

CHAPTER I

INTRODUCTION

A. Background of Research

Some mass organization have received an award from the ministry of home affairs in the award-winning mass organization award year 2018. The award was given directly by the minister of home affairs Tjahjo Kumolo, in the event held at hotel redtop, Gambir, Central Jakarta, Tuesday, September 6, 2018. In his speech, Tjahjo said the importance of the inner orchestra's role in preserving the integrity of the nation and safeguarding Indonesia's sovereignty. "The role of the organizations I think is clear, contributes greatly to the development, preserving the integrity of the NKRI, keep the firm's determination of Pancasila, keeping the same of the nation's diversity, including keeping the integrity of the Constitution 1945 as the ideology of the country," explained Tjahjo. "Second, is to keep the sovereignty of the nation and state," he continued.¹

Indonesia is a unitary state and its sovereignty in the people's hands under Article 1 Paragraph (1) of the 1945 Constitution. Therefore, the owner of the country's supreme power is the people. The real power is derived from the people, by the people, and for the people; even, idealized power were held together with the people. In the Constitution's constitutional system, the

¹ Devina Halim, 15 Organisasi Masyarakat Mendapat Penghargaan dari Mendagri, 25 June 2020, <https://nasional.kompas.com/read/2018/11/06/12402591/15-ormas-mendapat-penghargaan-oleh-mendagri?page=all>, (22.01).

implementation of the people's sovereignty is channeled and organized according to constitutional procedures established in the Law and constitutional democracy. Therefore, the principle of people's sovereignty and legal sovereignty should be held in tandem as two sides of the same currency.

For that, the country's Constitution we embrace the understanding that the Republic of Indonesia is a democratic law state (*Democratic Rechtsstaat*) and also a democratic state base on the law (*Constitutional Democracy*) which is not separated each other.

Every citizen has the right to make meetings, consultative, and free to become a member of an association, organization, or party that has the commitment and purpose of advancing the nation and Indonesia's State. Forms of application of the Constitution of 1945 article 28 E paragraph (3) mentioned that “*Everyone is entitled to freedom of association, assembly, and issuing opinions*”. Therefore, Indonesian citizens have the right to make association.

Indonesia is a state of law. In the State of law, all things are based on legislation hierarchy. The law on the societal organization is changing three times, in the change of law discussing the terms of establishment, purpose, and function, and the penalty of dissolution in the mass organization activity contrary to applicable law.

Mass organization participated in the history of the independence struggle of the Republic of Indonesia. Many mass organizations are growing and developing to fight for Indonesia's independence materialized on August 17, 1945, such as Boedi Utomo, Nahdlatul Ulama, Muhammadiyah, and other

organizations. The organization had the same goal of defending Indonesia's independence.²

In other terms, mass organization or Non-Governmental Organizations (NGOs) play an essential role as democracy pillars that realize a stable civil society and fight for people's rights in state life.³ However, in the case of a pure mass organization getting funding from the Government, there should be no membership of a mass organization with an element of Government.

The form of Government in Ciamis Regency is related to the role of mass organization, including Pemuda Pancasila and Nahdlatul Ulama's organization. Pemuda Pancasila, who has branches throughout Indonesia, was established by the Indonesian Independence Association Party (IPKI), in October 28, 1959, precisely on the day of Pemuda oath and domiciled Jakarta. The establishment of Pemuda Pancasila was based on the results of the 1959 IPKI Congress in Jakarta. Pemuda Pancasila was originally named as the Pemuda Patriot. The purpose of the establishment of Pemuda Patriot by the IPKI party is to defend the 1945 Constitution and the essential State of Pancasila.⁴ Religion-based mass organizations such as Nahdlatul Ulama.

² Nia Kania Winayanti, 2011, *Dasar Hukum Pendirian dan Pembubaran Organisasi Masyarakat*, Yogyakarta, Pustaka Yustisia, p. 2.

³ Ari Ganjar, Randi, "Peran Organisasi Masyarakat dan Lembaga Swadaya Masyarakat dalam Menopang Pembangunan di Indonesia", *Sosioglobal Jurnal Pemikiran dan Penelitian Sosiologi*, Vol I No 1 (December, 2016), p. 50.

⁴ Syahrul Indra, Teuku Abdullah, Zainal Abidin, "Perkembangan Organisasi Pemuda Pancasila di Banda Aceh Tahun 1984-2016", *Jurnal Ilmiah Mahasiswa (JIM) Pendidikan Sejarah FKIP Unsyiah*, Vol 2 No 3 (July, 2017), p. 94-95.

It is then necessary to form a more systematic, more inclusive organization, anticipating the times' development. After the coordination with various Kiai, there appeared an agreement to form an organization called Nahdlatul Ulama (revival of scholars) at 16 Rajab 1344 (January 31, 1926). KH Hasyim Asy'ari heads the organization⁵. The book of Nahdlatul Ulama human as the basic principle, then also formulates the book I'tiqad ahlusunnah wal Jamaah. The two books are then in the khittah Nahdlatul Ulama, Which is used as the basis and reference of Nahdlatul Ulama residents in the thinking and acting in the social, religious, and political fields.

Ciamis Regency has a very active mass organization. Some mass organizations are developing people's welfare with the Government, as reported that, "three combined mass organizations In the Pamarican sub-district is commendable and imitated. The three organizations of this mass, united and shoulders to synergize among people in the social field. Combined mass organizations from Pemuda Pancasila (PP), the Islamic Defenders Front (FPI), and the local Karang Taruna built a residence or house for Anang Ruhyat's family Hamlet Cisaar, RT 05/02, Kertahayu Village, Pamarican Sub-district. The coalition of Mass Organization of Pemuda Pancasila (PP), the Islamic Defenders Front (FPI), and the local Karang Taruna built a residence or house for Anang Ruhyat's family Hamlet Cisaar, RT 05/02, Kertahayu Village,

⁵ Nahdlatul Ulama Online, Sejarah, 27 December 2019, <https://www.nu.or.id/static/6/sejarah-nu>, (15.12).

Pamarican Sub-district. Meanwhile, Ciamis deputy Regent, Yana D Putra, who was present at the first stone laying, claimed to have felt moved. Besides, Yana D Putra also appreciates mass organizations' togetherness in the Pamarican sub-district. "obviously, we feel proud," he said.

The head of deputy regional, Yana D Putra hopes that, in the future, mass organizations in Ciamis Regency can replicate this activity."⁶ From the news's idea, it appears that the mass organization has a role for the Government, with the same basic objectives to achieve the prosperity of people themselves. It is seen that different mass organizations can unite to help each other.

Based on the background mentioned earlier, this research discusses the mass organizations' role, focusing on the role of Pemuda Pancasila and nahdlatul ulama's mass organization in Ciamis Regency.

B. Research Question

Based on the background described above, it can be stated that the research question are formulated as follows:

1. How is the role of mass organization in the Indonesian constitutional system?
2. How is the role of Pemuda Pancasila and Nahdlatul Ulama as Mass organization in Ciamis Regency?

C. Research Objectives

1. To Understand the role of mass organization in the Indonesian constitutional system

⁶ Suherman, The Enviably Action of Three Mass Organization in Pamarican Ciamis, 20 December 2019, <https://www.harapanrakyat.com/2019/12/aksi-sosial-tiga-ormas-di-pamarican-ciamis/>, (08.07).

2. To Evaluate mass organization's role in developing a constitutional system in Ciamis Regency, particularly Pemuda Pancasila and Nahdlatul Ulama to
3. To propose a better policy in the role of mass organization in developing the constitutional system in Ciamis.

D. Benefits of Research

This research is expected to provide both theoretical and practical benefits.

1. In terms of theoretical use, the results of this research can enrich the study in the field of Constitutional Law and democracy in Indonesia, especially concerning mass organization's role.
2. In terms of practical use, the results of this research can be an input for Pemuda Pancasila, Nahdlatul Ulama, a mass organization and Government in Ciamis Regency.