

The Position of President and Vice President of Republic of Indonesia, After 3rd Amendment Constitution 1945, Correlated with The 4th Principle of Pancasila

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Abstract. The third time amendments of the constitution Republic of Indonesia 1945 has amended the constitutional system of the position President Republic of Indonesia fundamentally In the article 6 clause 2, The original manuscript the law of the Republic of Indonesia 1945 mention that “The President and the Vice President of Republic of Indonesia are elected by people representative assembly through the most voters. Meanwhile the result of the third amendment as mentioned previously in the Article 6A, paragraph (1) said that “The president and vice president shall be elected in one partner by people directly. The amendment above has changed the authority of People Representative Assembly (MPR) to elect the president and the vice president of the Republic of Indonesia as a representative of people. The change has been a discussion in the people, is the change election the president and vice president which is done by the representative system through People Representative Assembly (MPR) or the direct election which is elected by people. The question, Does appropriate with the value of which contained in the fourth principle of Pancasila? The method of study through the empirical normative. The normative study will use the secondary data, it connects to the legislation, library references and the other supporting data. The empirical means in the study will use primary data that is interview with the experts, academicians, practitioners, even politicians. The conclusion of the study has been analyzed which based on The basis of philosophical, theories even juridical that the changed election system of the President and the vice President from representative to direct election does not appropriate in the fourth principle of Pancasila.

1. Introduction and Literature review

The Indonesian nation had proclaimed the independence of Indonesia on August 17, 1945 which was read by Soekarno representing the entire Indonesian nation at that time. As an effort to implement the ideals intended in the proclamation, the Constitution was formulated as part of preparing the formation of the Indonesian state, which in the end the Indonesian Constitution was determined by the Preparatory Committee for Indonesian Independence (PPKI) [1] on August 18, 1945. The 1945 Constitution is divided into two parts: the first part is the Preamble consisting of four paragraphs, and the second part is the body of thirty-seven chapters as well as the transitional rules and the supplementary rules. The enactment of the 1945 Constitution by the Preparatory Committee for Indonesian Independence (PPKI) is a clear proof that the spirit and spirit of the proclamation of independence on 17 August 1945 has been implemented in it. This can be seen in the third paragraph of the Preamble to the 1945 Constitution, there is a statement "On the mercy of Allah Almighty and by being encouraged by a noble desire to live a free national life,

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the Indonesian people hereby declare independence". This statement shows a close relationship between the Proclamation of Independence and the Preamble of the 1945 Constitution, because the Preamble to the 1945 Constitution is nothing but the pouring of the soul of the Proclamation of August 17, 1945 [2]. The preamble of the 1945 Constitution which has been formulated solidly and solemnly in the four paragraphs, each paragraph and its words have a very deep meaning and meaning have universal and sustainable values [3]. Therefore the existence of the opening of the 1945 Constitution as a universal and sustainable values and as a declaration of the independence of the Indonesian nation, should not be changed by anyone, including by the General People's Consultative Assembly (MPR) even if the result of the general election is a dissolution of the Proclamation August 17, 1945.

Furthermore, the main points of the preamble of Constitution (1945 Constitution), according to the Constitution Explanation (1945 Constitution), include the spirit of Constitution (the 1945 Constitution), and the realization of the legal ideals that control the basic state, both written and non-written. While these points of thought are embodied in the articles of Constitution (UUD 1945). Therefore, the composition of the Constitution (Constitution 1945) and the ideals of Constitution (UUD 1945) are sourced or imbued by the basic philosophy of Pancasila [3]. The function of Preamble of Constitution (UUD 1945) has direct relationship with Body of Constitution (1945 Constitution), its caused Preamble of Constitution (UUD 1945) contains the ideas that are further elaborated in the chapters. By being aware of the greatness of the values contained in Pancasila. The body of Constitution consists of a series of articles which are the embodiments of the ideas contained in the Preamble of Constitution (UUD 1945), which is nothing but the thoughts of Indonesian unity, social justice, the sovereignty of the people based on the people and the deliberation / representative, and Belief in the One Supreme under a just and civilized humanitarian basis [3]. Noting that it appears that the Preamble of Constitution (the 1945 Constitution) is a unity that can not be separated, even to reinforce each other.

In connection with the way the wheels of government of the Republic of Indonesia are in line with the Proclamation of Independence of 17 August 1945 and the noble values of the Indonesian nation, the Constitution (UUD 1945) has regulated the articles regulating the power of state government as regulated in Article 4 regulating the power President of the government, Article 5 regulates the authority of the President to form Laws, Article 6 regulates the requirements of being a President, Article 7 regulates the term of office of the President, Article 8 regulates the President's obstacles, Article 8 considers the oath of Presidential office, Article 9 regulates the oaths of the office of the President and Vice President, Article 10 regulates the supreme authority of the President in the field of state defense, Article 11 regulates the authority to declare war and make peace, Article 12 provides for state statements in danger, appointment ambassadors and consuls of the state, Article 14 regulates pardons, amnesty, abolition and rehabilitation and Article 15 provides for granting titles, services and other honors [4]. The provisions of the articles governing the field of government as mentioned above, can be interpreted that the formulator of the Constitution (1945 Constitution) has noticed the suitability of the materials have been in accordance with the values of Pancasila as listed in the Preamble of Constitution (the 1945 Constitution) .

Highlights the position of the President and Vice President in the Constitution (1945 Constitution) [4]. It is stipulated in Article 6 Paragraph (2) stating that the President and Vice President are elected by the Assembly of People Representative (MPR) with the most votes. By viewing the contents of the provisions, the President and Vice President shall be elected by the Assembly of People Representative (MPR), as elected by the Assembly of People Representative (MPR), the President and Vice President shall be responsible to the Assembly of People Representative (MPR), and may even be dismissed by Assembly of People Representative (MPR) if the responsibility is not accepted, because the President and Vice President are the mandatory recipients of the Assembly of People Representative (MPR). In the provisions of the Constitution (Article 1945) Article 6 Paragraph (2) and other Articles are not found provisions regulating the election of President and Vice President elected directly by the people through general election. Rather the election of the President and Vice President is elected through a representative system by the Assembly of People Representation (MPR), because the Assembly of People Representative (MPR) is a representative body of the people whose members are elected through legislative members election, which participants are recruited through parties political election participants. And the elected members will sit in the parliamentary assembly called Assembly of People Representative (MPR), which in turn they have the power to elect the President and Vice President of the Republic of Indonesia. In the Indonesian constitutional practice the number of members of the Assembly of People Representative (MPR) in the period 1999-2000, as many as 700 people consisting of 450 represented members of the Council of People Representative (DPR), 165 represented delegation of group and 35 representing Delegation of local / district.

The fourth precept of the Five Principles (Pancasila) is the Democracy Led by the Wisdom of Wisdom in the Consultative / Representative. The philosophical value embodied in it is that the nature of the state is as the embodiment of human nature as individual beings and social beings. The nature (of the state) is a group of human beings as God Almighty being united and aimed at realizing human dignity in a state territory. The people are the subject of the principal supporters of the state. The state is from, by and for the people, therefore the people are the origin of state power. So in the precepts of democracy is the value of democracy which absolutely must be implemented by the state. Then the democratic values embodied in the fourth precept are democracies that are not only based on individual freedom. Democracy in the fourth precept is a democracy based on the morality of Godhead, humanity and the value of unity. Therefore, democracy based on wisdom of wisdom places sovereignty in the hands of the people, based on the moral wisdom of harmonious coexistence, not free competition and mastering others. The description of democracy above can also be said as Pancasila democracy is a life order of the state and society based on the sovereignty of the people who are imbued by the values of Pancasila [6]. Therefore, the democracy interpreted in Constitution (UUD 1945) is Pancasila democracy. Namely populism led by the wisdom of wisdom in deliberation / representation [7].

Along with the passage of time characterized by a global era of globalization, has had a profound impact on Indonesia's legal, social and political system, with the onset of the global economic crisis in 1997 devastating Indonesia's economic structure built during this, the new order government that has been in power for 32 years finally. The wave of popular demands for immediate reforms in various fields include: amendment Constitution 1945, the establishment of a clean government from corruption, collusion and nepotism (KKN), the implementation of regional autonomy. One of the demands for reform in the field of law is the immediate amendment of Constitution 1945, which in the end its amendment has been done four times the changes. The change to the three Constitutions (UUD 1945) has significantly changed the position of the President and Vice President in the government of the Republic of Indonesia. It can be seen in Article 6A Paragraph (1) Constitution (1945) stating that: The President and Vice President are elected in one spouse directly by the people. This is very different from the provision of Article 6 Paragraph (2) stating that: The President and Vice President are elected by the Assembly of Representative People (MPR) with the most votes. The very real change that before the third amendment of its voters is done by a representative system and after the amendment is done directly.

1.1. Five Principles (Pancasila) as State Fundamental Norm.

Hans Nawiasky (1945) developed the theory of the legal norm level (die Theory van Stufenordnung der Rechtsnormen) by contextualizing it to the state. Referring to the theory of the legal norm level of Hans Kelsen, Nawiasky describes a legal norm from any country always tiered and layered, where the underlying norms apply, based on and derived from higher legal norms, to a legal norm of the highest state called the basic norm of state (Staatsfundamentalnorm) [8]. Furthermore, Hans Nawiasky mentioned that legal norms other than layered and tiered, legal norms in the real state are also in groups. Namely: Group I: Fundamental State Norms (Staatsfundamentalnorm); Group II: Basic Rules / Principles of State (Staatsgrundgesetz); Group III: Formal Act (FormellGesetz); and Group IV: Rules of Implementation and Autonomous Rules (Verordnung & AutonomeSatzung) [8]. If it relates to the hierarchy of Indonesian law and legislation as set forth in Decree no. XX / MPR / 1966, Decree No. III / MPR / 2000, Statute No. 10 Year 2004, and Statute no. 12 Year 2011 concerning to the Forming Regulations and Statute, Pancasila as the philosophy of the Indonesian nation belongs to group I namely the Fundamental State Norma (Staatsfundamentalnorm), because Pancasila has the highest legal standing than other norms. Pancasila as the fundamental state of the norm (Preamble) has a position separate from the Articles of Constitution (UUD 1945), therefore Pancasila as a fundamental state norm has a higher position than the Body of Constitution (1945 Constitution). Therefore Pancasila as the State Fundamental Norm listed in the Preamble of Constitution (UUD 1945) contains thoughts that must be translated into Article Constitution (UUD 1945). Hamid S. Atamimi, mentioned that Pancasila is the Recgtsidee of the Indonesian people, elaborated or specified by the Constitution (the 1945 Constitution) into its articles, into the provisions of the Body. In other words, the legal norm is in the Constitution Body (the 1945 Constitution), essentially formed by the fundamental norm of the Pancasila state [9]. Therefore, all legal norms contained in the Articles of Constitution (1945 Constitution) should not be contrary to the legal norms upon which Pancasila as State Fundamental Norm [5]. As per the principle of Lex Superiore derogate Legi Priore which means higher provisions rule out the lower provisions.

1.2. Constitution 1945, as State Basic Norm.

In the hierarchical theory of norms of Hans Nawiasky, the Basic Rules of State / Basic Rules of State constitute a group of legal norms which are under the fundamental norms of the state. As the second group of four major groups of legal norms, a basic rule of the state can be set forth in a state document called *staatsverfassung*, or it can also be poured into scattered state documents. Any basic rule of the country or the basic rule of the state usually regulates among others: (i) matters of state power sharing at the top of government; (ii) the relationship between state institutions; and (iii) relations between countries and citizens [8]. E.C.S. Wade in his Constitutional Law, that the Constitution according to its function is a text that describes the main framework and duties of governmental bodies of a state and determines the main points of the work of those bodies [5]. In connection with the legal hierarchy regulated in Indonesian legislation The Basic Rules of State / Basic Rules of State are referred to as the Constitution (1945 Constitution). Hans Kelsen viewed the constitution as not the second group of norms but placed as the highest basic norm. In the legal structure of a country is a constitution presupposed as the basic norm, constitution is the highest level in national law. Kelsen defines the constitution in two senses: the constitution in the formal sense is a real document as a set of legal norms which may be changed only according to the specific provision which is suggested for the change of norm is difficult, and the constitution in the material sense is composed of the rules governing the deeds of common law norms [10].

1.3. Democracy

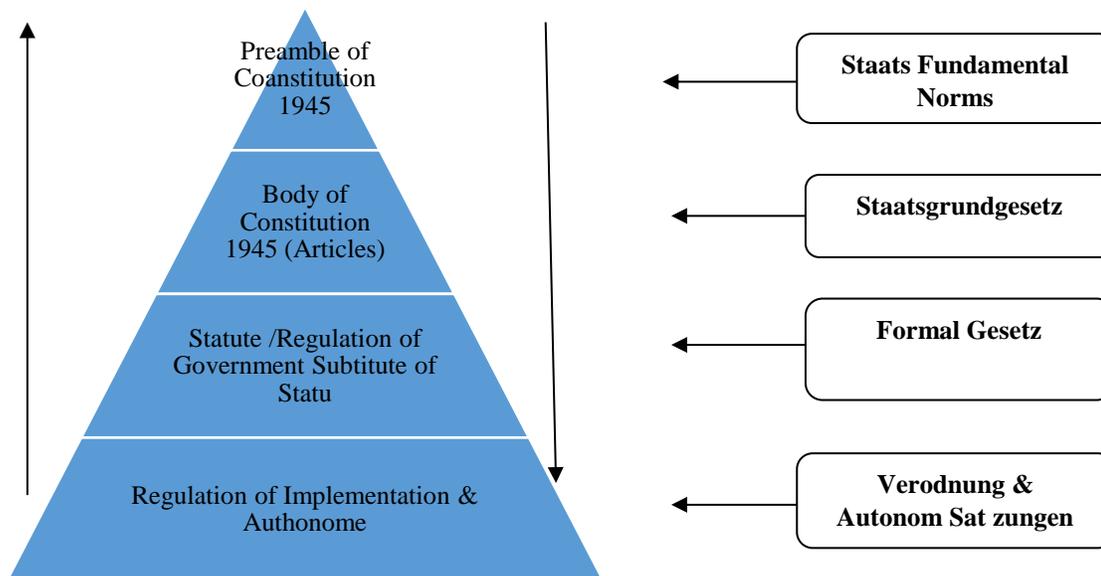
The grammar of democracy comes from the Greek word *demos* meaning people and *cratos* or *cratein* which means government or power. In the linguistic sense *demos-cratos* or *demos-cratein* means people's government or people's power [2]. C.F. Strong mentions that democracy is a system of government in which the majority of adult members of a political society are based on a representative system that ensures that the government is ultimately accountable for actions to that majority. Abraham Lincoln in 1863 said that democracy is a government of the people, by the people and for the people [2]. Joseph A. Schmitter, states that democracy is an institutional plan to achieve political decisions in which each individual gains power to decide the way of competitive struggle over the voice of the people [11]. In the development of democracy in the era of the establishment of Indonesia's republic state there is a very strong influence on Pancasila democracy, both the influence of western democracy and eastern democracy. Western democracy can be identified by the following characteristics: Individualistic, liberalistic, multi / *dwi*partai, voting, government parties and opposition parties, civil supremacy, the right to strike, human rights and absolute freedom. Eastern democracy has the following characteristics: Collectivity, authoritarian, dictatorial *totitem*, one party, leadership decisions, one-party government, party supremacy, directed democracy, are only obligatory and fully regulated. While Pancasila democracy has the following characteristics: Kinship, mutual cooperation, reform of the ABRI party, social-political power, deliberation, unknown to the opposition party, unfamiliar with supremacy, not knowing strikes, rights and obligations and freedom of responsibility [6]. Western democracy is based on liberalism that the state gives freedom to the freed people on the basis of an agreed legal provision. Eastern democracy is based on communism thinking that the state does not give freedom to its people, but the people must obey the state controlled by the proletarian class through a communist party [6].

In the history of democracy development, the implementation of democracy is done by two models, namely: (a) Direct democracy is a democracy involving all the people residing in the region in determining political decisions of state power. Democracy can only be done for countries with few people in the country. For example, democracy in the ancient Greece of democracy was carried out directly in the city state, which involves only a few citizens. In modern times is now done by countries that have very few inhabitants, such as Switzerland with a referendum. For countries with a vast territory and a very large population of direct democracy direct democracy has its own constraints, especially in mobilizing the people in determining political choice decisions. Therefore, a fairly effective and efficient way can be done by using indirect democracy or representative democracy (indirect democracy or representative democracy). The relationship of democracy to the system of state governance will revolve around the relationship between the representative bodies of the people and the executive power body [12]. Implementation of direct and indirect democracy is carried out by a process called general election, which is a way organized to elect democratic representatives of the people who will occupy power positions in parliamentary institutions. General election is held to elect state leaders in government. For example: President (President) and / or Prime Minister (Prime

Minister) [13]. In another view regarding the definition of representative institutions, Harjono as a former judge of the Constitutional Court of the Republic of Indonesia argues that to understand the representative institutions according to the Constitution (UUD 1945) after the change is not fixed on the existence of the word "Representative" in the name of an institution: such as the House of Representatives or the House of Representatives Area. The President is also a manifestation of representation because the President is elected directly. By its means, the pillars of representative institutions, which exercise sovereignty after direct sovereignty are the three institutions: the DPR, DPD and President [14].

1.1. Structure of Thinking

Base on Stufenbau Theory of Hans Nawiasky, incorrelation with Statute No. 12 /2011.



Remarks: The above norms should provide reinforcement to the underside, and the norms below should not conflict with the norms above.

2. Objective of the study.

Objectivity in research is to deepen the philosophical, theoretical and juridical about the position of President and Vice President before and after the third amendment Constitution (1945 Constitution, linked with the essence of the values contained in the Fourth Principle of Pancasila as State Fundamental Norm, namely the People Led by Wisdom of Wisdom In Consultative / Representative.

3. Methodology

In this study researchers used a normative approach to research with a qualitative research model. The data used are secondary data consisting of: primary legal materials namely the provisions of law and legislation related to the object of research, as well as secondary legal materials consisting of doctrine and references of opinion from experts who are expected to strengthen the deepening of the object of research. Data processing is done by analyzing all data that have relevance to the object of research. So it is expected to provide a very substantive and objective research results.

4. Discussion

Montesquieu with his "triaspolitica" divides the powers of government within the state into three (3) sections of power: (i) Legislative power is the power associated with the making of legislation, (ii) Power in the executive field ie power relating to the implementation of legislation and (iii) the power in the Judiciary namely the power relating to the supervision of legislation. Triaspolitica is intended to narrow the possibility of the birth of an absolute government. [15] Special power in the field of Executive, in the practice of state administration in general done with 3 (three) system of government namely: (i) Presidential system of government ie power in the government is absolutely held by a President, (ii) Parliamentary system of government that is the power in government is absolutely held by Parliament, and (iii) mixed system (quasi) ie power in government there is power of Parliament but on the other side there is also power of President. [16]

Others argue that it is said to be a parliamentary system of government if: (a) its leadership system is divided into the head of state and government as two separate offices, (b) if the system of government is determined to be accountable to parliament, (c) cabinet may be dissolved if not parliamentary support, and vice versa (d) parliament may also be dissolved by the government, if deemed unable to provide support to the government [17]. The government system is said to be a presidential government system if: (a) the position of the head of state is not separate from the post of head of government, (b) the head of state is not accountable to the parliament but directly responsible to the people who elect him, (c) the President is otherwise incapable of dissolving parliament, (d) the cabinet is fully responsible to the President as the power of state government or as the supreme administrator [17]. While a mixed-government system is a system of governance in which there are presidential traits and parliamentary features simultaneously in the applied system of government. This mixed system is usually by experts referred to in accordance with the customs adopted by each country. In France for example called a hybrid system. The position of head of state is held by the President directly elected by the people, but there is also a head of government led by Prime Minister supported by parliament, as in the ordinary parliamentary system [17].

In view of the provisions of Article 6 Paragraph (2) of the original Constitution ("1945 Constitution") which reads "President and Vice President are elected by Assembly of People Representative with the most votes", it can be interpreted that the Indonesian government system adheres to a parliamentary system in which the President and Vice President head of government elected by parliament. Since the President and Vice President are elected and appointed by Parliament, it can be interpreted that the President and Vice President are parliamentary mandate and responsible to the parliament, therefore the President and Vice President may be dismissed from office if the parliament considers unable to govern properly. However, if the provision of Article 6 Paragraph (2) of the original text of the Constitution is related to the provision of Article 6A Paragraph (1) of the Constitution of the third post-amendment text which states that: The President and Vice President shall be elected in one spouse directly by the people, it can be interpreted that the Indonesian government system adopts a presidential system, because the President is not accountable to parliament but is directly responsible to the people who elect him, the President and Vice President can not be dismissed by parliament, the President and Vice President have the position of head of state as well as head of government [17]. In the constitutional practice of states that embrace a presidential government system, the usual responsibility of the President / Vice President will be made through the appraisal of performance by the people of his constituency in the next general election.

Pancasila as stated in Preamble Constitution (UUD 1945) in the long journey of the state of Indonesia, Pancasila interpreted with various thoughts and opinions about what is actually the position of Pancasila in the state of Indonesia. Some say that Pancasila is the philosophy of the Indonesian nation. From the perspective of the nation's philosophy, Pancasila is interpreted as a source of material law from a legal source of Indonesian law that will have the essence of binding the existence of the state and the entire blood of Indonesia. On the other side of the moral perspective of the nation, that Pancasila is a nation's moral movement described as a way of life. Way of life interpreted as a mirror and reference in unifying the diversity of the people and the nation of Indonesia. However, those who see Pancasila from the theoretical side is the result of the legal experts' thought that has been tested and has been implemented in various legal system of the country in the world. In a theoretical perspective, Pancasila is defined as the State Fundamental Norm, as the fundamental norm of Pancasila has the highest position among the norms below it. Pancasila should be used as the highest source of law and made reference by the norms that exist beneath it.

Noting the foregoing, the position of the contents in the articles, verses and rules contained in the body of Constitution (the 1945 Constitution) is theoretically appropriate and relevant and in line with the noble values

contained in Pancasila as State Fundamental Norms. The State Fundamental Norm is not made by authoritative state institutions, but its birth is based on the sublime agreement of the founding fathers who have championed and proclaimed the birth of a nation. Pancasila was born on the basis of the historical process of the struggle of the Indonesian nation for the independence of the Indonesian state. Pancasila is the noble values of the Indonesian nation that has always grown and developed with the people and the nation of Indonesia. Pancasila is the noble values of the Indonesian nation deeply excavated by the founding fathers who are ultimately established as the philosophy and foundation of the republic of Indonesia, namely the proclamation of Indonesian independence on August 17, 1945 and the establishment of the Constitution (1945) on 18 August 1945. Therefore, theoretically in relation Pancasila relationship with the body of Constitution (1945 Constitution) there can be no one paragraph let alone a chapter of the contents of Constitution (UUD 1945) is not appropriate, in harmony or in line let alone contrary to the values contained noble in Pancasila.

The founders of the nation as well as the multipliers and originators of Pancasila have taught us that the values contained in Pancasila are the balance between material and spiritual and the balance in all things the life of the nation and the state of Indonesia. The value of equilibrium in a country's economic system is not based on a capitalist or socialist economy, but an economic system based on the principle of kinship economy which is its implementation in the form of community cooperatives. The value of equilibrium in a social system of society that is not based on the majority and minority system, let alone monopolist, but based on mutual cooperation and mutual values. The value of equilibrium in the international political system is not based on liberalist or Marxist / Leninist / communist systems, but a political system based on a just and civilized political system, whose implementation is in the form of the movement of non-aligned countries. The value of balance in the national political system is not based on a materialist political system but is based on the common interest as a nation, by placing the principle of deliberation and consensus in deciding all in the affairs of state, by implementing it in the form of representative institutions as a form of translation of society and the nation of Indonesia that has grown from age to age.

After the reform of state and government officials, leaders of political parties and community organizations, clerics, academics, political and legal experts, activists and non-government organizations (NGOs) hardly ever again quote Pancasila in the delivery of their views and views. Unlike in government Pancasila new order period has always been a daily speech by anyone, let alone the officials and government officials at that time. It appears that Pancasila as it has been submerged beneath the surface of Indonesian life, becomes unnecessary in public space, along with a strong impression that Pancasila is marginalized from the dynamics of national life. Pancasila becomes lonely amidst the hustle and bustle of the nation's life and does not get enough attention. Pancasila like alienated in the middle of the life of the Indonesian nation. The foundation of this country is no longer needed in the formal life of the state and of everyday society [18]. Everyone always speaks law and power, equality before the law, justice, ethics and morality, but violations of law and violations of ethics and morals occur everywhere. Corruption, collusion and nepotism still occur where still. Everyone is no longer talking how to fix it. But people prefer how to fight for power in all areas. State institutions such as legislative, executive, judiciary and other state institutions have become the target of political elites. Then Pancasila as the basis for unifying the nation that has been tested for over 70 years seems to have been marginalized. The post of President and Vice President has seemed to be the target of the rulers and even the former rulers, so to get it done in various ways both legal and unlawful. Pancasila should be returned to its position as the philosophy of the Indonesian nation.

5. Conclusion.

From the research can be concluded as follows:

- a. Prior to the third amendment of the Constitution, the position of the President and Vice President is a mandate of the Assembly of Peoples Representative (MPR) because the President and Vice President are elected by majority vote by the Assembly of Peoples Representative (MPR). Therefore the President and Vice President are responsible to the Assembly of Peoples Representative (MPR). However, after the third amendment of the Constitution, the President and Vice President are no longer mandatory and responsible to the Assembly of Peoples Representative (MPR), because the President and Vice President are directly elected by the people and therefore the President and Vice President are responsible to the people who elect them.

- b. In the concept of hierarchical legislation (stufenbau theory) Hans Nawiasky divides the group of legal norms within a country, namely group I: State Fundamental Norm, in the hierarchy of Indonesian law and legislation can be associated with the Pancasila as the state philosophy, Group II: State Basic Norm, can be related to the position of Constitution (UUD 1945) and Decree of Assembly of Peoples Representative (MPR), Group III: Formal Norm, which can be connected with Statute (Act). and Group IV: Operational & Autonomy Norm, which may be related to the position of Government Regulation, Presidential Regulation, Regional Regulation and other implementing regulations. Hierarchically the legal norms must provide reinforcement and / or reference to the underlying norms, and the norms below them should not conflict with the norms above them. This can be seen from the history of the birth of the legal source of Indonesia in the presence of: MPRS Tap no. XX / MPRS / 1966, MPR Decree No. III / MPR / 2000, Law no. 10 of 2004 and Law no. 12 Year 2011.
- c. The sovereignty of the people interpreted in Pancasila is popular based on the wisdom of the wisdom that all matters relating to the issue of state power are discussed and agreed upon in a kinship, while the sanding of power in the state is exercised through an honest, fair, free and secret elections to elect the representatives of the people who will sit in the institute of representatives of the people, and that institution will formulate and decide all matters relating to the powers of the state. Therefore, the direct election system in electing the President and Vice President is not in harmony with the noble values contained in Pancasila especially the 4th Principle (four). Direct election is a general election based on the liberalist system with the pattern of capitalism, not Pancasila system which prioritizes the principles of kinship and mutual cooperation with the pattern of consensus for consensus.

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