Restructuring Institutional and Legal Policies in Fostering the Ideology of Pancasila

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Abstract. This research was aimed to describe the restructurization of existing policies to formulate the legal umbrella for strengthening Pancasila ideology in Indonesia. Strengthening Pancasila has been already formulated by establishing a new institution called *Badan Pembinaan Ideologi Pancasila* (BPIP). This study analyse the policy structuring in this new policy which was seen as as a reinforcement, and expected to create a better order by using Pancasila as the utmost national philosophy. This study uses a qualitative research approach where qualitative research as a scientific method is often used and carried out by a group of researchers in the field of social sciences. A qualitative research approach is a research and understanding process based on a method that investigates a social phenomenon which in this study focuses on strengthening institutional policies in fostering the ideology of Pancasila. This method is used in research to try to understand and explore their views and experiences to get the information or data needed. In order to provide regulatory strengthening for BPIP institution, it is necessary to reorganize policy directions in the regulatory aspect, which is carried out by strengthening the current legal umbrella of BPIP which is based on a Presidential Regulation whose legal force is increased to become Law. Therefore, the results of the research show that it is necessary to regulate: a). Procedures for Implementing Coordination, Synchronization, and Inter-institutional Relations, and b). Control of Pancasila Ideology Development for Ministries/Agencies and Local Governments.

Keywords: Strengthening Policies, Institutions, Guidance, Ideology, Pancasila

Abstrak. *Penelitian ini bertujuan untuk mendeskripsikan restrukturisasi kebijakan yang ada untuk merumuskan payung hukum penguatan ideologi Pancasila di Indonesia. Penguatan Pancasila sudah dirumuskan dengan membentuk lembaga baru bernama Badan Pembinaan Ideologi Pancasila (BPIP). Kajian ini menganalisis penataan kebijakan dalam kebijakan baru ini yang dipandang sebagai penguatan, dan diharapkan dapat menciptakan tatanan yang lebih baik dengan menggunakan Pancasila sebagai falsafah bangsa yang paling tinggi. Penelitian ini menggunakan pendekatan penelitian kualitatif dimana penelitian kualitatif sebagai metode ilmiah sering digunakan dan dilakukan oleh sekelompok peneliti di bidang ilmu-ilmu sosial. Pendekatan penelitian kualitatif adalah proses penelitian dan pemahaman yang didasarkan pada metode yang menyelidiki suatu fenomena sosial yang dalam penelitian ini berfokus pada penguatan kebijakan kelembagaan dalam pembinaan ideologi Pancasila. Metode ini digunakan dalam penelitian dengan tujuan mencoba memahami, menggali pandangan dan pengalamannya untuk mendapatkan informasi atau data yang dibutuhkan. Dalam rangka memberikan penguatan regulasi bagi lembaga BPIP, maka perlu penataan kembali arah kebijakan di bidang regulasi yang dilakukan dengan memperkuat payung hukum BPIP saat ini yang didasarkan pada Peraturan Presiden yang kekuatan hukumnya ditingkatkan menjadi UU. Oleh karena itu, hasil penelitian menunjukkan bahwa perlu diatur: a). Tata Cara Pelaksanaan Koordinasi, Sinkronisasi, Hubungan Antar Lembaga, dan b). Pengendalian Pengembangan Ideologi Pancasila bagi Kementerian/Lembaga dan Pemerintah Daerah*

Kata kunci: *Penguatan Kebijakan, Kelembagaan, Pembinaan, Ideologi, Pancasila*

1. Introduction

Policy structuring at an institution is defined as a process, method, or act of organizing, regulating, and compiling. Structuring is also defined as a planning process in an effort to improve something for the better.[1] In terms of policy, structuring can be interpreted as an effort to analyze an existing policy and evaluate and reformulate it in a better direction than the previous policy.[2] Seeing the weaknesses, shortcomings, and obstacles in the previous policy, a new policy was formulated, and it was hoped that the new policy could create a better order.[3]

The policy itself is a broad concept that embodies several different dimensions. Policies are laws, regulations, procedures, administrative actions, incentives, or voluntary practices of governments and other agencies. In short, public policy seeks to achieve desired goals that are considered in the best interests of all members of society. According to Sherri Torjman, public policy is a deliberate and (usually) careful decision that guides dealing with selected public issues. Therefore, policy development can be seen as a decision-making process that helps address identified goals, problems, or problems.[4]

The policy discussed in this study is the institutional policy of fostering the ideology of Pancasila. Ideology is a set of ideas, beliefs, values, and opinions that can be a tool to interpret and explain various problems and give meaning to its

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[1] Harold D. Lasswell. (1971). From fragmentation to configuration. *Policy Sciences*, 2(4), 439-446; See also, Cejudo, Guillermo M., and Cynthia L. Michel. "Addressing fragmented government action: Coordination, coherence, and integration." *Policy Sciences* 50, no. 4 (2017): 745-767.

[2] Michael Howlett, and Raul P. Lejano. "Tales from the crypt: The rise and fall (and rebirth?) of policy design." *Administration & Society* 45, no. 3 (2013): 357-381; See also, Turnbull, Nick. "Policy design: Its enduring appeal in a complex world and how to think it differently." *Public Policy and Administration* 33, no. 4 (2018): 357-364.

[3] Arnošt Veselý. "Problem delimitation in public policy analysis." *Central European Journal of Public Policy* 1, no. 01 (2007): 80-100, See also, Peters, Guy B. "The problem of policy problems." *Journal of Comparative Policy Analysis* 7, no. 4 (2005): 349-370; Schneider, Anne, and Helen Ingram. "Systematically pinching ideas: A comparative approach to policy design." *Journal of public policy* 8, no. 1 (1988): 61-80.

[4] Sherri Torjman. *The social dimension of sustainable development*. Toronto: Caledon Institute of Social Policy, 2000.; See also, Ken Battle, and Sherri Torjman. *How finance re-formed social policy*. Ottawa: Caledon Institute of Social Policy, 1995; Reid, David. *Sustainable development: An introductory guide*. Routledge, 2013.

adherents[5] and also Pancasila are five basic values consisting of divinity, humanity, unity, democracy, and social justice. The ideology of Pancasila is the values and beliefs that become the foundation of the life of the Indonesian nation and state based on five basic values, namely the value of divinity, humanity, unity, democracy, and social justice. In essence, the policy requires selecting the desired goal or objectives.[6]

In its efforts to strengthen the policy of an institution, coaching is needed. Coaching is an activity that is carried out consciously, meaning that it has certain expectations and targets. Coaching can also be interpreted as an effort that is carried out systematically and has stages and targets to be achieved. In fostering, some subjects foster and subjects that are fostered, in carrying out the development of Pancasila Ideology, BPIP can protect with state high institutions, ministries or institutions at the level of the ministry, regional governments, political organizations and non-governmental institutions. In essence, the cultivation of Pancasila values is a joint task of the components of the Indonesian nation, so that the development of the Pancasila ideology in its implementation can be carried out in mutual cooperation to complement and complement each other. Usually, coaching is carried out in an effort to cadre within an organization, association or in a broad sense of the country. According to Ostrom institutions are identified with rules and signs as a guide used by members of a community group to regulate relationships that are mutually binding or interdependent with one another.[7] Institutional arrangements can be determined by several elements of operational rules for resource utilization, collective rules to determine the law or the rules themselves and to determine operational rules and regulate organizational relationships.[8]

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[5] Mary K. Bolin. *The 21st century academic library: Global patterns of organization and discourse*. Chandos Publishing, 2017.

[6] Sherri Torjman. *What is Policy?,* The Caledon Institute of Social Policy, Canada (2005).

[7] Elinor Ostrom. "An agenda for the study of institutions." *Public choice 48*, no. 1 (1986): 3-25.

[8] Tony Djogo, Didik Suharjito, and M. Sirat. "Kelembagaan dan Kebijakan dalam pengembangan agroforestri." *Bogor: World Agroforestry Centre (ICRAF)* (2003).; Sherri Torjman. *Shared space: The communities agenda*. Caledon Institute of Social Policy, 2007.

2. Research Method

This study uses a qualitative research approach where qualitative research as a scientific method is often used and carried out by a group of researchers in the field of social sciences. Qualitative research is carried out to build knowledge through understanding and discovery. The qualitative research approach is research and understanding process based on a method that investigates a social phenomenon which in this study focuses on strengthening institutional policies in fostering the ideology of Pancasila. This method is used in research with the aim of trying to understand, explore their views and experiences to get the information or data needed.[9]

3. Result and Discussion

Pancasila were regulated in Presidential Decree No. 10/1979 on the Educational Development Agency for the Implementation of Guidelines for Implementing and Practicing Pancasila (BP-7). BP-7 is a non-departmental government institution that is located under and directly responsible to the President as regulated in Article 1 of Presidential Decree No. 10 of 1979. BP-7 is in charge of carrying out educational development on the implementation of P4 in the community based on policies determined by the President.

A head leads BP-7, in carrying out his duties the Head of BP-7 is assisted by a Deputy Head. BP-7 also has BP-7 Regions, namely at Level I and Level II or equivalent, each of which is a supporting staff body for the Governor of the Regional Head and the Regent of the Regional Head or the equivalent. The existence of this regional BP-7 was then followed up by the Minister of Home Affairs, by issuing the Decree of the Minister of Home Affairs No. 239 of 1980, No. 163 of 1981, and No. 86 of 1982, regarding the establishment of BP-7 in Level I and Level II Regional Governments so that in each province, district and municipality has an institution called BP-7 Daerah. In contrast to the new order, the institutional framework for fostering Pancasila ideology in the reform era based

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[9] John W. Creswell. "Research Design, Pendekatan Metode Kualitatif, Kuantitatif, dan Campuran, terj." *Achmad Fawaid dan Rinayati K. Yogyakarta: Pustaka Pelajar* (2016).; Rukin, S. Pd. *Metodologi Penelitian Kualitatif.* Yayasan Ahmar Cendekia Indonesia, 2019.

on the description above is not single, there are several state institutions that have duties and authorities related to fostering the Pancasila ideology.[10]

Based on the needs of the state regarding the importance of fostering the Pancasila Ideology, as well as the factual condition of the declining public understanding in various surveys regarding the understanding of Pancasila values in the life of society, nation and state, a number of policies in the form of laws were enacted which implicitly regulate the development of ideology. Pancasila. There are at least 6 (six) institutions that have a function in fostering the Pancasila ideology of the reform era, namely:

1. People's Consultative Assembly (PCA/*MPR*). Besides having constitutional authority as regulated in the 1945 Constitution of the Republic of Indonesia, the *MPR* also has the task of promoting Pancasila, the 1945 Constitution of the Republic of Indonesia, the Unitary State of the Republic of Indonesia, and *Bhinneka Tunggal Ika*" as stipulated in Article 5 of the Law on MD3. The Pancasila Ideology Development carried out by the People's Consultative Assembly was carried out by socializing the Four Pillars of the *MPR*, as well as fostering the Pancasila ideology through a study of the state administration system, constitution and its implementation. The socialization program for the four pillars of the *MPR* that is currently being carried out is aimed at all levels of society in all regions of the country.

    In practice, the task of carrying out the development of Pancasila Ideology through the detention of the Four Pillars of the *MPR* is carried out by the *MPR* apparatus, namely the *MPR* Socialization Body, which consists of *MPR* Members representing *MPR* factions and *DPD* (Regional Representative Council) groups whose numbers are determined proportionally. -state institutions and all elements of society.

2. Ministry of Internal Affairs. The Ministry of Home Affairs based on the Regulation of the Minister of Home Affairs No. 41 of 2010 concerning Organization and Work Procedures of the Ministry of Home Affairs through the Directorate General of National Unity and Politics, has the task of formulating and implementing policies and technical standardization in the field of national unity and politics in the form of ideological development and

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[10] Mustari Mustari. "Eksistensi Badan Pembinaan Ideologi Pancasila Dalam Sistem Ketatanegaraan Republik Indonesia." *Jurnal Idea Hukum* 5, no. 2 (2019).

national insight. In carrying out these duties, the Ministry of Home Affairs carries out the functions of:

a. Preparation of policy formulation and facilitation of state ideology resilience;

b. Preparation of policy formulation and facilitation of the development of national insight;

c. Preparation of policy formulation and facilitation of the implementation of state defense;

d. Preparation of policy formulation and facilitation of appreciation of national historical values;

e. Preparation of policy formulation and facilitation of assimilation and citizenship development.

3. The National Defense Institute of the Republic of Indonesia. The National Resilience Institution based on Presidential Regulation No. 98 of 2016 concerning the National Resilience Institute of the Republic of Indonesia is a strategic institution related to the efforts of the Indonesian people to maintain, preserve, and integrate all elements of national power, which is the center of education and assessment of strategic issues related to state resilience in a broad sense, including controlling the integrity of the state and nation. The National Resilience Institution of the Republic of Indonesia is a Non-Ministerial Government Institution which is under and responsible to the President through the minister who coordinates, synchronizes, and controls the affairs of the Ministry in the administration of government in the fields of politics, law, and security.

4. Coordinating Ministry for Human Development and Culture. The Coordinating Ministry for Human Development and Culture based on Presidential Regulation No. 87 of 2017 concerning Strengthening Character Education (SCE) is responsible for:

a. Coordinate SCE policy and implementation;

b. Evaluating the implementation of SCE; and

c. Report the results of coordination and evaluation of the implementation of SCE to the President.

5. Task Force of the National Mental Revolution Movement. President Joko Widodo in 2016 based on Presidential Instruction No. 12 of 2016 concerning the National Mental Revolution Movement formulated the National Mental Revolution Movement (NMRM). When viewed in the Indonesian Serving,

Clean, Orderly Movement Program, it refers more to the government's public service function. United Indonesia Movement Program which emphasizes more on inculcating Pancasila values. The United Indonesia Movement Program is implemented under the coordination and responsibility of the Minister of Home Affairs. In implementing the NMRM, a National Mental Revolution Movement Task Force was formed in each province and district/city.

6. Pancasila Ideology Development Agency (PIDA/*BPIP*). The Pancasila Ideology Development Agency (*BPIP*) according to the BPIP Presidential Regulation is under and responsible to the President. The establishment of the Pancasila Ideology Development Agency is expected to be the sole institution that oversees the development of the Pancasila Ideology.

Institutional policies for fostering Pancasila ideology that are not autonomous and integrated can cause (1) overlapping of tasks and functions between ministries/institutions/agencies in the Central and Regional Governments. (2) The level of efficiency, effectiveness and performance. (3) Coordination problems between ministries/agencies/agencies in the Central and Regional Governments. Therefore, the institutional development of the Pancasila ideology needs to be designed in such a way that it is able to answer the challenges of the effectiveness and efficiency of institutional functions that occur concretely at the level of implementation. In other words, the institutional development of the Pancasila ideology needs to be reorganized to realize a more autonomous and integrated Pancasila ideology development institution. It is important because, theoretically, the institutional development of the Pancasila ideology is not only an organization, container, or institution but also includes the rules of the game and the behavior of an organization or a system. Therefore, it is necessary to formulate the rules of the game and collective action between coordinated institutions related to the development of the Pancasila ideology.[11]

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[11] Hans Kelsen. *General theory of law and state*. Routledge, 2017.; Shigeo Nishimura. "The development of Pancasila moral education in Indonesia." *Japanese Journal of Southeast Asian Studies* 33, no. 3 (1995): 303-316.; Jagad Aditya Dewantara, Ilham Fajar Suhendar, Rum Rosyid, and Thomy Sastra Atmaja. "Pancasila as ideology and characteristics civic education in Indonesia." *International Journal for Educational and Vocational Studies* 1, no. 5 (2019): 400-405.; Kurnia Fatmala. "Peran lembaga badan pembinaan ideologi Pancasila (BPIP) dalam pembinaan ideologi Pancasila ditinjau dari konsep Maslahah Mursalah." PhD diss., Uin Sunan Ampel Surabaya, 2019.

As described above, since 2018, based on the promulgation of the BPIP Presidential Regulation, the direction of the institutional policy for fostering the Pancasila ideology is directed at the existence of a special agent with the function of fostering the Pancasila ideology called BPIP. BPIP was established based on the BPIP Presidential Regulation, which stipulates that BPIP is an institution that is under and responsible to the President (Article 1 point (1) and Article 2 paragraph (2) of Presidential Regulation No. 7 of 2018). The normalization places BPIP as a revitalization of UKP-PIP (Article 2 paragraph (1) of Presidential Regulation No. 7 of 2018) and juxtaposed with UKP-PIP as a work unit that carries out the development of Pancasila Ideology, which is a non-structural institution under and responsible to President (Article 1 paragraph (1) and Article 2 paragraph (2) Presidential Regulation No. 54 of 2017).

Structuring policy directions in the institutional aspect of fostering the Pancasila Ideology is an institutional need by strengthening the institutional position of BPIP as a leading sector that has the authority, duties, and functions to carry out Pancasila Ideology development and has a range of institutional control up to the Provincial/Regency/City level so that it is structured and functional reach the development of Pancasila ideology throughout the country.[12]

This institutional pattern embodies the principle of gotong royong, meaning that in implementing the Pancasila Ideology development, BPIP can cooperate with State High Institutions, Ministries, or Institutions at the Ministry level, Regional Governments, Political Organizations, and Non-Governmental Institutions. In essence, the cultivation of Pancasila values is a joint task of all components of the Indonesian nation so that the development of the Pancasila ideology in its implementation can be carried out in mutual cooperation to complement each other.[13]

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[12] Paul K. Gellert. "Optimism and education: The new ideology of development in Indonesia." *Journal of Contemporary Asia* 45, no. 3 (2015): 371-393.; Anna Irhandayaningsih. "Peranan Pancasila dalam menumbuhkan kesadaran nasionalisme generasi muda di era global." *Humanika* 16, no. 9 (2012).

[13] Muhammad Hassandy Dalimunthe. "Kedudukan Badan Pembinaan Ideologi Pancasila (BPIP) Dalam Penanaman Nilai-Nilai Pancasila." PhD diss., 2019.; Ferry Anggriawan. "Reformulasi domain hukum ideologi Pancasila oleh Badan Pembinaan Ideologi Pancasila." *Jurnal Cakrawala Hukum* 11, no. 1 (2020): 31-40.

4. Conclusion

Institutionally, the existence of BPIP is a positive policy direction, considering that BPIP is under and directly responsible to the President so that the development of the Pancasila ideology in the life of the nation and state can run optimally. It is as regulated in Article 2 paragraph (2) of the Presidential Regulation BPIP as referred to in paragraph (1) is under and responsible to the President". BPIP also assists the President, as stipulated in Article 3 of the BPIP Presidential Regulation. BPIP also has an important mandate to determine the direction of the Pancasila Ideology Development Guide, which can be a reference for every state institution that carries out the development of the Pancasila Ideology, both Pancasila as the basis of the state and Pancasila as the nation's view of life.

On that basis, to support the development of a more structured, systematic, and massive Pancasila ideology, there are some encouragement. 1). The BPIP institution is regulated in a statutory level policy so that the continuity of the institution is more guaranteed in carrying out the duties and functions of fostering the Pancasila ideology and does not depend on government political policies. As is known in statutory theory, there are several principles in the process of forming a law, namely the principle of lex superior derogat *legi inferiori*, which in essence, rules with higher positions take precedence over rules with lower positions, as stated by Hans Kelsen in the Hierarchical theory that the legal system is a tiered rule. The validity of the lower norm is determined or sourced from, the higher norm. 2). Normatively, as regulated in Law No. 12 of 2011 stipulates the Order of Legislation of the Republic of Indonesia, namely in Article 7, the position of the act is higher than the Presidential Regulation. So, to strengthen the regulation of BPIP institutions, it is necessary to reorganize the policy direction in the regulatory aspect, which is carried out by strengthening the current legal umbrella of BPIP based on the Presidential Regulation; its legal force is increased to become law. 3). In addition, considering the breadth of the authority of the BPIP institution, it is necessary to regulate relations, coordination, and synchronization between institutions, so that the development of the Pancasila ideology can be carried out in a coordinated, integrated and collaborative manner. Therefore, regulations regarding: a). Procedures for Implementing Coordination, Synchronization, and Inter-institutional Relations, and b). Control of Pancasila Ideology Development for Ministries/Agencies and Local Governments.

References

Anggriawan, Ferry. "Reformulasi domain hukum ideologi Pancasila oleh Badan Pembinaan Ideologi Pancasila." *Jurnal Cakrawala Hukum* 11, no. 1 (2020): 31-40.

Battle, Ken, and Sherri Torjman. *How finance re-formed social policy*. Ottawa: Caledon Institute of Social Policy, 1995.

Bolin, Mary K. *The 21st century academic library: Global patterns of organization and discourse*. Chandos Publishing, 2017.

Cejudo, Guillermo M., and Cynthia L. Michel. "Addressing fragmented government action: Coordination, coherence, and integration." *Policy Sciences* 50, no. 4 (2017): 745-767.

Creswell, John W. "*Research Design, Pendekatan Metode Kualitatif, Kuantitatif, dan Campuran,*" terj. Achmad Fawaid dan Rinayati K. Yogyakarta: Pustaka Pelajar, 2016.

Dalimunthe, Muhammad Hassandy. "*Kedudukan Badan Pembinaan Ideologi Pancasila (BPIP) Dalam Penanaman Nilai-Nilai Pancasila.*" PhD diss., 2019.

Dewantara, Jagad Aditya, Ilham Fajar Suhendar, Rum Rosyid, and Thomy Sastra Atmaja. "Pancasila as ideology and characteristics civic education in Indonesia." *International Journal for Educational and Vocational Studies* 1, no. 5 (2019): 400-405.

Djogo, Tony, Didik Suharjito, and M. Sirat. "Kelembagaan dan Kebijakan dalam pengembangan agroforestri." *Bogor: World Agroforestry Centre (ICRAF)* (2003).

Fatmala, Kurnia. "Peran lembaga badan pembinaan ideologi Pancasila (BPIP) dalam pembinaan ideologi Pancasila ditinjau dari konsep Maslahah Mursalah." PhD diss., Uin Sunan Ampel Surabaya, 2019.

Gellert, Paul K. "Optimism and education: The new ideology of development in Indonesia." *Journal of Contemporary Asia* 45, no. 3 (2015): 371-393.

Howlett, Michael, and Raul P. Lejano. "Tales from the crypt: The rise and fall (and rebirth?) of policy design." *Administration & Society* 45, no. 3 (2013): 357-381.

Irhandayaningsih, Anna. "Peranan Pancasila dalam menumbuhkan kesadaran nasionalisme generasi muda di era global." *Humanika* 16, no. 9 (2012).

Kelsen, Hans. *General theory of law and state*. Routledge, 2017.

Lasswell, Harold D. (1971). From fragmentation to configuration. Policy Sciences, 2(4), 439-446.

Mustari, Mustari. "Eksistensi Badan Pembinaan Ideologi Pancasila Dalam Sistem Ketatanegaraan Republik Indonesia." *Jurnal Idea Hukum* 5, no. 2 (2019).

Nishimura, Shigeo. "The development of Pancasila moral education in Indonesia." *Japanese Journal of Southeast Asian Studies* 33, no. 3 (1995): 303-316.

Ostrom, Elinor. "An agenda for the study of institutions." *Public choice* 48, no. 1 (1986): 3-25.

Peters, Guy B. "The problem of policy problems." *Journal of Comparative Policy Analysis* 7, no. 4 (2005): 349-370.

Reid, David. *Sustainable development: An introductory guide*. Routledge, 2013.

Rukin, S. Pd. *Metodologi Penelitian Kualitatif*. Yayasan Ahmar Cendekia Indonesia, 2019.

Schneider, Anne, and Helen Ingram. "Systematically pinching ideas: A comparative approach to policy design." *Journal of public policy* 8, no. 1 (1988): 61-80.

Torjman, Sherri. *What is policy?,* The Caledon Institute of Social Policy, Canada (2005).

Torjman, Sherri. *Shared space: The communities' agenda.* Caledon Institute of Social Policy, 2007

Torjman, Sherri. *The social dimension of sustainable development.* Toronto: Caledon Institute of Social Policy, 2000.

Turnbull, Nick. "Policy design: Its enduring appeal in a complex world and how to think it differently." *Public Policy and Administration* 33, no. 4 (2018): 357-364.

Veselý, Arnošt. "Problem delimitation in public policy analysis.*" Central European Journal of Public Policy 1*, no. 01 (2007): 80-100.