

# 4. CORRELATION OF STATE IDEOLOGY AND HUMAN RIGHTS, IN THE MANNER OF NATION'S CHARACTER AND INDONESIA'S CULTURE

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# CORRELATION OF STATE IDEOLOGY AND HUMAN RIGHTS, IN THE MANNER OF NATION'S CHARACTER AND INDONESIA'S CULTURE

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## **Abstract**

Human rights apply differently in each country, which is closely related to the view of human rights adopted by the country, whether universal, particularistic, absolute or relative. This article will discuss the correlation or relationship between State Ideology and the meaning of Human Rights, as well as its correlation with the formation of national character and culture. The research method used is normative research with a document study and comparison approach. The research results show that state ideology will be reflected in the implementation of human rights, and will greatly influence the formation of the character and culture of a nation. It all depends on what state ideology is adhered to, and the views on human rights that are applied in a country.

**Keywords:** Human Rights, Universalism, Particularistic, National Culture, National Character

## 1. Introduction

The era of the Industrial Revolution 4.0 was marked by digitalization and automation, the movement of society is very fast with all the impacts that are also quickly accepted. Even though it had a positive impact, the era of the industrial revolution had an unexpected impact that had a negative impact on society. In the field of technology, for example, which was previously expected to grow to facilitate all areas of human life that initially operated conventionally, it actually led to inevitable negative impacts. The nation's character and culture also later became one of the areas that were highlighted as having the potential to be negatively affected by the flow of globalization. Many in society are entertained by people's interpretation of human rights, questioning ideology by comparing what happened and what is believed by the culture of other countries.

Citizens' "interest" in other countries, in culture, human rights that are echoed, becomes a threat if it causes a degradation of beliefs and questions the ideology of the nation. Every country has an ideology. Ideology that directs how the state will implement the law, even how the state understands the conception of human rights. Ideology plays a very important role in the life of the state, which can then be interpreted as a consensus or community agreement regarding the values to be achieved and used as the basis for the life of the nation and state.<sup>1</sup> Through ideology, it can be seen to what extent the state guarantees human rights, and of course seeing the nation's culture will be easier by analyzing the state's ideology.

Indonesia with the ideology of Pancasila, should not be shaken by the 4.0 revolution era. With the values they have, such as the values of Divinity, Humanity, Unity, Deliberative Democracy, and Social Justice, they should be a guideline for how the nation's culture is formed without being shaken by the conditions of the 4.0 revolution era. When associated with guaranteeing human rights, the ideology of Pancasila also has clear humanitarian values that guarantee the enforcement of human rights, which humanize humans and civilize humans. However, the meaning of human rights values is in fact different, not only between countries, even between different scientific perspectives and human mindsets in defining and interpreting human rights. This then causes, differences in the meaning of Human Rights have an impact on the nation's cultural behavior.

Human Rights are often interpreted as basic rights that every human being has because he is a human being. Therefore, human rights are not granted by anyone, apply equally under any circumstances.<sup>2</sup> Looking at the definition, it is not inevitable if there is a perspective that considers that human rights cannot be interpreted in a particular manner locally in each country. Human Rights must be interpreted universally, and apply equally in every country, because human rights apply as human beings are human beings. Such an understanding is not condemned, but it cannot be directly justified. Bearing in mind that every country has a different culture, even ideology is also very influential on the state's meaning of human rights. This will be lame if it turns out that the implementation of human rights guarantees is indeed fully correlated with the state ideology that is adhered to.

In his book, Prof. A. Gunawan Setiardja emphasized that:

<sup>1</sup> Luh Suryatni, "Pancasila Sebagai Ideologi Negara Dan Hak Asasi Manusia Dalam Menjaga Keutuhan Negara Kesatuan Republik Indonesia," *Jurnal Ilmiah Hukum Dirgantara* Vol. 5, No 1, (2014), 35

<sup>2</sup> Jack Donnelly, *Universal Human Rights in Theory and Practice* (London: Cornell University Press, 2003), 7- 21.

"Anyone who thinks that human rights only apply under certain conditions, only applies in certain cultural environments, and with Western metaphysical premises or departs from Christian theology, then in fact he is not talking about human rights, but about the rights of other people. European, American, Christian or Western-oriented democratic citizen rights".<sup>3</sup>

The orientation and culture of the Indonesian nation is different, which is based on a different ideology. With regard to these rights, it is understandable that the meaning and guarantee of human rights in Indonesia, which has the ideology of Pancasila, will be different from other countries that have other ideologies. As it is understood, that the precepts in Pancasila are interconnected with each other, so if discussions related to Human Rights are based on just and civilized Humanity Precepts, they should be linked to the sound of the precepts of Belief in One Almighty God, Indonesian Unity, Great Democracy, led by Wisdom of Wisdom in Deliberative Representatives, and Social Justice for All Indonesian People. This will be different from the conception of the meaning of human rights in a country with an ideology that is clearly different from the ideology of Pancasila.

It is these different conceptions of the meaning of Human Rights, then it becomes interesting to discuss by looking at whether there is a correlation or relationship between Ideology, Human Rights and the development of national character and culture. Demands for the equal fulfillment of human rights need to be studied carefully, so that rejection of the meaning of human rights in a universal way is not subjectively rejected, and vice versa, does not subjectively assess the meaning of human rights in a particularistic way, or adapted to the culture of the nation.

Seeing the description of the background above, this research takes the perspective of the problem of how the correlation of state ideology with the meaning of human rights, and how to show the correlation of ideology, human rights with the formation of national character and culture. From these problems, of course there will be a goal that arises, namely to be able to analyze the correlation from the two perspectives of the problem. With the problems to be studied, it will be of benefit to the reader in addition to literacy and the writer. The guarantee of human rights must still be interpreted as guarantees that must be fulfilled by every country without exception, but still without undermining the nation's ideology. For this reason, the authors are interested in discussing in an article entitled: **"CORRELATION OF STATE IDEOLOGY AND HUMAN RIGHTS, IN THE MANNER OF NATION'S CHARACTER AND INDONESIA'S CULTURE"**.

## 2. Method

The research method is the main thing that must be considered in order to analyze the problem to reach the goal of the level of accuracy of the object of discussion. The research aims to seek and find the truth systematically and methodologically based on certain thoughts, based on systematic analysis.<sup>4</sup> This writing is based on the type of research normative (normative), namely research based on analytical studies based on document study studies. The research approach uses a comparative approach. A comparative approach is

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<sup>3</sup> A. Gunawan Setiardi, *Hak-Hak Asasi Manusia Berdasarkan Ideologi Pancasila* (Yogyakarta: Kanisius, 1993), 74.

<sup>4</sup> Khuzafah Dimiyati and Kelik Wardiyono, *Legal Research Methods* (Surakarta: Fh UMS, 2004).

carried out by carrying out a comparative legal study, namely comparing the concept of human rights and state ideology, by looking at their correlation to the development and development of national character and culture.

### 3. Result and Discussion

#### 3.1 State Ideology's Correlation In The Interpretation Of Human Rights

State ideology is closely related to the meaning and formulation of the concept of human rights in a country. The initial concept of Human Rights which is considered as a universally applicable right, in practice, in practice, each country applies a different concept. Human Rights cannot really be understood as rights that apply equally throughout the world. Based on the theory, which then justifies that Human Rights cannot really be demanded to be universally enforced, there are 4 (four) views, namely as follows:<sup>5</sup>

a. Universal-absolute view,

Universal-absolute is of the view that human rights are universal, in accordance with the formulation of universal human rights values in The International Bill of Human Rights. This view does not respect the socio-cultural profile of the nation, which in other words does not consider differences in human rights due to differences in socio-cultural conditions.

b. Universal-relative view,

Universal-relative is of the view that apart from having to assess human rights in a universal conception, do not forget that human rights are also based on the principles of international law, which form the basis and limitation of human rights, do not really apply universally to every human being wherever that human being is.

c. Particularistic-absolute view,

Particularistic-absolute views that human rights are a matter for each nation. This view actually denies that Human Rights are universal. Based on this view, human rights should be adjusted to the ideology of the nation, meaning that each country is in accordance with the conditions of each nation and state. This view actually rejects the existence of universal human rights documents, because it returns the concept of human rights to each country.

d. Particularistic-relative views.

Particularistic-relative views, that the issue of Human Rights is a problem that can be seen from two perspectives. The first is the perspective of each country, the second is the perspective of international human rights documents. Based on this view, there must be alignment, harmonization, integration in conceptualizing the concept of Human Rights in a universal view and in view of the culture, needs and characteristics of the nation.

Looking at the views mentioned above, it is interesting to find that there is a view of human rights that is based on the culture of each country, namely a particularistic view. This view seems to remind us that the particularistic view which is based on the culture of each nation is closely related to the ideology adopted by the nation state.

We can see from the concept of Human Rights implemented in Eastern Cultural Countries and Western Cultural Countries. The categories of Eastern Cultural Countries and Western Cultural Countries can also be seen from a very different ideological viewpoint

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<sup>5</sup> Muladi, *Hukum dan Hak Asasi Manusia*, dalam Bagir Manan, "Kedaulatan Rakyat, Hak Asasi Manusia dan Negara Hukum". Gaya Media Pratama, Jakarta. 1996, hal. 115.

between the two categories or groups of countries. In fact, in viewing and implementing human rights perspectives there are also differences between the two categories or groups of countries. In the Eastern Culture Country, for example, the implementation of human rights always intersects with political culture. Eastern political culture prioritizes the rights or interests of society as a whole, while Western culture focuses on individual rights. Similar to Indonesia's integralistic spirit, the understanding of the Eastern Cultural State prioritizes the interests of the needs of the people in the state with their respective functions and positions.

It is this political culture that constitutes the nation's philosophy, the nation's political views which are then embodied in the state ideology. State ideology is in fact closely related to the meaning of human rights. Indonesia with the Pancasila Ideology sees Human Rights with a meaning that is not universal, Indonesia is included in viewing Human Rights in a relatively particularistic view, where Human Rights are implemented differently in Indonesia compared to the implementation of Human Rights in force in Western countries, even in Western countries. with an ideology based on religion, for example a state with an Islamic ideology.

Human Rights in western countries whose implementation is more liberal, or free, cannot be equated with the Indonesian state with the ideological conception of Pancasila. Human Rights in practice are filtered with the values of Pancasila, so that the values of Human Rights are aligned with the values of God, the values of civilized humanity, the values of Indonesian unity, the values of people's deliberations, and the values of social justice.

In view of Human Rights on an international scale, it has the following principles:<sup>6</sup>

- a. The principle of equality : Through this principle, humans are considered equal regardless of gender, skin color, ethnicity, culture, religion and nationality. Humans are treated equally in guaranteeing Human Rights, because they are humans.
- b. The principle of prohibition of discrimination : This principle directs that humans have freedom from discrimination. There should be no discriminatory treatment between one human being and another human being, and this principle is closely related to the principle of equality.
- c. The principle of dependency : This principle explains that one right to another is interrelated and interdependent. It is not supposed to fulfill one human right, by then not fulfilling other rights.
- d. The principle is not interchangeable : This principle guarantees that Human Rights cannot be exchanged, cannot be transferred to other people or humans, even exchanged with other types of Human Rights.
- e. The principle of universalism : The basic principle, where according to this principle, human rights apply equally in all countries, to humans wherever they are.

Compared to Indonesia, the application of the above principles applies equally, starting from the principle of equality, the principle of prohibition of discrimination, the principle of dependence, the principle of non-exchangeability is also implemented in Indonesia in the application of human rights in Indonesia. For the principle of universalism, which indeed Indonesia applies a particularistic view, it is relatively not applied in Indonesia. However,

<sup>6</sup> Yuli Asmara Triputra, "Implementasi Nilai-Nilai Hak Asasi Manusia Global Ke Dalam Sistem Hukum Indonesia Yang Berlandaskan Pancasila," *Jurnal Hukum Ius Quia Iustum* Vol. 24, no. 2 (2017), 284-285.

Indonesia still appreciates and respects <sup>26</sup> the implementation of human rights in other countries with various concepts based on different state ideologies. <sup>16</sup> Returning to the values of human rights in Indonesia, which existed long before the Universal Declaration of Human Rights <sup>27</sup> was born on December 10, 1948. The values of human rights contained in the second principle of the Pancasila "Just and Civilized Humanity", carry the spirit that humanity that underlies the spirit of guaranteeing human rights in Indonesia is aimed at being applied fairly and equally and forming human beings, civilized Indonesian citizens. In another literacy, the value of "Just and Civilized Humanity" is interpreted as:<sup>7</sup>

As God's creatures, humans have rights that must be respected and respected in order to fulfill their dignity rights. The principle of equality places human beings equally, apart from having the same rights, they also have the same obligations in the context of fulfilling human rights. Fair in guaranteeing humanity, formulated in accordance with the principle of equality, and prohibiting discrimination. The existence of culture in Indonesia, adjusted to multiculturalism, directs that the implementation of human rights is applied to form a civilization that is in accordance with human life in Indonesia.

In the previous explanation, it has been written that the implementation of <sup>1</sup> human rights in Indonesia is carried out in accordance with Pancasila values in other precepts as well. The value of God does not direct Indonesia as an adherent of the Theocracy ideology, but also directs that the implementation of human rights must be adjusted to religious values, beliefs that are recognized in Indonesia, so that human rights in Indonesia do not conflict with religious values.

The value of Indonesian Unity directs that there are elements of diversity and diversity <sup>23</sup> in Indonesia, which must be taken into consideration in formulating human rights. Don't let the implementation of the guarantee of human rights <sup>5</sup> only benefit some groups in society, the principle of non-discrimination must be fulfilled in the implementation of the guarantee of human rights. Community values led by Wisdom of Wisdom in Indonesian Deliberations, when associated with guaranteeing Human Rights, lead to that guaranteeing the right to associate, the right to express opinions in deliberations is a reflection of the exercise of the right to freedom of expression as one of Human Rights.

The Value of Social Justice for All Indonesian People, strengthens the value of equality, non-discrimination for all human beings, especially Indonesian citizens without exception. The guarantee of human rights must be aimed at providing justice for all Indonesian people. These values, are not applied to countries with different ideologies from Indonesia. So clearly, the conclusions in this discussion direct that there is a correlation between state ideology and the meaning of human rights.

### 3.2 Correlation of Ideology, State, and Human Rights with Indonesia's Culture Identity and Character Establishment.

Talking about character formation, character is a form of innate, behavior, soul, heart, character, personality, nature, character of a person.<sup>8</sup> While national culture is the values,

<sup>14</sup>  
<sup>7</sup> Ferry Irawan Febriansyah, Keadilan Berdasarkan Pancasila: Dasar Filosofis Dan Ideologis Bangsa (Yogyakarta: Deepublish, 2016), hlm. 43-44

<sup>8</sup> Imam Suyitno, PENGEMBANGAN PENDIDIKAN KARAKTER DAN BUDAYA BANGSA BERWAWASAN KEARIFAN LOKAL, *Jurnal Pendidikan Karakter*, Tahun II, Nomor 1, Februari 2012, hlm. 3.

norms, thoughts and what is believed to be adhered to by the people of the nation which are considered true, good and ideal.<sup>9</sup> Furthermore, according to Christopher Dawson, culture is defined as a way of life, namely a certain way of life that exudes a certain identity from a nation.<sup>10</sup> So that the nation's culture is very closely related to the nation's view of life which also radiates the identity of a nation. The culture of the Indonesian nation in its application reflects the values of Pancasila in the cultural life of the citizenry, or nation.<sup>11</sup> The values of Pancasila are interpreted as the basis for forming national culture, which of course greatly influences the formation of national character. The character of Indonesian society should be heavily influenced by the values of Pancasila. Because the values of Pancasila originate from the values of the Indonesian nation, it will be very easy for Pancasila values to be accepted as a source of filtering in character building education in Indonesian society.<sup>12</sup> Character education for all generations of the nation, over a long period of time will shape the culture of the Indonesian nation which is based on Pancasila.

So what does this have to do with human rights? Because there are demands for the application of universalism in Indonesia, as well as in other countries that apply a more particularistic view in viewing the concept of Human Rights, the meaning and application of Human Rights in their demands and struggles in a country is closely related to the culture of the nation.. In addition, the implementation of human rights is in fact very much related to how the character of the nation's generation is formed. How Human Rights are interpreted in accordance with the views of ideology and political culture as well as the nation's social culture, will determine whether or not the character that has been formed for years, decades, even hundreds of years of a nation persists.

Like Indonesia with its eastern culture, then the national character that breathes values that recognize God, respect human values, work together to create unity, practice deliberative democracy, and agree with the value of justice should also be used as a guide in the implementation of human rights. The conclusion is that there is a correlation between Ideology, State, Human Rights with the formation of national character and culture.

#### 4. Conclusions

Based on the description of the discussion and background above, the researcher concludes as follows:

1. There is a correlation between state ideology and the meaning of human rights. Human Rights are influenced by the view of Human Rights implemented by the state. The view in question is the view of absolute universal, relative universal, absolute particularistic and relative particularistic. This view cannot be separated from the nation's view of life, or the ideology of the state which is the filter that directs how the concept of guaranteeing human rights in a country is.
2. There is a correlation between Ideology, State, Human Rights and the formation of national character and culture. National character and culture are formed because of the

<sup>9</sup> Ahmad Maulana, Pancasila Sebagai Budaya Bangsa Dalam Pendidikan Nasional, artikel, <https://thesiscommons.org/hcfvb/download>, hlm. 2.

<sup>10</sup> Solejono, Djokosantoso (2005) Good Corporate Culture sgb GCG. Jakarta: Elex Media

<sup>11</sup> Irmiana, N. (2018). Pendidikan dalam Kebudayaan. ITTIHAD, 15(28), hlm. 25.

<sup>12</sup> Rahayu, R. D. (2021). PENGEMBANGAN PENDIDIKAN NASIONAL BERBASIS BUDAYA LOKAL. Jurnal Terapung: Ilmu-Ilmu Sosial, 3(1), hlm. 20.



ideology of the nation-state. The character and culture of this nation are also greatly influenced by the guarantee of human rights, and will greatly affect the conception of human rights in the future.

## 5. Saran

Full awareness is needed for citizens as the nation's generation in the meaning of the concept of Human Rights which is adapted to the nation's ideology, in order to maintain good and ideal national culture and character.

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