

Law Grounded in Pancasila Values Determines the Order to Unify the Elements of Nation Unity

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ABSTRACT

Indonesia is currently facing a variety of legal challenges, societal tensions, and crises amid its national diversity. If these issues are not properly and fundamentally addressed, they may evolve into multidimensional crises, leaving behind deep social residues and conflicts in an already uncertain national context. In confronting these problems, a fundamental question arises: can a legal system grounded in Pancasila values provide direction, purpose, solutions, and legal certainty to resolve national issues and strengthen the unity of the nation in pursuit of the ideals of a Rechtsstaat (rule of law state) based on Pancasila and the 1945 Constitution. Using a normative juridical research method supported by secondary data, this study adopts a conceptual-exploratory approach and an inductive qualitative analysis. The findings reveal that law infused with Pancasila values establishes an orderly legal framework with a strong guarantee of effectiveness in resolving societal problems and reinforcing national unity. It concludes that law embodying the substantive values of Pancasila is fundamental, responsive, and accommodative, forming an essential part of the state's normative order that functions to resolve issues and unite the diverse elements of Indonesian society sustainably, in support of national progress. It is therefore recommended that the values of Pancasila's five principles be continually integrated into the substance of national legal products to ensure the sustainable resolution of Indonesia's societal and national challenges.

Keywords: Law, Pancasila Values, National Unity.

I. INTRODUCTION

Indonesia is a country founded on the concept of primary statehood. This means the state was established to achieve independence for the Indonesian nation and provide protection, safety, progress, intelligence, general welfare, and social justice for its people (Hapsoro & Ismail, 2020). The state also participates in maintaining world order. The Indonesian people need the basic norm of Pancasila as well as other views to establish fundamental rules or norms for resolving issues within a heterogeneous society.

As is well known, the nation's diverse elements, the various characteristics, interests, and needs of its people, and the flow of life's necessities certainly require something that can serve as a foundation for unity, sustainable solidarity, and the advancement of humanity. This foundation is necessary for achieving productive and harmonious social interaction, national unity, and a nation and state based on the belief in God, humanity, civility, noble character, behavior, actions, and policies capable of realizing justice for all Indonesian people.

Misinterpreting, mismanaging, or mishandling dynamics, differences, and problems can lead to chaos and disrupt the achievement of national goals. One prominent thesis is that a country's high social differences, widespread political disputes, and differences in political commodities are influenced by the diversity of cultures and political views of its people, which is a characteristic of the modern public (Negi et al., 2024). This problematic description may seem ordinary at first, but if not managed properly, it can cause problems that threaten the continuity of the nation.

According to Donald E. Weatherbee (1984), Indonesia's philosophical values, or Pancasila, have traditionally maintained social order and avoided political conflict, serving as guiding principles for a culturally diverse nation. Therefore, the implementation of state ideological principles is inseparable from the nation's and state's ongoing challenges and complex issues. If these principles are not managed properly based on the fundamental values of the Constitution, it could lead to national division in the future.

These issues, which are no longer a secret, include past human rights violations that remain unresolved to this day. These violations are compounded by those in the fields of education, economics, social and cultural rights, and civil and political rights. Additionally, domestic land conflicts involving

businesspeople, rulers, politicians, government officials, and law enforcement agencies occur between communities and individuals. Furthermore, conflicts based on ethnicity, religion, and race exist, as do conflicts involving blasphemy and religious defamation, false prophets, drug and psychotropic substance abuse, and the rampant availability of alcoholic beverages, which seem to be considered legal. Crimes against the people's rights continue to be demonstrated through actions such as the annexation of natural resources, economic monopolies, environmental damage, problems protecting Indonesian workers at home and abroad, corruption, collusion, nepotism, and the control of natural and economic resources by oligarchs (Rahmadi, et.al, 2025). These oligarchs violate values and legal provisions in many sectors, harming the nation and state. Other issues include child and women's protection, illegal mining, and tin mining cases that harm the community in Bangka Belitung, causing hundreds of trillions of rupiah in losses to the state. These crimes occur under the guise of legality within the territory of the Unitary State of the Republic of Indonesia.

Publicly visible issues concern the direction of control and utilization of the nation's natural resources, and whether they benefit the Indonesian people or other parties. This is a fundamental issue for the survival of the children of Indonesia's founding fathers. In addition to these existing cases, the issue of state sovereignty over Indonesia's maritime territory and airspace now poses a major threat to the future of the nation. Additionally, cases of public data breaches and the fragile nature of social, political, legal, and security mandates, including crimes and violations during regional and general elections, are simply ignored.

There are various complaints from the nation's children crying out everywhere. Rape is rampant. What about protecting citizens now? Conversely,

how can the people of Indonesia fortify themselves to protect and defend the future of their nation? Not to mention the nation's attitude toward helping the international community experiencing conflict, international crimes, and poverty, such as in Palestine, Ukraine, Syria, Sudan, and among the Rohingya tribe. Of course, it does not stop there. The number of problems facing the nation and state is increasing day by day, not decreasing. However, it must be remembered that Indonesia is an optimistic nation capable of renewing itself in the future if its efforts are continuously based on the fundamental values and order of society.

These problematic elements are a series of unresolved issues that stand in the way of a better future for Indonesia, without any principles based on values that can provide a measure for achieving this goal. One of these is whether the law can be positioned as one of the entities of Pancasila that determines the foundation for uniting the elements of the nation, amid the emergence of the view that the existence of 'Pancasila' is not only positioned as a material source of law for achieving the goals of the nation and state. Meanwhile, it is known that there are different views regarding Pancasila, not only as a material source of law, but also known as the philosophy of the nation, a comprehensive doctrine, a collection of life values, a political agreement between elements of the nation, and the ideology of the Indonesian nation and state. As an ideological basis, the five principles of Pancasila serve as a benchmark in regulating the life of Indonesian society (Ardhiyaningrum, 2024: Sudirta, et.all, 2025). The law based on the principles of the philosophy of the state, or Pancasila, plays a major role in creating, determining, and implementing regulatory functions. Additionally, some regard Pancasila as *the Grundnorm* or *Staatsfundamentalnorn*, while others have different views on its role as the heir to the values of law.

Based on the above description, the focus of the study can be identified as follows: (1) Can laws based on the values of the Indonesian philosophy of state, Pancasila, provide direction, objectives, solutions, answers, and legal certainty in handling current and future national issues and problems? (2) How can these laws function to unite the elements of national unity to achieve the goals of a constitutional state based on Pancasila according to the 1945 Constitution of the Republic of Indonesia for the future progress of Indonesia?

As an integral part of this research objective, the urgency and effectiveness of laws based on the values of Pancasila are crucial for strengthening legal content. These laws can consistently provide guidance, direction, and objectives; offer solutions; and respond to the challenges of an ever-changing era. They provide legal certainty for resolving present and future problems and issues in order to achieve the will and objectives of the Indonesian constitutional state. This state is based on laws derived from Pancasila and the 1945 Constitution of the Republic of Indonesia, which promote the sustainable progress of Indonesia.

This research differs from previous ones. The research conducted by **Tedjokusumo et al.** (2024) and titled *"Peran Pancasila Sebagai Alat Pemersatu Bangsa di Tengah Kemajemukan Indonesia"* emphasizes the importance of Pancasila as a guideline for national unity. In contrast, this study emphasizes the role of law based on Pancasila values as a means of achieving national unity. The research by **Wijhayanti** (2021), titled *"Pancasila Sebagai Sumber dari Segala Sumber Hukum"*, emphasizes the use of Pancasila as a reference and foundation for the formation of law. This study, however, emphasizes the fundamental role of Pancasila in achieving order within society, the nation, and the state.

Compared to other studies, this study provides a new characteristic: laws based on the values of the Indonesian nation's philosophy and order, or Pancasila, differ from laws derived from foreign sources. These laws not only exist and are important, but also grow and develop in line with the birth, growth, and development of the philosophy itself, which is based on the values of divinity, nature, spirit and body, philosophy, social order, customs, and culture of the nation. Laws derived from the values of Pancasila not only lay the roots and foundations but also provide a legal basis for creating derivative legal products with various types of regulations and legal provisions for resolving national issues and problems. Furthermore, laws derived from the values of Pancasila and derivative legal products not only resolve contemporary local and domestic issues, but they can also serve as a basis for resolving issues arising in the digital era. Laws based on the values of Pancasila are capable of harmonizing with other legal products domestically and internationally.

II. RESEARCH METHODS

In line with its nature, this research is a type of normative legal research that uses a conceptual approach to support understanding of values and views regarding the function of law based on the principles of the Indonesian philosophy of state, known as "Pancasila," in resolving problems and uniting the elements of national unity. The research uses secondary data, including primary legal materials (Pancasila, the 1945 Constitution of the Republic of Indonesia, and related legal regulations); secondary legal materials (books, scientific journals, and related works); and tertiary legal materials (internet sources, such as websites and links). Data were collected through library research using exploratory, consistent, and explanatory tracing techniques,

both offline and online, on targeted sources. Qualitative data analysis was carried out in a descriptive and inductive manner using conceptual principles, theories, concepts, values, views, and methods supported by reasoning as analytical tools to analyze the value of Pancasila law in resolving problems and uniting the elements of national unity.

III. RESEARCH RESULTS AND ANALYSIS

A. Pancasila as the Source of Indonesian National Law

Pancasila is fundamental to the unitary state of the Republic of Indonesia. However, it has also sparked controversy and disagreement among many groups regarding whether it is the philosophy of the Indonesian nation, a political-legal ideology, or the source of all Indonesian national law. It is intended to form the basis of Indonesian national law, particularly in supplementing and implementing the 1945 Constitution of the Republic of Indonesia, the state's written constitution. Some argue that Pancasila should not only be considered the state's philosophy and ideology.

In order to avoid being confined to a single symbol or form, the existence of Pancasila must continue to evolve in the future. As the foundation of national political law, it is categorized as a basic state norm, also known as a *Grundnorm*, *Staatsfundamentálnorm*, or Basic Norm. Therefore, it can influence and determine Indonesia's legal traditions, culture, substance, and structure. Based on this, the existence of the principles of the state is seen from the perspective of the "statement of the will of the founders of the state," which arose from struggles, journeys, developments, and the recognition of values that were present in society long before Indonesia's independence.

As a developing entity, Pancasila can also be viewed as the political and legal foundation of Indonesia, rather than just a symbol. This differs from the

political agreement for Indonesian legal products. Although this structure is not absolute, it at least reveals legal politics as a field of legal scholarship, as described by **Teuku Muhammad Radhie**, Legal policy is the state's expression of its will regarding the direction of future legislation. This aligns with Padmo Wahyono's view that legal policy determines the direction and substance of future legislation (I Gde Pantja Astawa, 2011).

This aspect reveals the essence of placing Pancasila as the fundamental source of law. In the field of legal studies, legal politics considers the direction of legal order to be part of its efforts to formulate law based on ideal principles (Darma, I. M. W., 2021). This direction reflects the incorporation of the essence of the values of Pancasila into legal principles or norms for the development and formation of law for the Indonesian state.

Pancasila is systematically and consistently demonstrated, and its existence is fundamental to the formation and strengthening of material laws for the state. These legal products can then function normatively in resolving national issues within the scope of the state, central government, and local government, uniting the heterogeneous elements of the nation. This reaffirms that the law developed in the Unitary State of the Republic of Indonesia is integral to elaborating and embodying the principles of Pancasila (Hrt Sri Soemantri M, 2014). Regardless of the nature of this intersection, it is crucial to remember that the purpose of law is to be in harmony with the people in the formulation of Indonesian national law (Anggraeni, 2019)..

The affirmation of the values of Pancasila is reflected in **I Gde Pantja Astawa's** view that *"the existence of Pancasila is directly related to ethical norms, including moral, religious, and decent norms, which originate from human beings"* (I Gde Pantja Astawa & Suprin Na'a, 2012). The message is clear: Pancasila was born, grew, and developed with the fundamental inspiration of religion, human

rights, humanity, protection, justice, character, morality, civility, decency, and the effort to create harmony and foster unity. The values of deliberation, consensus, and wisdom are united on the basis of prudence and mutual assistance in social justice, carried out in accordance with the principles of virtue. Therefore, it is only natural that the content of the philosophy of the state is fundamental to its existence, apart from existing interpretations. Pancasila is also known as the *philosophische grondslag*, *staatsidee*, or *cita Negara* and as a common platform for the life of the nation and state. Additionally, it functions as the *Grundnorm*, *Staatsfundamentalnorn*, or Basic Norm, the material source of Indonesian national law. This is because it contains values originating from holy books and other sources.

Therefore, the principles of Pancasila are fundamental to achieving a good life for individuals, families, communities, nations, and states. In fact, the principles of the ideology extend to international relations, as evidenced by their inclusion in the constitutions of many countries worldwide (Natamiharja, et.al, 2020). The values of Pancasila include the essence of religion, customs, and the culture of the nation. The existence of the principles of the philosophy of the state, or "Pancasila," is fundamental to strengthening legal principles as guidelines, measures, and standards of behavior and action in achieving the common goals of a diverse society. This relates to **Jimly Asshiddiqie's** opinion that Pancasila is a way of life and state philosophy used as a source of law, which must be embodied in every Indonesian legal regulation. Many Indonesian legal products reflect the values of belief in God almighty, just and civilized humanity, democratic principles, and social justice for all Indonesians. These values unite the nation (Jimly Asshiddiqie, 2006).

The essence of the above substance demonstrates the presence of the five principles of the Indonesian state, or Pancasila, in the life of the nation and its

inclusion in Indonesian national law. This indicates a direction that continues to move forward and is questioned with various assumptions, diverse perceptions, opinions, and developing arguments that often reach the scientific level. This is evident from historical, political, legal, economic, and social and cultural perspectives in Indonesia. All of this must be directed toward the ultimate truth. One of the main questions is whether or not Pancasila can strengthen its own truth to provide answers to many issues through legal products in Indonesia in particular and in a more universal sense.

The existence of the philosophy, ideology, political concept, comprehensive doctrine, political agreement, and source of Indonesian national law known as "Pancasila" has grown and continues to develop in terms of the relativity of each interpretation (Akmal, 2021; Hasani, et.al, 2025). This gives substance to the idea of using Pancasila as the foundation for forming rules, ensuring they are harmonious and do not contradict each other. As an integral part of this, it is often seen as a basic state norm, or the highest rule, for the formation of derivative legal products. This aligns with **Sri Soemantri's** (1992) view that the foundation and ideology of the state, represented by Pancasila, colors and determines the content of the rule of law. According to experts in the philosophy of ideology, the rule of law is the entirety of views, ideals, values, and beliefs that are to be realized in real life (Adriawan, 2022).

As an integral part of the above substance, it is known that many elements of society view and question why the meaning of Pancasila is not confined to a narrow symbol, but is much more than that. Among other things, it is viewed as a state philosophy, an ideology for the people and the state, a comprehensive doctrine, a political and legal ideology, a source of legal material, and the source of all law in a state based on the principles of Pancasila. Very centrally, it is seen

as the unifying glue of the elements of national unity and the state that all elements of society aspire to. Is this really the case?

As stated in the Preamble to the 1945 Constitution of the Republic of Indonesia, the state was formed to achieve the essence and purpose of independence as a right and to abolish colonialism, which is inhumane and unjust. The government protects the entire Indonesian nation, promotes general welfare, educates the nation, participates in maintaining world order, and realizes social justice for all Indonesian people. Essentially, the Preamble establishes the five principles of the state, known as the "Pancasila," as the material source of Indonesian national law. As an integral part of fundamental values, it is the state philosophy, the ideal of the nation and state, the state ideology, and the national legal policy of Indonesia.

Despite the diversity of styles, breadth of views, and interpretations, it is clear that, given the above dynamics and issues, the basic values of Indonesia's national laws, starting with the 1945 Constitution, MPR Decrees, Laws/Government Regulations in Lieu of Laws, Government Regulations, Presidential Regulations, Regional Regulations/Qanun, Institutional/Agency Regulations, and other legal regulations and provisions, are fundamentally based on the principles of Pancasila. In other words, the values that comprise national law are inspired by the principles of Pancasila.

The values of Pancasila fill every legal product for the benefit of the people and the state. One of the main points is that, hierarchically, from the highest to the lowest level, every piece of legal content or material is inspired by and consistent with the values of Pancasila (Anggono, 2020). Therefore, when viewed from its origin, source, and purpose, the source of law is known not only in a formal sense, but also in a material sense, as it has values derived from the principles of Pancasila. In this sense, it reflects the content of Indonesian

national law, whose values originate from the principles of Pancasila and whose existence is fundamental and derived from the five principles of Pancasila. Pancasila largely originates from the contents of the holy books of the religions embraced by the Indonesian people, the journey of life, and the view of life according to Sunnatullah, among other origins.

Historically, the values of Pancasila have determined the content and enforcement of laws in Indonesia. A closer look at the fundamental and broad content of the values of Pancasila reveals that they have become the substance of positive law, including both those that are still embedded in its principles and those that have undergone transformation. From many perspectives, the existence of Pancasila determines the content of legal products for resolving the problems and issues of the nation's people towards uniting the elements of national unity. Therefore, in reality, the principles of the values of Pancasila have become the source of Indonesia's national law.

Indonesia's national legal products, including the 1945 Constitution of the Republic of Indonesia, MPR decrees, laws/government regulations in lieu of laws, government regulations, presidential regulations, local regulations, and laws and regulations from other state institutions and agencies, are considered more responsive and accommodating in determining the content, form, and application of law in society. These legal products are based on the values of the Indonesian nation's ideology, Pancasila. Pancasila instills values of accommodative, responsive law, demonstrating that its accommodative nature fulfills social expectations (Rizki et al., 2022). This demonstrates the importance of the values of Pancasila in responding to and accommodating the values within society as part of its value system.

B. The Path to Implementing Pancasila Values

Today, many views on the existence of the principles of the ideology of the state of Indonesia, or Pancasila, do not diminish or deny its existence. (1) Belief in God Almighty; (2) Just and civilized humanity; (3) Unity of Indonesia. (3) democracy guided by deliberation among representatives, and (4) social justice for all Indonesian people. Pancasila is a fundamental source of values for the Indonesian nation and state. It serves as a guideline for the people to follow in their daily lives and as a set of principles for the instruments that shape the life of the Indonesian nation. This includes the acceptance and incorporation of the values of Pancasila into Indonesian national law.

Along with that, the presence of the values contained in the Indonesian national philosophy, Pancasila, is confronted with the emergence of various attitudes and views regarding its existence. These are often debated amid situations, conditions, dynamics, and the heterogeneity of the nation's interests, where there are differences among them. However, this does not mean that the existence of the principles of the Indonesian state is weak in uniting the nation amid the diverse uniqueness of each individual's personality. These personalities come together as one: the Indonesian nation. They create habits with their own distinctive characteristics that reflect the character of the Indonesian nation (ZA et al., 2024).

Various perspectives on the philosophy of Indonesia have emerged regarding this construction. Some view it as merely the philosophy of Indonesian society, nation, and state. Others consider it the foundation of the values of the Indonesian nation and state. Additionally, some position Pancasila as the national ideology of the Indonesian nation and state. Additionally, there is an attitude that gives rise to the view of Pancasila as a national political concept of the Indonesian nation and state. Pancasila is seen

as a political agreement originating from the nation's religious values, prayers, customs, and cultural elements, as well as the values that have grown from the nation's history and struggles, and other humanitarian, social, and natural values that inspired its creation (Nggilu, et.al, 2024).

First and foremost, it is essential to acknowledge that Pancasila has been established as a philosophical foundation, state ideology, national ideal, fundamental state norm, national political ideology, and common platform for the life of the nation and state. Additionally, many perspectives have emerged on the constructive, universal, and fundamental nature of Pancasila to society, the nation, and the state. In reality, society is not only governed by written law, but also by laws derived from religion, customs, culture, traditions, and social norms, also known as living laws (Putri, 2024).

Despite the many views, discussions, debates, and discourses about the problems and dynamics of Pancasila, no one has been able to dismiss its existence. Pancasila has a fundamental basis as a unifying element of the interests of society, the nation, and the state. This is evident in the values of the principles of Pancasila, which reinforce the interests of the Indonesian people, nation, and state. Therefore, the manner in which Pancasila instills values that function as a unifying force for the nation and state is something that can be explored. First, through obedience and devotion to God and the values of Pancasila. Second, it can be achieved through the widespread implementation of education about the values of Pancasila at all levels of society (Amir, 2013). Third, Indonesian national law should be applied based on the values of Pancasila.

C. Law Based on Pancasila Values Function to Resolve National Problems

There are many ways to implement the unifying element of the nation, Pancasila, including incorporating its values into education at all levels of society and applying Indonesian national law based on those values. Previously, implementation occurred through direct obedience to and compliance with those values. Regarding this institution, the Indonesian people are systematic by nature, both physically and mentally, as individuals and as social beings, and have their own nature. Therefore, all legislation must be in harmony with Indonesian society. In other words, laws cannot be separated from the lives of the Indonesian people (Khambali, 2014).

The substance relates to the direct implementation of acceptance, obedience, and compliance to the values of the philosophy of the state, or Pancasila. In this context, it is evident that Pancasila functions as a unifying principle and guiding philosophy for the people and the state. It serves as a source of values, state ideology, and political foundation, as well as a source of legal, social, economic, customary, and cultural values, teachings, and schools of thought to achieve national goals. It also demonstrates that despite the problems and dynamics of society, the nation, and the state, the spirit of implementing the values of Pancasila remains strong and solid (Arifin et al., 2025).

The philosophy of the nation, its developing value system, life and growth, ideology, and the other aforementioned elements affirm that the principles of the Indonesian state, or Pancasila, are the material source of national law. This can also be seen from the perspective of direction, objectives, and goals, which are communicative in nature and demonstrate that: (1) Pancasila offers a means to achieve the nation's common goals. (2) It is a medium for unifying the elements of society, nation, and state. (3) It

fundamentally provides a basis for *ukhuwah* (brotherhood) and information that clarifies its presence as a teaching derived from religiosity, customs, culture, law, economics, politics, communication, information technology, and other related elements. (4) As a source of legal material, Pancasila brings together values and elements of political ideology, unifying them with the pattern of relations between the rights and obligations of legal subjects, both as individuals and as members of families and society. Another function is to bring together the philosophical elements, values, and fundamental rules or norms of the Pancasila.

In addition to the other constructive elements of the interpretation of the principles of the State Philosophy of Indonesia (Pancasila), the values derived from it are directly related to the birth of the constitutional content of the State Philosophy of Indonesia (Pancasila) regarding freedom of thought and ideas. These fundamental constitutional values determine the constitutional content in a categorical manner and contain: (1) protection of human rights and other rights of citizens; (2) establishing a fundamental state structure; and (3) establishing fundamental restrictions on the actions of the state, state institutions/agencies, organs/instruments, and state apparatus (Omara, 2025). B. Arief Sidharda emphasizes that all values in the system of Pancasila are unified by the principle of unity in diversity or diversity in unity, which shapes the spirit that determines the structure of human togetherness in religious, national, and state life (Wiratmadinata, 2022). Therefore, Pancasila is the identity of the Indonesian nation (Sinta Utami, 2019).

This reality emphasizes the necessity of Pancasila as the foundation of the fundamental value of *ukhuwah* (brotherhood), uniting the elements of society, nation, and state. Considering its history, values, existence, distinctive characteristics, and different perspectives, in the context of *das sollen* and *das*

sein, it is clear that Pancasila is the main source of ukhuwah and communication, uniting and integrating all elements of society, the nation, and the state.

Based on the above description, it is clear that the existence of the values of the principles of the state philosophy, or Pancasila, are fundamental to determining the quality of national unity and integrity. This can be seen in the principles of the ideology, which are as follows:

1. Belief in the Almighty God;

The Contents provide the fundamental principles upon which the state was founded, guided by the will of Almighty God. As stated in the third paragraph of the Preamble to the 1945 Constitution, the nation was formed "by the grace of Almighty God and driven by a noble desire for a free national life." This is a very essential and fundamental part of the document.

2. Just and Civilized Humanity;

This principle inspires adherence to civilized justice in every legal subject. This ensures that the nation's goals can be achieved, particularly for virtuous, just, and humane citizens of good character. Article 31, Paragraph (3) of the 1945 Constitution of the Republic of Indonesia affirms that the government shall strive to establish a national education system that enhances faith, piety, and noble character to educate the nation. It can be concluded that effective communication occurred in the formulation and development of Article 31.

3. Unity of Indonesia;

This principle implies that the entire nation must make continuous and sincere efforts through the implementation of attitudes, policies,

measures, actions, and deeds capable of creating and realizing national unity and integrity.

4. Democracy led by the Wisdom of Deliberation and Representation

The essence contained therein is the wisdom and prudence required to lead people and their deliberations. The independence achieved by the Indonesian nation is a lesson for all Indonesian people and their representatives. This wisdom reflects the fundamental religious and philosophical values of the Indonesian people and their profound leadership in deliberations, including the great agreements of the Indonesian people.

5. Social justice for all Indonesian people.

This principle does not stand alone. Rather, it refers to social justice for all Indonesian people. It is a justice based on belief in God and humanity, as well as civility. It is a social justice that arises from attitudes, policies, and actions that can unite all elements for the unity and integrity of the nation.

The many values contained in the philosophy of the Indonesian people and state, known as Pancasila, further demonstrate its existence as the foundation of Indonesian politics, economy, society, customs, and culture. Pancasila is also the source of values for the formation of Indonesian national law and the fundamental norms of the state. Alongside other elements, Pancasila determines and provides a basis for uniting all components of the nation and state into a single, unified, and integral nation with all its interests. Pancasila is not only the foundation of the state; it also guides the national legal system (Kurdi & Arbani, 2024). By weaving these elements together, fundamental, universal, and essential communication efforts are made to achieve the desires, essence, and goals of the state based on the 1945

Constitution of the Republic of Indonesia. Therefore, the identity of the Indonesian nation and state is inextricably linked to awareness that requires geographical and sociological considerations, in addition to other foundations (Yuhana, 2024). This awareness is an integral part of a state based on the values of Pancasila.

D. Implementation and Acceptance of Pancasila-Based Laws as a Community Need and a Means of Resolving National Problems

In addition to acceptance, obedience, and compliance, the values of the Indonesian national philosophy, or Pancasila, can be implemented by incorporating them into the legal system at all levels of Indonesian society. As a legal ideal, the existence of the principles of the Pancasila becomes a source of legal guidance (Anwar et al., 2024). Thus, implementing the values of the principles of the Pancasila is one way to incorporate them into legal functions.

1. Pancasila Values Become Part of the Legal Culture of the Nation

In addition to the attitudes, policies, deeds, and actions that determine how law functions, legal culture greatly influences and is influenced by the implementation of the values of the Indonesian national philosophy, Pancasila, within society. Legal cultural values are influenced by God Almighty, natural factors, human interaction, and customs that unfold systematically through repeated patterns which are then accepted, followed, and obeyed by all levels of society. These patterns subsequently grow and develop into living law within society. The intent and work of legal culture are largely determined by the values of Pancasila. The implementation of these values in legal culture is evident in the acceptance of legal cultural content with these values. These values are so important that they have become part of the culture, including legal culture. This is especially true in a democratic nation and state where "the

development and implementation of democracy in a country is greatly influenced and determined by the cultural factors of the nation and state" (Taufiqurrohman et al., 2024).

Therefore, it shows that placing Pancasila values at the core of culture is fundamental to the survival of the nation and state. This is characterized by the acceptance of cultural values that bring change and benefits to society in systematizing the order of life and interactions between elements of the social community based on the values of divinity, moral justice and civility, unity from unity that grows from kindness and mutual trust between one another in social interactions and relationships, and from the source of wisdom in deliberation to reach a consensus to continue the ideals of life in all aspects of individual, family, community, national, and state life.

The influence of the values of the Indonesian ideology, Pancasila, on the legal culture of all elements of society has been ongoing, gradually entering and merging into the content of legal culture in Indonesia. According to **Barlian and Herista** (2021), *"Legal culture in Indonesia determines legal reform, legal order, and law enforcement that originate from the values of Pancasila."* Thus, legal culture's philosophical values have permeated and reinforced the social order, establishing rules and norms that are widely accepted and applicable to all societal groups. As a manifestation of values accepted by society, legal culture is closely related to the inner workings of society (Lago et al., 2023). Additionally, a legal culture based on the principles of Pancasila is fundamental, accommodating, and responsive to the interests and needs of society.

Clearly, legal culture is essential, as law is a human creation that originates either directly from God Almighty or from natural processes. This creation takes place in both an individual capacity and in the capacity of a unified legal society. In this context, the question arises as to whether the values of Pancasila

can be implemented through legal culture. This would entail viewing law as human creations originating from God Almighty and natural processes. In organizing their lives and communities, the Indonesian people have made Godliness the spiritual and moral foundation of their lives (Rosidah, 2020). This reality indicates that, as a necessity for humans both individually and socially, law is an inspiration and gift from God Almighty, the Most Gracious and Most Merciful, to the Indonesian people. They are able to incorporate these values into their nation's legal products.

It also shows that the law provides benefits beyond order, certainty, and justice. These benefits vary in scope and content for individuals, the entire community as subjects of law, and in relation to objects of law. As a social institution, law is inseparable from society because it is part of the social subsystem (Makmur, 2015). The existence of Indonesian national law is influenced by the legal traditions or culture of its society, which is materially sourced from the values of the Indonesian national philosophy, Pancasila (Widyanti, 2023; Jayantiari, et.al, 2025).

The values of the fifth, fourth, third, and second principles of the Indonesian ideology, Pancasila, are related to and directly connected with the first principle. This aligns with Nurcholish Madjid's (2008) assertion that there are five substances of Pancasila. First, since Pancasila is a unity, its implementation must be carried out in accordance with its principles. Second, the principles are interrelated, requiring a holistic understanding. Third, the first principle is the basis for the other principles. The second and subsequent principles are a continuation of the first. The third principle is the essential and strategic glue that binds the nation together. Unity is an essential value for implementing noble values and is a condition sine qua non for doing so; therefore, it is just as important as the noble values themselves.

The implementation of the values of the philosophy of state, or Pancasila, has become an integral part of legal culture through the application of laws, particularly those directly related to the content of the 1945 Constitution (First to Fourth Amendments). According to Article 1, Paragraph 3, Indonesia is a country based on the rule of law, built upon the five principles of the ideology of Pancasila. The values of the principles of the Indonesian state philosophy, or Pancasila, are fundamental, but they cannot be properly and effectively implemented without first transforming them into legal principles or norms. These legal principles and norms are essential for effectively applying the values of Pancasila in Indonesian national laws to achieve the goals of a Pancasila-based state. These goals include establishing order, certainty, and justice in law. Despite their varying scope and content, these principles are equally capable of benefiting the unifying elements of the nation.

To achieve national unity, it is necessary to examine how the values of the Indonesian state philosophy, or Pancasila, are implemented through the application of law. Pancasila is fundamentally understood to be the material source of national law in Indonesia. The extent to which the principles of Pancasila are incorporated into Indonesian law is largely determined by the components of the existing legal system, including legal culture, substance, and structure.

Culture determines law, which essentially reflects the values of Pancasila. These values include belief in almighty God who is gracious and merciful. God creates, provides for, and guides humankind to achieve the purpose and direction of life in accordance with its nature and essence. The values of morality, civility, ethics, and doing good deeds are believed to maintain unity and integrity. Additionally, wisdom and prudence guide people to achieve their common desire for their nation's progress. Social justice values are also

fundamental to achieving life's direction and goals for the people and the state (Silalahi, *et.all*: 2025). These values have been accepted throughout human history and have become an integral part of life. In turn, they have become a culture and a set of living laws for individuals, the general public, the nation and state, and the global community.

The legal subject's need for something, whether material or immaterial, that is repeatedly and continuously accepted becomes a general necessity for the people of the nation. This becomes the content of the nation's legal culture, with the legal subject as the bearer of rights and obligations. When it becomes the subject matter of law, the application of law in society enforces a law that is more broadly accepted by the people and the state of Indonesia. Thus, the law's implementation produces legal products that accommodate and respond to the values that grow and develop within society, including those derived from the values of Pancasila. These values are characteristic of the legal culture of the Indonesian nation and state. This clearly shows that the values of Pancasila have permeated the legal culture as a component of the legal system and have become part of the substance of laws and regulations. Therefore, the implementation of laws and regulations is considered to reflect the values of Pancasila, responding to and accommodating the interests of the people and the state. Thus, it can be understood that the values of the Constitution are a source for resolving the people's and the state's problems, unifying the nation within a unitary state governed by central and regional governments.

In other words, works and ideas are produced based on the values of Pancasila. A legal culture derived from Pancasila can unite all elements of the nation because these values are a long-standing tradition and way of life for all levels of society. Clearly, the legal culture of the Indonesian people is based on

the values of Pancasila. These values benefit all elements of Indonesian society and are part of the culture at all levels.

In general, this construction shows that Indonesian legal culture is based on the values of the philosophy of state, or Pancasila. This legal culture presents its essence in the form of attitudes, policies, deeds, and/or actions based on the values of divinity, civilized justice, and humanity; unity and integrity created from justice and civility; and wise guidance and consensus achieved through deliberation. More specifically, one of the main aspects of legal culture is the usefulness and necessity of law for society, which is based on fundamental principles and values that exist within society. From this perspective, it is argued that society needs laws with positive implications that yield truth and justice, namely, laws based on valuable ideological, sociological, historical, juridical, and philosophical foundations (Hariyanto, 2018: Sistyawan, et. All, 2024). Therefore, to implement the values of the nation's legal culture, the values of the state philosophy, or Pancasila, must be incorporated into national legislation. This legislation will then be applied to all elements of Indonesian society and the state, including state authorities and central and regional governments.

2. Implementation by Incorporating Pancasila Values into Legal Content and its Application

Law, one aspect of which takes the form of legislation, is a set of rules whose scope of application is determined by its form. It is well-known that the content of law largely determines its form. As part of the national legal system, statutory regulations play an important role in developing national law, which aligns with the philosophy of Pancasila and the 1945 Constitution of the Republic of Indonesia (Sihombing et al., 2024). This raises the question: What can be the source of legal regulation content that will then be applied to society? Can the values of Pancasila determine the content of legal regulations?

In this regard, the values of the Indonesian philosophy of state, or Pancasila, can certainly be incorporated into legal materials, as they frame the broad outlines of legal materials. The main values, such as *amar makruf nahi mungkar* (enjoining what is good and forbidding what is evil), stemming from the principle of belief in God, shape the content of legal materials. Several articles in the 1945 Constitution of the Republic of Indonesia exemplify this, including Article 1, Paragraphs 1, 2, and 3. These articles state that God established the state; then, with the people's ability as caliphs on the earth, Indonesia established a unitary state with a republican form of government. This government is intended to achieve a shared life as servants of God in Indonesia.

The first principle of the Indonesian state philosophy, or Pancasila, affirms the substance of Article 29, paragraph 1, which guarantees every citizen the freedom to practice their religion. The principle of belief in God almighty is the foundation of the other principles of the Pancasila. The second principle, "Just and Civilized Humanity," provides a framework that incorporates fundamental values into many of the country's legal products. This includes the Preamble to the 1945 Constitution, which states that "human rights and colonialism must be abolished because they are not in accordance with humanity and justice." The government upholds the nation's manners, morals, and ethics based on the principle of not violating human rights, as stipulated in Article 31, Paragraph (3). The government strives to provide a national education system rooted in faith and piety to educate the nation. Additionally, according to Article 27, everyone is equal before the law and has the right to work and participate in defending the state.

The second principle of fair and civilized human values, derived from high morality and ethics, is related to the fifth principle of social justice for all

Indonesian people. These values are included in Articles 28A to 28J of the 1945 Constitution, which stipulate that everyone has the right to life, to defend their life, to form a family and continue their lineage, to receive an education, to enjoy prosperity, and to receive recognition, guarantees, protection, and the certainty of fair and equal treatment under the law. Everyone has the right to work and receive fair and decent compensation and treatment in employment relationships. Every citizen has the right to equal opportunities in government.

In addition to incorporating the second principle in Article 28E, which affirms the right to religion, education, employment, and citizenship, everyone has the right to citizenship. Furthermore, everyone is guaranteed freedom of association and expression. Additionally, the second and fifth principles of social justice for all Indonesian people are included in Article 1, Paragraph (3); Article 24; Article 24A; and Article 24C. These articles broadly state that Indonesia is a country based on law, upholding it in a civilized manner with good character, morality, and ethics to achieve justice in all aspects of life. This principle stipulates that the judiciary has the right to independently uphold law and justice, a responsibility carried out by the judicial branch.

In addition to the first and second principles, the principle of Indonesian Unity fills and frames the substance of Article 28(I), Paragraph 2, which affirms that everyone is free from discriminatory actions and has the right to protection from such actions. Similarly, it fills Article 28J (1), which states that everyone must respect the human rights of others. These articles legally regulate and fundamentally determine the values of the Principle of Indonesian Unity within the state's basic legal provisions. Naturally, the content of other articles is also closely related to the principles of the State Philosophy (Pancasila), as well as other principles.

Additionally, the values of the fourth principle—the principle of democracy guided by deliberative wisdom among representatives—fill the provisions of the 1945 Constitution, including Article 2, Paragraph (1), which states that the People's Consultative Assembly comprises members of the House of Representatives and the Regional Representative Council. Additionally, it fills the substance of Article 19, Paragraph 1, which states that members of the People's Representative Council are elected through general elections. This includes the contents of the fourth and fifth principles, namely social justice for all Indonesian people. It also fulfills the provisions of Articles 24, 24A, 24B, and 24C, as well as Article 31, Paragraph 4: "The state shall prioritize an education budget of at least twenty percent of the state and regional revenue and expenditure budgets to meet the needs of national education." Additionally, it fulfills the provisions of Article 34, which emphasizes the state's obligation to provide and develop social security, as well as its responsibility to provide adequate service facilities.

Therefore, the values of the five principles of the Indonesian state philosophy, or Pancasila, that have been incorporated into the 1945 Constitution as the basic law are manifested through regulations and legal provisions. These values become the obligation and responsibility of the legal structure to create, apply, and enforce laws that contain Pancasila values in order to resolve community issues and unite the elements of the nation. Law enforcement is clearly part of the application of law based on the principles of the Constitution for justice because "...the ideal of law enforcement understands legal justice with its principles" (Dewi, 2019; Kadir, et.all, 2025). A state based on the values of the Pancasila requires legal institutions to provide balance and oversight between the functions of state institutions. One such body is the Constitutional Court, which implements checks and balances in response to the

Indonesian state's desire to support the functioning of checks and balances (Sasmito, 2017), with the function of the institutional structure being to implement legal functions to resolve national and state issues.

The implementation and enforcement of the law is not only the responsibility of the police, the prosecutor's office, the Supreme Court, and lower courts, but also the primary obligation of every institution, body, organ, and apparatus within the scope of central and regional governments, including their organs and apparatuses. This responsibility extends to village governments, infrastructure and superstructure institutions/bodies/organs, and all elements of society, including citizens and other legal subjects who bear, own, and implement rights and obligations at different levels of function, authority, and responsibility. Therefore, in accordance with the reality and fundamental will of Indonesian society, Indonesia, as a state based on the principles of Pancasila, must provide legal certainty to achieve the state's goals based on the five principles of Pancasila, which form the basis for achieving the goals of national life in Indonesia (Hasan et al., 2024). Negating the essence of values derived from the principles of the Pancasila is an inspiring and accommodating response to the living value system within the nation and state, filling the legal content of various national legal regulations and provisions to solve the nation's and state's problems. It unites the elements of national unity to achieve the essence and objectives of the Republic of Indonesia's founding, as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia.

IV. CONCLUSIONS

Laws derived from the values of Pancasila as part of the state's basic principles or norms serve to determine the framework for resolving issues facing the nation amid the diversity of elements within the state and

government, from the central to regional levels. These issues include unpredictable and multifaceted interests of political parties, judicial independence, weak law enforcement, the constitutional rights of citizens, fragile sovereignty, and challenges and threats of cultural, social, and economic degradation. Other issues include ideological differences, perspectives, and pragmatic-hedonistic lifestyles that lead to corruption, collusion, and nepotism. These laws can also determine the framework for resolving issues related to differences in ideology, ways of achieving interests and livelihoods, and other related matters among the elements of national unity.

Pancasila-based law has a strong and flexible regulatory, binding, and implication power. It is a harmonious system that resolves current issues and problems and unifies the elements of the Indonesian nation and state, which are nearly torn apart by numerous interests. The law is not only local and domestic in nature; it is also capable of becoming the basis, foundation, and legal umbrella for regulating, determining, and responding to the challenges of a more complex future because it is based on the values of Pancasila in a constitutional, harmonious, normative, and flexible manner. The problems and issues faced by Indonesia's people and state are integral to the nations of the world in this era of disruption. The law can provide long-term sustainable progress for the Indonesian nation and state as an integral part of the global community of nations by providing direction and solutions with order, certainty, and legal justice based on Pancasila values.

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