

GOVERNANCE OF CITIZEN COMPLIANCE WITH ISLAMIC LAW IN A PANCASILA DEMOCRACY COUNTRY: A Study Of Citizenship Law in Indonesia

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Abstract: The obedience of citizens to every legal product, such as state law and Islamic law for its adherents, is absolute when a country and religious people want to create a democratic climate in the 21st century. This study discusses the governance of citizens' compliance with the law, especially Islamic law, in a Pancasila-democratic country. There are two sources of law in Indonesia; the first is religious law and positive state law, both of which invite people to the path of goodness for justice and democracy. This study uses a phenomenological approach to collect as much data as possible and examine it to obtain relevant answers. This study concludes that the governance of citizens' compliance with Islamic law in a democratic country is mutually supportive obedience, meaning that they obey religion, so they will abide by the state so that this country becomes a democratic country.

Keywords: obedience governance; Islamic law; Pancasila democracy; citizenship.

Abstrak: Ketaatan warga negara terhadap setiap produk hukum seperti hukum negara dan hukum Islam bagi pemeluknya adalah mutlak ketika sebuah negara dan umat beragama ingin menciptakan iklim demokrasi di abad 21. Penelitian ini ingin membahas tata kelola kepatuhan warga negara terhadap hukum, khususnya hukum Islam, di negara demokrasi Pancasila. Ada dua sumber hukum di Indonesia; yang pertama adalah hukum agama dan hukum positif negara, keduanya mengajak masyarakat ke jalan kebaikan untuk keadilan dan demokrasi. Penelitian ini menggunakan pendekatan fenomenologis untuk mengumpulkan data sebanyak mungkin dan memeriksanya untuk mendapatkan jawaban yang relevan. Penelitian ini menyimpulkan bahwa tata kelola kepatuhan warga negara terhadap hukum Islam di negara demokrasi adalah kepatuhan yang saling mendukung, artinya mereka mematuhi agama, sehingga mereka akan mematuhi negara sehingga negara ini menjadi negara demokrasi.

Kata kunci: ketaatan pemerintahan; hukum Islam; demokrasi Pancasila; kewarganegaraan.

Introduction

Humans are born with different traits, characters, talents, wills, and interests. As social beings, humans need each other in social life. The community environment is a place to develop humans themselves in cooperating, socializing, and earning a living to meet their needs.¹ However, due to differences in the interests and desires of one person with another, conflicts often occur, which cause conflicts in society. This can lead

to a social environment that is not harmonious, disorderly, not peaceful, and insecure. Therefore, to prevent these negative things from happening, it is necessary to have a law that regulates relationships and develops an attitude of legal awareness to live life between people. Lawful mindfulness can be deciphered as familiarity with an individual or a gathering of standards or regulations. The general public requires legitimate mindfulness.²

¹ Michael Ungar, Mehdi Ghazinour, dan Jörg Richter, "Annual research review: What is resilience within the social ecology of human development?," *Journal of child psychology and psychiatry*, vol.54, no. 4 (2013), pp. 348-66.

² Jagad Aditya Dewantara et al., "Pancasila as Ideology and Characteristics Civic Education in Indonesia," *International Journal for Educational and Vocational Studies*, vol. 1, no. 5 (2019), pp. 400-405.

This is expected so that request, harmony, quietness, and equity can be acknowledged in the relationship between individuals. Without having high lawful mindfulness, this objective will be genuinely challenging to accomplish.³ This is additionally the situation among understudies, for instance, the event of battles/fights between understudies because of the absence of understudy familiarity with the law. Because of frail legitimate mindfulness, individuals' lives will become fretful and uncomfortable. In this way, we ought to foster a cognizant mentality towards the law. Lawful mindfulness should be ingrained since the beginning from the family climate, or at least, every relative can prepare himself to get his limitations towards the family, regard the privileges of other relatives, and do his commitments prior to asserting his freedoms.⁴ On the off chance that this should be possible, then, at that point, he will likewise become acclimated to applying the mindfulness he as of now has in a more extensive climate, in particular the local area and, surprisingly, the state.

Islamic law in Indonesia, in this study, must be viewed from different sides.⁵ First, Islamic regulations apply formally or are classified as valid public constructions. Second, Islamic rules apply normatively, namely the acceptance of sanctions or reciprocity in Islam for groups of Muslims. More profoundly, Islamic law or sharia is the regulation of rules based on the revelation of Allah SWT and the Sunnah of the Prophet. Islamic law directs behavior that limits the entire ummah. Islamic regulation is seen as a flow that does not go out of God's command for Muslims. Efforts to enforce Islamic law in Indonesia can be seen in how the government delegates that

role to Islamic departments and courts, such as marriage and inheritance matters, by carrying out orders at the Islamic Law Compilation Institute (KHI), in particular completing and managing its implementation locally, then, at that time, compiled different guidelines, for example, the Perwaqaf Law, the Sharia Banking Law although currently, Islamic law is still in terms of welcome in the realm of law in Indonesia. Indonesian common law currently appears to comply with a comprehensive set of laws or the Continental European Civil Code that must be seen from a series of experiences and issues of regulatory legislation, legal sources and policing. This framework is used in European countries, such as the Netherlands, France, Italy, and Germany.⁶

The principal factor affecting lawful mindfulness is information on lawful mindfulness. Guidelines in regulation should be generally scattered and have been legitimate.⁷ Then, at that point, without help from anyone else, the guidelines will be delived and immediately understood in general. Individuals who abuse do not be guaranteed to disregard the law was essential. This may be because of an absence of public arrangement and information about the familiarity with the regulations and guidelines that apply in the actual law. The following variable that impacts lawful mindfulness is about open submission to the law.⁸

Consequently, every one of the interests of the local area will rely upon the arrangements in the existing law. Notwithstanding, there is additionally a presumption that legitimate consistence is brought about by dread of discipline or endorses that will

³ Abolfazl Hayati, Magnus Mattsson, dan Mats Sandberg, "Evaluation of the LBL and AIM-2 air infiltration models on large single zones: Three historical churches," *Building and Environment*, vol. 81 (2014), pp. 365–79.

⁴ Joan Swart dan Jack Apsche, "Family mode deactivation therapy (FMDT): A randomized controlled trial for adolescents with complex issues," *International Journal of Behavioral Consultation and Therapy*, vol. 9, no. 1 (2014), p. 14.

⁵ R. Michael Feener, *Shari'a and Social Engineering: The Implementation of Islamic Law in Contemporary Aceh, Indonesia* (OUP Oxford, 2013). Michael Buehler, review of *Review of Shari'a and Social Engineering: The Implementation of Islamic Law in Contemporary Aceh, Indonesia*, by R. Michael Feener, *Indonesia*, no. 98 (2014), pp. 147–52, <https://doi.org/10.5728/indonesia.98.0147>.

⁶ Irawan Soerodjo, "The Development of Indonesian Civil Law," *Scientific Research Journal*, vol. 4, no. 10 (2016): 30–35. Soonpeel Edgar Chang, "Legal Status of Virtual Currency in Indonesia in the Absence of Specific Regulations," *Indonesia Law Review*, vol. 8 (2018), p. 328. Taufiq Adiyanto, "Dealing with Unexpected Circumstances: Judicial Modification of Contract under Indonesian and Dutch Law," *Hasanuddin Law Review*, vol. 5, no. 1 (4 Mei 2019), pp. 102–19, <https://doi.org/10.20956/halrev.v5i1.1508>.

⁷ Seungwon Nam dan Tony Toneatto, "The influence of attrition in evaluating the efficacy and effectiveness of mindfulness-based interventions," *International Journal of Mental Health and Addiction*, vol. 14, no. 6 (2016), pp. 969–81.

⁸ Christine A. Burke, "Mindfulness-based approaches with children and adolescents: A preliminary review of current research in an emergent field," *Journal of child and family studies*, vol. 19, no. 2 (2010), pp. 133–44.

be gotten while abusing the law. The marks of lawful mindfulness are substantial signs of the degree of lawful mindfulness. Momentarily made sense of again that the primary pointer is lawful information. The individual realizes that specific ways of behaving are directed by regulation. The legal guidelines alluded to here are composed and unwritten regulations.⁹

This conduct includes conduct that is denied by regulation and allowed by regulation. The next marker is the comprehension of the law.¹⁰ An individual from the local area has information and comprehension of specific guidelines, for instance, the presence of correct information and understanding from the local area about the nature and significance of Law No, 1 of 1974 about conducting marriage. The third marker is the lawful mentality. An individual tends to make specific decisions about the law. The fourth pointer is a lawful way of behaving, which is the place where an individual or in a general public whose residents agree with appropriate guidelines. Regulation is a request for life made to accomplish society's desired qualities. One of the qualities that are the objective of regulation is structure. The request implies a dutifulness and reliable way of behaving in doing what is disallowed and requested by regulation.¹¹

Solidly, we can take a basic model in rush hour gridlock rules. The law or set of rules made in traffic has the point of being ordered in rush hour gridlock exercises. This is likewise with an end goal to safeguard the interests and privileges of others.¹² To develop this propensity for monitoring the law is the test and obligation, everything being equal. Since the beginning, a culture of staying alert

and complying with the law should be imparted. So, the component of instruction is the lead in ingraining mentalities and propensities to consent to existing guidelines. Instructive establishments are essential socialization media that enormously impact the human person's development later on. If the disposition and conduct of submitting to the law have been imparted since the good 'ole days, then, at that point, from here on out, the demeanor to regard and comply with the principles will be imbued and settled in the public eye. This is finished by giving the correct information about what not to do and what to do.¹³

When viewed from the point of view of the different conditions of the application of Islamic law in Indonesia today, the authors believe that the obedience of citizens, especially Muslims in Indonesia, to Islamic law is not understood here as the law of the majority of the Indonesian population whose country is based on Pancasila democracy.¹⁴ This means that by applying Islamic law to potential sectors such as spiritual development and obedience to positive state law, a more in-depth study is needed, for example, to transform the value of Islamic law into positive law in Indonesia. Previous studies where many studies have attempted to incorporate Islamic law into state law because they see that Indonesia is a country with a majority Muslim population, so this is not a very difficult thing for the state because citizens are guided by the religion when they worship in society and even state. In terms of religious marriage law and the economy, namely sharia economics.¹⁵

When viewed in the sector of Islamic law perspective in terms of the economy where strictly Islamic law is the legal basis, which is related to

⁹ Heather Toomey Zimmerman, Suzanne Reeve, dan Philip Bell, "Family sense-making practices in science center conversations," *Science Education*, vol. 94, no. 3 (2010), pp. 478–505.

¹⁰ Damien Krichewsky, "CSR Public Policies in India's Democracy: Ambiguities in the Political Regulation of Corporate Conduct," *Business and Politics*, vol. 19, no. 3 (September 2017), pp. 510–47, <https://doi.org/10.1017/bap.2017.2>.

¹¹ Alyssa Miller, "Punishing passion: A comparative analysis of adultery laws in the united states of america and taiwan and their effects on women," *Fordham Int'l LJ* 41 (2017), p. 425.

¹² John T. Sidel, "Averting 'Carmageddon' through reform? An eco-systemic analysis of traffic congestion and transportation policy gridlock in Metro Manila," *Critical Asian Studies*, vol. 52, no. 3 (2020), pp. 378–402.

¹³ Matthew Lister, "There is No Human Right to Democracy-But May We Promote it Anyway," *Stan. J. Int'l L.* 48 (2012), p. 257.

¹⁴ Suci Ramadhan, "Islamic Law, Politics And Legislation: Development Of Islamic Law Reform in Political Legislation of Indonesia," *Adhki: Journal of Islamic Family Law*, vol. 2, no. 1 (21 Juli 2020), pp. 63–76, <https://doi.org/10.37876/adhki.v2i1.35>. Muslihun Muslihun, "Legal Positivism, Positive Law, and the Positivation of Islamic Law In Indonesia," *Ulumuna*, vol. 22, no. 1 (28 Mei 2018), pp. 77–95, <https://doi.org/10.20414/ujis.v22i1.305>.

¹⁵ Muhamad Turmudi, "Pajak Dalam Perspektif Hukum Islam (Analisa Perbandingan Pemanfaatan Pajak Dan Zakat)," *Al-'Adl*, vol. 8, no. 1 (2015), pp. 128–42.

the economy or taxation and zakat, this study, namely managing the obedience of citizens to pay taxes, can be done with a zakat approach because by implementing Islamic law obeying the law. Taxpayers or zakat, the state will get convenience. Namely, there is no need to work hard to convince how taxpayers are, but the state can use Islamic law, especially in the zakat section. If the state wants to advance the law of the Criminal Code, say a crime and treason, it is not wrong for the state to use Islamic law, for example, in Malaysia, some countries in Europe, even though they are not officially using the concept of Islamic law. However, in implementing the law, positive law has been widely used, which is not much different from Islamic law. So the author believes that obedience to Islamic law is the same as educating citizens to manage obedience to state law both in the context of religion in general and in economic contexts such as zakat and the law of the Criminal Code.¹⁶

The high lawful mindfulness in a space will make a socialized society. Building lawful mindfulness since the beginning does not need to stand by after infringement and activity by the regulation implementation.¹⁷ Counteraction endeavors are viewed as vital and can be begun from inside the family as the littlest unit of society. It is this mindfulness that we should construct beginning from the family. With this legitimate mindfulness, we will observe that there is no infringement so that the ideal life will be met. Formal, casual, and non-formal schooling organizations should be welcome to foster lawful mindfulness and insight since the beginning mutually. Lawful instruction is not restricted to formal training at school. However, it should likewise be possible outside of school. Finding out about regulation since the beginning should be educated to kids. So that

later installed in them a feeling of the requirement for law and order. So lawful mindfulness will be shaped since the beginning.¹⁸

Method

Next, we want to describe a little more about the implementation of the study to understand the governance of citizens' compliance with Islamic law in a democratic Pancasila state. We believe that compliance with the law, both religious and state law, which originates from Pancasila and democracy, is one of the main requirements for establishing law and democracy.¹⁹ To discuss the above problems, we have done series of information and data searching on many publications such as scientific communication articles and several information and observations from the authors themselves. So, in general, this study relies on secondary data in the form of evidence of scientific studies that have been carried out and published in both national and international journals.²⁰ So that the data can answer the question of this study, we first examine critically trying to understand a problem from a phenomenological approach, an approach to understanding a problem from a large set of existing data. The study includes data coding, in-depth interpretation, and evaluation to take essential points that will answer the problems of this study legally and with high quality.²¹ We search data electronically by relying on the keywords that we embed in the Google Scholar search engine to make it easier to find them. We follow various literature reviews in legal governance and democracy in a series of reports reported in several international publications. Thus, we think of the chronology or stages of carrying out the study from formulating the

¹⁶ Saskia E. Wieringa dan Nursyahbani Katjasungkana, *Propaganda and the Genocide in Indonesia: Imagined Evil* (London: Routledge, 2018), <https://doi.org/10.4324/9780429440243>. Herlambang Perdana Wiratraman dan Sébastien Lafrance, "Protecting Freedom of Expression in Multicultural Societies: Comparing Constitutionalism in Indonesia and Canada," *Yuridika*, vol. 36, no. 1 (1 Januari 2021), pp. 75–120, <https://doi.org/10.20473/ydk.v36i1.24032>. Mary Zeiss Stange, Carol K. Oyster, dan Jane E. Sloan, *Encyclopedia of Women in Today's World* (SAGE, 2011).

¹⁷ Aaron Kupchik et al, "Police ambassadors: Student-police interactions in school and legal socialization," *Law & Society Review*, vol. 54, no. 2 (2020), pp. 391–422.

¹⁸ Emmanuel Melissaris, *Ubiquitous law: legal theory and the space for legal pluralism*, (Routledge, 2016).

¹⁹ Jaqueline Hewitt-Taylor, "Use of constant comparative analysis in qualitative research," *Nursing Standard (through 2013)*, vol. 15, no. 42 (2001), p. 39.

²⁰ Ashley Castleberry dan Amanda Nolen, "Thematic analysis of qualitative research data: Is it as easy as it sounds?," *Currents in pharmacy teaching and learning*, vol. 10, no. 6 (2018), pp. 807–15.

²¹ Tamarinde L. Haven dan Dr Leonie Van Grootel, "Preregistering qualitative research," *Accountability in research*, vol. 26, no. 3 (2019), pp. 229–44.

hypothesis problem, finding data analysis data, and reporting the historical results qualitatively.²²

Result and Discussion

Law and mindful in democracy

Mindfulness comes from the word cognizant, which means understanding, feeling, knowing, or understanding. Realizing implies knowing, understanding, feeling. Awareness implies acknowledgment, a condition of understanding, something felt or experienced by an individual.²³ Lawful mindfulness can mean the presence of mindfulness, the state of a very well individual what the law is, the capacity and job of regulation for him, and the encompassing local area. Legitimate mindfulness is a theoretical origination in people, about the amicability among requests and harmony that is wanted or fitting. Legitimate mindfulness is frequently connected with regulation consistency, arrangement, and adequacy. Legitimate mindfulness is attention to the qualities contained in people about the current regulation. Legitimate mindfulness is connected with lawful consistency; what recognizes it is an apprehension about sanctions in lawful consistency. Lawful mindfulness is mindfulness without tension, pressure, or orders from outside to consent to material regulations. With legitimate mindfulness in the public arena, the law does not have to force sanctions.²⁴

Sanctions are only imposed on residents who are proven to have violated the law. The law contains commands and prohibitions. The law tells us which activities are against the law and, whenever carried out, will be tampered with as legal consent.²⁵ Actions against the law

are considered to violate the law so that they are damaged by discipline. The meaning of legal awareness as intended is: Legal awareness is awareness or values contained in people about existing regulations or about regulations that are relied on to exist.²⁶ Underlined values are related to regulatory capacity and not a valid assessment of important events in the general public concerned also has an assessment of the thought of Legal Awareness. Legal attention implies concern about what we must do or must do with certainty that we should not do or specifically do to others. This implies concern for the legitimate commitment of each of us to the other. Paul Scholten also has an assessment of the importance of legal awareness. Legal mindfulness is the awareness that exists in every individual about what the law should be, a particular classification of our psychological life by which we recognize regulation and not regulation, between things to do and what not to be done.²⁷

Legitimate mindfulness is a theoretical origination in people about the congruity among requests and harmony that is wanted or suitable.²⁸ Legitimate mindfulness is frequently connected with regulation consistency, development, and adequacy. Legitimate mindfulness is mindfulness/esteems contained in people about the current regulation or the law expected by the more extensive local area. Beginning this conversation, the wording in legitimate mindfulness will be made sense of first. Lawful mindfulness in this setting implies attention to acting as per legitimate arrangements. Local area legitimate mindfulness is a sort of extension that associates legal guidelines with the lawful way of behaving of local area individuals. Lawrence Friedman is more disposed to call it part of the "lawful culture," precisely values and mentalities that impact the activity of the law.²⁹ Scrutinizing

²² Megan Woods et al, "Advancing qualitative research using qualitative data analysis software (QDAS)? Reviewing potential versus practice in published studies using ATLAS. ti and NVivo, 1994–2013," *Social Science Computer Review*, vol. 34, no. 5 (2016), pp. 597–617.

²³ James E. Royster, *Have This Mind: Supreme Happiness, Ultimate Realization, and the Four Great Religions—An Integral Adventure*, (Balboa Press, 2014).

²⁴ Julia K. Martinez, "The Regenerative Resistance: Warrior Womxn Talk Embodiment at the Intersections of Self-Care and Social Justice," (PhD Thesis, San Diego State University, 2019).

²⁵ Ni Made Trisna Dewi, "The Legal Impact on People Died in Kasepekang Sanction," *Sociological Jurisprudence Journal*, vol. 4, no. 1 (2021), pp. 54–60.

²⁶ Haoying Wang, "Why the Navajo Nation was hit so hard by coronavirus: Understanding the disproportionate impact of the COVID-19 pandemic," *Applied Geography*, no. 134 (2021), p. 102526.

²⁷ Christine M. Gagnon, Paul Scholten, dan James Atchison, "Multidimensional patient impression of change following interdisciplinary pain management," *Pain Practice*, vol. 18, no. 8 (2018), pp. 997–1010.

²⁸ Deane H. Shapiro Jr, *Meditation: Self-regulation strategy and altered state of consciousness*, (Routledge, 2017).

²⁹ Dewi Fortuna Anwar, "Foreign policy, Islam and democracy in Indonesia," *Journal of Indonesian Social Sciences and Humanities*, vol. 3, no. 1 (2010), pp. 37–54.

the lawful consciousness of the local area on a fundamental level likewise questions parts of a regulatory requirement. The review that was completed on lawful mindfulness and consistency made way for a rising precise investigation of the significance of local area association in intentionally following legitimate originations that have been confirmed and executed reliably in local area/advertising, nationhood, state, and even governmental issues.³⁰

Elements of Islamic Law Awareness

What is even sadder is that there are not a few people who become role models, those who know the law are the ones who break the law.³¹ The increase in crime is in quantity and volume and quality or intensity and type. From the process of legal development in history to the relationship with the existence and role of public legal awareness in a perfectly legal body, there are ups and downs in a very long period. These roles can be divided into the following groups: The laws of primitive societies are the embodiment of the legal consciousness of their people. The law is believed to be the embodiment of the will and belief of the people about good or bad deeds. Scholasticism believes that the law comes from God's command (medieval century). In this case, awareness is not essential for the law, and the most important thing is the commandment of God.³²

The modern school of natural law (18th and 19th centuries) believes that law results from human reflection using its ratio—sociology (late 19th century and early 20th century). Community legal awareness plays a role in forming, applying,

and analyzing law.³³ Here it is clear that the law of primitive society is very influential; even in total, it is the embodiment of the law of its society. Then when the scholastic understanding developed, which believed that law came from God's decree (medieval) and modern natural law schools developed (the 18th and 19th centuries), cutting the human ratio of existence and the role of consciousness, it was tiny in this case, legal awareness. is no longer critical for law, the most important thing is God's decree as contained in the holy books scholastic school) Alternatively, human reflection results are by adjusting the ratio (modern natural law school.³⁴

Lawful mindfulness in the public arena is certifiably not a one-time process, yet is a progression of cycles that happen bit by bit as follows: The phase of lawful information for this situation, it is an individual's information in regards to specific ways of behaving managed by composed regulation, specifically about what is disallowed for sure is permitted.³⁵ Lawful agreement stage What is implied is that an individual has various data concerning the substance of a (composed) lawful rule, particularly regarding the guideline's substance, reason, and advantages. The legitimate mentality stage is an inclination to acknowledge or dismiss the law in light of an appreciation or acknowledgment that the law is advantageous or not beneficial for human existence. There is now a component of appreciation for law and order for this situation. Lawful Behavior Pattern Stage What is implied is regardless of whether law and order apply in the public eye. Assuming a law and order applies, how much does it apply and the degree to which the local area submits it.³⁶

³⁰ Imam Buchari, Ahmad Rafiki, dan Mahmood Abdullah Hadi Al Qassab, "The employees' awareness and attitudes towards Islamic banking products: a survey of Islamic banks in Bahrain," *World Applied Sciences Journal*, vol. 32, no. 3 (2014), pp. 436–43.

³¹ Imam Buchari, Ahmad Rafiki, dan Mahmood Abdullah Hadi Al Qassab, "Awareness and attitudes of employees towards Islamic banking products in Bahrain," *Procedia Economics and Finance*, vol. 30 (2015), pp. 68–78.

³² Wan Musyirah Wan Ismail, Ida Rahayu Mahat, dan Nurul Asma Mazlan, "Awareness on prohibited elements in Muamalat: common practice in life," *Journal of Contemporary Islamic Studies*, vol. 6, no. 1 (2020), pp. 95–109.

³³ Michael Stolleis, *Natural law and laws of nature in early modern Europe: Jurisprudence, theology, moral and natural philosophy*, (Routledge, 2016).

³⁴ Nico P. Swartz dan Pieter Coetzer, "Takaful: an Islamic insurance instrument," *Journal of Development and Agricultural Economics*, vol. 2, no. 10 (2010), pp. 333–39.

³⁵ Hazianti Abdul Halim, "Understanding and awareness of Islamic accounting: the case of Malaysian accounting undergraduates," *International Journal of Academic Research in Accounting, Finance and Management Sciences*, vol. 7, no. 4 (2017), pp. 33–39.

³⁶ Shahrizan Adzham Ahmad dan Al-Hasan Al-Aidaros, "Customer awareness and satisfaction of local Islamic banks in Malaysia," *IJIB* 2, no. 2 (2017), p. 37.

Lawful Awareness and Obedience to God

Encouraging lawful mindfulness is an interest for social change, which is the public authority's anxiety and has been advanced being developed endeavors.³⁷ This insistence is figured out: Advancement in the legitimate field depends on wellsprings of lawful request as contained in Pancasila and the 1945 Constitution. To further develop request and legitimate sureness in safeguarding the local area, which is a condition for the formation of consistent public solidness, then, at that point, Government device overall and regulation requirement contraption specifically should be constantly supported and created to expand their capacities and authority. Improvement and direction in the regulation field are coordinated so the law can address issues as per the degree of advancement progress, so open requests and sureness can be made. Endeavors to control regulation authorization organizations should be proceeded with. Endeavors to build the capacity and authority of police officers should have proceeded with that lawful mindfulness so that individuals satisfy their freedoms and commitments. Further develop demeanor improvement of police officers towards maintaining the law, equity, and advancement.³⁸

One way that can be used to facilitate interaction between members of the community is to issue certain legal norms. Through this law, among other things, the roles that community members should carry out are determined.³⁹ However, based on observations and several research results, it shows a mismatch between what is expected by the law and the actual behavior of citizens. The enforcement of new legal regulations will become a reality if it is supported by legal awareness from all community members. Knowing of the legal's enactment is the basis for

implementing the legal itself. Sociology of law will not allow the law to work in its entirety, prohibiting it, making threats of sanctions, and so on, without observing all the parties involved in the operation of the law.

On the other hand, he also questioned why people must obey, where the state has the power to coerce, whether people should not refuse and what factors are related to obedience. Whatever the name or what functions are intended to be carried out by law, it cannot be put away from the understanding of legal as a systemic, namely as a system of norms. Such an understanding becomes essential because in carrying out its function to achieve the desired goal effectively, the law must be seen as a sub-system of an extensive system, namely society or its environment.⁴⁰

Building awareness of Islamic law

At the point when people settle on the presence of equity, then, at that point, similar to it or not, the equity should shade human way of behaving and life comparable to God, with individual people, with society, with government, with nature, and with other God's animals. Equity should be acknowledged in all lines of life, and each human item should contain the upsides of equity because uncalled-for conduct and items will bring forth lopsided characteristics, irregularities that harm both people themselves and the universe. Justice must be realized to understand the rule of law, eliminate legal impartiality and remain in the entity of justice.⁴¹ It is heartbreaking when the media often reports on conflicts between citizens. In front of the eyes, we can see reckless two-wheeled riders who are so shrewd on the streets without wearing a helmet. There also do not have a driver's license. In addition, fights between youths, between students, between villages, murders, thefts, perpetrators, and drug dealers. Until other criminal acts such as kidnapping children and organs (Human Trafficking) have recently

³⁷ Syaharizah Abdul Aziz, Rosidah Musa, dan Sofiah Abd Rahman, "Theorizing Islamic retail experiential value in predicting total Islamic experience quality: A hypothesised model," *Procedia Economics and Finance*, no. 37 (2016), pp. 453-59.

³⁸ Mohammad Saiful Islam, "Importance of Girls' Education as Right: A Legal Study from Islamic Approach," *Beijing L. Rev.* 7 (2016), p. 1.

³⁹ Shahida Bilqies, "Understanding the concept of Islamic Sufism," *Journal of Education & Social Policy*, vol. 1, no. 1 (2014), pp. 55-72.

⁴⁰ Felicitas Meta Maria Opwis, *Mashlahah and the Purpose of the Law: Islamic Discourse on Legal Change from the 4th/10th to 8th/14th Century*, vol. 31 (Brill, 2010).

⁴¹ Abdul Raufu Ambali dan Ahmad Naqiyuddin Bakar, "People's awareness on halal foods and products: potential issues for policy-makers," *Procedia-Social and Behavioral Sciences*, vol. 121 (2014), pp. 3-25.

disturbed the public. The things mentioned above will significantly affect the destruction of the sense of justice in society. Therefore it is necessary to build legal awareness in the community.⁴²

Legitimate mindfulness is a cognizant disposition brought into the world about what the law is for sure the law ought to be, something that emerges from the heart through the spirit and inward demeanor towards what ought to be done and what ought not to be finished. One sign of lawful mindfulness in the public eye is information on the law.⁴³ As profound creatures, we get the lessons of religion. Each strict instruction is a type of God's regulation. In Islam, it is called Taqwa. Taqwa is characterized as a demeanor of doing every one of God's orders and avoiding every one of His denials. All religions indeed teach the concept of 'Faithfulness' to divinity. So that positive law spiritually and through the heart must be interpreted as God's law; thus, piety and obedience can be the foundation for forming legal awareness. Under these conditions, the existence of law as social control will find its momentum. The legal reality becomes better because every individual, through the absorption of reason and reflection of the heart, can realize that every behavior in his life or institution cannot be separated from the applicable rules and must be fully obeyed. If the essence of 'Taqwa' for religious people must be applied through obedience to the applicable rules as a manifestation of God's representation in the nation's life, it will undoubtedly be able to make this nation a nation of character.

Pancasila as a Source of Law

Then concerning the inquiry regarding whether Pancasila is the most elevated regulation in the pecking order and is over the 1945 Constitution, how about we initially recognize what progressive system is.⁴⁴ What is implied by the order is the

progressive system of each sort of regulation, given the rule that lower regulations and guidelines should not struggle with higher regulations and guidelines. The 1945 Constitution is at the most elevated level whenever seen progressively from this definition. The position of Pancasila as the wellspring of all wellsprings of state regulation is as per the fourth section of the Preamble to the 1945 Constitution, specifically, Belief in One Supreme God, just and refined mankind, Indonesian fortitude, a vote based framework drove by keenness in conference/depiction, and social equality for each and every Indonesian person. We are answering the request, the spot of Pancasila as the reason of the state and the way of thinking of the state as well as the philosophical reason of the state, so any material substance of guidelines and rules shouldn't battle with the characteristics contained in Pancasila.⁴⁵

Pancasila is not in the ordered progression of regulations and guidelines because the upsides of Pancasila have been contained in a standard in the 1945 Constitution. As per Article 3 section (1) of Law 12/2011.⁴⁶ It intends that "fundamental regulation" is the essential standard for developing regulations and guidelines, a wellspring of regulation for arranging regulations and guidelines under the 1945 Constitution. The most noteworthy legitimate premise in the progressive system of regulations and guidelines because the most noteworthy lawful premise in the pecking order is the 1945 Constitution as per Article 7 passage (1) of Law 12/2011. So, Pancasila is not the lawful premise, yet Pancasila is the most elevated wellspring of regulation or the wellspring of all wellsprings of state regulation. All lawful data in the LegalOnline.com Clinic is arranged exclusively for informational purposes and is of an overall sort (see Disclaimer). To get explicit, legitimate counsel on the case, counsel straightforwardly with Justika Partner Consultants.

⁴² Ziba Mir-Hosseini, Mulki Al-Sharmani, dan Jana Rummingner, *Men in charge?: rethinking authority in Muslim legal tradition*, (Simon and Schuster, 2014).

⁴³ Tatiek Nurhayati dan Hendar Hendar, "Personal intrinsic religiosity and product knowledge on halal product purchase intention: Role of halal product awareness," *Journal of Islamic Marketing*, 2019.

⁴⁴ Mokhammad Najih, "Indonesian Penal Policy: Toward

Indonesian Criminal Law Reform Based on Pancasila," *Journal of Indonesian Legal Studies*, vol. 3, no. 2 (2018), p. 149.

⁴⁵ Seno Wibowo Gumbira dan Jamal Wiwoho, "The Implication of the Globalization on the Pancasila-Based Principles of Local Democracy in Indonesia," *Padjadjaran Journal of Law*, vol. 6, no. 2 (2019), pp. 361-78.

⁴⁶ Halimatul Maryani, "READINESS LECTURER FACULTY OF LAW IN THE ERA COMPETITION ECONOMIC COMMUNITY ASEAN," *NOMOI Law Review*, vol. 2, no. 1 (2021), pp. 84-101.

This is our response seeing Pancasila as a lawful source.⁴⁷

Islam as a legal basis

Individuals' Awareness of Fiqh in Indonesia. Islamic regulation is probably the most seasoned regulation that exists to date other than Church regulation. However, there are a few difficulties looked at by Islamic lawful researchers in executing its lessons. Islamic law itself can be called born in the 7th century AD, where the Word of Allah SWT., as a legal basis. Notwithstanding, Islamic regulation just evolved after the Prophet's demise, precisely in the third century Hijri when the Imams of the *Fiqh Madzhab* genuinely dug the speaking of Allah of the apostle to take care of the issues of individuals.⁴⁸ According to the creator's perspective, the advancement of Islamic regulation itself was conceived given two things: the inexorably huge area of Islam and the requirement for new regulations by the local area because of the times. In light of this, toward the finish of the 19th century, mujahids or reformers of Islamic regulations arose because the area of Islam was not restricted to a country as in the Caliphate period, yet the degree of Islam covers the entire world without being restricted by a country.⁴⁹

In Indonesia itself, which has experienced a colonial phase of 3.5 centuries, socio-cultural values in Indonesia also change. Therefore, Islamic laws have emerged that are included in the hierarchical order of legislation, such as the Marriage Law, Waqf Law, and other laws that Islam's values and spirit enter into.⁵⁰ This change has quite a few problems because many Indonesian Muslims

themselves still choose classical Islamic law as their guideline, even though the dynamics of world development are always moving. In closing this paper, the author imagines that Indonesia will become a Sharia country without mentioning Sharia, a Sharia country without eliminating the rights of non-Muslims, and will become a Sharia country with fiqh following the times without deviating from the values and spirit of Islam.⁵¹

Legal compliance in a democratic country

On August 21, 2014, the Constitutional Court decided on the dispute over the results of the presidential and vice-presidential elections to reject the applicant's application.⁵² The preliminary interaction for the disagreement about the consequences of the official political race that decided the president and VP of Indonesia for the following five-year term has gotten special consideration, both from the homegrown and worldwide local area. The perusing of choice looking into it Number 1/PHPU.PRES-XII/2014 likewise finished the political course of the official political race with different groups of stars encompassing it. The resolution of disputes over election results, both related to disputes over the results of the election for members of representative institutions and the presidential election, is not only a success for the Constitutional Court but also the entire Indonesian nation because it has succeeded in conducting a peaceful election in determining the next government.⁵³

Compliance with Final and Binding decisions

Article 24C of the 1945 Constitution additionally expresses that the Constitutional Court has the situation to attempt at the solitary level the final hotel to finish up questions in regards to the result of political choices.⁵⁴ The final idea of

⁴⁷ Muhammad Hoiru Nail dan Made Arya Utama, "Pancasila and religious values in establishment of legal regulations," *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)*, vol. 9, no. 2 (2020), pp. 295–304.

⁴⁸ Wan Abdul Fattah Wan Ismail et al., "The use of dental materials in periodontal therapy in Malaysia: An Islamic legal maxim analysis," *GEOGRAFIA Online TM Malaysian Journal of Society and Space*, 2016.

⁴⁹ Ade Yusuf Mujaddid dan Indonesia Karimatul Khasanah, "EPISTEMOLOGY OF ISLAMIC LAW IN THE IBN RUSHD'S PERSPECTIVE," *EMERGENCY REMOTE TEACHING IN QUARANTINE TIME. VIEWS OF PRIMARY EDUCATION TEACHERS* 6 7 (2021), p. 58.

⁵⁰ Amitav Acharya, *Indonesia Matters: Asia's Emerging Democratic Power*, vol. 1 (World Scientific, 2014).

⁵¹ Mohamed M. Keshavjee, *Islam, Sharia and alternative dispute resolution: Mechanisms for legal redress in the Muslim community*, (Bloomsbury Publishing, 2013).

⁵² Robert A. Carp et al., *Judicial process in America*, (Cq Press, 2019).

⁵³ Diane S. Kaplan, *An Introduction to the American Legal System, Government, and Constitutional Law* (Wolters Kluwer, 2015).

⁵⁴ Selfianus Laritmas et al., "A Constitutional Court Decision Has Final Law And Binding Related to Decision No. 57/PHP. BUP-XIX/2021, North Halmahera Election Results Disputes,"

the Constitutional Court's choice includes the limitation of legitimate powers. This means that the choice of the Constitutional Court immediately gains legitimacy since it was pronounced and there are no other legal remedies that can be taken. The choice of the Constitutional Court must be obeyed and implemented. This request is defined as an agreement with all residents.⁵⁵ The arrangement to choose the Constitutional Court, which is indisputable and prohibitive, can't be isolated from the possibility of the presence of the Constitutional Court about rule of peace and law in light of the vote and the state in light of the vote in the perspective on the regulations and guidelines. The Constitutional Court is a heavenly court that hears, hears, and decides on objects of debate or cases with a measure of validity.⁵⁶ Here, the Constitutional Court is the final mediator of the constitution who must stay away from vague or conflicting translations to carry out an established state and social life. Thus, the final authority must possess the protected judge, which will erase all differences when making a choice.

Regarding a vote-based system, the last position to conclude disagreements about political race results is expected to forestall perpetual political decision contestations. For the last position to conclude disagreements regarding political decision results to have authenticity perceived by all gatherings, it should be autonomous and fair to the entertainers engaged with the political decision, the two members, and coordinators. Judges will examine, hear, and decide cases in depth based on legal justice. This is also a tangible manifestation of the political process's compliance with legal decisions.⁵⁷ This development can be

found in all cutting-edge vote-based systems, paying little mind to which court is engaged to conclude disagreements regarding political decision results. The legitimacy of a last and restricting choice should be joined by authenticity to make consistence. The authenticity comes from the preliminary cycle, the appointed authority's character, and the argumentation of the choice. The trial process must run fairly and transparently, provide equal opportunities to all parties, and can be followed by the community. Transparency is essential because the decisions can be judged from the public ratio. Legitimacy is also determined by the personal judge who examines, hears, and decides cases.⁵⁸

The 1945 Constitution requires that a constitutional judge is a statesman who controls the constitution. Statesman has a broad meaning, but at least it can be interpreted as someone who has been separated from the interests of individuals and political groups.⁵⁹ The interests of the nation and state are the only orientation. The third source of legitimacy is the decisive argument. The central part of the decision that becomes the power of legitimacy is the argument that becomes the legal consideration of the decision. A thorough legal consideration of the decision, considering all the evidence and facts revealed at the trial, and having clear legal considerations will be the primary source of the legitimacy of the decision itself.⁶⁰ Article 24C of the 1945 Constitution is the source of the constitutional legality of the decision of the Constitutional Court, which is final and binding. The Constitutional Court is well aware of the strategic meaning of the decisions handed down. Therefore, decisions must have strong legitimacy by holding fair and transparent trials, maintaining the independence and impartiality of judges, and compiling careful and in-depth legal considerations of decisions.⁶¹

International Journal of Educational Research & Social Sciences, vol. 3, no. 1 (2022), pp. 238–47.

⁵⁵ Winda Wijayanti and Alboin Pasaribu, "Konstitusionalitas Perkawinan Antar-Pegawai Pasca Putusan Mahkamah Konstitusi (Constitutionality of Marital Tie between Fellow Co-worker after Decision of the Constitutional Court)," *Jurnal Konstitusi*, vol. 17, no. 3 (2020), pp. 629–51.

⁵⁶ Beni Kharisma Arrasuli, "KONSTITUSIONALISME BERNegara DAN KEPATUHAN TERHADAP PUTUSAN MAHKAMAH KONSTITUSI," *Ensiklopedia Sosial Review*, vol. 1, no. 2 (2019).

⁵⁷ Atang Hermawan Usman, "Kesadaran hukum masyarakat dan pemerintah sebagai faktor tegaknya negara hukum di Indonesia," *Jurnal Wawasan Yuridika*, vol. 30, no. 1 (2015), pp. 26–53.

⁵⁸ Rizman Hadiwijaya, "PERLUASAN KOMPETENSI ABSOLUT PERADILAN TATA USAHA NEGARA DALAM MENANGANI SENGKETA HASIL PEMILIHAN KEPALA DAERAH" (PhD Thesis, Universitas Hasanuddin, 2020).

⁵⁹ Ana Aini Marzuqoh, "Prinsip Akuntabilitas Dalam Pemilihan Hakim Konstitusi," *Jurist-Diction*, vol. 3, no. 4 (2020), pp. 1373–96.

⁶⁰ Sahiron Syamsuddin, "Ma'na cum Maghza Approach to The Qur'an: Interpretation of Q. 5: 51," *Jurnal Advances in Social Science, Education and Humanities Research* 137 (2017), pp. 131–36.

⁶¹ Nikolaos Aletras et al, "Predicting judicial decisions of the

Conclusion

At the end of this study will try to take important points from the study that aims to gain a deep understanding of compliance with Islamic law in Indonesia, a democratic country, so we can say that this has been able to answer the importance of understanding and awareness of the law, especially by the Muslim community itself against Islamic law. As citizens of Indonesia, we are very grateful to have sources of the law ready to guide them. The first is the source of law from Islam and the second is the source of positive law from the descendants of Pancasila and the 1945 Constitution. This finding has received various inputs and perspectives. from scientific publications that say that as a democratic country, Indonesia highly respects every citizen to obey and implement the law, both religious and state law. Good findings. We have found that living in a democratic country requires understanding the law and publishing its application correctly. This is important because, without an understanding of the law and its application, there will not be a democratic country. Next, we see that compliance with Islamic religious law is an essential element in efforts to fulfill and realize national law. Then we also saw that legal awareness of religious law is part of legal awareness to obey God.

Moreover, as it is understood, Indonesia's country is a country regulated by law, and the first article is benefit or fear of God Almighty. So it is clear here that obedience to religious law is also an aid to obedience and obedience to the favorable laws of a democratic country. We also found that building awareness of Islamic law is the same as building awareness of national law, both of which have an extreme relevance, namely creating a just and civilized society and trying to create a society that fears God and is obedient to the leader or the state led by Pancasila democracy. Furthermore, we also found that Pancasila is a source of law in Indonesia which is regulated in the constitution that must be obeyed and is an obligation for every citizen to uphold the values and Pancasila because it turns

out to be a law or an ideology that strengthens national identity.

Then we also see that Islamic law is the basis that strengthens the application and force of national law. Furthermore, we also see that compliance with the law in this democratic country is absolute because, without this compliance, it is challenging to create democracy, for example, it happened in the constitutional decision of the Republic of Indonesia's court of law, which decided the victory of the president and presidential candidates in several elections and this indicates compliance that the party that the group that lost they individually accepted and obeyed the decisions made by the Indonesian constitutional court.

Furthermore, compliance with final and binding decisions is the same as those governed by the law, where every decision decided by the court's constitution is a final decision and, above all, decisions that do not need to be questioned politically. Moreover, finally, we see that obedience to Islamic law also signifies obedience to national laws rooted in Pancasila towards a democratic community. So we believe that this finding has directly gotten an answer. We ask that compliance with Islamic religious law is the same as adherence to Pancasila democracy because Indonesia is a country of law that upholds rights and compliance. Thus our study, we hope for input and guidance so that we are even better in the future.

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