

# Strengthening The Legal Basis As A Way Of Growing A Sense Of Nationalism

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## **Abstract.**

*Nationalism is a form of national awareness of the nation and state itself. The fading sense of nationalism can threaten and destroy the country from within. This happens because national resilience will be weak and easily penetrated by outsiders. This requires the role of law as the basis that regulates the existence of nationalism so that it can live and be lived by the community. Especially in this modern era, it is undeniable that the spirit of nationalism has faded, and the law is ignored. This research is a type of descriptive research through a qualitative approach. The strategy used is a case study, data collection techniques with observation, interviews, and documentation. Data analysis using interactive analysis techniques. Based on the results of the research that has been done, it can be seen that the growth of solid nationalism is very much needed for the people of a nation who want to continue to exist, treading the life journey of the country and state with their ideals and goals. . Especially in this modern era, it is undeniable that the spirit of nationalism has faded and has an impact on decreasing legal awareness.*

**Keywords:** Legal basis, Nationalism, Nation, law

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## **1. INTRODUCTION**

Indonesia as a state of law is certainly not just a slogan, but a state of law that must be grounded. This means that the law must become the behavior of everyday life among the people. Of course, the method of punishment must be a legal model that is in accordance with the mind, soul, feelings and culture.

Equally important, the values of nationalism are the breath of the behavior of the Indonesian people in order to uphold security and order which are the basic values of living in society, as a nation and as a state [1]. Through this paper, the author raises the theme "Strengthening the Legal Basis as a Way to Grow a Sense of Nationalism". Nationalism and law have a close relationship and work continuously [2]. That nationalism is a spirit or understanding that becomes a character that arises in a person to animate his country and try his best to advance life together.

Nationalism can be formed and the laws governing nationalism are one of the factors that form it [3]. With special and official rules governing a nation, a sense of belonging, togetherness and unity will be created. The laws governing nationalism in

Indonesia are as follows: (1) Laws governing the unitary state of the Republic of Indonesia, (2) Laws governing national identity, (3) Laws governing democracy.

Indonesia's national identity was made and agreed upon by the founders of the Indonesian state and is listed in the Indonesian constitution, namely the 1945 Constitution of the Republic of Indonesia in Article 35-36C, among others as follows: (1) The National Language or the United Language, namely Indonesian, (2) The state flag is Sang Merah Putih, (3) the national anthem is Indonesia Raya, (4) the symbol of the state is Pancasila, (5) the state motto is Bhinneka Tunggal Ika, (6) the basic philosophy of the state, namely Pancasila, (7) the Constitution (Law). The basis of the state is the 1945 Constitution, (8) Form of the Unitary State of the Republic of Indonesia sovereignty of the people, (9) Conception of Archipelago Insights, and (10) Regional culture which has been accepted as National Culture.

Indonesia's main national identity is Pancasila and its symbols formed by many elements [4]. The elements forming Indonesia's national identity are ethnicity, religion, culture, and language. This is because Indonesia is a country consisting of approximately 17,504 islands. Of course, this makes Indonesia have a population with very diverse cultural, linguistic and religious backgrounds. Therefore, national identity is not only a differentiator against other countries, but also as a unifier of the many differences among its people [5]. If each individual respects and firmly embraces his national identity, a strong sense of nationalism and unity will be formed.

## II. METHODS

This research is descriptive using a qualitative approach, because this study describes the state of the subject and object of research based on facts that occur in society and data obtained from informants and observations. The strategy of this research is a case study that researches whose data are embedded in accordance with the problem, and the collection is directed at the goals to be achieved.

## III. RESULT AND DISCUSSION

At the time of the proclamation of Indonesian independence, August 17, 1945, the state of Indonesia was officially formed into a single unit. As stated in the preamble to the 1945 Constitution of the Republic of Indonesia, paragraph 4: "Then from that to form an Indonesian state government that protects the entire Indonesian nation and the entire homeland of Indonesia and to promote public welfare, educate the nation's life, and participate in carrying out world order based on independence, eternal peace and social justice, then The independence of the Indonesian nation was drawn up in a Constitution of the State of Indonesia, which was formed in a state structure of the Republic of Indonesia which was sovereign by the people based on the One Supreme Godhead, just and civilized humanity, Indonesian unity, and democracy led by wisdom

in deliberation/representation, as well as by realizing a social justice for all Indonesian people.”

In addition, the 1945 Constitution of the Republic of Indonesia Article 1 paragraphs 1 to 3 reads:

1. The State of Indonesia is a unitary state, in the form of a republic
2. Sovereignty is in the hands of the people and is implemented according to the Constitution
3. The state of Indonesia is a legal state

Based on these two things, Indonesia already has a strong and definite law regarding the existence of unity which will be reflected in the nationalism of its people.

Article 28E paragraph (3) of the 1945 Constitution of the Republic of Indonesia states that the public has the right to freedom of association, assembly and expression. With democracy, people can voice their opinions either in the form of praise or criticism of the government. With the opinion of the people, the government can carry out self-renewal or at least will be aware of the policies that have been decided. This is one of Indonesia's strengths and is a form of nationalism.

In conditions like today, when people focus on their own interests or the interests of their group, nationalism will fade. Currently the Indonesian nation is experiencing disintegration because the old people who will be affected by law enforcement are defensive by dividing the nation [6]. There are so many problems in a pluralistic country, not just ethnic or religious conflicts, but because of certain parties who try to inflame the people [7], then a split occurs so that conditions become unstable [8]. And that is what certain parties hope, with the aim of rejecting any changes that intend to unite the nation [9]. And the more unable to build, and the people are entangled in economic difficulties, the easier it is to be divided.

The main key is the nation's moral resilience. When morality becomes high, when you think that life in the nation and state is not for yourself, but for the people, nationalism will grow thicker [10]. And to do this, a strong law is needed. Law is very important as the basis of nationalism because through law, the people can be monitored, and because Indonesia, which is a vast country and consists of various cultures, the laws that are drafted can also be accepted by every group without prioritizing a particular group, because to ensure a sense of nationalism can To run well requires a person's sense of pride in their country [11].

For more than seven decades, the Indonesian people have been traveling carrying the flag of independence. The journey of more than half a century was marked by various obstacles and a number of problems. This nation continues to strive to improve and introspect so that the aspirations of its people are safe, peaceful, and prosperous. The important moments of the independence celebration were visualized by raising the Red-White flag as a form of remembering the romanticism of history,

when Ir. Soekarno proclaimed it on Jalan Pegangsaan Timur, Central Jakarta. Independence is based on the spirit of nationalism and patriotism.

The Law of the Republic of Indonesia Number 24 of 2009 concerning the flag, language and state symbols, as well as the national anthem, is a law that has been established to define the meaning of nationalism in depth to the Indonesian people. Nationalism is the notion of loving nationality, of course a citizen does something that is best for the nation and state. However, when compared to the era of the founding fathers, today's nationalism is nothing. Nationalism can now be said to be "zero". Because most Indonesians don't think about the interests of their nation anymore, but think about how to enrich themselves and enrich their group (religion, race, ethnicity), that's a reality that is seen now.

When the Reformation rolls around, everyone is optimistic that it will enter a new era, an era where "forgotten" nationalism will rise again. And do not expect narrow nationalism. What is expected is nationalism based on humanity because it is a demand for independence which can be read clearly in the Preamble to the Constitution. The Republic of Indonesia in 1945. Therefore, investment in nationalism is very important for the community, especially among young people, because nationalism is needed by anyone who will support the future of a nation.

There is a time difference between pre, independence, and post where nationalism occurred. The spirit of nationalism in the Soekarno or Budi Utomo era was indeed strong, because of the closeness of the times and historical actors where colonialism still existed. The repressiveness of the invaders was fought both confrontationally and physically. Now, colonialism and colonialism are gone. So it is necessary to understand the meaning of nationalism with a broader meaning. If you used to struggle with carrying weapons, now you can work according to your field, that can be called nationalism. Students study, lecturers teach and develop knowledge, the government serves the needs of the community and so on. Instilling the values of nationalism is very important for the world of children's education [12]. Materials like this become self-stock when the nation's buds become the successors [13].

The law that regulates the existence of nationalism seems not to be lived and lived in social life. Especially in this modern era, it is undeniable that the spirit of nationalism has faded and the law is ignored. Before Indonesia achieved independence, the Indonesian people fought desperately so that this nation could be free from the shackles of colonialism. The enthusiasm of the Indonesian people, especially the youth, is extraordinary. With a spirit of unity and an attitude of self-sacrifice, this nation was finally able to achieve independence. At that time all their strength, property, even their lives were sacrificed. Everywhere the youth ignited the spirit of independence. However, now the times are different, when the Indonesian people are independent, when the Indonesian people are free from the shackles of colonialism, there is actually a tougher enemy that is being experienced by this nation. The big enemy is the fading sense of nationalism among the youth.

Youth who should be able to make the future of a nation better, have now become enemies who can destroy the nation's life in the future. Indonesian youth who used to fight desperately to unite the nation and expel the invaders, are now starting to forget their love for their own nation. They are even more proud of being part of another nation. This attitude will become the nation's biggest enemy. The youth who will make the nation proud will forget and leave the nation that raised them.

Bung Hatta saw that there were various problems of nationalism. For example, intellectuals who are educated and intelligent, they will feel power is in their hands, which will later develop into a situation where they are not quite satisfied with the situation, which will become the forerunner of corruption. But what can we do, Indonesia is currently not fast enough in dealing with problems like this, even in the system of government itself, In such conditions of nationalism, the people occupy a marginal position. Apart from that, of course, there are general problems such as inter-ethnic and religious issues, which is normal considering the many tribes and ethnicities that exist in Indonesia. An example is the burning of ethnic Chinese houses by indigenous Indonesians in Rengasdengklok in 1997. Things like this can be caused and based on a lack of sense of nationalism and law enforcement in Indonesia.

#### IV. CONCLUSION

Nationalism and law can be seen from the existence of laws or laws that regulate state issues, such as flags, state symbols, etc. Therefore, nationalism can be strengthened if the rule of law regarding the state is much deeper and more detailed, not only that national identity is the priority, but also widens to deep feelings, joy and pride in the nation, regardless of its shortcomings and advantages about how, when, and where to sing the national anthem, also kiss the national flag and so on. The growth of strong nationalism is very much needed for the people of a nation who want to continue to exist, treading the life journey of the nation and state with their ideals and goals.

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