

Pancasila as a Legal and Political Paradigm in Indonesia

ABSTRACT

Pancasila as the foundational philosophy and state ideology of Indonesia, plays a vital role in shaping the nation's legal and political systems. This article discusses how Pancasila serves as a paradigm for law and politics by examining its core values through a literature review of the works of Notonagoro, Yudi Latif, Mahfud MD, and Jimly Asshiddiqie. Pancasila functions as the source of all legal norms and as an ethical foundation for civilized and socially just political practices. However, its implementation still faces challenges such as political pragmatism and weak law enforcement. Therefore, strengthening Pancasila's role requires efforts in education, ideological development, and reforms in both law and politics to ensure its values

Keywords: Pancasila, law, politics, ideology, social justice

INTRODUCTION

Pancasila is the foundation of the state and the ideology of the Indonesian nation, serving as a guideline for the organization of national and state life. Since its initial formulation by the nation's founders, Pancasila was intended to serve as a philosophical foundation for all aspects of national life, including law and politics. In his speech "The Birth of Pancasila," Sukarno emphasized that the values of Pancasila arose from the Indonesian nation's own character, not the result of adopting foreign ideologies that were developing internationally at the time (Soekarno, 1945)

In the context of state administration Pancasila is understood not only as an ideological symbol but also as a legal and political paradigm, meaning that all legislative processes and governance must be based on Pancasila values. Jimly Asshiddiqie explained that Pancasila is the state ideology that serves as the basis for the formation of the constitution and the direction of the implementation of the Indonesian rule of law (Asshiddiqie, 2021). A similar view was expressed by Mahfud MD, who emphasized that the development of the national legal system must be rooted in Pancasila values to align with the nation's legal ideals (Mahfud M.D, 2006)

Therefore, it is important to re-examine Pancasila's position as a legal and political paradigm in Indonesia. Reinforcing the values of Pancasila in the

legal and political system is a strategic step to realize a democratic, just and civilized state based on law as envisioned by the nation's founders (Suseno, 1987)

Based on the background above the problems discussed in this article can be formulated as follows:

1. What is the position and meaning of Pancasila as a paradigm in the legal and political system in Indonesia?
2. How are the values of Pancasila applied in the formation of national law and political practice in Indonesia?

The objectives of this article are as follows:

1. To explain the position of Pancasila as a legal and political paradigm in national and state life.
2. To analyze the application of Pancasila values in the legal system and political practice in Indonesia.
3. To identify various challenges and provide solutions to strengthen the role of Pancasila in law and politics in the modern era.

RESEARCH METHODS

This research uses a descriptive qualitative method. This method was chosen because it is appropriate for exploring and capturing a comprehensive, broad, and in-depth social situation, particularly regarding Pancasila as Paradigm in Indonesia. This research uses an approach that aims to understand a phenomenon from relying on qualitative descriptions in the form of words and language and not using numbers or statistics as the primary data. According to Bogdan and Taylor, as cited by Lexy J. Moleong, qualitative research is a research procedure that produces descriptive data in the form of written or spoken words from people and observed behavior (Meleong, 1989).

RESULT AND DISCUSSION

Conceptual Foundation of Pancasila as a Paradigm

Etymologically, the term paradigm comes from the Greek word *paradigma*, meaning pattern, model, or framework of thought. Thomas S. Kuhn, in his work **The Structure of Scientific Revolutions**, explains that a paradigm is a set of values, theories, and methods that serve as a reference for a scientific community in understanding reality (Kuhn, 1970) In the context of national and state life, a paradigm can be understood as a framework of values and principles that serve as the basis for thinking, acting, and guiding the policies and systems developed.

Pancasila as the foundation of the Indonesian state holds a fundamental position because it is the source of values, norms, and direction for all aspects of national life. Notonagoro referred to Pancasila as the source of all sources of law meaning that all laws and regulations must be derived from and must not conflict with the values of Pancasila (Notonagoro, 1997) Thus Pancasila functions not only symbolically but also has philosophical and normative dimensions in the Indonesian legal system.

In the political context Yudi Latif emphasized that Pancasila contains the principles of rationality and morality that form the basis for the administration of the state. This view is in line with Zainudin Hasan who emphasized that the values of Pancasila are not only an ideological basis but also practical guidelines in the formation of the character of citizens and the direction of Indonesian legal-political development (Hasan, 2025) Thus Pancasila becomes a moral source that guides state behavior towards justice and social welfare.

According to Kaelan, Pancasila is an integral philosophical system, in which its five principles are interrelated and form a unified whole (Kaelan, 2010) This view explains that every aspect of legal and political life must reflect the basic values of Pancasila, such as divinity, humanity, unity, democracy, and social justice. This paradigm demands that law and politics be implemented not merely procedurally but also substantively oriented towards justice and humanity.

Therefore Pancasila as a legal and political paradigm means making Pancasila's values the basis for thinking, normative framework, and ethical guidelines in building the legal system and political practices in Indonesia. This paradigm positions Pancasila as the spirit of every policy, regulation, and action of state administrators so that all state processes remain rooted in noble national values.

Pancasila in the National Legal Paradigm

In the Indonesian constitutional system, Pancasila holds the position of source of all national law. This means that all laws and regulations in force in Indonesia must be based on and must not conflict with the values contained in Pancasila (UU No. 20 Tahun 2003). Notonagoro explained that every legal product in Indonesia must reflect the values of divinity, humanity, unity, democracy, and social justice in order to have moral and philosophical legitimacy as national law (Notonagoro, 1997)

Mahfud MD emphasized that the development of national law is not only oriented towards legal certainty but must also consider justice and benefit in accordance with the legal ideals of Pancasila (Mahfud M D, 2006) According to him law in Indonesia is not merely a rigid normative system but rather a reflection of the nation's values and personality. Therefore the ideal legal system is one that upholds morality, social justice, and a balance between individual rights and societal interests.

Jimly Asshiddiqie also argues that Pancasila's existence as a state ideology places it in a strategic position in the formation of law (Asshiddiqie, 2021) He stated that the constitution and all legal instruments must be understood as instruments for concretely realizing the values of Pancasila in the life of the nation and state. Thus law is not merely a tool of power (law as a tool of power) but also a tool of morality and public civility (law as a tool of morality).

Furthermore Nurohman explained that Pancasila can serve as a paradigm for national legal development because it integrates the values of justice,

humanity, and togetherness into every legal product (Nurohman, 2016) According to him, reactualizing Pancasila values is crucial so that Indonesian law does not simply imitate the legal systems of other countries but truly reflects the nation's identity.

However in practice the implementation of law in Indonesia often does not fully reflect the values of Pancasila. There are still overlapping regulations, legal uncertainty, and law enforcement that does not support social justice (Susanto, 2020) Therefore, revitalizing Pancasila values in the legal system is imperative so that national law can serve as a means to realize the nation's ideals as stated in the Preamble to the 1945 Constitution.

Pancasila in the Indonesian Political Paradigm

In the Indonesian political system, Pancasila serves as a moral, ethical, and ideological foundation that guides all political activities in line with the nation's noble values. Franz Magnis-Suseno emphasized that politics based on Pancasila must be oriented toward humanity and justice not solely toward the struggle for power (Suseno, 1987) Pancasila politics places moral values as the primary foundation in public decision-making and the management of state power.

Pancasila also affirms the principles of civilized democracy. According to H.A.R. Tilaar, democracy built on Pancasila values is not a liberal democracy that emphasizes individual interests but rather one that upholds deliberation, unity, and social responsibility (Tilaar, 2004) This view demonstrates that the Indonesian political system must prioritize a balance between freedom and togetherness between individual rights and the collective interests of the nation.

Mahfud MD explained that Indonesian legal policy must be directed towards realizing social justice for all Indonesian people as reflected in the fifth principle of Pancasila (Mahfud MD, 2006) Thus the direction of political development must not only pursue stability and efficiency of power but must also ensure equality, prosperity, and the protection of citizens' rights.

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Edi Susanto added that the main challenge to Indonesian politics in the era of globalization is the strengthening of pragmatism and identity politics which have the potential to erode the values of Pancasila (Azra, 2012) The current of political liberalization often causes political orientation to shift from national spirit to personal or group interests. Therefore the reactualization of Pancasila is crucial as a political paradigm to ensure that state governance remains rooted in the moral and cultural values of the Indonesian nation.

Furthermore Azyumardi Azra emphasized the importance of transforming Pancasila values in the context of modern democracy (Azra, 2012) According to him Pancasila is not a static ideology but must be able to adapt to changing times without losing its fundamental essence: justice, tolerance, and humanity. Thus Indonesian politics based on Pancasila is expected to foster a democratic, moral, and civilized governance.

Strengthening and Implementing Pancasila in Law and Politics

Strengthening and implementing Pancasila values in law and politics is a strategic step to ensure that all state governance processes are in line with the identity of the Indonesian nation. One of the primary ways to strengthen these values is through Pancasila ideology education and development. The Pancasila Ideology Development Agency (BPIP) emphasizes the importance of sustainably instilling Pancasila values in various sectors particularly formal education so that the younger generation understands and practices national values formal education, so that the younger generation understands and practices national values (BPIP R1, 2020).

In the realm of education Siti Zuhro emphasized the need to revitalize Pancasila education to foster ideological awareness and social responsibility among university students (Zuhro, 2015) This aligns with Zainudin Hasan's view that Pancasila-based civic education must be directed at developing citizens with character, who are democratic, and who uphold humanitarian values and social justice (Hasan, 2025). Education should not stop at the cognitive aspect, but rather should be a process of internalizing Pancasila values in everyday life. Education serves not only to transfer knowledge but also to instill moral, humanitarian, and national values derived from Pancasila. This effort needs to be developed through a relevant curriculum and reflective learning methods so that Pancasila is not merely memorized but becomes a guideline for action (Wahyuni, 2020)

Besides education strengthening legal and political institutions is also a crucial factor. According to Jimly Asshiddiqie, law enforcement based on Pancasila values demands moral integrity and accountability from legal institutions (Asshiddiqie, 2015) Therefore bureaucratic reform and improvements to the legal system must be directed towards creating institutions that are clean, transparent, and socially just.

In the political sphere, the internalization of Pancasila values in state practice must be achieved through the exemplary behavior of leaders. Ahmad Syafii Maarif stated that politics based on Pancasila must be carried out with honesty, responsibility, and an orientation toward the interests of the people, not group interests (Maarif, 2009) The moral example of leaders is an important instrument in building an ethical and civilized political culture.

Therefore, efforts to strengthen Pancasila in the legal and political spheres require synergy between the educational world, state institutions, civil society, and the media. Pancasila must not cease to be a normative discourse, but must be manifested in real terms in the legal system, political policies, and social behavior of Indonesian society

Strengthening Pancasila through Social, Legal, and Political Cultural Reform

In addition to education and ideological development strengthening Pancasila also needs to be carried out through social and political cultural reform that touches the roots of community life. Ki Hajar Dewantara emphasized that education and the formation of national character take place not only in the classroom but also in the social environment where individuals interact (Ki Hajar Dewantara, 1962). Therefore the implementation of Pancasila values must be present in everyday social behavior such as mutual cooperation, tolerance, honesty, and responsibility.

In the legal context legal development based on Pancasila values requires active public participation. Mochtar Kusumaatmadja explained that law must be a tool for societal renewal (law as a tool of social engineering) meaning that law must not stop at the text of the law but must be able to shape just social behavior (Kusumaatmaja, 2020). This principle aligns with the spirit of the fifth principle of Pancasila, which affirms social justice for all Indonesian people.

In the political sphere efforts to strengthen Pancasila values need to be directed towards building political ethics and a healthy democratic culture. Miriam Budiardjo emphasized that politics is not simply a struggle for power but the art of managing the interests of society in a just and civilized manner (Budiarjo, 2009). Therefore a political culture based on Pancasila must reject all forms of money politics, discrimination, and symbolic violence that can undermine the integrity of democracy.

Furthermore mass media and digital technology play a strategic role in strengthening the implementation of Pancasila values. Haryatmoko stated that communication An ethical public is an essential part of civilized democracy as ethical communication keeps the public sphere rational, open, and truth-oriented. By utilizing digital media wisely the values of Pancasila can be disseminated more widely and become a moral force guiding society in navigating the global flow of information.

CONCLUSION

Pancasila plays a fundamental role in national and state life particularly in the legal and political spheres. As a legal paradigm, Pancasila serves as the source of all legal sources, forming the basis for the formation of legislation in Indonesia. The values of divinity, humanity, unity, democracy, and social justice must be reflected in every legal policy so that the law is oriented not only toward certainty but also toward justice and the benefit of society.

As a political paradigm Pancasila serves as a moral and ethical guideline for the administration of state power. Politics based on Pancasila prioritizes the interests of the people and upholds the values of humanity and social justice. However in practice the implementation of Pancasila's values still faces various challenges, such as political pragmatism, weak law enforcement, and the influence of global ideologies.

Therefore strengthening the role of Pancasila needs to be comprehensively implemented through education, ideological development, legal reform, and improvements in political culture. Pancasila must be a guideline for thinking, behaving, and acting for all elements of the nation so that the ideals of social justice for all Indonesian people can be realized in real terms.

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