to society.¹²

According to Selo Sumarjan, social change is a change that occurs in community institutions in a society, which affects its social system, including³ values, attitudes, and patterns of behavior among groups in society. According to Satjipto Raharjo,⁴ social change is a characteristic of modern society, which has the following variables:

1. Physical, biological, and demographic variables, related to the increase in population and the factors that follow.
2. Variable technology, the more use of modern technology, also impacts on the adjustments made by society.
3. Variable ideology, related to people's view of new things.

¹ Arti kata ubah - Kamus Besar Bahasa Indonesia (KBBI) Online, diakses pada tanggal 21 Januari 2021.

² Arti kata sosial - Kamus Besar Bahasa Indonesia (KBBI) Online, diakses pada tanggal 21 Januari 2021.

³ Satjipto Raharjo, 2010, *Sosiologi Hukum*, Jakarta: Genta Publishing.

A major social change in the history of the Indonesian nation, namely at the arrival of western nations that brought massive changes, both in terms of government, which at that time was still in the form of kingdoms scattered throughout the archipelago, as well as in the social life of the people. After hundreds of years came the Asian nation that occupied the territory of Indonesia, namely Japan, although in a relatively short period of time, but Japan has also brought some new things into Indonesia. Then came the more intensive decolonization process, namely since the proclamation of Indonesian independence. This decolonization process can be seen as a process that is connected with social change.⁵

In the field of sociology and anthropology, social change is the core discourse in which research and dissent of experts occur. As far as human beings as supporters of social and cultural life are still alive, as long as changes will occur. Contact with other cultures that give birth to diffusion, especially new discoveries, rapid expansion of formal education mechanisms, the intensity of conflict over existing values due to an open social system and the openness of future anticipation are the main thrusts of change.⁶

As mentioned above, social change is a characteristic of modern society today, which none other than the meaning of working those three variables (physical variables of demographic biology, technological variables, and ideological variables) in society, quite meaningful or intensive. Such circumstances in turn give rise to social changes, large or small, that must be addressed by law. Therefore, it can be estimated that the tasks to be carried out by law are not as simple as they were in centuries ago, at a time when social change was not as intensive as it is today.⁷

Social change in developing countries, generally showing the same characteristics, the most obvious changes can be formulated as a commitment in the era of modernization. Modernization is accepted *as a panacea* that will cure all diseases and shortcomings that surround developing countries. If the modernization is to be spelled out into law, then especially we will see how the law is used as a means to create or move new relationships, new circumstances, in accordance with the idea of *modernization*, a use technically called social engineering.⁸

The historical sect pioneered by Friedrich Karl Von Savigny in Germany and Sir Henry Maine in England presented two facts- that the law is closely related to its social context and therefore the law will evolve according to the development of its society.⁹

Indonesian society consists of various elements, namely ethnic groups, religions, cultures, and different languages. Ethnic groups that inhabit the archipelago include Acehnese, Batak, Nias, Mentawai, Malay, Padang, Sundanese, Javanese, Balinese, Sasak, Sumbawa, Bima, Banjar, Bugis, Ambon, Asmat, Chinese, and many more.¹⁰

⁴ Satjipto Raharjo, 2010, *Pemanfaatan Ilmu-Ilmu Sosial bagi Pengembangan Ilmu Hukum*, Jakarta: Genta Publishing, Hlm 122.

⁵ Satjipto Raharjo, 2009, *Hukum dan Perubahan Sosial*, Yogyakarta: Genta Publishing, hlm. 7.

⁶ Ridwan, *Hukum Islam dan Perubahan Sosial*, Jurnal Studi Islam dan Budaya, Ibd` | Vol. 5 | No. 2 | Jul-Des 2007 | 276-285

⁷ Satjipto Raharjo, 2010, *Pemanfaatan Ilmu-Ilmu Sosial bagi Pengembangan Ilmu Hukum*, Jakarta: Genta Publishing, Hlm. 123.

⁸ Ibid. hlm. 139.

⁹ Ronny Hanitiyo Soemitro, *Studi Hukum dan Masyarakat*, Alumni, Bandung, 1985, hlm. 4

¹⁰ Sukadi dk, *Pendidikan Kewarganegaraan*, Andi Offset, Yoyakarta, 2017, Hlm 20.

Indonesian people have a variety of national cultures. To develop national culture as a national cultural identity, national cultural products must be preserved and developed. Indonesia also has a value system that allows the Indonesian nation to advance, the value system is important to be improved, among others are work ethic or value, competing values and cooperation, appreciation for environmental sustainability and cleanliness, values and management skills, quality leadership values, global orientation, appreciation of high quality local cultural values, development of nationalism values, and so on. Language is also one of the constituent elements of national identity. language as a means of communication and a means of developing science and technology is an aspect of culture that provides unique characteristics on national identity. Bahasa Indonesia comes from Malay language and has long been a *linguofacial* language for ethnic groups in Indonesia. With the event of youth oath in 1928, the Malay language officially became the Language of Indonesia and became one of the unifying medias for the growth and development of the Indonesian nation.¹¹

Indonesian society also consists of community groups of different religions and beliefs. Some are predominantly Muslim, some are Christian, Catholic, Hindu, Buddhist, Kong Hu cu, and some adhere to other beliefs in The One True God. Being Indonesian does not have to melt down religious beliefs and trust in The One True God to become a new religion. Nor does it have to adhere to one majority religion. Being Indonesian also does not have to adhere to the principle of a religious state or theocratic state, nor does it have to be secular. Being Indonesian can continue to maintain religious identity, but not equate religious identity with national identity. In Indonesian life, the principle adopted is a state based on the God almighty, meaning that every citizen has the right and freedom to embrace their own religion and worship according to their respective religions and beliefs. Thus, religious identity is recognized and respected. There are two obligations of every citizen in relation to his country and religion, namely carrying out religious dharma and carrying *out* the state *dharma*. These two obligations do not have to be the same, in the life of society, nation and state need to be developed attitude "*for you your religion, for me my religion, let's respect each other and work together to build a nation and a country*".¹²

Indonesian personality is the overall characteristics of the Indonesian nation that distinguishes the Indonesian nation from other nations. The characteristic of the Indonesian nation that distinguishes the Indonesian nation from other nations is the existence of Pancasila as the basis of the state and the ideological foundation of the nation.¹³The crystallization of Indonesian cultural values is reflected in Pancasila. Pancasila is the life view of the nation that has been refined and solidified into the Basis of the Republic of Indonesia.¹⁴¹⁵With the development that causes development and change in the country of Indonesia, there is also the Dynamics of Pancasila. This paper will discuss how Pancasila in the face of social change in Indonesia.

METHODS

The characteristics of this research are normative juridical, and descriptive research, this research uses historical approach, statutory approach, and conceptual approach.

¹¹ *Ibid*, hlm. 24-26.

¹² *Ibid*, p. 22.

¹³C.S.T. Kansil, *Pancasila dan Undang-Undang Dasar 1945 bagian kesatu* PT. Pradnya Paramita, Jakarta, 1985, cetakan kesebelas, hlm. 85.

¹⁴Kirdi Dipoyudo, *Membangun Atas Dasar Pancasila*, Center for Strategic and International Studies (CSIS), Jakarta, 1990, hlm. 12.

¹⁵Memorandum DPR-GR 9 Juni 1966, dalam Kirdi Dipoyudo, *Membangun Atas Dasar Pancasila*, Centre for Strategic and International Studies (CSIS), Jakarta, hlm. 12.

FINDINGS

THE POSITION OF PANCASILA

1. PANCASILA AS THE BASIS OF STATE PHILOSOPHY

Pancasila is the basis of *philosophy (Philosophische grondslag)* in the establishment of Indonesian law, thus Pancasila is called the Philosophy of Indonesian Law. ¹⁶*Philosophische grondslag* is fondamen, philosophy, deepest mind, soul, deep desire to be established on it the building of an eternal and eternal independent Indonesia.¹⁷

Juridically, Pancasila as the basis of the state filsafat contained in the Preamble to the 1945 Constitution alenia IV which reads: then the independence of the Indonesian nation is drafted in an arrangement of the Constitution of the State of Indonesia, which is formed in an Indonesian state composition that is sovereign of the people based on (*sila-sila Pancasila*).... Looking at the formulation that is meant by ... *based on*... is the understanding of Pancasila as the basis of Indonesian philosophy. Pancasila as the basis of state philosophy, *Philosophische Grondslag* of the state has the consequence that in every aspect of state implementation must be in accordance with the values of Pancasila. It includes all laws and regulations in the country, the morals of the state, state power, people, nation, archipelago insight, government and other aspects of statehood.¹⁸

The function of Pancasila philosophy is to provide answers to fundamental answers about the nature of state life, namely in the political order, political system, state form, economic structure, and the fundamentals of science development. The philosophy of Pancasila must also be able to answer questions about the nature of the state, the idea of the state, the purpose of the state. The basis of the Indonesian state there are 5 (five) sila, one with each other is intertwined, all five are a whole and individed unity inseparable, giving direction and basis to each other. In addition, Pancasila also seeks to place and make devices from various sciences related to the life of the state. The function of philosophy will be clearly visible if the state is running regularly.¹⁹

As a philosophy, Pancasila has its own characteristics of philosophical system that is different from other philosophies. The principles of Pancasila are a whole and round system (as totality), if separated the name is not Pancasila.²⁰

2. PANCASILA AS THE IDEOLOGY OF THE NATION

The term ideology comes from *the word* "idea" which means "idea, concept, basic understanding, ideals" and "logos" which means "science". The word "idea" comes from the Greek "eidos" which means "form". Besides, there's the word "idein" which means "to see". So literally, ideology means the science of ideas, or the teachings of basic understandings. In the everyday sense, "idea" is likened to "ideal". The ideals in question are fixed ideals, which must be achieved, so that the goals that are fixed are at the same time a basis, a view, or understanding. Ideology includes the understanding of ideas, basic understandings, ideas and ideals.²¹

Pancasila is an ideology embraced by the state, government, the people of Indonesia as a whole, and must be practiced in the implementation of state life, nationality, and

¹⁶Bachsan Mustafa, *Sistem Hukum Indonesia*, Bandung: CV. Remaja Karya, 1985, hlm. 1.

¹⁷ Soekarno 1 Juni 1945, dalam Minto Rahayu, *Pendidikan Kewarganegaraan, Perjuangan Menghidupi Jati Diri Bangsa*, Jakarta: Grasindo, 2007, hlm. 32.

¹⁸ Kaelan M,S., *Filsafat Pancasila*, Yogyakarta: Paradigma, 1996, hal.. 44.

¹⁹ Minto Rahayu, *Pendidikan Kewarganegaraan, Perjuangan Menghidupi Jati Diri Bangsa*, Jakarta: Grasindo, 2007, hlm. 32.

²⁰ *Ibid*, p. 34.

²¹ Kaelan M,S., *Filsafat Pancasila*, Yogyakarta: Paradigma, 1996, hlm. 37.

society. There are three dimensions of ideological nature, namely the dimension of reality, the dimension of idealism, and the dimension of flexibility. The dimension of reality is the value that is contained in him, derived from the values that live in society, especially at the time the ideology was born, so that they really feel and dream that the basic values are theirs together. Pancasila contains the nature of this basic value in him. The second is the dimension of idealism, where the ideology contains ideals that want to be achieved in various areas of life of society, nation, and state. Pancasila not only fulfills the dimension of idealism, but also related to the dimension of reality. While the dimension of flexibility means that ideology refreshes, maintains, and strengthens its relevance over time so that it is dynamic and democratic. Pancasila has a dimension of flexibility because it maintains, strengthens its relevance over time.²²

Ideology is the foundation and at the same time the purpose in the life of society, nation and state with various dimensions. Ideology is based on a comprehensive and profound set of values or basic value systems that a society or nation has as their insight or outlook on life. As a national ideology, Pancasila contains that trait. Ideology has several functions, namely providing:^{23,24}

- a) Cognitive Structure, is the whole knowledge that can be the basis for understanding and interpreting the world and events in the surrounding nature.
- b) Basic orientation by opening insights that give meaning and show purpose in human life.
- c) Norms are guidelines and handles for a person to step up and act.
- d) Provision and a way for a person to find his identity.
- e) A force capable of encouraging and encouraging a person to carry out activities and achieve goals.
- f) Education for a person or society to understand, live and practice their behavior in accordance with the orientation and norms contained in it

The role of Pancasila as an ideology include:²⁵

- a) Pancasila as a unity ideology

Pancasila is expected to be able to provide guarantees for the realization of political missions, because Pancasila is a national reference, where each social force of society feels bound and responsible for the future of the nation and its country. Thus Pancasila serves as a common reference *both* in solving differences and political conflicts between groups and political forces. Pancasila is a fence that on the one hand gives freedom of movement, but on the other hand gives limits on what should not be violated. The perception expressed by Soerjanto Poespowardojo can be explained by the idea of Bung Karno who presented Pancasila as *a container and content* (1953). State is a container that can be filled with anything, because the State of Indonesia is arranged based on Pancasila, then the poured content must be in accordance with the values of Pancasila;

²² Fokky Fuad Wasitaatmadja dkk, *Spiritualisme Pancasila*, Jakarta: Prenadamedia, 2018, hlm. 3.

²³ Oetoyo Oesman dk, *Pancasila Sebagai Ideologi Dalam Berbagai Bidang Kehidupan, Bermasyarakat, Berbangsa, dan Bernegara*, Jakarta: Perum Percetakan Negara, 1993, hlm. 6.

²⁴ Soerjanto Poespowardojo, dalam *Pancasila Sebagai Ideologi Dalam Berbagai Bidang Kehidupan, Bermasyarakat, Berbangsa, dan Bernegara*, Jakarta: Perum Percetakan Negara, 1993, hlm.48.

²⁵ Soerjanto Poespowardojo, dalam *Pancasila Sebagai Ideologi Dalam Berbagai Bidang Kehidupan, Bermasyarakat, Berbangsa, dan Bernegara*, Jakarta: Perum Percetakan Negara, 1993, hlm.51.

b) Pancasila as the ideology of development

Development is the practice of Pancasila, the dimensions of Pancasila must still be considered as basic values, so that Pancasila provides clear and binding guidelines for development, namely both in perceived development and in taking wisdom and steps to carry out development.

c) Pancasila as an open ideology

An ideology is open as far as not forced from the outside, but formed precisely by the agreement of society, so that it belongs to the community. In open ideology there are ideals and values that are fundamental and indirectly operational.

3. PANCASILA AS THE BASIS OF THE STATE AND THE SOURCE OF STATE LAW ORDER

Pancasila as the basis of the state is contained in the fourth paragraph of the Preamble to the 1945 Constitution and contained in the Memorandum of dpr-GR June 9, 1966. The Memorandum of DPR-GR was ratified by mprs with decree No.XX/MPRS/1966 jo. The decree of MPR No.V/MPR/1973 and The Decree of MPRNo.IX /MPR/1978 affirms the position of Pancasila as the source of all legal sources or sources of the rule of law in Indonesia. ²⁶the affirmation of Pancasila as the basis of the state is also mentioned in the Decree of the People's Consultative Assembly Number XVIII /MPR/1998 of 1998 concerning the Revocation of the Decree of the People's Consultative Assembly of the Republic of Indonesia Number II/MPR/1978 concerning Guidelines for The Understanding and Practice of Pancasila (Ekaprasetia Pancakarsa) and the Determination of the Affirmation of Pancasila as the Basis of the State.

Regarding Pancasila as a legal source is also regulated in Law No. 12 of 2011 on the Establishment of Legislation, Article 2, which states that "Pancasila is the source of all sources of state law".

The State of Indonesia is the State of Law. Indonesian law or in other terms the positive law of Indonesia is the law that applies at this time in Indonesia, which is established by state bodies authorized to form it. The basis of ²⁷*philosophy* (*philosophical grondslag*) in the establishment of Indonesian law is Pancasila.²⁸

4. PANCASILA AS THE MORAL NATION

Pancasila can be called the morality of the Indonesian nation, in the sense of Pancasila *as public morality*. In reality Pancasila is a whole of elements along with various morals contained in Indonesia: Islamic morals, Christian morals, Hindu Dharma morals, Kong Hu Chu morals, and moral beliefs in God almighty. Pancasila is a moral that is contained in those morals as a common element. Thus, the moral of Pancasila overcomes all factions and is trulynational. ²⁹Pancasila as the moral of the Indonesian nation is reflected in the first Principle of Pancasila reads "God almighty". With this syllabus the Indonesian nation expresses trust and piety towards The One True God and therefore indonesians believe and believe in The One True God in accordance with their respective religions and beliefs on the basis of just and civilized humanity.

³⁰This first sila in principle affirms that the Indonesian nation and every citizen must

²⁶ Arief Khumaidi, *Pancasila: Sebuah Kesepakatan Sebagai Bangsa*, <https://setkab.go.id/pancasila-sebuah-kesepakatan-sebagai-bangsa/>, diakses tanggal 15 Januari 2021.

²⁷ Perubahan Ketiga Undang-Undang Dasar 1945, Pasal 1 Ayat (3).

²⁸ Bachsan Mustafa, *Sistem Hukum Indonesia*, Bandung: CV Remaja Karya, 1985, hlm. 1.

²⁹ Kirdi Dipoyudo, *Membangun Atas Dasar Pancasila*, Jakarta: Centre for Strategic and International Studies (CSIS), 1990, hlm.13

³⁰ Kirdi Dipoyudo, *Membangun Atas Dasar Pancasila*, Jakarta: Centre for Strategic and International Studies (CSIS), 1990, hlm. 28.

recognize the existence of God. All Indonesians practice and practice their religion in a civilized way, namely respecting each other.³¹

DISCUSSION AND CONCLUSIONS

The State of Indonesia and Pancasila that became the basis of the present state was not born suddenly in 1945, but rather formed through a long process closely related to the struggle of Indonesian history and Indonesian culture, namely:³²

- 1) Through the excitement of the history of sriwijaya kingdom, Majapahit Kingdom, Mataram Kingdom, and others.
- 2) Experienced the suffering of Dutch colonialism for 3.5 centuries, and Japanese colonization for 3.5 years.
- 3) It has a history of independence struggles or national movements.

The pattern of Pancasila can already be seen in the life of the people and culture that existed in the era of majapahit kingdom, including the following:³³

- 1) The motto of Bhinneka Tunggal Ika is the motto in life toagamaan or culture in the era of Majapahit Kingdom. Bhina means one (unity), Ika means this or that. So the sentence Bhinneka Tunggal Ika has a distinguished meaning that is in nature one. While the sentence Tan Hana Dharma Mangrwa is also interpreted as "there is no secondgama (obligation). So the sentence Bhinneka Tunggal Ika Tan Hana Dharma Mangrwan can be interpreted also differently but still one, there is no dual religious purpose, thus life to a gamaan in the era of majapahit kingdom is to believe in the Almighty or Sang Hyang Widi. This is what is then incarnated in the syllabus of the One True God.
- 2) The value of humanity that has lived and developed is a manifestation of Hinduism and Buddhism in the form of harmony, helping each other and helping others, this value animates the principles of Just and Civilized Humanity.
- 3) Mahapatih Gajahmada who faithfully helped Prabu Hayam Wuruk, in 1331 had sworn Palapa, a determination or promise will not hamukti palapa, before the whole archipelago united. This historical value is preserved in the principles of The Unity of Indonesia.
- 4) The culture of the nation based on godliness and humanity fosters a sense of unity and harmony of life. Harmony and cooperation in the life of this community has fostered the custom of deliberation to achieve consensus in solving problems together. The culture of this nation fosters the people's principles led by wisdom in representative deliberation.
- 5) Cultural values based on deep divinity foster a sense of humanity, humanity fosters a sense of humanity, humanity fosters togetherness or unity, the spirit of unity gives birth to a consensus attitude in all community activities. The four values of attitudes and behaviors are incarnated in the form of balance or justice in all areas of life. These values give birth to a harmonious, peaceful, peaceful village life system kertaraharja. The historical value of this nation's culture that is excavated and maintained as the principle of social justice for all Indonesian people.

Social change is a characteristic of modern society today, which has no other meaning: the work of the three variables, namely the physical variables of demographic biology,

³¹C.S.T. Kansil, *Pancasila dan Undang-Undang Dasar 1945 bagian kesatu*, Cetakan kesebelas. Jakarta: PT. Pradnya Paramita, hlm.45.

³²M. Iqbal Hasan, *Pokok-Pokok Materi Pendidikan Pancasila*, PT. Raja Grafindo Persada, 2002, hlm. 10.

³³Ibid, hlm11.

variables teknologi, and ideological variables in society, quite meaningful or intensive. Such circumstances in turn give rise to social changes, large or small, that must be addressed by law.³⁴ However, despite social changes in society, Pancasila should not change, because Pancasila has a position as the basis of the state, as the philosophy of the state, as the ideology of the nation, as the basis of the state, as the source of all legal sources, and as the moral of the Indonesian nation.

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³⁴ Satjipto Raharjo, 2010, *Pemanfaatan Ilmu-Ilmu Sosial bagi Pengembangan Ilmu Hukum*, Jakarta: Genta Publishing, Hlm. 123.

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