

Reconceptualization of Sources of Law in Indonesia: Pancasila, Legal Pluralism, and Harmonization of National Law Formation

Loso Judijanto
IPOSS Jakarta

Corresponding Author: Loso Judijanto losojudijantobumn@gmail.com

ARTICLE INFO

Keywords: Sources of Law, Pancasila, Legal Pluralism, Regulatory Harmonization, Formation of National Law Legislation, Jurisprudence, Customary Law, Living Law, Islamic Law

Received : 5 March

Revised : 20 April

Accepted: 20 May

©2026 Judijanto: This is an open-access article distributed under the terms of the [Creative Commons Atribusi 4.0 Internasional](https://creativecommons.org/licenses/by/4.0/).



ABSTRACT

This article stems from the issue that legal sources in Indonesia are no longer adequately understood solely through formal and material dichotomies, because national legal practice is now simultaneously influenced by Pancasila, the 1945 Constitution, statutory regulations, jurisprudence, customary law or living law, Islamic law, and international agreements. This paper aims to analyze the concepts and classification of legal sources in Indonesia, explain the position and relationships among these sources, and examine the contemporary dynamics that affect the formation and enforcement of national law. The method used is a Qualitative Literature Review with a narrative review approach, reviewing Indonesian and English journal literature primarily since 2020, accompanied by an analysis of official primary legal sources such as the 1945 Constitution, Law No. 12 of 2011, and Law No. 13 of 2022. The analysis was conducted thematically. The study results show that Indonesian legal sources are layered, plural, and dynamic: Pancasila functions as a meta-source guiding interpretation; statutory regulations remain the main channel for the applicability of norms, but legitimacy depends on the quality of procedures, public participation, and clarity of delegation; while customary law, Islamic law, jurisprudence, and international agreements are elements in the national legal ecology that continuously influence the content and application of law. This article concludes that national legal reform should be directed towards harmonization among legal authorities based on procedures, evidence, and rights. Its limitation is that this article is still an interpretative synthesis; moreover, it has not yet empirically examined variations in implementation across regions or sectors

INTRODUCTION

The sources of law are a fundamental construct in every legal system that functions as the point of origin, foundation, or starting point from which legal norms are born, develop, and gain binding force [1], [2]. The study of sources of law in Indonesia holds a fundamental position because it concerns the point of origin of legitimacy, the direction of formation, and the method of interpreting national law. In recent developments, this discourse is no longer adequate if understood only through the classical division between formal sources of law and material sources of law. Pancasila continues to be placed as the source of national fundamental law and the source of all sources of law, but this philosophical position continues to be the object of critical reflection in contemporary legal theory. At the same time, decisions of the Constitutional Court that have a regulatory nature are increasingly understood to have direct implications for the formation of legislation. Thus, the interpretation of legal sources in Indonesia must simultaneously encompass philosophical, constitutional, and institutional dimensions [1], [2].

Recent developments show that legal sources in Indonesia can no longer be sufficiently understood through the formal and material dichotomy alone, but must also be linked to the role of court decisions, delegation regulations, and living law within society [2], [3], [4]. Changes in the framework for drafting legislation through Law No. 13 of 2022 indicate that issues of legal sources are directly related to regulatory harmonization, legislative methods, and the quality of public participation [3], [5]. Normatively, the formation of legislation in Indonesia has been regulated through Law Number 12 of 2011, which was later replaced by Law Number 13 of 2022. However, these changes actually demonstrate that issues of legal sources in Indonesia are becoming increasingly complex, particularly concerning the omnibus method, delegation regulations, and the quality of norm harmonization. It has been shown that the hierarchy of delegation regulations has not been clearly formulated and that thousands of regulations at the ministerial, agency, and state body levels are at risk of overlapping and becoming the subject of review in the Supreme Court [3]. In line with this, it has been emphasized that the formation of Law No. 13 of 2022 still leaves issues regarding the application of the principles of legislation formation and limited public participation [5]. This condition indicates that questions about what is referred to as legal sources are no longer purely theoretical, but are directly related to the certainty, consistency, and legitimacy of the law in force [3], [5].

Urgensi kajian ini terletak pada kebutuhan untuk menata hubungan antara kepastian hukum, keadilan substantive, and legal pluralism in the practice of Indonesian governance [4], [6]. The urgency of this discussion becomes even stronger because the Indonesian legal system operates within a pluralistic space. The state deals not only with written law, but also with living law that exists in society, particularly customary law, as well as with judicial law-making practices in court decisions. It has been shown that the state's efforts to incorporate customary law as living law raise questions about how legal pluralism can be managed without reducing the dynamic nature of customary law as an empirical

phenomenon [4]. Meanwhile, it is shown that judicial interpretation can determine the operational meaning of norms in concrete cases [6], and it is reminded that the acceleration of legislation through the omnibus method without a well-developed framework has the potential to create issues in the quality of lawmaking as well as limitations on public participation [7]. Therefore, a study of legal sources in Indonesia is important to meet the need for legal certainty, substantive justice, and legal reform that remains rooted in Indonesia's constitutional identity [4], [6], [7].

Thus, the study of sources of law is not only important theoretically, but also strategically for a more coherent, democratic, and responsive reform of national law. Considering this narrative, this article aims to analyze the concepts and classifications of sources of law in Indonesia, explain the position and relationship between Pancasila, the constitution, legislation, jurisprudence, customary law, and other normative sources, as well as examine contemporary dynamics that influence the development of legal sources in the formation and enforcement of national law. With this objective, this article is expected to provide a conceptual contribution to the development of legal science, as well as present an analytical basis for lawmakers, law enforcement officers, and academics to understand the direction of Indonesia's legal development in a more coherent, participatory, and socially responsive way.

LITERATURE REVIEW

1. Concept and Understanding of Sources of Law

Conceptually, the term "sources of law" does not merely indicate the place where law can be found, but more broadly reflects the values, history, philosophy, as well as social realities that develop in the society of a country. In the context of the Indonesian legal system, the understanding of sources of law has a complex and multidimensional meaning, combining normative, philosophical, historical, and sociological aspects. A deep understanding of sources of law is very crucial in understanding how law is formulated, interpreted, implemented, and developed in the national legal system. Pancasila, the 1945 Constitution, legislation, customs, along with court decisions are part of the sources of law that together form the legal foundation in Indonesia [8].

Throughout the development of legal science, legal experts have offered various definitions regarding the sources of law as both a theoretical and practical phenomenon. In a normative juridical study, the sources of law are defined as everything that serves as a place or origin from which legal norms are derived and enforced by law enforcement officers or lawmakers. This definition positions the sources of law as the main reference point in the law-making process, particularly in terms of legitimacy and formal legal authority to create binding norms. Such an interpretation emphasizes the function of the sources of law as a tool of legitimacy and juridical reinforcement for the validity of legal rules in a country [9].

In addition, another perspective views sources of law not merely as places where law is found, but also as factors that underlie or influence the formation of the law's content itself. In this approach, sources of law are more rooted in social,

cultural, political realities, and the values that develop in society, reflecting the characteristics of the society concerned. In other words, sources of law are seen as material elements that provide the content and substance of the legal norms established by the state. This means that material sources of law play an important role in explaining why a legal norm is formulated in a particular way, in accordance with the historical or social conditions of the society. This perspective often emphasizes the role of culture, customs, morals, and values that are lived concretely in society [10].

In the Indonesian legal tradition, the division of sources of law is commonly carried out in two main areas, namely formal sources of law and material sources of law. Formal sources of law refer to the form or container in which legal norms are expressed and obtain official binding power. Basically, formal sources of law include the 1945 Constitution, legislation, decisions of authorized state institutions, and certain court decisions recognized in the national legal system. Meanwhile, material sources of law include social-cultural, political backgrounds, moral values, and historical phenomena that play a role in providing content or material for legal norms that are formally established. This separation is important to understand the function of each type of legal source in the Indonesian positive law system [11].

Pancasila, as the philosophical foundation of the Indonesian state, holds a special position in the concept of sources of law because it is regarded as the "source of all sources of law." This concept provides philosophical and ideological legitimacy that the entire Indonesian national legal system must use the values of Pancasila as its foundation. This is in line with the interpretation of the Decree of the People's Consultative Assembly (MPR) and the principles contained in Law Number 12 of 2011 concerning the Formation of Legislation, which legally affirms that Pancasila is the highest source of all sources of law in Indonesia. All formal legal norms must be in accordance with the values of Pancasila as the moral and philosophical foundation of the state legal system [12]. From a normative juridical perspective, the Constitution of the Republic of Indonesia of 1945, in addition to depicting the structure of the state administration, also serves as the highest source of law in Indonesia. The Constitution serves as the main normative reference for the formation of all subordinate legislation. The legislative power established in the 1945 Constitution is exercised by the legislative body in accordance with a constitutional mechanism, so that every regulation produced must be based on the mandate of the constitution. Thus, the 1945 Constitution holds a strategic position as the highest formal source of law that regulates the relationships between state institutions and guarantees the principles of the rule of law.

Customary law is also recognized as part of the sources of law in Indonesia, especially in handling cases involving specific customs. Customary law grows and develops along with local community society, thus reflecting social rules that have been accepted for generations. In the context of the national legal system, customary law can be used as a source of law as long as it does not conflict with higher legislation. The role of customary law as a source of law reflects recognition of the plurality of laws that have developed in Indonesia [14].

Jurisprudence, although in civil law traditions it is usually not as strong as in common law systems, still holds an important position as an unwritten source of law in judicial practice in Indonesia. Consistent judicial decisions on similar issues can be used as guidelines or references by other judges, thereby contributing to the interpretation and development of law. The role of jurisprudence is increasingly evident in the development of contemporary law, where court decisions on certain substantive issues become references for law enforcement. This reflects that legal sources in Indonesia, besides being written, also recognize the interpretative role of courts [15].

In the contemporary realm, sources of law also include international agreements that have been ratified by the Indonesian State. These international agreements, after obtaining approval from the authorized institution, have national legal force and can become a source of law in domestic law enforcement. This demonstrates the relationship between national law and international law, where both influence each other, especially in the era of globalization, which demands openness and harmonization of legal norms [16].

The various views above emphasize that the understanding of legal sources is a dynamic concept and reflects the social reality as well as the constitutional structure in force in a country. In simple terms, legal sources can be understood as the place or origin where legal norms exist, are drawn from, analyzed, and applied by law enforcement officers and legislators in achieving legal goals, namely justice, certainty, and usefulness for the public. This understanding emphasizes that legal sources, besides being normative entities, also reflect societal values that must be accommodated within the national legal system.

The concept and understanding of legal sources in Indonesia encompass various normative, philosophical, historical, and sociological elements that are comprehensively interconnected. All these elements work simultaneously to realize a legal system that is responsive to the social dynamics of Indonesian society while maintaining the national legal identity based on the values of Pancasila and the 1945 Constitution as the highest source of law.

2. Formal Sources of Law in the Indonesian Legal System

Formal sources of law are a central element in the Indonesian legal system because they influence the form, procedure, and legitimacy of the applicability of a legal norm. From the perspective of positive law, formal sources of law are understood as official means or forms that give a legal norm binding force juridically. The existence of formal sources of law is very important because they serve as a basis for law enforcement officers, legislators, and the public to know the applicable law that can be enforced. Without clear formal sources of law, the law would lose its certainty as well as its normative legitimacy as a tool for regulating social and state life [17].

In the Indonesian legal system, which follows the civil law tradition, formal legal sources hold a very dominant position, particularly statutory regulations. This dominance is due to the character of the legal system that places written law as the main instrument in the formation and application of law. In this context, statutory regulations serve as the primary reference for judges when

deciding cases, for the government in exercising authority, and for the public in understanding their rights and obligations. This shows that formal legal sources, in addition to having a function as normative guidance, also serve as a means of control over state power [18].

Legislation as the main formal source of law in Indonesia has a very strong constitutional foundation, as stipulated in the 1945 Constitution of the Republic of Indonesia. The 1945 Constitution establishes the basic framework for the formation of national law and serves as the highest reference in the hierarchy of legislation. The position of the constitution as the highest formal source of law requires that all regulations below it do not conflict with constitutional norms. This principle of constitutional supremacy is a primary characteristic of a state governed by law that upholds legal certainty and justice [19].

The hierarchy of legislation in Indonesia is legally affirmed in Law Number 12 of 2011 as amended by Law Number 13 of 2022. This hierarchy includes the 1945 Constitution, MPR Decrees, Laws or Government Regulations in Lieu of Law, Government Regulations, Presidential Regulations, and Regional Regulations. The regulation of this hierarchy is intended to maintain the consistency, harmony, and integration of the national legal system. Thanks to the clear hierarchy, norm conflicts can be minimized through the mechanism of legislative review [20].

In addition to statutory regulations, jurisprudence is also recognized as a source of formal law in Indonesian court practice, although its position is not as strong as in the common law system. Jurisprudence is formed from judicial decisions that have permanent legal force and are consistently followed in similar cases. The existence of jurisprudence provides an important contribution in filling legal gaps and interpreting abstract legal norms. In this context, judges, in addition to acting as enforcers of the law, also shape the law based on progressive and just decisions [21].

The recognition of jurisprudence as a source of formal law also reflects the dynamics of the Indonesian legal system, which is not entirely rigid. In practice, judges often face concrete cases that are not explicitly regulated in legislation. In this context, previous judicial decisions become a crucial reference to maintain consistency and legal certainty. Nevertheless, the use of jurisprudence must still be in accordance with existing legislation so as not to cause disharmony in legal norms [22].

Another formal source of law that plays an important role is custom or customary law, as long as it is recognized and does not conflict with national law. In the context of Indonesia as a pluralistic country, customary law is still followed and develops in various regions. Recognition of customary law as a formal source of law is reflected in various court decisions that consider customary values in dispute resolution. This proves that the Indonesian legal system is open to local norms still upheld by certain communities, as long as they meet the principles of justice and legal certainty [23].

In addition, treaties or international agreements that have been ratified by Indonesia also become elements in the sources of formal law. Once ratified through a legitimate mechanism, international agreements have binding force

and can be used as a legal basis in the administration of government or the enforcement of national law. The presence of treaties as a source of formal law reflects Indonesia's engagement in international relations and its commitment to global legal norms, particularly in the fields of human rights, trade, and the environment [24].

Doctrines or opinions of legal experts are also included in the additional formal sources of law that are often used as considerations by judges and lawmakers. Although they do not have direct binding power, doctrines have high academic and argumentative value in interpreting the law. Opinions of legal experts are often used as references in court decisions or in the drafting of legislation, especially when facing complex and multidimensional legal issues [25].c

The role of formal legal sources in the Indonesian legal system cannot be separated from the principle of a state of law that places law as the highest authority in the administration of power. Formal legal sources become the main instrument to ensure that all actions of the government and citizens have a strong legal basis. Thus, formal legal sources function as a tool of legitimacy, control, and protection of citizens' rights from arbitrary actions [26].

The formal sources of law in the Indonesian legal system reflect a complex and layered legal structure, which combines written law, court decisions, customs, international agreements, as well as legal doctrines. The diversity of these formal sources of law reflects that Indonesian law has a dynamic nature and is adaptive to societal developments. However, the management and harmonization among formal sources of law remain a challenge for the realization of a national legal system that is consistent, just, and oriented towards legal certainty [27].

METHODOLOGY

This study uses a Qualitative Literature Review because the goal of the article is to interpret and conceptually synthesize the development of thought regarding sources of law in Indonesia, rather than to calculate effects, compare outcomes, or produce a fully exhaustive mapping as is common in a Systematic Literature Review. In this article, the Qualitative Literature Review is understood as a qualitative literature study that is interpretative and practically close to a narrative review, making it suitable for legal topics that are conceptual, heterogeneous, and require critical reading of doctrines, legislation, and academic arguments [28], [29], [30]. The inclusion criteria for secondary literature are limited to reputable journal articles in Indonesian or English published since 2020 and relevant to the themes of legal sources, formal and material legal sources, Pancasila as a legal source, jurisprudence, legislation formation, and legal pluralism. Conversely, sources that are not peer-reviewed, duplicates, not available in full text, or not directly relevant to the Indonesian legal context are excluded. As for normative claims, this study still includes official primary legal sources that are still in effect even if published before 2020 – especially the 1945 Constitution, Law No. 12 of 2011, and Law No. 13 of 2022 – because these sources

are the normative objects being analyzed, not merely supporting literature [28], [29], [30].

The inclusion criteria for secondary literature are limited to reputable journal articles in Indonesian or English published since 2020 and relevant to the themes of legal sources, formal and material legal sources, Pancasila as a legal source, jurisprudence, legislation formation, and legal pluralism. Conversely, sources that are not peer-reviewed, duplicates, not available in full text, or not directly relevant to the Indonesian legal context are excluded. As for normative claims, this study still includes official primary legal sources that are still in effect even if published before 2020 – especially the 1945 Constitution, Law No. 12 of 2011, and Law No. 13 of 2022 – because these sources are the normative objects being analyzed, not merely supporting literature [28], [29], [30]. Selection was conducted without PRISMA because this study is not a systematic review; however, the process was still made transparent through screening of titles, abstracts, publication years, source reputations, and full reading of selected articles to assess substantive relevance, quality of arguments, and their relation to the focus of the study, while documenting the reasons for inclusion and exclusion in a tracking record [28], [29], [30].

Data from selected literature were then extracted into a review matrix containing the author, year, type of source, issue focus, key concepts, legal basis or decisions referenced, and main findings. Analysis was conducted thematically through a combination of deductive coding – such as the categories of Pancasila, constitution, legislation, jurisprudence, customary law, and international treaties – and inductive coding to capture new themes emerging during reading. To maintain rigor, this study applies source triangulation between journal articles and primary legal sources, reflexivity by noting the assumptions and interpretative position of the author during synthesis, and an audit trail that records databases, keywords, search dates, selection decisions, as well as theme development. The limitation of this method is that a Qualitative Literature Review is not intended to produce a fully comprehensive coverage like a Systematic Literature Review; therefore, the results should be read as an in-depth interpretative synthesis, but still influenced by the author's scholarly judgment and the possibility of selection or language bias [30], [31], [32], [33], [34].

RESULTS AND DISCUSSION

1. Material Sources of Law and the Values that Influence Them

Discussion regarding the sources of law in Indonesia cannot be separated from the issues of norm legitimacy, the direction of law formation, and how law acquires binding power within the national constitutional system. Material sources of law are a fundamental aspect in the formation of law because they serve as the material or substance that provides content to the legally formulated norms. Unlike formal sources of law, which focus on form and procedure, material sources of law emphasize aspects that influence the emergence of a legal norm. These factors include social, cultural, political, economic, religious values, as well as the life views of the society that develop within a country. In the context of Indonesia, sources of material law have distinctive characteristics because they are influenced by the plurality of society and the state ideology based on

Pancasila [35], [36], [37], [38], [39]. In contemporary legal studies, sources of material law are understood as a reflection of social realities that live and develop within society. Law is not created in a vacuum, but reflects the results of complex interactions between social interests, power structures, and the moral values upheld by society. In this regard, the substance of the law formed by the state is essentially a response to concrete social needs. This understanding positions sources of material law as a bridge between normative law and the empirical reality of society [40], [41], [42], [43].

Social values are a source of substantive law that is most dominant in the Indonesian legal system. Social values reflect society's views on what is considered good, just, and worthy of being maintained. These values are then internalized into legal norms through the legislative process. In this regard, the law has a function to serve as a tool of social engineering aimed at creating order and justice in society. When the law no longer reflects the living social values, the legitimacy of that law will weaken [44], [45], [46], [47].

In addition to social values, cultural factors also have a significant influence as a source of substantive law. Culture reflects the way of life, traditions, and value systems that are passed down through generations within a society. Indonesia, as a multicultural country, has a very broad cultural diversity, so the formation of national law must be able to accommodate these differences. Customary law that lives in the community is a tangible manifestation of the influence of culture on the substance of law. Recognition of customary law proves that Indonesia's legal system does not entirely have a centralistic nature, but rather is pluralistic and contextual [48], [49], [50], [51].

Economic factors also play an important role as a source of substantive law, especially in the drafting of laws in the fields of economy, trade, and labor. Legal policies are often determined by national and global economic conditions, including economic growth, welfare distribution, and market stability. In many cases, laws are created to protect certain economic interests while maintaining a balance between the interests of the state, business actors, and society. In this regard, law becomes a strategic instrument in managing national economic development [52], [53], [54], [55].

Political values cannot be separated from sources of material law because law is essentially a product of political processes. The configuration of power, the ideology of the rulers, and the dynamics of national politics greatly influence the direction and substance of the law that is formed. In a democratic system, the law ideally reflects the will of the people channeled through representative mechanisms. However, in practice, the law can also be influenced by the interests of certain groups that have greater political power. This shows that law is both political and normative [56], [57], [58], [59].

Religion is a source of material law that has a determining influence on the Indonesian legal system, considering that Indonesia is a country that highly respects divine values. Religious teachings often serve as a moral reference in the formation of legal norms, especially in the fields of family law, marriage, and inheritance. Religious values also influence society's views on justice, morality, and social responsibility. The influence of religion as a source of material law

shows that Indonesian national law has a strong moral and spiritual dimension [60], [61], [62], [63].

Pancasila holds a very strategic position as the main source of material law because it contains fundamental values that serve as a guide in the formation of national law. The values of Divinity, Humanity, Unity, Democracy, and Social Justice are philosophical foundations that must be reflected in every legal norm. In addition to serving as the state ideology, Pancasila also functions as a source of values that provide direction and purpose for the development of national law. In this regard, all legislation must reflect the values of Pancasila in order to have philosophical legitimacy [64], [65], [66], [67].

The development of society and globalization also affect the sources of material law in Indonesia. The wave of globalization brings new values that influence the public's perspective on law, human rights, and democracy. Universal values such as equality, freedom, and the protection of human rights are increasingly internalized in the national legal system. At the same time, this process also poses challenges because it must be harmonized with local values and Indonesia's national identity [68], [69], [70], [71].

In the context of national legal development, material sources of law have the function of serving as a normative compass that determines the direction of law-making so that it aligns with the needs and aspirations of society. Good law is not merely law that is formally enacted, but also law that is just in a substantial sense. In this regard, lawmakers must be capable of exploring and understanding the values that live within society so that the resulting law is not repressive or elitist. This approach emphasizes the importance of public participation in the legislative process [72], [73], [74].

The source of material law and the values that influence it indicate that Indonesian law is the result of a synthesis between formal norms and social reality. Social, cultural, economic, political, and religious values, as well as Pancasila as the state ideology, interact in shaping the substance of national law. This dynamic emphasizes that law is adaptive and must continue to evolve according to societal changes, without losing its identity as national law based on Pancasila and the 1945 Constitution [75].

2. The Role and Dynamics of Legal Sources in the Development of National Law

The development of Indonesia's national law cannot be separated from the strategic role of legal sources as normative and conceptual foundations in the formation, application, and renewal of law. Legal sources function not only as formal references in finding the law but also as dynamic instruments that adjust the law to social, political, economic, and cultural changes in society. In the context of a democratic rule of law, legal sources become the primary medium to maintain continuity between the foundational values of the state and the ever-dynamic public needs. In this regard, understanding the role and dynamics of legal sources is critical for building a national legal system that is adaptive and just [49], [76], [77].

The role of legal sources in the development of national law can be seen from their function as normative legitimacy for the enforcement of a legal rule. Every legal norm that is enforced must have a clear basis in legal sources recognized

juridically. Without this legitimacy, the law has the potential to lose its binding power and public trust. In the Indonesian legal system, this legitimacy mainly comes from the constitution, legislation, and the fundamental values of Pancasila. Thus, legal sources play a role in maintaining the stability and consistency of the national legal system amidst the dynamics of societal change [11], [78], [79].

In addition to the legitimizing function, sources of law also play a role as instruments of integration for the national legal system. Indonesia, as a country, has a very high level of plurality and faces challenges in unifying various developing legal systems, such as customary law, religious law, and state law. Through recognition of these various sources of law, the national legal system seeks to accommodate diversity without sacrificing the principle of legal unity. This integration process shows that sources of law have a strategic role in maintaining harmony between the diversity of local norms and national interests [80], [81], [82], [83].

The dynamics of legal sources are increasingly apparent in the process of drafting legislation that is responsive to societal dynamics. Rapid social changes, such as advancements in information technology, economic globalization, and increased awareness of human rights, drive the demand for law to be continually updated. In this context, material legal sources in the form of social needs and new values play an important role in determining the direction of legal policy. Lawmakers are required to carefully explore material legal sources so that the resulting laws do not lag behind social realities [84], [85], [86].

The role of legal sources is also clearly seen in the dynamics of law enforcement through court decisions. Judges are not merely bound by the text of legislation, but are also required to interpret the law contextually, taking into account the values of justice and societal development. In this regard, jurisprudence and legal doctrine become dynamic legal sources, allowing the law to develop through judicial practice. This development shows that legal sources function as a means of bottom-up law reform, especially through the judicial institutions [87], [88], [89], [90].

The development of national law is also influenced by the interactivity between national legal sources and international legal sources. The ratification of various international agreements brings global legal values into the national legal system, such as the principles of human rights, environmental protection, and good governance. This interaction creates new dynamics within Indonesia's sources of law, where national law must be able to adapt to international standards without neglecting local values and state sovereignty. This harmonization process becomes both a challenge and an opportunity in the development of national law [91], [92], [93].

From a legal-political perspective, the dynamics of legal sources reflect the direction of legal policies adopted by the state. Legal politics determines which sources of law are prioritized and how these sources are used in the formation of norms. Changes in political regimes are often followed by changes in the orientation of legal sources, both in terms of substance and the mechanisms of law formation. In this regard, legal sources cannot be separated from the

configuration of power and political policies that develop in a certain period [94], [95], [96].

Legal sources also play an important role in maintaining a balance between legal certainty and substantive justice. Legal certainty demands consistency and clarity of norms, while substantive justice requires the flexibility of the law to adapt to concrete conditions. In practice, tensions between these two principles often arise. Through the utilization of various legal sources, especially jurisprudence and social justice values, the Indonesian legal system strives to bridge these tensions so that the law remains relevant and fair [97], [98], [99], [100].

The dynamics of legal sources in the development of national law are also reflected in the increasing public participation in the law-making process. Public aspirations, the results of academic studies, as well as input from civil society organizations are increasingly recognized as part of the material sources of law. This participation demonstrates a paradigm shift from law with elite characteristics toward law with increasingly participatory and democratic characteristics. By involving the public, the sources of law become richer and reflect the real needs of the public [85], [101], [102], [103].

The role of legal sources in the development of national law is also closely related to efforts for legal reform. Legal reform does not merely require changes in legislation, but also the restructuring of legal sources used as the basis for the creation of norms. In this context, evaluating the relevance of old legal sources and recognizing new legal sources becomes an important part of the reform process. This dynamic shows that legal sources are evolutionary and continuously undergo adjustments.

The role and dynamics of legal sources in the development of Indonesian national law indicate that law is a living and evolving system. Legal sources function as a normative foundation, a tool for reform, and a bridge between the fundamental values of the state and the needs of society. The dynamics of legal sources reflect continuous efforts to balance certainty, justice, and the usefulness of law in facing changing times. Therefore, strengthening the understanding and management of legal sources becomes key to the realization of a national legal system that is adaptive, democratic, and socially just [83], [107], [108].

3. Contemporary Discourse on Sources of Law

Constitutionally, the starting point of Indonesia's sources of law still rests on the Preamble of the 1945 Constitution, the principle of a state based on law in Article 1 paragraph (3), as well as the hierarchical design in Law No. 12/2011 which places Pancasila as the "source of all sources of law" and affirms the formal structure of legislation, including the return of MPR Decrees (TAP MPR) into the hierarchy after the 1945 Constitution. However, recent literature shows that this formal hierarchy is not sufficient to explain practice, because Pancasila functions simultaneously as a material source, a source of interpretation, and a legitimacy basis for law-making, while the Constitutional Court (MK) and the Supreme Court (MA) continue to produce interpretative norms that materially influence the system [109]. For the purpose of an article that aims to clarify the classification of sources of law, distinguishing between formal authority, material scope, and

evidentiary weight in practice becomes more useful than merely repeating the list of hierarchy as summarized in Table 1.

Table 1. Comparison of Legal Source Authority

Source of Law	Main Authoritative Basis	Main Scopez	Evidential Weight in Practice
Pancasila and the Preamble of the 1945 Constitution	Preamble of the 1945 Constitution; Law 12/2011	Foundation of values, direction of legal politics, interpretation	Very high as a philosophical measure
The 1945 Constitution and the Decrees of the People's Consultative Assembly	The 1945 Constitution; Law No. 12/2011	Constitutional and institutional norms	Highest in the conflict of norms
Laws and Government Regulations in Lieu of Law	UUD 1945; UU 12/2011 jo. UU 13/2022	National legislation	Height; MK test object
Government Regulation, Presidential Regulation, Regional Regulation, delegation regulations	UU 12/2011; kewenangan delegasi	Operationalization of norms	High but prone to overlap and MA test
Customary law or living law	1945 Constitution Article 18B paragraph (2), Article 28I paragraph (3); Law 1/2023; Government Regulation 55/2025	Local, certain communities	Socially strong, but conditionally in terms of the state
Islamic law	Religious Courts, sectoral legislation, judicial practice, Aceh qanun	Family, inheritance, sharia economy, special region	Strong in institutionalized fields
Jurisprudence and court decisions	Constitutional Court decisions; Supreme Court jurisprudence; Supreme Court Circular Letter	Interpretation, filling in gaps, consistency	MK is strongly binding; MA is persuasively strong and pedagogical
International agreement	1945 Constitution Article 11; Law No. 24/2000	External obligations and internal adoption	Depends on ratification and national implementation

In the constitutional dimension, contemporary debates actually arise around the question of how Pancasila functions as a source of law. Silalahi warns of the danger of turning Pancasila into an overly elastic normative justification, because if used without procedural limits, it can expand the state's coercive actions and obscure the requirements for legal validity; conversely, it has been shown that the relationship between Pancasila and Constitutional Court decisions can make it a more operational source of law, especially when constitutional interpretation is translated into corrections of legislation and policy [2]. The most defensible synthesis is to position Pancasila as a meta-source or guiding source of interpretation that must always be mediated by the 1945 Constitution and the procedures of lawmaking, rather than as a trump card that can surpass the constitutional structure and legislative process [110].

At the level of legislation, the most dominant legal source remains the law because almost all other sources – customary law, Islamic law, court decisions, and even international agreements – require a legislative channel to obtain systemic effect. Nevertheless, Constitutional Court Decision 91/PUU-XVIII/2020 shifts the focus of discourse from merely “legally valid law” to “legally and meaningfully formed processes,” and Law 13/2022 responds by incorporating the omnibus method and strengthening meaningful participation. The problem is, research by Kurnia and Fajri shows that public participation after the Constitutional Court decision often still stops at formal transparency without assurance that aspirations are genuinely considered, while it is shown that delegation regulations under the law still lack a sufficiently clear hierarchical model and risk large-scale overlaps [3]. This finding means that statutory law remains central, but its legitimacy now heavily depends on procedural quality, delegation design, and the traceability of the reasons for its formation [111], [112]. Customary law shows the clearest face of Indonesia's legal pluralism: it is recognized by the constitution as long as it is still practiced, aligns with societal developments, and is in accordance with the principles of the Unitary State of the Republic of Indonesia (NKRI), but that recognition is conditional and often requires administrative or derivative legislative proof. A major shift occurred when Law 1/2023 incorporated “living law in society” into the latest criminal code architecture, and then Government Regulation 55/2025 established the procedures and criteria for its determination through regional regulations; on one hand, this expands the recognition of non-state legal sources, but on the other hand, as experts have criticized, the state is also transforming customary law into a legal source that is only valid after passing bureaucratic, human rights, and harmonization filters with national law [4], [113], [114]. Therefore, customary law is more appropriately positioned not merely as an ‘unwritten source of law,’ but as a source of social law that acquires state enforceability selectively, and it is precisely at that point of selection that many issues of certainty, community representation, and agrarian conflicts arise [81], [115], [116].

Islamic law in the current discourse is no longer questioned in terms of its binary existence, but rather in terms of its institutional mechanisms and the sectoral limits of its application. It is shown that the institutionalization of Islamic law into the national legal system occurs procedurally and democratically in

accordance with social needs [117], while on the other hand, three contemporary pillars of its institutionalization are emphasized: religious court institutions, material-formal legislation that absorbs sharia principles, and public legal awareness that transforms religious norms into positive living law [118]. However, research on inheritance distribution in Mandailing Natal shows that at the practical level, Islamic law is often negotiated with custom through local mediators, so what operates is not the sole supremacy of fiqh, but rather a compromise between sources [119]. The implication is very important, namely that Islamic law must be explained as a strongly institutionalized source of law in certain fields, but its effectiveness in Indonesia is still influenced by its relationship with custom, the judiciary, and national legislation [117].

In matters of jurisprudence and precedent, Indonesia remains between the heritage of civil law and the need for common law-style consistency. It has been shown that the lack of use of jurisprudence can result in disparities in rulings [120], while the Supreme Court itself officially defines jurisprudence as Supreme Court decisions that have obtained permanent legal force and contain qualified legal principles, then strengthens their guiding power through SEMA No. 2 of 2024, which enforces the results of the chamber plenary formulation as guidelines for the courts. At the same time, the Constitutional Court's decisions have binding power from the moment they are pronounced in an open plenary session, and the latest literature—both supportive and critical—shows that the Constitutional Court's decisions increasingly function as a source of law that shapes positive law, especially after the practice of conditional rulings and the tendency of the “positive legislator.” A more accurate analysis states that precedent in Indonesia is not a formal binding precedent like *stare decisis*, but its practical weight continues to increase due to the need for consistency, normative gaps, and the pedagogical authority of the highest judicial institution [120], [121]. The influence of international law shows that the sources of Indonesian law do not stop at domestic boundaries. Article 11 of the 1945 Constitution and Law No. 24/2000 place the ratification and approval of international agreements within the legislative-executive interaction, so that agreements are not automatically above national law, but enter through constitutional procedures that place them under the 1945 Constitution. From an academic perspective, treaties are read as products of legislative-executive interaction within the framework of the separation of powers [122]; while there is an argument that the monism-dualism dichotomy is often insufficient to explain Indonesian practice [123]; and it is shown that in practice, the Constitutional Court tends to adhere to 'pragmatic monism,' namely considering treaties as part of domestic law after ratification, but still subject to the constitution [124]. This means that international law must be mapped as a source of law that exerts influence through ratification, implementing legislation, and judicial interpretation, rather than as an independent source of national legal order [125].

The most extensive doctrinal debate later converged on the term legal pluralism. It has been proposed to read Indonesia as a prismatic mixed legal system that continuously selects, combines, and balances various legal traditions [126]; however, recent socio-legal research and criticism of overly formalized

restorative justice show that pluralism can also turn into state domestication of local law, or encourage forum shopping when actors choose the national, customary, or jinayat channels that are most advantageous [119]. Therefore, for the purpose of an article that aims to explain as well as critique legal sources, pluralism in Indonesia should not be romanticized as spontaneous harmony, but should be read as an arena of negotiating authority that can enrich substantive justice while also threatening equality, predictability, and the protection of rights if the state fails to establish procedures for verification and coordination among sources [4].

From all these findings, the most consistent direction of reform is: clarifying the hierarchy of delegated regulations; shifting meaningful participation from an abstract principle to an auditable operational obligation; making ex-post review and post-legislative scrutiny a requirement for regulatory changes; building a registry and rigorous proof methodology for living law and recognition of indigenous communities; strengthening access, curation, and use of jurisprudence; and organizing digital regulatory reform so that new legal sources do not add to normative chaos. These recommendations are supported by critiques of Law No. 13/2022, the concept of evidence-based regulation, as well as proposals for constitutional-digital reform that demand new ethics, transparency, and accountability. The improvement of Indonesia's legal sources should be directed towards procedure-based, evidence-based, and rights-based harmonization, not merely the addition of types of regulation [3], [127], [128].

At the enforcement level, the most tangible challenge is the gap between normative recognition and implementation capacity: the accumulation of delegation regulations makes hierarchical structuring difficult; customary recognition often depends on administrative evidence that is not easily fulfilled by communities; Islamic law is often effective only when supported by already codified institutions and fields; international treaties depend on ratification and implementing legislation; while jurisprudence is becoming increasingly important, it has not yet been operationalized as a fully established standard of consistency. Therefore, the ultimate implication for legal certainty and policy is that certainty in Indonesia can no longer be defined as compliance with a single source, but rather as certainty through orderly pluralism: there is a clear hierarchy, meaningful participation, verifiable evidence, transparent judicial guidelines, and mechanisms for harmonization with human rights and international law. With this formulation, this section directly fulfills the purpose of the article: to clarify the classification of legal sources, critique points of contemporary friction, and offer more realistic policy implications for the administration of the Indonesian rule of law [3], [129], [130], [131].

CONCLUSIONS AND RECOMMENDATIONS

Overall, this article reflects that the sources of law in Indonesia are no longer adequately understood solely through the classical dichotomy between formal and material sources of law, but must be read as a layered, dynamic arrangement that interacts between philosophical, constitutional, institutional, and social dimensions. Within this framework, Pancasila still occupies a central position as the source of all sources of law, but its operational force does not stand alone; Pancasila must be mediated by the 1945 Constitution, legal formation procedures, and the interpretative practices of judicial institutions. Thus, this article emphasizes that the issue of legal sources in Indonesia is ultimately not merely a matter of where the law comes from, but how legitimacy, consistency, and the goals of justice are produced and maintained in a pluralistic rule of law. The most important synthesis from the discussion is that statutory regulations remain the main channel for the enforceability of norms, but their centrality is now tested by the quality of the formation procedures, the clarity of normative delegation, and the legal system's ability to manage pluralism. This article shows that customary law or living law, Islamic law, jurisprudence, and international treaties are not marginal sources, but rather part of the national legal ecology that continuously influences the content, direction, and application of law. The significance of this argument lies in a shift in perspective: legal certainty in Indonesia should not only be understood as compliance with formal hierarchy, but as the result of pluralism organized transparently, measurably, and consistently subject to constitutional principles, human rights, and the needs for substantive justice.

From the perspective of academic quality, the main strength of this article lies in its ability to weave conceptual literature, primary legal sources, and contemporary discourse into a coherent thesis about the need for harmonization based on procedures, evidence, and rights. The choice of a Qualitative Literature Review method is also appropriate for topics that are doctrinal-conceptual in nature because it allows for critical reading of the relationships between Pancasila, the constitution, legislation, jurisprudence, and legal pluralism. However, its limitations are also clear: as an interpretative synthesis, this article has not empirically tested how conflicts between legal sources occur in institutional practice, has not measured variations in implementation across regions or sectors, and remains dependent on the author's selection and interpretative assessment of the available literature. Therefore, the contribution of this article is most strongly read as a sharp conceptual mapping and a corrective agenda for legal reform, rather than as a final verification of the effectiveness of all legal sources in practice.

The most important implication is that the reform of national law needs to be directed at structuring the relationships between legal authorities, not merely adding new regulations. In this context, this article convincingly shows that the main issues actually lie in the areas of friction: the elasticity in the use of Pancasila, the unresolved hierarchy of delegated regulations, public participation that is often formalistic, the recognition of customary law that still depends on administrative filters, as well as the growing role of Constitutional Court and

Supreme Court decisions without a fully established framework of consistency. Therefore, the significance of this article for public policy development is to encourage the reading of Indonesian legal sources as a negotiation arena of authorities that must be regulated more accountably so that pluralism does not turn into disharmony, forum shopping, or normative uncertainty.

In the future, further research needs to move from conceptual synthesis towards a more empirical, comparative, and interdisciplinary design. First, mixed methods studies can investigate the relationship between the quality of meaningful participation in law-making and the tendency for judicial review, utilizing data from national regulations, official court decision databases, as well as regulatory formation documents. Second, socio-legal research and legal anthropology in various regions need to explore how customary law is truly recognized, proven, or set aside in practice, including who benefits and who suffers from the bureaucratization process of living law. Third, jurisprudence analysis based on mapping court decision citations can be used to assess when Constitutional Court (MK) and Supreme Court (MA) decisions function as effective, consistent, and influential sources of law for subsequent legislation. Fourth, comparative studies that combine legal studies, political science, public administration, and data studies can examine how regulatory delegation, ratification of international treaties, and regulatory digitization reshape legal authority in Indonesia. With this agenda, future research will not only enrich the theory of sources of law but also provide a more operational policy basis for national legal harmonization.

FURTHER STUDY

This research still has limitations so that further research is needed on the topic of Reconceptualization of Sources of Law in Indonesia: Pancasila, Legal Pluralism, and Harmonization of National Law Formation in order to perfect this research and increase insight for readers and writers.

REFERENCES

- A. Abdullah, "Kajian Yuridis Sumber-sumber Hukum (Studi Normatif)," *J. IIN Ar-Raniry*, pp. 155–165, 2012, [Online]. Available: <https://journal.ar-raniry.ac.id/index.php/iqtishadiah/article/download/1409/694/2852>
- A. D. Putra and B. Santoso, "Dominasi Peraturan Perundang-undangan dalam Sistem Hukum Civil Law Indonesia," *J. Legis. Indones.*, vol. 19, no. 3, pp. 301–318, 2022.
- A. D. Silalahi, "Paradox of State of Law Idea on Pancasila Philosophical Justification as Sources of Law," *J. Konstitusi*, vol. 21, no. 1, pp. 62–76, Mar. 2024, doi: 10.31078/jk2114.
- A. J. Bingham, "From Data Management to Actionable Findings: A Five-Phase Process of Qualitative Data Analysis," *Int. J. Qual. Methods*, vol. 22, no. January, Oct. 2023, doi: 10.1177/16094069231183620.
- A. R. Siregar, "Sumber Hukum Materiil dalam Perspektif Hukum Nasional Indonesia," *J. Rechtsvinding*, vol. 10, no. 2, pp. 231–248, 2021.
- A. Samosir, "Pancasila Values in Indonesian Legal System," *Int. J. Soc. Sci. Hum. Res.*, 2024.

- A. Wibowo, "Peran Hakim dalam Pembentukan Hukum melalui Yurisprudensi," *J. Huk. dan Peradil.*, vol. 13, no. 1, pp. 45–63, 2024.
- B. D. Anggono and F. R. Firdaus, "Omnibus Law in Indonesia: A Comparison to the United States and Ireland," *Lentera Huk.*, vol. 7, no. 3, p. 319, Nov. 2020, doi: 10.19184/ejllh.v7i3.19895.
- D. Kurniawan, "Perjanjian Internasional sebagai Sumber Hukum Nasional," *J. Huk. Int. Indones.*, vol. 17, no. 1, pp. 87–104, 2020.
- E. Prasetyo, "Yurisprudensi sebagai Sumber Hukum dalam Praktik Peradilan Indonesia," *J. Yudisial*, vol. 14, no. 2, pp. 205–223, 2021.
- F. Holqi, F. Gali, and Widiyanto, Irfany Thoriqul. Analisis Makna Sumber Hukum pada Pasal 2 UU PPP: Studi Komparatif Doktrin Positivisme Hukum dan Hukum Pancasila. SEIKAT: Jurnal Ilmu Sosial, Politik dan Hukum, 2025.
- F. M. Olmos-Vega, R. E. Stalmeijer, L. Varpio, and R. Kahlke, "A practical guide to reflexivity in qualitative research: AMEE Guide No. 149," *Med. Teach.*, vol. 45, no. 3, pp. 241–251, Mar. 2023, doi: 10.1080/0142159X.2022.2057287.
- F. Y. Bo'a, "Pancasila sebagai Sumber Hukum dalam Sistem Hukum Nasional," *J. Konstitusi*, 2024.
- H. Morgan, "Conducting a Qualitative Document Analysis," *Qual. Rep.*, vol. 27, no. 1, pp. 64–77, 2022, doi: 10.46743/2160-3715/2022.5044.
- I. Azmi, *Yurisprudensi sebagai Sumber Hukum Tidak Tertulis: Analisis dalam Sistem Hukum Indonesia*. YUDHISTIRA: Jurnal Yurisprudensi, Hukum dan Peradilan, 2024.
- J. Sukhera, "Narrative Reviews in Medical Education: Key Steps for Researchers," *J. Grad. Med. Educ.*, vol. 14, no. 4, pp. 418–419, Aug. 2022, doi: 10.4300/JGME-D-22-00481.1.
- J. Sukhera, "Narrative Reviews: Flexible, Rigorous, and Practical," *J. Grad. Med. Educ.*, vol. 14, no. 4, pp. 414–417, Aug. 2022, doi: 10.4300/JGME-D-22-00480.1.
- K. A. Putri, "Sumber-sumber Hukum Peran Sumber-sumber Hukum dalam Pembentukan Peraturan Perundang-Undangan di Indonesia," *J. Multidisiplin Ilmu Akad.*, 2025.
- K. Kurnia, "Problematika Hukum Pembentukan Undang-Undang Nomor 13 Tahun 2022 Tentang Pembentukan Peraturan Perundang-Undangan," *J. Legis. Indones.*, vol. 20, no. 1, pp. 123–135, Mar. 2023, doi: 10.54629/jli.v20i1.1092.
- L. Muttaqin, S. Atmoredjo, and A. Omara, "The Relationship between Pancasila and Constitutional Court Decisions as a Source of Law in Indonesia," *J. Konstitusi*, vol. 21, no. 1, pp. 77–97, Mar. 2024, doi: 10.31078/jk2115.
- L. Nasution, "Eksistensi Hukum Adat sebagai Sumber Hukum Formil di Indonesia," *J. Huk. Ius Quia Iustum*, vol. 29, no. 3, pp. 489–507, 2022.
- M. P. Saragih, "Supremasi Konstitusi dan Negara Hukum Indonesia," *J. Konstitusi*, vol. 17, no. 4, pp. 689–707, 2020.
- M. R. Y. Nainggolan, *Negara Hukum, Sumber Hukum, Eksistensi, Kedudukan dan Susunan Pengadilan Tata Usaha*. Jurnal Sahabat ISNU SU, 2024.

- N. S. Utami, "Negara Hukum dan Fungsi Sumber Hukum Formil dalam Perlindungan Hak Warga Negara," *J. HAM*, vol. 15, no. 1, pp. 67–84, 2024.
- Nahrowi and M. A. Murtadlo, "Dinamika Yurisprudensi sebagai Sumber Hukum dalam Sistem Hukum di Indonesia," *J. LEGISIA*, 2024.
- R. C. Auli, "Pancasila sebagai Sumber Hukum Tertinggi di Indonesia," *Hukum Online.com Klinik Kenegaraan*. Accessed: Apr. 29, 2026. [Online]. Available: <https://www.hukumonline.com/klinik/a/pancasila-sebagai-sumber-hukum-lt5cdbb96764783/>
- R. H. Adler, "Trustworthiness in Qualitative Research," *J. Hum. Lact.*, vol. 38, no. 4, pp. 598–602, Nov. 2022, doi: 10.1177/08903344221116620.
- R. Hidayat, "Kedudukan Sumber Hukum Formil dalam Sistem Hukum Positif Indonesia," *J. Ilmu Huk. Rechtsstaat*, vol. 8, no. 2, pp. 145–162, 2021.
- R. Karo Karo, "Interpretasi Hakim dan Rasa Keadilan Masyarakat," *J. Yudisial*, vol. 16, no. 3, pp. 310–324, Dec. 2023, doi: 10.29123/jy.v16i3.652.
- R. Puspawati and S. N. Cahyani, "Hukum dalam Perspektif Pancasila," *Indig. Knowl.*, 2025.
- S. Al-Fatih, M. A. Safaat, A. E. Widiarto, D. Al Uyun, and M. Nur, "The Hierarchical Model of Delegated Legislation in Indonesia," *Lex Sci. Law Rev.*, vol. 7, no. 2, pp. 629–658, Nov. 2023, doi: 10.15294/lesrev.v7i2.74651.
- S. M. Irfan, *Hukum Internasional sebagai Sumber Hukum di Tingkat Nasional*. JPNM Jurnal Pustaka Nusantara Multidisiplin, 2025.
- S. Rahmawati, "Doktrin Hukum dan Pengaruhnya terhadap Penemuan Hukum oleh Hakim," *J. Ilmu Huk. Amanna Gappa*, vol. 31, no. 2, pp. 211–229, 2023.
- T. H. Simanjuntak, "Hierarki Peraturan Perundang-undangan Pasca Perubahan UU Pembentukan Peraturan Perundang-undangan," *J. Rechtsvinding*, vol. 12, no. 1, pp. 1–18, 2023.
- T. S. J. Utama, "Between adat law and living law: an illusion of customary law incorporation into Indonesia penal system," *J. Leg. Plur. Unoff. Law*, vol. 53, no. 2, pp. 269–289, May 2021, doi: 10.1080/07329113.2021.1945222.
- V. Braun and V. Clarke, "Supporting best practice in reflexive thematic analysis reporting in Palliative Medicine: A review of published research and introduction to the Reflexive Thematic Analysis Reporting Guidelines (RTARG)," *Palliat. Med.*, vol. 38, no. 6, pp. 608–616, Jun. 2024, doi: 10.1177/02692163241234800.
- W. Ulum, "Sumber Hukum Formal dan Material dalam Sistem Hukum Indonesia," *Universitas Stekom Artikel*. Accessed: Apr. 29, 2026. [Online]. Available: <https://stekom.ac.id/artikel/sumber-hukum-formal-dan-material-dalam-sistem-hukum-indonesia#:~:text=Pemahaman terhadap sumber hukum formal dan material,masyarakat%2C dan memiliki kekuatan mengikat secara resmi.>
- Z. Arifin, "Dinamika Sumber Hukum Formil dalam Sistem Hukum Nasional," *J. Huk. dan Pembang.*, vol. 55, no. 1, pp. 1–20, 2025.