

The Position of Moral Status in the Legal System in Indonesia and Its Practices in the Justice System



Naufal Ariq Aisy¹, Fifiana Wisnaeni²

^{1,2}Faculty of Law Universitas Diponegoro

ABSTRACT: The legal system and moral values are inseparable units. Based on the development of knowledge and practice, the legal system in Indonesia is influenced by positive law which develops in line with the understanding of legal positivism. In Indonesia, which is plural, it will cause injustice and conflict if the legal system is not in line with the values and principles of Pancasila as the legal ideals of Indonesian society. Pancasila is believed to be the way of life of the Indonesian people which is a unified whole of ethical and moral values, so Pancasila can be called the morals of the Indonesian nation. This research aims to show and discuss the position of morality in the legal system in Indonesia and its practice in the justice system in Indonesia. The research method used in this research is normative legal research. The results of this study will explain the need to develop a legal system that is systemic and sustainable with the morals of the Indonesian people, namely for the sake of realizing justice. The conclusion of this research shows that in forming a statutory regulation that will create legal certainty for the people, it must be based on Pancasila which is seen as the "legal ideal" of the Indonesian nation. This is because there is a belief that the values contained in Pancasila are actual, so it is believed that "Pancasila is the source of all sources of law."

KEYWORDS: Indonesian Legal System, morality, Pancasila, positivism

I. INTRODUCTION

Hans Kelsen argues that the Law is a system of norms.¹ The norm Kelsen refers to is a statement emphasizing the "should" or *das sollen* aspect, accompanied by some regulations regarding what to do.² Norms are a deliberative product and action of man. In behaving, individuals are guided by laws that contain general rules, both in the relation between individuals and society.

The norms that grow and develop in society affect the development of law in Indonesia. These norms include religious norms, norms of decency, and legal norms that become elements of the internalization of the formation and development of law. The norm also gives the "scent" of morality to any crystallization process in the form of legislation. Despite this, the most effectively applied norms are legal norms. This is due to the "universal imperative and facultative" character that legal norms have and are accepted as a guide to human life.

As stated in Article 1 Paragraph (3) of the 1945 Constitution, Indonesia is a state of law.³ According to Mahfud MD, the meaning of the state of law must be interpreted as a "typical Indonesian" legal state, which is commonly referred to as the "state of Pancasila law with prismatic characteristics".⁴ These prismatic characteristics emphasize the orientation in maintaining the values, morals, and characteristics of the nation balanced with an established legal system.⁵

The law is a guide for the social life of the community. As an effort to guide the work of law in society, ethical values and morality are required. It constructs law as a radiance from morals so that law is not only understood as a formal and written law. But the law must also be interpreted as an unwritten rule that relates to morals as a guide to the law. Therefore, the work of law in society is also influenced by the role of unwritten laws that contain ethical and moral values.

¹ Vinx Lars. "HANS KELSEN AND THE MATERIAL CONSTITUTION OF DEMOCRACY". *Jurisprudence* 12, no. 4 (2021): 466-490.

² Harun, M. "PHILOSOPHICAL STUDY OF HANS KELSEN'S THOUGHTS ON LAW AND SATJIPTO RAHARJO'S IDEAS ON PROGRESSIVE LAW". *Walisono Law Review* 1, no. 2 (2019): 195-220.

³ Aldyan, A., Negi, A. "THE MODEL OF LAW ENFORCEMENT BASED ON PANCASILA JUSTICE". *Journal of Human Right, Culture and Legal System* 2, no. 3 (2022): 178-190.

⁴ Abdullah, S., & Joko Basuki, U. "PANCASILA LANDASAN DASAR DALAM MEWUJUDKAN NEGARA HUKUM INDONESIA". *Prosiding SNasPPM* 7, no. 1 (2022): 721-728.

⁵ Bagiastra, N. "THE ONTOLOGICAL OF STATE OF LAW OF PANCASILA AS THE BASIS OF WELFARE STATE IN INDONESIA". *Udayana Master Law Journal* 9, no. 4 (2020): 701-711.

The Position of Moral Status in the Legal System in Indonesia and Its Practices in the Justice System

According to Hugo Sinzheimer, the law always moves dynamically following the developments that exist in society,⁶ so it is always faced with things of a concrete nature. This is the basis that the law should not be separated from values and morals because the law is not only limited to the text that provides legal certainty; more than that, the law can be interpreted with the aim of providing justice for all Indonesian people.

Refer to the history, Indonesia adheres to the civil law system.⁷ Based on the legal system, the civil law system is known as the concept of codification which means that, a law will gain binding legal force if it is realized in the form of written regulations in the form of laws and systematically arranged in the form of codification.⁸ However, in its application the Civil law legal system in Indonesia has undergone changes and adjustments to the needs of the Indonesian people.

It is worth remembering that law and morals are very closely related, so that if morals stand-alone without law, they will essentially become powerless, while if laws without morals are essentially worthless. Whatever form of the legal system that applied in every country in the world, it has the same moral orientation, which is to realize legal justice for all its people. Based on the background of research above, the researcher proposed 2 issues that will be discussed, namely: 1) What is the moral position in the legal system in Indonesia? 2) What is the moral and legal position of the judiciary in the judicial system?

II. METHODS

The type of research is normative research. This type of research is library research, in the sense that all data sources come from written materials in the form of books, documents, magazines, and manuscripts that are related to the topic of discussion through a review of various literature related to research which includes primary, and secondary data, and tertiary. The collected data is read, understood, and formulated in substance to then be compared with other writings (literature) so that a research synthesis is produced.

The author of this study uses qualitative data types, namely those related to the discussion of the problem. The data sources used consist of two kinds of data sources, namely Primary data and Secondary data. In order to obtain objective and accurate data to describe and answer the problems studied, data collection procedures are required.

The technique of collecting data in this research was done through a literature study by accessing journals, reading conventions, books, legal documents, laws, regulations, and other sources related to this comparative study.

Data were analyzed through a descriptive qualitative approach which focused on qualitative research on law about the position of morality in the Indonesian legal system. In the descriptive qualitative method, the researcher will provide exposure to the subject and object of research. Then this research also conducted analysis and determined relevant data or legal materials for this research.

III. FINDING AND ANALYSIS

1. The Position of Moral in the Indonesian Legal System

Based on its historical course, law and morals are two things that are inseparable and united in God's law (divine law). According to Prof. Satjipto Rahardjo, "*the rule of law will just become a caricature if it is applied in the society with the opposite 'moral life'*"⁹ where in essence Prof. Satjipto wanted to argue that what determines whether a law is effective or not is the moral life of humans. In this context, morality is a based principle of law, therefore it is called a moral principle.

The moral principle will become the basis for thinking and acting regarding the good and bad of an act accepted by the general public. In addition, when viewed from the context of individual behaviour, moral principles are the basis for thinking and acting for these individuals.

The legal system refers to Subekti as an orderly arrangement or order, a whole consisting of interrelated parts arranged according to a plan or pattern which is the result of a thought to achieve a goal.¹⁰ As previously mentioned, the Indonesian legal system is a civil law system, where the law is formed from written legal components to create legal certainty for society.¹¹

In forming a statutory regulation that will create legal certainty for the community, it must be based on Pancasila which is seen as the "legal ideal" of the Indonesian people. These are due to the belief that the values contained in Pancasila are true. Therefore,

⁶ Wulandari Cahya. "KEDUDUKAN MORALITAS DALAM ILMU HUKUM". *Jurnal Hukum Progresif* 8, no. 1 (2020): 1-14.

⁷ Abduh, R., Hanifah, I. "CERTAINTY OF JURISDICTION LAW IN CIVIL LAW SYSTEM". *RISS Journal* 1, no. 2 (2020): 271-276.

⁸ Elsa Nurahma Lubis, A., & Dwi Fahmi, F. "PENGENALAN DAN DEFINISI HUKUM SECARA UMUM (LITERATURE REVIEW ETIKA)". *Jurnal Ilmu Manajemen Terapan* 2, no. 6, (2021): 768-789.

⁹ Hastono Broto, *et al.* "IMPLEMENTASI PRINSIP MORAL SISTEM HUKUM INDONESIA GUNA PEMBERANTASAN TINDAK PIDANA KORUPSI DI MASA PANDEMI COVID-19". *Pandecta Journal* 16, no. 2 (2021): 229-236.

¹⁰ Isfandika., Din, M., & Jauhari, I. "SUBMISSION OF COPY OF DETERMINATION ORDER REGARDING THE PROVISIONAL DISCONTINUATION OF CIVIL SERVANTS". *Syah Kuala Law Journal* 5, no. 3 (2021):317-328.

¹¹ Martitah., Sumarto, S., & Hidayat, A. *The Existence of Customary Law and Islamic Law in the Optics of the Indonesian Legal System in Indonesia*. Semarang: ICILS 2020, p. 306.

The Position of Moral Status in the Legal System in Indonesia and Its Practices in the Justice System

it is believed that "Pancasila is the source of all sources of law" Pancasila is also believed to be the way of life of the Indonesian nation which is a unified whole of ethical and moral values, so Pancasila can be called the moral of the Indonesian people.

In forming a statutory regulation that will create legal certainty for the community, it must be based on Pancasila which is seen as the "legal ideal" of the Indonesian people. These are due to the belief that the values contained in Pancasila are true. Therefore, it is believed that "Pancasila is the source of all sources of law" Pancasila is also believed to be the way of life of the Indonesian nation which is a unified whole of ethical and moral values. Accordingly, Pancasila can be called the moral of the Indonesian people.

The legal ideals of Indonesia as stipulated in Paragraph 4 of the 1945 Constitution¹² are "...to protect the entire Indonesian people and all of Indonesia's bloodshed and to advance public welfare, educate the nation's life and participate in carrying out world order based on freedom, eternal peace, and social justice..."

Pancasila has a constitutional function and a regulatory function as a "legal ideal". The constitutional function of Pancasila can determine the basis of a legal system by giving meaning to the law itself so that the law will lose its meaning as law if it is not based on Pancasila. Meanwhile, with its regulative function, Pancasila can determine whether or not a positive law applies.

Apart from being a "legal ideal", when it is associated with the theory put forward by Hans Kelsen, namely the *stufenbau* theory, the position of Pancasila is as a "grundnorm" or basic norm.¹³ This is because the one that creates the constitution and determines the content and form of various laws and regulations arranged hierarchically is Pancasila. So that in this case, Pancasila guarantees the harmonization both vertically and horizontally in a statutory regulation.¹⁴

The embodiment of Pancasila in the Indonesian legal system will create a national law with the following characteristics:

- a) Having nuances of religious moral values based on Belief in the One and Only God, not only based on the religious law of a particular religion;
- b) Uphold human rights;
- c) Providing a sense of justice for all Indonesian people;
- d) Encouraging public participation in the preparation of a legal system in Indonesia.

In Indonesia, which is plural, it will cause injustice and conflict if the legal system is not in line with the values and principles of Pancasila as the legal ideals of the Indonesian nation.

2. The moral position in the practice of the justice system in Indonesia

Indonesia is a country based on Pancasila, which is a picture of the values and morals of the Indonesian people.¹⁵ However, in practice, the law and morals are not always related. This is because there are laws that apply but conflict with morals, so in practice, it does not bring about justice. These things occur because the person who has the authority involves their interests in the law. Therefore, the law no longer embodies justice for all Indonesian people but justice for a few people in power.

The doctrine of legal positivism that dominates in Indonesia shows that positivism is more evolved in Indonesia. This has an impact on law enforcement which only sees the law as the truth that will only provide procedural justice, where the law will be considered fair if it is in line with statutory rules.

When it is related to the practice in the judiciary, it can be seen in the justice system where judges in deciding a case rely on the law without considering the value of justice. Decisions like this are in line with the opinion of John Austin, who said that "law is an order (command) from an authorized authority, made in written form, and if it is violated, sanctions will be given". Austin in this case separates morals and law so that law is what is written or "Law as what it is written in the books". Judges who hold this view will produce decisions that ignore moral values in them, so some of their choices may not provide justice for the seeker of justice.

Based on H.L.A. Hart book, "The concept of law" he provides a non-extreme separation between law and morality. This is because morality is a minimum requirement related to the limitations of managing changes in society. In this situation, positive law is often left behind from the development of society, so in enforcing the law a moral space is needed in its implementation.

In line with the secondary rules put forward by Hart, the secondary rules contain legal regulations that give rights and obligations to state authorities, consisting of rules of change, rules of adjudication, and rules of recognition. Based on Hart's thought, the most important thing related to his rejection of John Austin's thought is that legal authority is a fact of order, custom, and obedience. Therefore, the access that is owned by the community as a whole to a basic main rule, which is given to the people

¹² Emilia, S., Andini, M., & Asbari, M. "PANCASILA AS A PARADIGM OF LEGAL DEVELOPMENT IN INDONESIA". *Journal of Information System and Management (JISMA)* 1, no. 2 (2020): 22-27.

¹³ Mustafa, Y., Waraka, M., & Hufron. "PRESIDENTIAL ELECTION AND VICE PRESIDENT OF REPUBLIC OF INDONESIA BASED ON PANCASILA DEMOCRATIC PRINCIPLES". *Journal of Law, Policy and Globalization* 8, no. 8 (2019): 1-5.

¹⁴ Suteki. *HUKUM dan MASYARAKAT*. Yogyakarta: Thafa Media. 2021. Pp. 391

¹⁵ Zulfiani, A., Hartiwingsih, Sulistiyono, A. "PANCASILA AND SOCIAL CHANGE IN INDONESIA". *PalArch's of Archaeology of Egypt* 17, no. 7 (2020): 15959-15967.

The Position of Moral Status in the Legal System in Indonesia and Its Practices in the Justice System

who have the authority to make the law is the real basis of the law. Therefore, the proportion of law is not only based on orders from the authorities that must be obeyed but also relates to the extent to which people accept the law.

Practically In Indonesia, there are still judges who consider moral justice in their decisions. This can be seen from the judge's decision which is *ultra petita*. *Ultra Petita* is the imposition of a decision by a judge that exceeds the demands or charges filed by the prosecutor for a case.¹⁶ The reason for the judge doing *Ultra Petita* is for the realization of substantive justice (essential justice that can be felt by the public as true justice).

Based on Andrew Altman, "ultra petita issued by a panel of judges in court often causes controversy because there is no legal basis that allows judges in public courts to issue decisions that are *ultra petita* or decisions that exceed what the prosecutor charges." Nevertheless, Article 24 paragraph (1) of the 1945 Constitution states that "The judicial power is an independent power to administer justice in order to uphold law and justice."¹⁷ So that in this case the judge is independent in deciding a case. Pamela Karlan argues that judicial independence as a principle for judicial power implies "Judges must be free from certain kinds of pressures or influences and free to envision and realize certain goals." With the independent power that the judge has, in his decision the judge can consider moral values related to justice. Therefore, the judges are not only limited to written laws in deciding a case.

According to Radbruch, justice comes before the law. Therefore, the law must contain the quality of justice because it is born by justice. Radbruch emphasized this in his opinion: "Law is a cultural phenomenon, that is, a fact related to value. The concept of law can be determined only as something given, the meaning of which is to realize the idea of law. Law may be unjust (*summum jus – summa injuria*); but it is law only because its meaning is to be just. Justice is a picture of morality, so the judge's decision that considers justice is an illustration that the judge puts morality in it.

In addition, if a case does not contain provisions that regulate or are unclear, the judge is obliged to make legal discoveries (*Rechtsvinding*).¹⁸ That is because the judge may not refuse to decide on a case. After all, there is no law governing the case. The judge in this case is considered to know the law (*ius curia novit*) and can make a decision in a case based on his knowledge and beliefs as a judge.

In the case of a judge making a legal discovery (*Rechtsvinding*), the judge must consider the principles that contain moral values in deciding a case to achieve justice. Based on article 5 paragraph (1) of Law no. 48 of 2009 concerning Judicial Power states that "Judges in deciding a case must explore, follow, and understand the legal values and sense of justice that live in society."¹⁹ That is in line with Judge Oliver Wendell Holmes who argued that: "The life of the law has not been logic: it has been experienced." In addition, according to Gustav Radbruch, the law must fulfill 3 basic values. Namely: justice, certainty, and expediency. So that in deciding a case in court, the judge does not only consider aspects of legal certainty contained in the law but must also consider aspects of justice and expediency which are the embodiment of the values and morality of the Indonesian people, while still taking into account the legal facts

Practically in the justice system, the yardstick for morality is conscience. it can be seen from the actions taken by law enforcement. Law enforcement has a close relationship with morality, so in its application, it must consider its moral aspects in it. Based on the example of the case, the Mbok Minah case illustrates the moral justice considerations given by the judge in his decision.

Mbok Minah was proven to comply the elements contained in Article 362 of the Criminal Code regarding theft, after taking 3 cocoa pods from a plantation owned by PT. The Sari Antan family in 2010. In his lawsuit, the prosecutor demanded that Minah be imprisoned for 6 months, but the judge, in this case, sentenced mbok Minah under the prosecutor's demands. Based on his decision, the judge in the mbok Minah case considered the principles of justice and public opinion as a moral embodiment that must be upheld. Even though based on the positive law, Mbok Minah was proven guilty, because she had fulfilled the elements in Article 362 of the Criminal Code. However, the judge, based on his conviction and taking into account morality in his decision, sentenced Mbok Minah to 1 month and 15 days with a probation period of 3 months. So that mbok Minah doesn't have to feel the cold of prison.

The nature and essence of law is justice for many people. Law enforcers, especially judges, must be able to understand the need for law and justice in society. In law enforcement practice, there is still a tendency to decide cases based on legal certainty (written laws), without considering justice and benefits for society. Upholding the law that only refers to legal certainty actually results in

¹⁶ Simanjuntak, P., M. "ANALISIS YURIDIS ULTRA PETITA HAKIM DALAM MENJATUHKAN PIDANA MATI TERHADAP PELAKU YANG MENYIMPAN NARKOBA GOLONGAN 1 BUKAN TANAMAN MELEBIHI 5 GRAM (STUDI PUTUSAN PENGADILAN NO. 241/PID.SUS/2019/PN.TJB)". *Cessie: Jurnal Ilmiah Hukum* 1, no. 2 (2022): 59-78.

¹⁷ "Undang-Undang Dasar Negara Republik Indonesia" (1945), art. 24 paragraph (1)

¹⁸ Suryoutomo, M., & Febriharini, P., M. "PENEMUAN HUKUM (RECHTSVINDING) HAKIM DALAM PERKARA PERDATA SEBAGAI ASPEK MENGISI KEKOSONGAN HUKUM". *Jurnal Hukum dan Dinamika Masyarakat* 18, no. 1 (2020): 103-116.

¹⁹ Rumadan, I. "INTERPRETATION OF THE LEGAL VALUES AND JUSTICE IN THE LIVING LAW TO COURT DECISION". *Sociological Jurisprudence Journal* 4, no. 1 (2021): 13-22.

The Position of Moral Status in the Legal System in Indonesia and Its Practices in the Justice System

the law losing its meaning, namely justice, happiness, benefit, and fulfillment of human rights. So that in essence, in practice in the justice system, law and morals must go hand in hand for the realization of justice for all Indonesian people.

IV. CONCLUSIONS

Based on the discussion above, in this case, the researcher concludes that:

1. Pancasila is believed to be the way of life of the Indonesian people that is a unified whole of ethical and moral values. Therefore, Pancasila can be called the moral of the Indonesian people. The embodiment of Pancasila in the Indonesian legal system will create a national law with the following characteristics:
 - a. It has nuances of religious moral values based on Belief in the One and Only God, not only based on the law of a particular religion;
 - b. Uphold human rights;
 - c. Providing a sense of justice for all Indonesian people;
 - d. Encouraging public participation in the preparation of a legal system in Indonesia.

In forming a statutory regulation that will create legal certainty for the community, it must be based on Pancasila which is seen as the "legal ideal" of the Indonesian nation. This is because there is a belief that the values contained in Pancasila are true, so it is believed that "Pancasila is the source of all sources of law.

2. In practice in the justice system, the yardstick for morality is conscience, which can be seen from the actions taken by law enforcers. In the case of a judge making a legal discovery (*Rechtsvinding*), the judge must consider the principles that contain moral values in deciding a case to achieve justice. Law enforcers, especially judges, must be able to understand the need for law and justice in society. The nature and essence of law is justice for many people. Law enforcers, especially judges, must be able to understand the need for law and justice in society. In law enforcement practices, there is still a tendency to decide cases based on legal certainty (written laws), without considering justice and benefits for society. Upholding the law which only refers to legal certainty results in the law losing its meaning, namely justice, happiness, benefit, and fulfillment of human rights.

REFERENCES

- 1) Martitah., Sumarto, S., & Hidayat, A. *The Existence of Customary Law and Islamic Law in the Optics of the Indonesian Legal System in Indonesia*. Semarang: ICILS 2020
- 2) Suteki. *HUKUM dan MASYARAKAT*. Yogyakarta: Thafa Media. 2021
- 3) Abduh, R., Hanifah, I. "CERTAINTY OF JURISDICTION LAW IN CIVIL LAW SYSTEM". *RISS Journal* 1, no. 2 (2020): 271-276.
- 4) Abdullah, S., & Joko Basuki, U. "PANCASILA LANDASAN DASAR DALAM MEWUJUDKAN NEGARA HUKUM INDONESIA". *Prosiding SNasPPM* 7, no. 1 (2022): 721-728.
- 5) Aldyan, A., Negi, A. "THE MODEL OF LAW ENFORCEMENT BASED ON PANCASILA JUSTICE". *Journal of Human Right, Culture and Legal System* 2, no. 3 (2022): 178-190.
- 6) Bagiastra, N. "THE ONTOLOGICAL OF STATE OF LAW OF PANCASILA AS THE BASIS OF WELFARE STATE IN INDONESIA". *Udayana Master Law Journal* 9, no. 4 (2020): 701-711.
- 7) Elsa Nurahma Lubis, A., & Dwi Fahmi, F. "PENGENALAN DAN DEFINISI HUKUM SECARA UMUM (LITERATURE REVIEW ETIKA)". *Jurnal Ilmu Manajemen Terapan* 2, no. 6, (2021): 768-789.
- 8) Emilia, S., Andini, M., & Asbari, M. "PANCASILA AS A PARADIGM OF LEGAL DEVELOPMENT IN INDONESIA". *Journal of Information System and Management (JISMA)* 1, no. 2 (2020): 22-27.
- 9) Harun, M. "PHILOSOPICAL STUDY OF HANS KELSEN'S THOUGHTS ON LAW AND SATJIPTO RAHARJO'S IDEAS ON PROGRESSIVE LAW" *Walisongo Law Review* 1, no. 2 (2019): 195-220.
- 10) Hastono Broto, *et al.* "IMPLEMENTASI PRINSIP MORAL SISTEM HUKUM INDONESIA GUNA PEMBERANTASAN TINDAK PIDANA KORUPSI DI MASA PANDEMI COVID-19". *Pandecta Journal* 16, no. 2 (2021): 229-236.
- 11) Isfandika., Din, M., & Jauhari, I. "SUBMISSION OF COPY OF DETERMINATION ORDER REGARDING THE PROVINSIONAL DISCONTINUATION OF CIVIL SERVANTS". *Syiah Kuala Law Journal* 5, no. 3 (2021):317-328
- 12) Mustafa, Y., Warka, M., & Hufron. 'PRESIDENTIAL ELECTION AND VICE PRESIDENT OF REPUBLIC OD INDONESIA BASED ON PANCASILA DEMOCRATIC PRINCIPLES'. *Journal of Law, Policy and Globalization* 8, no. 8 (2019): 1-5.
- 13) Rumadan, I. "INTERPRETATION OF THE LEGAL VALUES AND JUSTICE IN THE LIVING LAW TO COURT DECISION". *Sociological Jurisprudence Journal* 4, no. 1 (2021): 13-22.
- 14) Simanjuntak, P., M. "ANALISIS YURIDIS ULTRA PETITA HAKIM DALAM MENJATUHKAN PIDANA MATI TERHADAP PELAKU YANG MENYIMPAN NARKOBA GOLONGAN 1 BUKAN TANAMAN MELEBIHI 5

The Position of Moral Status in the Legal System in Indonesia and Its Practices in the Justice System

GRAM (STUDI PUTUSAN PENGADILAN NO. 241/PID.SUS/2019/PN.TJB)". *Cessie: Jurnal Ilmiah Hukum* 1, no. 2 (2022): 59-78.

- 15) Suryoutomo, M., & Febriharini, P., M. "PENEMUAN HUKUM (RECHTSVINDING) HAKIM DALAM PERKARA PERDATA SEBAGAI ASPEK MENGGISI KEKOSONGAN HUKUM". *Jurnal Hukum dan Dinamika Masyarakat* 18, no. 1 (2020): 103-116.
- 16) Vinx Lars. "HANS Kelsen AND THE MATERIAL CONSTITUTION OF DEMOCRACY". *Jurisprudence* 12, no. 4 (2021): 466-490.
- 17) Wulandari Cahya. "KEDUDUKAN MORALITAS DALAM ILMU HUKUM". *Jurnal Hukum Progresif* 8, no. 1 (2020): 1-14.
- 18) Zulfiani, A., Hartiwiningsih, Sulistiyono, A. "PANCASILA AND SOCIAL CHANGE IN INDONESIA". *PalArch's of Archaeology of Egypt* 17, no. 7 (2020): 15959-15967.
- 19) Undang-Undang Dasar Negara Republik Indonesia (1945)



There is an Open Access article, distributed under the term of the Creative Commons Attribution – Non Commercial 4.0 International (CC BY-NC 4.0) (<https://creativecommons.org/licenses/by-nc/4.0/>), which permits remixing, adapting and building upon the work for non-commercial use, provided the original work is properly cited.