 Indonesian Integral Law Based on Pancasila

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Abstract
This study aims to explain the integral legal thinking which is constructed based on the values of Pancasila. In this study using a literature study research method with a philosophical approach. The data in the research such as: books, journals, articles and various scientific works are collected through library research. The data analysis technique used descriptive, hermeneutic and heuristic analysis. The results of the research show that it is important to make Pancasila an integral legal thinking in Indonesia, because of the strategic position of Pancasila in the life of the nation and legal issues that urgently need reform in accordance with the norms that live and develop in society as reflected in the values of Pancasila. Good law is law that is excavated from authentic sources, namely laws that apply in the real life of everyday people, not foreign laws that are imposed as a result of the colonial legacy. The integral legal thinking of Pancasila is a way of thinking, acting and acting legally based on the values of divinity, humanity, Indonesian unity, deliberation and social justice for all Indonesian people.
A. Introduction

Indonesian law adheres to the civil law system, meaning that the applicable positive law is the law written in the legislation. This legal system is supported by a positivistic paradigm which causes the law to become rigid and narrow, because the law rejects legal understanding outside the legislation. The legal system adopted by Indonesia is a legacy of the Dutch colonialists, although basically Indonesia has its own legal authenticity which is sourced from the values of people's lives. In understanding Indonesian law, the diversity of society is a genuine character that cannot be ruled out. The need for constructive legal policies to formulate national laws that still accommodate legal values that live and develop in society.

In this legal system, it is as if law enforcement officers only work as mouthpieces for laws and regulations. With this understanding, to judge whether it is in accordance with the law or not, it must be based on the text of the legislation, even though it is often felt that it is not in accordance with the community's sense of justice. This understanding of the law eventually led to various problems. Like the case of legal proceedings against Grandma Asiani who took a branch of teak belonging to Perhutani, while on the other hand there was a Gaius convicted of a tax corruption case that cost the state hundreds of billions of dollars being engrossed in walking to malls and international sports entertainment venues like a free person. Such law enforcement is only done to wrestle with statutory regulations.

Legislation is the result of a political product that cannot be separated from interests. How to realize the rule of law, if the law is only understood as a formal system in legislation that ignores the sense of justice of the people. The textual understanding of the law gives rise to multiple interpretations and perceptions, and it often causes legal problems. Legislation as a form of rule of law, but on the other hand can be counterproductive in law enforcement in Indonesia. It is time for Indonesia to get out of the confines of the positivistic legal system inherited from the Dutch colonialists. Therefore, an integral legal paradigm is needed that comes from the values of people's lives as contained in Pancasila to create a better legal state.

With an integral paradigm based on Pancasila, it will provide a broader, comprehensive and interrelated perspective on the law in a unified system.

Thus, the understanding of Pancasila as an integral legal thinking of Indonesia means that make Pancasila a guideline for thinking, behaving and behaving legally to face all aspects and various legal problems in the life of society, nation and state in order to achieve national goals. Pancasila as a legal paradigm in Indonesia as pioneered by Notonagoro. According to him, Pancasila has an important meaning for the formation of law. Pancasila as the philosophy of life of the Indonesian people is an authentic reality of Indonesian law. Pancasila has been legally agreed upon as the ideology of the Indonesian state, so it also has implications for the laws in force in Indonesia, which must have the ideology of Pancasila. In this case, Pancasila has an important meaning for the formation of law national. Pancasila as the legal ideology of the Indonesian state means that Pancasila is not just positive law in the legislation, but more than that as a comprehensive and complete legal system for the situation and condition of the Indonesian people.

The Indonesian state in the direction of a dignified civilized society is faced with various challenges and the influence of foreign ideologies that interfere with the achievement of policies (laws) set by the state, so an integral legal paradigm is needed that comes from the state ideology of Pancasila which reflects the values of Indonesian people's life. In the formation of a national legal system, including laws and regulations, it is necessary to pay attention to the values of life contained in Pancasila, because these values are the highest form of appreciation of the meaning of the nature of social life that is aspired, expected and must. Pancasila contains three main
values that are important in the state. First, material value which is everything that is useful for human physical life. Second, vital value which is everything that is useful for humans to carry out activities. Third, spiritual value which is everything that is useful for the inner human life. The values of Pancasila are basically reflected in the lives of the Indonesian people which have been inherited by the nation's ancestors in maintaining the association of living together.

In the State of Indonesia, Pancasila has various important positions and functions. The entire position and function of Pancasila is not independent, but interrelated with one another. However, when grouped, it will return to the two positions and functions of Pancasila, namely as the basis of state philosophy and as a way of life for the Indonesian nation. Pancasila as the basis of state philosophy means that Pancasila serves as the main support in thinking about the state. So all thoughts about the state must be based on Pancasila. While Pancasila as a view of life means using Pancasila in seeing the reality of life that is happening and efforts to achieve the ideals of national goals. These two functions of Pancasila cannot be separated from the formation of law which must also be oriented towards Pancasila as the basis of philosophy and view of life, because law is closely related to the values of life of the Indonesian people which reflected in Pancasila.

Pancasila as an integral legal thinking such as the principle of the state of Pancasila as proposed by Yudi Latif, that in carrying out state life, it must be based on law based on the five principles of Pancasila: Belief in One Supreme God, just and civilized humanity, Indonesian Unity, Democracy led by wisdom in representative deliberation, and Social justice for all Indonesian people. This means that the law does not only have a narrow meaning as written in the text of the legislation, but the law must be understood broadly and deeply related to the values contained in Pancasila. In understanding the law originating from Pancasila, it must involve all the values contained in Pancasila, because all of them are a unified system of life in Indonesia.

According to Jimly Asshidiqie the Pancasila legal state in addition to having the same elements as the state law element in terms of rechtstaat or rule of law, on the other hand the Pancasila legal state has specific elements that make the Indonesian legal state different from the concept of a rule of law that is abroad. Such as the values of no separation between the state and religion, the principle of human rights, prioritizing the unity and integrity of the state, deliberation in making decisions, kinship and mutual cooperation and the law that serves justice for all Indonesian people. The formation of law must not forget the history of the nation itself, because the legal values that live and develop in society can be explored and traced for their authenticity. The history of the Indonesian nation which shows the basic ideological foundations and legal constitution is an important record in the development of Indonesian law. This important and strategic legal historical process that occurs in the Indonesian nation can essentially be seen from Pancasila and the constitution, so that these two things become very important basic foundations. Even in a theory of legal history, history is the main source of law in the formation of law.

In his work, he describes the description of various important events that occurred in the country that affected the constitutional life of Indonesia. Pancasila as a source of authentic law is also stated by Mahfud MD that Pancasila is the modus vivendi (sublime agreement) of the Indonesian nation which legally becomes the rules of the game that must be agreed upon in the

1 Putriana, Dewi dan Warsono. “Grebeg Pancasila sebagai Sarana Penanaman Nilai-Nilai Pancasila”. Jurnal Kajian Moral dan Kewarganegaraan. Vol.7, No.2 (2019): 1237.
2 Latif, Yudi. Negara Paripurna: Historisitas, Rasionalis, dan Aktualitas Pancasila (Jakarta: Kompas Gramedia, 2011): 68.
3 Asshidiqie, Jimly. Konstitusi dan Konstitusionalisme Indonesia (Jakarta: Sinar Grafika, 2010): 71.
The noble agreement of this nation is based on empirical facts about the diversity that exists in Indonesia, which must be equally respected and respected as elements of the state-forming system. According to him, Pancasila is very compatible with the reality of the pluralistic Indonesian nation. In understanding the law based on Pancasila, the integration aspect becomes very important and must be considered. Through the Pancasila integral legal paradigm, the law will be more complete and comprehensive in seeing legal developments in society.

Muladi also has the same thought regarding Pancasila and Indonesian national law. In his work entitled “Recovering Pancasila as the Basis for the Development of Legal Science”, he states that Pancasila must be seen as a whole as “national guidelines”, or as “national standards, norms” and “principles” for the life of the state, nation and society in Indonesia. Pancasila in this case has a very important role. This is very important, because by using the Pancasila paradigm in understanding the law, a complete legal picture will be obtained and represents the empirical atmosphere of the life of the Indonesian people nationally and has generally accepted guidelines in the midst of a plurality of diversity. This perspective means that it is almost the same as the Pancasila integral legal thinking which is guided by legal thoughts, attitudes and behavior that are complete, comprehensive and interrelated in a unified system.

In this study using the literature study research method, which is a series of activities that regarding the methods of collecting library data, such as reading and taking notes and processing research materials. While the approach used in this research is a philosophical approach which means as a pure thinking activity (reflective thinking) or the activity of the human mind in an effort to deeply understand everything to its roots and as a product of pure thinking activities or the result of philosophical thought and investigation, in the form of science, teachings and ideology. The philosophical approach is carried out to examine Pancasila as an integral legal thinking in Indonesia. The philosophical approach to in-depth study of legal thought is often referred to as the highest approach in legal science.

The approach of legal philosophy as an analytical knife which has a wider area and more attention towards transcendence than positive legal science, then the philosophy of law has a wider area and deeper meaning than just an investigation of the workings of law in the sense of legislation. Sources and types of data in this study came from library materials, such as; books, journals, articles and various other scientific works related to the research theme. The data in this study were collected through the literature study method. The data collection technique used in this research is a literature study of Pancasila as an integral legal thinking in Indonesia. This technique is expected to provide more detailed information, verification, correction, complement and explanation. The data that has been collected will then be analyzed descriptively, hermeneutic and heuristic. Descriptive analysis was conducted to obtain a general description of the legal situation in Indonesia. Hermeneutic analysis is carried out to interpret or interpret the existence of things that cause problems in the law that are not yet clear. Heuristic analysis is carried out to produce an alternative thought in an effort to provide a solution to these problems by using Pancasila as an integral legal thinking in Indonesia.

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4 Mahfud MD. Perdebatan Hukum Tata Negara Pasca Amandemen Konstitusi (Jakarta: LP3ES, 2007): 5.  
5 Muladi. “Menggali Kembali Pancasila Sebagai pengembangan Ilmu Dasar Hukum”. Jurnal Hukum Progresif. Vol.1, No.1 (2005): 35.  
6 Salman, Otje. Filsafat Hukum (Perkembangan & Dinamika Masalah) (Bandung: PT Refika Aditama, 2010): 27
A. Discussion

**Indonesian Integral Law Based on Pancasila**

The Position of Pancasila in the Life of the Indonesian Nation and State Pancasila for the Indonesian nation has a very important and strategic position in determining life. Various dimensions and scope of existing life must refer to the values of Pancasila. The implementation of national and state life must be carried out based on Pancasila. In fact, the early history of the birth of the State of Indonesia began with the agreement on the formation of Pancasila as the only principle that guides all aspects of life. Therefore, Pancasila essentially has a very broad and complex position for the Indonesian people as has been described by the scholars and intellectuals as well as the leaders of this nation. However, if grouped into several fields of study, then there are several positions of Pancasila in the life of the nation and state in Indonesia, such as Pancasila as the basis of the state, as the state ideology, as a way of life, as the basis of philosophy, and as a source of all sources of law.

Understanding Pancasila as the basis of the state means that all state administration must be based on Pancasila. Indonesia as a state organization in regulating and managing the running of the country must have guidelines in the form of the Pancasila state basis. Without a clear state basis, the state will be swayed by foreign influences and interventions that can enter at any time. All elements of the state must not leave the main foundation of Pancasila inactualizing themselves. The basis of the state must be understood as a forum that has been mutually agreed upon to be used as a venue for carrying out life processes in order to achieve national goals. Because of its fundamental nature, the state basis is mandatory and a must.7

The basis of the Indonesian state, Pancasila, is the main guideline in carrying out all state government affairs. Normatively or technically applicable, various state policy products must be in accordance with the values contained in Pancasila. The regulation regarding the position of a state institutional organization and its implementing apparatus officials must adhere to Pancasila. Even though there is legal politics from every government organ in carrying out its duties and functions, it must still be within the basic corridors of the Pancasila state. It does not rule out the existence of interests in a country, because the state is part of a political organization formed as a result of a political process that is not easy. However, it has been mutually agreed in the practice of life to be guided by one principle of Pancasila. Through a comprehensive understanding, Pancasila is expected to be the main support in every activity and activity in the life of the nation and state in Indonesia.

In a nation, of course, there is an ideology that is a common role model. No exception for the Indonesian nation of course also has an ideology, namely Pancasila. The ideology of Pancasila is an ideology that was born from the main source that is authentic, because it is extracted from the values that live and develop in society. Ideology as a term that describes the ideal and aspired ideas or ideas and is believed to lead to a better state. Therefore, the ideology of Pancasila is a reflection of ideal ideas that are considered good and aspired by all Indonesian people. The ideology of Pancasila has been ingrained in the soul and body of every Indonesian human being. This is evident from the various efforts to replace the state ideology with other ideologies that cannot be done, because the Pancasila ideology is the original ideology that was inherited by the founding fathers of the nation to the next generation that must be preserved until the last drop of blood.

The ideology of Pancasila is the only ideology in the world that has certain characteristics and characteristics, because it only exists in Indonesia and may only be applied in Indonesia.

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7 Ibrahim, Anis. “Perspektif Futuristik Pancasila Sebagai Asas Ideologi Dalam UU Keormasan”. *Jurnal Konstitusi*. Vol.III, No.2 (2010): 134.
Perhaps the Pancasila ideology is the only ideology that exists in the world and can only be applied in Indonesia. Pancasila as an ideology has a historical background and different conditions from other existing ideologies, such as the socialist-communist and liberal-capitalist ideologies which are widely adopted in various parts of the world. The ideology of Pancasila was born from the crystallization of values that live and develop in society, so that the value of authenticity comes purely from within oneself without any foreign influence and intervention. In addition, the ideology of Pancasila is the result of a wise perspective in seeing the reality that exists in Indonesia. So that the Pancasila ideology can be accepted and become the ideal ideals of all Indonesian citizens in achieving national goals.

Indonesian people need a clear view of life in welcoming a better future life. This view of life is Pancasila, because in essence Pancasila is a reflection of the instructions and directions of the Indonesian people in carrying out all activities of daily life. Pancasila as the nation's view of life can be reflected in the principles, values and cultural norms of the life of the nation and state. The values of Pancasila have actually existed since the ancestors or during the royal era, although they have not been explicitly mentioned as Pancasila. All movements of life activities carried out by the community always refer to values that are believed to have a better impact. The moral messages embedded in it contain a strong enough positive spirit to provide a better life. It is impossible for the Indonesian people to survive until now without having a clear view of life as contained in Pancasila.

The Pancasila view of life does not only appear empirically, but has flowed in the rhythm of a logical flow of thought and has permeated the spirituality of every Indonesian human being. Pancasila which contains the noble values of the life of the Indonesian nation is a guide for all people in achieving their ideals and goals. So that the Indonesian people no longer need to look for the Qibla and follow foreign ways in developing their lives. As the nation's view of life, Pancasila is still relevant in every era. Pancasila is able to follow and adapt to the times and has universality, so it is worthy of being used as a way of life for the Indonesian people. Moving forward in accordance with the development of the global community by adhering to and respecting the values of local wisdom inherited from the ancestors is the main principle of Pancasila as the way of life of the Indonesian nation.

Pancasila as a view of life provides an overview in various fields of life, so that people are able to think comprehensively about all existing problems. A wise view of life in the midst of the reality of the social conditions of the Indonesian people becomes important and plays a strategic role in maintaining the Unitary State of the Republic of Indonesia. Philosophy can simply be understood as a way of deep thinking to find ways to overcome existing problems. Thus, Pancasila as a philosophical basis means making Pancasila the basis for deep thinking to find solutions to overcome existing problems. This understanding cannot be denied, because Pancasila contains values that are very vital in Indonesian human life. This can be seen from how Pancasila regulates human relations with God, relationships with themselves, relationships with fellow humans, relationships with the environment or nature and how the relationship with complex systems in the dynamics of life.

The highest achievement of thinking about Pancasila when it has become the philosophical basis of man. Deep reflections based on Pancasila related to all problems will be able to unravel and achieve wise results to solve them. Ontology Pancasila is the reality of people's lives which are summarized in a single unit of the Unitary State of the Republic of Indonesia, because

8 Nugroho, Iwan. “Nilai-Nilai Pancasila Sebagai Falsafah Pandangan Hidup Bangsa Untuk Peningkatan Kualitas Sumber Daya Manusia Dan Pembangunan Lingkungan Hidup”. *Jurnal Konstitusi*. No.1829-7706 (2010): 107.
9 Nurtjahyo, Hendra. “Negara Hukum dan Konstitusi: Reaktualisasi Nilai-Nilai Pancasila”. *Jurnal Hukum Panta Rei*. Vol.1, No.1 (2007): 88.
ontology philosophically discusses an existing object or what that object is. This means that it is a concrete real picture of everything that forms the system that exists in the life of the Indonesian people, namely all forms of diversity that have been integrated into one unit. Epistemologically, Pancasila is derived from the life values of the indigenous people of Indonesia which can be explained methodologically and scientifically. Through empirical, rational thinking and also using feelings of conscience, Pancasila can be explained in relation to various problems faced.

The ability of reason to transform Pancasila into problems is very important at this stage of application and it is not uncommon to experience many difficulties or obstacles. At the axiological stage, it is clear that Pancasila has many benefits for the Indonesian people. Pancasila has formed, maintained and provided guidelines in carrying out the life of the Indonesian nation. The source of the law is the origin of the law, so that all laws must have a source. Including the law in Indonesia that comes from Pancasila. Sources of law actually have a very important role in tracing the process of law formation, because a law that is not in accordance with its source means that the law is invalid or has no validity. Pancasila as a source of law places Pancasila as the origin of all existing laws in Indonesia, meaning that all existing regulations come from Pancasila.

As a source of law, Pancasila is able to become a forum for all existing legal developments. Because Pancasila contains values that are universal and flexible, Pancasila can be understood openly to adapt to existing needs. The values contained in Pancasila are able to accommodate many areas of human life, so to find the law can be done by exploring the values contained in Pancasila. General matters have been stated in the precepts of Pancasila but specific technical matters can be seen from the legal reality that lives and develops in society. Because Pancasila as all sources of law is essentially obtained from the crystallization of the values of Indonesian people's life. When understanding Pancasila as a source of law, then the substance of what is meant can be valid for all time and is eternal. Legal weaknesses that are often left behind with the occurrence of the problem can be overcome by exploring the values of Pancasila. Pancasila as everything from a source of law because the values contained are able to cover all aspects of life wisely, ranging from religious affairs, humanity, organization, democracy, and justice.

Understanding of the integral legal thinking based on Pancasila can simply be interpreted as a series of thoughts from the values contained in Pancasila which are interrelated and related which form a complete and comprehensive legal system to answer all problems that exist in the midst of diversity. Indonesian society. The law with the Pancasila thinking essentially contains the ideals and practical values of the norms of the life of the Indonesian nation, because philosophically Pancasila is extracted from the noble values of the nation.\textsuperscript{10}

Concretely, the integral legal thinking of Pancasila is a form of a legal system that is godly, humane, united in Indonesia, deliberation to reach consensus and social justice. The law must be understood that the law upholds God as an almighty substance over everything in this world. As servants of God, humans must submit and obey God. As stated by Thomas Aquines, a figure in the flow of natural law, that law basically comes from God which is then elaborated in the form of statutory regulations. God's law is essentially the highest basis as the formation of positive law that applies in the country, so that applicable law must recognize and respect the enactment of God's law.

The law recognizes and treats humans according to their dignity as God's creatures. Law as a rule has the essence of creating the goodness of life, so that the recognition of equality between fellow humans as God's creatures is guaranteed by law as an instrument of regulating

\textsuperscript{10} Fuad, Fokky. “Filsafat hukum Pancasila; Antara cita Ideal Hukum dan Nilai Praksis”. Jurnal Ilmiah Mimbar Demokrasi. Vol.13, No.1 (2013): 2.
human life. The law recognizes equality, equal rights, and human obligations of every human being, without discriminating against ethnicity, ancestry, religion, belief, gender, social position, skin color and so on. Before the law all people have the same position. Meanwhile, the differences that exist in society become the reality of diversity that must be grateful for and managed properly. So that the law is able to show a fair and civilized attitude.

In law enforcement, it is obligatory to place unity, unity and the interests and safety of the nation and state as a common interest above personal and group interests. The process of implementing the law must not be used for purposes that endanger, disrupt or damage the unity and integrity of the Indonesian nation. The law must be able to strengthen the integration of the state with Indonesia's national interests. Laws extracted from the values of people's lives will be easier to accept and at the same time can be used as part of a system that strengthens law and society. So that with the existence of an integral legal thinking, the unity and integrity of the Indonesian state can be stronger.

Good law in the early stages prioritizes dialogue or mediation by means of deliberation to make wise joint decisions that uphold justice. Deliberation in reaching decisions is the hallmark and character of the Indonesian nation which is also applied in the law enforcement process, because law in principle is justice obtained from mutual agreement. So that in integral law it is important to have deliberation in order to obtain good legal decisions. This is in accordance with the philosophical meaning of law, which places truth not in numbers, but in the essence of truth itself, because what is true according to the people, is not necessarily true according to the law. Indonesia is neither a socialist nor a liberal country that determines the majority vote as the winner/ruler, but rather on the benefit and common good.

After going through various processes, the law must finally be able to realize a sense of justice for all Indonesian people. Legal justice must be given to all Indonesian people without discrimination and sentimental discrimination, because legal justice belongs to all Indonesian people. Integral law is a law that provides justice that can be accepted by all parties. Because justice is the main basic principle that becomes the needs of human life. Indonesia is in a diverse and vulnerable condition due to conflict With so many differences, it is very necessary to have a complete and comprehensive integral legal paradigm that is able to accommodate all the interests of the community. So that the law can provide social justice for all Indonesian people.

The integral legal thinking based on Pancasila is a thought, attitude and real behavior in providing positive changes to legal practice in Indonesia. Laws with a positivistic paradigm must be adapted and harmonized with laws extracted from the values of Indonesian people's lives as contained in Pancasila. The law in practice can provide the benefits of justice for all people. The positivistic legal paradigm must be updated with laws that have broad and deep dimensions. So that a comprehensive way of applying the law will be obtained that guarantees the achievement of the good of living together. Changes in the practice of integral law are carried out by applying the law in accordance with the principles of divine values, humanity, unity, deliberation and justice. That is, in the process of law enforcement, it does not only meet the formal requirements of laws and regulations, but more than that it must involve the overall principles and values contained in Pancasila. Process Law enforcement can run well, if the law is practiced in accordance with the principles of values contained in Pancasila. It is impossible for the law to only prioritize certain elements or elements and ignore others.11

Pancasila as an integral legal thinking must be a reference in all thoughts, attitudes and legal behavior carried out in the Indonesian state. If you look at the position of Pancasila, then Pancasila is the "grundnorm" for every legislation in force in Indonesia, so that legally Pancasila

11 Calam, Ahmad dan Sobirin. “Pancasila Sebagai Paradigma Kehidupan Dalam Bermasyarakat, Berbangsa dan Bernegara”. Jurnal Saintikom. Vol.4 No.1 (2008): 146.
is the support for all forms of applicable laws and regulations. Thus the law must base its logical ratio on the values contained in Pancasila and must not conflict with it. The transformation of Pancasila values becomes very important in every legislation in Indonesia, because as explained above that Pancasila has an important and strategic position in various fields of life. In addition, the contents of Pancasila are extracted from the noble values of the nation Indonesia which has existed since thousands of years ago. This understanding is born from the knowledge of the Indonesian people on all the realities that exist in society.

Understanding Pancasila as an integral legal thinking of Indonesia means that it must place Pancasila as the source of the formation, implementation and enforcement of the law. So that the position of Pancasila in law is not only seen as a formal requirement whose principles are often overlooked, but more meaningful in a real form implemented in law enforcement practices in Indonesia. As stated by Indonesian legal experts who essentially want to restore Pancasila as the main source of law. Pancasila is a repository of all the realities of the socio-cultural diversity of the community that can be used as a reference to find an answer to all existing legal problems. Pancasila is the essence of all social and legal institutions as well as a solution to the nation's problems. Indonesia's constitutional life with the intricacies of implementation and the existing problems can be unraveled by using the integral legal paradigm of Pancasila.

It has been proven in the history of the Indonesian state that Pancasila can be a guide and protector from all threats that seek to disrupt Indonesia's national integration. The integral legal paradigm based on Pancasila is an understanding of law based on divine values which are believed to be true by all people. With faith in God, humans recognize themselves as creatures created by God who have civilization with recognition of human values. The recognition of humans as creatures of God and having human values will give birth to an attitude of life that recognizes togetherness in the organization of the state, thus realizing the unity and integrity of the Indonesian state. In carrying out life together in a state organization, of course, it requires clear rules of the game, so that it gives birth to consensus deliberation as an alternative to joint decision making based on the values of God, humanity, unity and integrity. If the rules of the game in the organization have been realized by means of deliberation and consensus to make decisions, then social justice for all Indonesian people can be achieved. Justice is a legal goal that can only be achieved through a complete and comprehensive series of processes.

In the integral legal thinking, Pancasila places God's law as the highest source of all problem solving, because God is omnipotent and omniscient in all matters which are best for humans. This is as explained in the Qur'an Surah al-Alaq verse 5: "He who teaches people what they do not know". The Indonesian people have expressed their belief and devotion to God Almighty, so in every legal activity in the Indonesian state it must reflect the values of God. Divinity values are not only written in the text of laws and regulations, but are actually implemented in carrying out the life of the Indonesian state. As a country that adheres to religion, Indonesia should always place God's law at the highest place in implementing the law. So that God will bless the country and get guidance on the way of goodness, as Allah says in the Qur'an Surah al-Qoshosh Verse 77: "And seek in what Allah has bestowed upon you (happiness) in the hereafter, and do not forget your happiness from worldly pleasures."12

The study of religion in the integral legal thinking based on Pancasila is similar to that presented by Joseph David in the Electronic Journal of Comparative Law Vol. 14. May 2010 entitled “Legal Comparability and Cultural Identity: The Case of Legal Reasoning in Jewish

12 Asy-Syifa’. Al-Quran dan Terjemah (Bandung: Sinar Baru Algensindo, 2009): .
and Islamic Traditions”. The application of law is not only related to the relationship between humans and the state, but is closer to being carried out between humans. This means that it is carried out by religious people, so that if the relationship between religious people is good, then the relationship between Indonesian people will be good too. So it is important to build harmony between life fellow religious people so that the atmosphere can be used to apply the law properly. As in law enforcement, what happens in the handling of corruption and drug cases that are continuously carried out by law enforcement officers, but in fact they are increasingly experiencing an increase in quality and quantity. Thus the laws and regulations made by humans are still not able to overcome these legal problems. So it's time for law enforcement in this country to also use the values of God's teachings through various means and media that can be used.

This legal thinking is in accordance with the precepts of the One Godhead. The primacy of the quality of the human person who is close to his Lord will lead to a good direction in life. So that the legal knowledge provided by the state as a form of socialization of law enforcement will enter the heart when humans are aware of their position as God's creatures. The vertical relationship between humans and their God can have a good influence on horizontal relationships between humans. Because religious matters are matters concerning the relationship between humans and God which have implications for the application of law. In order to realize Indonesian people who believe and fear God, it is necessary to respect each other's freedom to worship according to their respective religions and beliefs. So that there is the benefit of inter-religious people. With good situations and conditions, law enforcement can be carried out by involving the power of God as the almighty essence. In realizing quality human beings from increasing faith and piety to God there is no element of coercion, so sincerity and personal awareness are the most important things to move people. So from the first principle of Pancasila, the integral legal paradigm must be based on God's values.

In accordance with the first principle of Pancasila that the integral legal thinking is divine law, it means that the divine dimension in participating in solving legal problems is important to do. In the integral legal paradigm, what is no less important is how to treat humans according to their dignity and worth. So that people who in this case are Indonesian citizens feel as human beings who deserve to be citizens and get their human rights. The law applies to all Indonesian citizens without exception and discrimination. All Indonesian citizens are equal before the law. Law enforcement must recognize the equality, equal rights, and human obligations of every human being, without discrimination. Because there are so many differences that exist in Indonesia, the law must be able to provide policies that cover all interests in these differences. Law is not just an action and punishment for humans, but the law can develop a repressive or preventive function and direct humans to the right path. So that humans have an attitude of loving each other in law enforcement. Laws that are applied in life can create an attitude that is mutually tolerant and agreeable. The law is not an instrument for revenge for human crimes, but the law is an effort to respect and respect fellow human beings.

Law enforcement is carried out to uphold human values, so that the law in legislation must prioritize humans as the main subject of legal claims. This means that the law does not only protect personal interests, but also protects broader interests, namely the general interest of humanity. Do not let the law be manipulated by certain interests. This often happens in the world of Indonesian law, the law is regulated in such a way as to achieve certain goals. Therefore, in the integral legal paradigm, it is necessary to have a law that truly places humans

13 David, Joseph. “Legal Comparability and Cultural Identity: The Case of Legal Reasoning in Jewish and Islamic Traditions”. Electronic Journal of Comparative Law. Vol.14 (2010).
14 Arrsa, Ria Casmi. “Rekonstruksi Paradigmatik Negara Hukum Pancasila (Antitesis terhadap Diskursus Pemikiran Negara Hukum dalam Konstitusi Indonesia)”. Jurnal Konstitusi. Vol.10, No.3 (2013): 486-487.
in accordance with their position as perfect creatures of God. For example, the case of law enforcement on the theft of teak branches from Perhutani by Grandma Asiani which was processed in a court of law under conditions that are not humanely feasible. There is also a legal process against small children who steal flip-flops. The theft of a watermelon by a grandfather who was then given a sentence by the judge. And many other legal cases that injure humanity.

In the integral legal thinking, it is important to carry out an update on the law, in order to create better changes to the current legal conditions. Legal reform is related to how the law can be accepted by all parties in the social life of the community. So that the law does not harm other people or even harm many people. The law can determine the actual truth without any particular tendency or interest behind it all. Because all problems that occur when faced with the law will definitely demand certainty to decide them, it takes a great spirit of law from law enforcement who understands the law is not just written legislation, but the law is the noble values of life that can bring goodness. Based on the values of Pancasila which considers that Indonesia is part of all humanity, so that in law enforcement it must look at the problem as a whole and comprehensively. In accordance with the values of Pancasila, in upholding the integral law, upholding the dignity and worth of humans as creatures of God.

The integral legal thinking for law enforcement in Indonesia is in addition to protecting human personal interests, law is also a tool to achieve broader state goals. The law must pay attention to the unity, integrity and interests and safety of the Indonesian nation as a common interest above personal and group interests. This means that the law has a greater priority for the interests of the state. The interests of the state are more important than personal interests, so the power of law must have power general and fundamental support. So that each individual can position himself in an appropriate place when dealing with state law. Unlike some examples of cases above, when the law is faced with certain interests the law becomes weak and powerless. Or even if needed in law enforcement is an attitude of self-sacrifice for the interests of the state and nation. Love for the homeland and nation in an integral legal paradigm is an obligation that must be fulfilled by every Indonesian citizen. Because the laws that are designed, formed and enforced aim for the good of the citizens as well. So it is not true that when legal problems or legal cases that occur involve conflicts of interest between citizens or even conflicts between state institutions, there is the possibility that personal or group interest motives are forced. In the legal process, it is necessary to look at the various realities of diversity that exist in Indonesia, because this country is formed from various kinds of differences community.15

Like the ways of criminalization in the legal world, it becomes a bad tragedy in the law enforcement process in Indonesia. Looking for past mistakes to plunge a person or official into certain legal problems. So that the tendency of personal interests to become more important than the interests of the state, even though Indonesia as a homeland whose interests are more important than just individuals or groups. It is obligatory for every element in this country to have the attitude and sense of pride in being an Indonesian nation and homeland, so that law enforcement becomes integrated and intact. So that the results that occur can have an impact that does not offend certain interests. According to Mahfud MD, chaotic law enforcement is not only due to legislation, but furthermore, it is caused by the attitudes and behavior of Indonesian people who do not have national morality.

Integral legal urgency because the Indonesian state is a pluralistic country with all the diversity of existing differences. We cannot avoid this reality, so what needs to be done now is how to understand that all of these are elements that make up Indonesia. The Indonesian state would not exist without these multiple realities. So the law must be able to develop Indonesian

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15 Angga, La Ode. "Pembangunan Hukum yang Mengakomodir Pluralisme di Indonesia". Jurnal Supremasi Hukum. Vol.1, No.1 (2012): 49.
unity on the basis of Bhinneka Tunggal Ika, because the values contained in Pancasila have the
endurance and ability to anticipate the times. In addition, it is important that the integral legal
paradigm based on Pancasila prioritizes deliberation in making decisions for the common good.
The ideology of Pancasila as a legal ideology, then in law enforcement must also use
deliberation in making decisions.

Deliberation in law does not mean setting aside laws and regulations, but rather the attitude
of involving all elements that can be taken into consideration to reach wise decisions. So that
reaching consensus is filled with the spirit of kinship, because all Indonesian citizens are
brothers and sisters in the same fate. All Indonesian citizens are part of the nation whose
existence must be taken into account as a form of national integration. Considering the legal
decisions that will be taken as the implementation of deliberation to reach consensus may
appear to have been practiced in law enforcement in Indonesia, but the deliberation that has
been practiced so far is deliberation in the formal sense in order to meet the provisions of
existing laws and regulations, so that the results obtained are still far from justice. Whereas
what Indonesia needs in law enforcement is deliberation in the sense of considering the main
material of the case which is the core of legal problems, so that the decisions taken are directly
related to the legal problems being faced, not just fulfilling formal legal procedurals.

Understanding related to deliberation in determining legal decisions is not like voting
with the most votes, but more emphasis on truth values that are substantial. Upholding the legal
decisions reached as a result of deliberation is important in the integral legal paradigm in
Indonesia. So that the act of not accepting, protesting or opposing by not wanting to follow a
joint decision can be reduced. When all parties with good faith and a sense of responsibility
accept and implement the results deliberation decisions are important, then these legal problems
can be resolved. In deliberation, common interests are prioritized over personal and group
interests. Therefore, the litigants should look at higher legal interests, namely the interests of
the state and reduce personal or group interests. Such as the laws and regulations regarding
elections in Indonesia as a form of legal product that fails to understand Indonesian democracy.
For reasons of legal certainty and democracy, the majority vote has become the rule that must
be implemented. Things like this are important as an integral legal paradigm study based on
Pancasila, because philosophically it still has to be studied in depth related to these problems.

Legal decisions resulting from deliberation are made with common sense and in
accordance with a noble conscience. Deliberation means sitting together involving many related
interests to find mutually acceptable points of agreement. Deliberations are carried out with
logical reasoning that can be accepted as true, in order to avoid deceptive practices.
Deliberations are also carried out according to a noble conscience, so that human rational logic
gets a balance from the heart which also becomes a guiding lantern when logic and reason are
no longer under control. Legal decisions taken must be morally accountable to God. This means
that the law is not just a matter of sanctions against humans to punish crimes in the world, but
the law can be felt as part of human affairs with God, so that the law can penetrate the essence
of the most essential human life. As explained in the first principle of Pancasila that the
Indonesian state is a state based on religion.

In addition, the law must uphold human dignity. Humans as legal subjects in integral
law enforcement are placed in their position as creatures who have the main degree as God's
creatures, so humans must be treated as humans who have human dignity. A balance between
rights and obligations in understanding the integral legal paradigm in Indonesia also needs to
be done, so that each party does not violate the provisions that have become common rules that

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16 Nurtjahyo, Hendra. “Negara Hukum dan Konstitusi: Reaktualisasi Nilai-Nilai Pancasila”. Jurnal Hukum Panta Rei. Vol.1, No.1 (2007): 88.
must be obeyed. Philosophically, the law has an important usefulness value for humans, namely by providing a sense of justice. The rights of every human being need to be guaranteed by law, but one's obligations that must be carried out must also not be abandoned. So that humans understand their responsibilities as souls who have made a promise in the "Primordial Covenant" with their Lord as a monotheistic soul. Whatever the human profession, he always applies the bond of promise in every activity. By respecting the rights of others, the law means more than giving the burden of obligations to others to fulfill them. Care and concern for others in the law cannot be ruled out. This is in accordance with the fifth principle of Pancasila that the Pancasila integral law enforcement paradigm is a law that can provide social justice for all Indonesian people.

B. Conclusion

Pancasila has a very important and strategic position in the life of the nation and state in Indonesia, including in the field of law. Pancasila, which is extracted from the values of people's lives, can be a source of authentic law. Legal problems that occur as a result of the application of a legal system that is not in accordance with the legal values that live and develop in society, so that it is not uncommon to hurt the sense of justice. The integral legal thinking based on Pancasila is a wise choice in the development of law for the benefit of society. The integral legal thinking of Pancasila is a perspective that is in accordance with the values of the wisdom of the nation's ancestors and is also able to keep up with the times. In the middle With the diversity and complexity of existing interests, the Pancasila integral legal thinking is able to provide a forum to accommodate all differences and make decisions that are acceptable to all parties. This is because in the integral legal thinking, Pancasila uses legal guidelines that are godly, humane, unite Indonesia, deliberation and social justice. The principles in the legal paradigm become a unified comprehensive whole and comprehensive in thinking, acting and acting legally

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17 Kambiali, Muhammad. “Fungsi Filosafat Hukum dalam Pembentukan Hukum di Indonesia”. Jurnal Supremasi Hukum. Vol.3, No.1 (2014): 1.
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