The Indonesian State Law System Is Based On The Philosophy Of
Pancasila And Constitution

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Abstract
The State of Indonesia is a legal state which, of course, has a different legal system from
other countries, where the difference in the legal system of the Indonesian state is this
Indonesian state applies several existing legal systems, including applying some of the
characteristics of the legal system of continental Europe, Anglo Saxon, and also the Islamic
Law System. The primary basis in the formation of law in the state of Indonesia is Pancasila,
besides that this Pancasila, which is also the ideology of the Indonesian state, is also used
as a reference in the legal system in the State of Indonesia, with the existence of Pancasila
all differences in customs, ethnicity, race, religion, and culture can be united to can
accommodate all the legal interests of the Indonesian people, of course, the legal system
used in this State of Indonesia is a legal system based on Pancasila as the state ideology.
The legal system in Indonesia recognizes the existence of customary law and Islamic law
because this Indonesian state has many customary law communities, and the majority of the
population is Muslim, so that with this, the state legal system based on Pancasila, of course,
also includes law. Customary law and Islamic law in the legal system in Indonesia. In the
context of developing law in Indonesia, of course, also proclaiming the values
of Pancasila, the implementation of the fourth principle of Pancasila, namely law-making is carried out
through democracy led by wisdom in representative deliberation, and in the context of law
enforcement in Indonesia, of course, must also prioritize values. Social justice.

Keywords: Legal System, Pancasila, State of Law.

Ringkasan
Negara Indonesia merupakan negara hukum yang tentunya memiliki sistem hukum yang
berbeda dengan negara-negara lain, dimana perbedaan sistem hukum negara Indonesia ini
pada dasarnya di negara Indonesia ini menerapkan beberapa sistem hukum yang ada
diantaranya menerapkan beberapa ciri dari sistem hukum eropa kontinental, anglo saxon,
dan juga Islamic Law System. Dasar utama dalam pembentukan hukum di negara Indonesia
adalah Pancasila, selain itu Pancasila ini yang juga merupakan ideologi negara Indonesia
digunakan juga sebagai acuan dalam sistem hukum di Negara Indonesia, dengan adanya
Pancasila seluruh perbedaan adat, suku, ras, agama dan budaya dapat disatukan sehingga
untuk dapat mengakomodir segala kepentingan hukum masyarakat Indonesia tentu sistem
hukum yang digunakan di Negara Indonesia ini adalah Sistem Hukum yang didasarkan pada
Pancasila sebagai ideologi negara. Dalam sistem hukum di negara Indonesia ini mengakui
keberadaan hukum adat dan juga hukum Islam, dikarenakan negara Indonesia ini terdapat
banyak masyarakat hukum adat dan juga mayoritas penduduknya adalah beragama Islam,
sehingga dengan adanya hal tersebut maka sistem hukum negara yang berdasarkan
Pancasila ini tentu juga memasukkan hukum adat dan hukum Islam dalam sistem hukum di
Negara Indonesia ini. Dalam rangka pembangunan hukum di negara Indonesia tentu juga
mencanangkan nilai-nilai Pancasila, implementasi sila ke 4 Pancasila yaitu pembuatan
hukum dilaksanakan melalui kerakyatan yang dipimpin oleh hikmat kebijaksanaan dalam permusyawaratan perwakilan, dan dalam rangka penegakan hukum di negara Indonesia tentu juga harus mengedepankan nilai-nilai keadilan sosial.

Kata Kunci: Sistem Hukum, Pancasila, Negara Hukum.

I. INTRODUCTION

Every country in this world certainly has laws, where the law is the essential thing in a country, given that a country indeed consists of various aspects, ranging from social, economic, political, cultural, and so on. Then, of course, the existence of the law is intended to protect various aspects of the life of the nation and state.

Law in a country is a fundamental thing. Of course, the existence of law in a country must also be able to accommodate all the legal interests of the state and the people. In contrast, in terms of law development and law enforcement, there is a legal system used in a country. The legal system in a country is undoubtedly different, which also depends on the socio-cultural aspects that influence the legal system used in a country.

As stated in Article 1, paragraph (3) of the 1945 Constitution of the Republic of Indonesia as the Constitution of the Republic of Indonesia, it is stated that the state of Indonesia is a state of law. Therefore, the law must be upheld and appropriately implemented to protect all Indonesian people. Law has a significant role in regulating everything in a country. The notion of the rule of law is ancient, much older than the age of state science or state science.\(^1\)

The existence of a law in a country is a mandatory thing because the existence of this law also limits every space of movement or, in other words, limits the behavior of every legal subject, both individuals and legal entities. The law is expected to regulate all the behavior of legal subjects so that there are no violations in the Indonesian state, where the Indonesian state is a legal state that, of course, must uphold legal values based on the state philosophy, namely Pancasila.

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As a state of law, the Indonesian state certainly has many legal rules, both codified and in the form of laws that regulate various things, besides that the Indonesian state also recognizes the existence of customary law in the Indonesian legal system. The legal system or commonly referred to as the legal tradition\(^2\), of course, has an important role related to law in a country. A system contains several principles that guide its formation\(^3\). Law is a system which means an orderly arrangement or order of the rules of life, the whole consists of parts that are related to each other\(^4\).

Every country in all corners of the world certainly has a legal system because a country must have a legal system that exists in its country. After all, if the country does not have a legal system, the country cannot run well because the law in a country is a legal system. This is fundamental because the law also regulates all the interests of the state and accommodates all the legal interests of all its citizens. Of course, it is hoped that with the law, all citizens can be well protected, especially regarding their rights.

The legal system in a country is vital because it dramatically influences law enforcement in a country and, of course, also has links with all matters relating to the law, including sources of law, as well as law-making, as well as an assessment of the law that lives in society.

The legal system in a legal state like Indonesia is essential, of course; this legal system is also a guideline related to carrying out law enforcement in each country, which of course, can be done based on the application of the legal system used by each country, which of course Every country has a different legal system.

The legal system of a country is indeed very influential in its law enforcement system, which is related to the legal system which is also related to law enforcement, and also law making in a country, where of course, every country in making laws of course also has differences in making laws. This, of course, is also based on the state's ideology.

Like the Indonesian state in terms of making laws as a source of written law, of course, it must also be based on the state's ideology and, of course, not contradict the

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\(^3\) Inu Kencana Syafie. Sistem Adminitrasi Negara Republik Indonesia (SANRI). (Jakarta. Bumi Aksara. 2003), 21

\(^4\) SF, Marbun dkk. Dimensi-dimensi Pemikiran Hukum Administrasi Negara. (Yogyakarta. ULI Press, 2001), 21
regulations above by the hierarchy of laws and regulations. Moreover, of course, the making of laws in each country must also be based on the legal interests of each country which are different, where of course, the needs of each country regarding the law are certainly different, for example, relating to the existence of customary law, the existence of religious law, not every country has a system of law. Law that accommodates the legal interest.

Each country has different legal interests, which accommodate all these legal interests. Each country certainly has a legal system that is considered to be able to accommodate all legal interests in that country. In a country related to law, the legal system is an essential thing; therefore, the legal system of each country must be able to accommodate all legal interests in a country.

The legal system of the Indonesian state is undoubtedly different from the legal systems of other countries; therefore, in this article, we will discuss the legal system of the Indonesian state based on the philosophy of Pancasila as the state ideology, which of course, is also a way of life in the nation and state, as well as the basis for the central part of Indonesian law.

II. Problems
How is the paradigm of Pancasila philosophy in the legal system in the State of Indonesia in the context of developing law?

III. Methodology
This study uses a normative type of research, focusing on the law as a reference for analyzing this article. Therefore, this study uses a statutory research approach. This study examines Pancasila as the primary source of law in Indonesia and the 1945 Constitution of the Republic of Indonesia, namely the Constitution of the Republic of Indonesia.

IV. Discussion
1. Pancasila philosophy paradigm in the legal system in the State of Indonesia in the context of developing law in the State of Indonesia
As stated in the Constitution of the State of Indonesia, Indonesia is a state of the law; the State of Indonesia, of course, also protects the interests of Human Rights, which of course is also essential thing in a country to protect these human rights in the State of Indonesia. It also has a special rule related to protecting human rights, namely Law Number 39 of 1999 concerning Human Rights. Besides that, to protect human rights, the Indonesian state also has a Human Rights Court, which is also regulated in the Act. Number 26 of 2000 concerning the Court of Human Rights, whereas a legal state, of course, the Republic of Indonesia must also uphold human rights values.

As a state of law which, of course, also has to guarantee human rights, in order to guarantee the protection of human rights and legal protection of Indonesian citizens, of course, we also look at the legal system of the Indonesian state, which of course the legal system in a country is an essential thing. The law of a country, because this legal system is also fundamental in carrying out or implementing the law in a country.

The state of Indonesia, as a state of law, certainly must uphold legal values. Of course, it must also prioritize the values of justice, where the primary purpose of the law is the creation of justice for every citizen. Law has an essential role in various sectors; of course, the law must also be able to protect the interests of different citizens, especially in this country of Indonesia, consisting of various ethnicities, races, religions, and cultures, which of course also affects the legal system in Indonesia. Indonesian country.

Every country must have a law, where in that law, there must be a legal system adopted by that country, where this legal system is a basis in law development and also law enforcement in a country, which of course, is also related to For the continuity of life in the nation and state, of course, the legal system of each country can be different, depending on the law it adheres to.

The legal system is a fundamental thing in the context of developing law in a country, and of course, also related to the implementation of law enforcement in a country, where of course, this legal system is also an essential thing in the sustainability of legal development in a country.

The legal system is defined as a set of attitudes that have been deeply rooted and historically conditioned towards the nature of law, the rule of law in society, and political
ideology, organization, and implementation of the legal system. The legal system is an operation of a set of legal institutions, procedures, and regulations.

It can be said that a system cannot be separated from the principles that support it. For this reason, the law is a system, meaning an orderly arrangement or order of the rules of life, the whole consisting of parts that are related to each other. It can be concluded that the legal system is a unified whole of orders consisting of parts or elements that are interconnected and closely related. To achieve the goal of unity, it is necessary to cooperate between the parts or elements according to a specific plan and pattern.

The Indonesian state, in carrying out the life of the nation and state, certainly makes Pancasila the philosophy of the state. Pancasila is undoubtedly the source of all sources of law, which of course, in the context of legal development and also in the context of law enforcement, of course, it is required to implement the values of Pancasila.

The acceptance of Pancasila as the philosophy and basis of the Indonesian state has led to a logical consequence to make Pancasila the basis for the administration of the nation and state, including in matters of law. Thus, the order of the legal system in Indonesia must refer to Pancasila's legal ideals (rechtsidee). In this case, it is to describe the values of Pancasila into positive law, namely the 1945 Constitution of the Republic of Indonesia and the laws and regulations under it.

Pancasila as a source of material law is determined by the content or weight of the material contained in Pancasila. There are at least three qualities of Pancasila material: first, the content of Pancasila is the philosophical content of the Indonesian nation. Second, the content of Pancasila as a national legal identity. Third, Pancasila does not

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5 Zaka Firma Aditya. Romantisme Sistem Hukum Di Indonesia : Kajian Atas Kontribusi Hukum Adat Dan Hukum Islam Terhadap Pembangunan Hukum Di Indonesia. Jurnal Rechtsvinding. Volume 8, Nomor 1, April 2019
6 Peter de Cruz. Perbandingan Sistem Hukum Common Law, Civil Law, and Socialist Law. (Bandung. Nusa Media, 2010), 46
8 Ibid.
determine orders, prohibitions, and sanctions but only determines the fundamental principles for the formation of law (meta-Juris)\textsuperscript{10}.

Pancasila, as the source of all sources of law, has obtained juridical legitimacy through TAP MPR Number XX/MPRS/1966 concerning the DPR-GR Memorandum regarding the Orderly Sources of Law of the Republic of Indonesia and the Order of Legislative Regulations of the Republic of Indonesia. After the reformation, the existence of Pancasila was reaffirmed in Law Number 10 of 2004, which was later replaced by Law Number 12 of 2011 concerning Legislation.\textsuperscript{11}

The legal system of the Indonesian state certainly has differences with the legal systems of other countries, which of course, is also due to the ideology of the Indonesian state, Pancasila, and the Constitution of the Republic of Indonesia as the Constitution of the Republic of Indonesia. Many say that the legal system in Indonesia today is continental Europe or the civil law system. Indeed, it can be seen that in the law enforcement system in Indonesia, several things indeed show that the legal system of the Indonesian state in carrying out law enforcement adheres to the continental European legal system. The legal system of Continental Europe uses the code of law or statutes as its primary source of law.\textsuperscript{12}

The Civil Law system allows judges to decide cases without imitating previous judges’ decisions. What the judges hold on to are the rules made by the parliament, namely laws\textsuperscript{13}. In the current legal system in Indonesia, it can be seen that law enforcement, especially in some cases, still see the law as a guide or guide for law enforcement.

However, it is necessary to know further that the Indonesian state, in the context of enforcing this law, certainly does not only look at written legal provisions or laws but the Indonesian state in order to enforce this law also looks at the social values that exist in society, even in this country. Indonesia currently also recognizes the existence of customary law in the Indonesian legal system. This is written in Article 18B paragraph (2)

\textsuperscript{10} Dani Pinasang, “Falsafah Pancasila Sebagai Norma Dasar (Grundnorm) dalam Rangka Pengembaban Sistem Hukum Nasional”, Jurnal Hukum UNSRAT, Vol. XX, No. 3, April-Juni, 2012

\textsuperscript{11} Fais Yonas Bo’a. Pancasila sebagai Sumber Hukum dalam Sistem Hukum Nasional. Jurnal Konstitusi, Volume 15, Nomor 1, Maret 2018

\textsuperscript{12} Muntir Fuady. Perbandingan Ilmu Hukum. (Bandung. Refika Aditama, 2007), 31

of the 1945 Constitution of the Republic of Indonesia, which reads as follows: "The State of Indonesia recognizes and respects customary law community units and their traditional rights as long as they are still alive and by developments. Society and the principles of the Unitary State of the Republic of Indonesia are regulated by law."

In the current legal system in Indonesia, of course, not only is written law enforced, but as stated in the article above, customary law is also a living law, and its existence is protected in the Indonesian legal system. However, not only, Islamic law, which is, of course, a law based on religious principles, is also a living law in Indonesia. The existence of Islamic law is also protected by law in Indonesia.

There is a legal system of Islamic law or a legal system that uses Islamic law as the primary legal basis. Of course, all law enforcement is carried out according to the provisions of Islamic religious teachings. Islamic law in Indonesia is currently also implemented in law enforcement and justice because the majority of the occupation of the Republic of Indonesia is Muslim. Islamic law is also implemented and recognized in the legal system in Indonesia.

In the legal system in Indonesia, related to the application of Islamic law, there is a rule of law that protects the existence of religious law, especially Islam in the State of Indonesia, namely Law Number 50 of 2009 concerning the Second Amendment to Law Number 7 of 1989 About the Religious Courts. The existence of a religious court and a religious court system in the legal system in Indonesia is, of course, intended to accommodate everyone who is Muslim; of course, the majority of the population of Indonesia is Muslim, and of course, this Islamic law has specificities according to Islamic teachings.

The legal system in Indonesia certainly has differences from other countries; this is considering that the Indonesian state is a country that has many tribes, religions, ethnicities, and races, which of course are all protected by the state, which of course, is the Indonesian state which is based on Pancasila as the state ideology, to proclaim the values of Pancasila and also to implement the values of diversity which of course must accommodate all the interests of the Indonesian people, especially about law, considering that there are also many indigenous peoples in Indonesia.
The Indonesian state, which consists of various ethnic groups, religions, and different cultures, makes the legal system in the State of Indonesia to be able to fully accommodate to guarantee human rights in the life of the nation and state. Moreover, to guarantee human rights, the Indonesian state must also guarantee the equality of all citizens before the law.

The existence of Pancasila as a state ideology is indeed an essential and fundamental thing in the life of the Indonesian state; Pancasila is an ideology in the nation and state, which means that this Pancasila is the philosophy of the Unitary State of the Republic of Indonesia. The existence of many ethnic groups, races, religions, and cultures in Indonesia is protected by Pancasila, and the Indonesian Constitution protects the existence of indigenous peoples. Of course, its existence is also recognized as legal according to the law; therefore, the number of ethnic religions, races, and cultures will certainly also affect the legal system in the State of Indonesia because, of course, the law must be able to accommodate all the interests of the Indonesian people from various ethnic groups, religions, races, and cultures.

The existence of customary law communities is recognized in the constitution of the Indonesian state; therefore, it can be interpreted that the legal system in Indonesia also recognizes customary law as living law in the State of Indonesia. This is also protected by Pancasila as the state ideology, especially in the 3rd Precept, namely "Indonesian Unity," even though ethnicity, culture, and religion are different but still in the unity of the Republic of Indonesia.

Diversity as the implementation of Pancasila values in the life of the nation and state in Indonesia certainly has a vital role in the development of law in the State of Indonesia, which means that the development of law in the State of Indonesia is not only based on the juridical aspect but the democratic aspect is also implemented in the framework of legal development in Indonesia.

As stated in Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia, it reads that sovereignty is in the hands of the people, which means that as a state of law, of course, the State of Indonesia also protects human rights and of course declares democratic values in the nation and state. As a state, of course, the community can also play an essential role in the development of law in Indonesia.
In connection with the declaration of democratic values in the nation and state, it is evident that all aspects of the life of the nation and state are carried out by implementing democratic values and, of course, not ignoring social values and social justice values. In the context of legal development in the State of Indonesia at this time, the declaration of democratic values can be seen where in the framework of making the rule of law in the State of Indonesia, of course, involving the House of Representatives, which is derived from the elements of the people, as representatives of the people to channel the aspirations of the people.

Based on the fourth precept of Pancasila reads that "Popularity Led by Wisdom in Deliberation/Representation" shows that the existence of this People's Consultative Assembly has a vital role in the development of the Indonesian state, as well as having an essential role in the framework of legal development in the State of Indonesia. The formation of laws is carried out by the House of Representatives, which means that in the context of developing law in the current state of Indonesia, the people also have a vital role in legal development, this can be seen from the authority of the House of Representatives in forming legal rules in the form of laws and regulations. Law.

The formation of this law by the House of Representatives in Indonesia is an implementation of the values of Pancasila, especially in the fourth principle; it shows that the law in Indonesia is formed by deliberation through the legislature by proclaiming democratic values in law-making.

The Indonesian state legal system, which of course, also implements the values of Pancasila and the Indonesian constitution, namely the 1945 Constitution of the Republic of Indonesia, certainly has many differences with the legal systems of other countries, where in the State of Indonesia, many laws exist. In society, such as religious law, customary law is recognized as a living law in the state of Indonesia, so in this Indonesian state, not only is written law used in the context of law enforcement and justice, but course, there are unwritten laws which of course are also used as considerations in the context of law enforcement and justice, which of course must still uphold the values of social justice for all Indonesian people, as stated in the 5th Precepts of Pancasila, and also the 2nd Precepts relating to just and civilized humanity, which means not only value-
justice in the context of law enforcement in the State of Indonesia, but also upholding adab in living as a guide.

Pancasila is a state ideology that unites all racial, religious, ethnic, and cultural differences. However, with the existence of Bhinneka Tunggal Ika or which means Different but still one, it is united through the state ideology, namely Pancasila, the 3rd Pancasila Precept that "Indonesian Unity" certainly means that although there are differences in life, it is still one unity, namely the Unitary State of the Republic of Indonesia.

The unity of Indonesia, as stated in the 3rd Precept of Pancasila, is something that must be implemented in various ways where the declaration of the values of Pancasila is not only in the life of the nation and state but the adoption of these Pancasila values must also be carried out in the context of upholding the law in the state of Indonesia, bearing in mind that by the constitution of the Indonesian state, especially in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, it is stated that the Indonesian state is a state of law, not a state of power. Therefore law enforcement must also put forward the values of Pancasila.

The existence of customary law and Islamic law significantly affects the legal system in Indonesia; the application of Islamic law in the legal system in Indonesia and the recognition that law exists in the legal system in Indonesia makes the Indonesian legal system different from other legal systems, such as countries that use Continental European legal system, or countries that use the standard law legal system, or countries that use the Islamic Law System.

The legal system of the Indonesian state also applies what is in the continental European legal system, namely applying related laws or laws in law enforcement. However, on the other hand, the Indonesian state also uses jurisprudence as a source of law, where the use of jurisprudence as a source of law is one of the characteristics of the standard law system or Anglo-Saxon.

In addition to the use of law in the form of laws or codes of conduct as guidelines in enforcing law and justice and also the use of jurisprudence as a source of law, which is a characteristic of the Continental European and Anglo-Saxon legal systems, the Indonesian state also uses Islamic law as a legal law. Live in the country, and of course, Islamic law is also included in the legal system in Indonesia.
Looking at the various legal systems, the Islamic legal system or Islamic law system is also a separate legal system, which of course, is a legal system subject to Islamic sharia. The Indonesian state also accommodates the legal interests of Indonesian citizens, especially Muslim citizens; the existence of an Islamic religious court system in the State of Indonesia certainly shows that the legal system in this State of Indonesia applies several characteristics to the existing legal system.

In using this legal system, the Indonesian state applies some of the existing legal systems. However, more precisely, the legal system in the State of Indonesia is based on the state ideology, namely Pancasila, and is also based on the Indonesian constitution, namely the Constitution of the Republic of Indonesia. 1945.

Pancasila is a state ideology that is also a way of life in the nation and state; it contains the values of justice, social values, democratic values, religious values, values, peace, and of course, the value unity of the Indonesian state, which with the existence of diversity through the implementation of Pancasila values in the life of the nation and state, of course also pays attention to cultural and social values in society.

The Indonesian state legal system, which is undoubtedly different from other state legal systems, is, of course, intended to accommodate all legal interests of the people of the Indonesian state, without forgetting the existence of customary law and Islamic law, which are of course very important for specific communities. The difference in the public interest about this law is protected by law in the State of Indonesia. Of course, its existence is also recognized in the State of Indonesia.

The law in Indonesia is based on the values of Pancasila; therefore, the legal system of the Indonesian state is, of course, also based on the values of Pancasila in the context of implementing law-making, and in implementing law enforcement, it certainly does not release the values of Pancasila, namely social justice for all. All Indonesian people are based on the One Godhead.

In the framework of making laws in the state of Indonesia, this must also be carried out in a democratic way, where the Indonesian state is not only a state of law but the state of Indonesia is also a democratic state, as stated in Article 1 paragraph (2) of the Indonesian constitution, namely the Constitution of the State of the Republic of Indonesia. The Republic of Indonesia in 1945 states that sovereignty is in the hands of the people,
which means that the people are also sovereign in the context of the administration of the state. In this regard, when viewed from the point of view of legal development in the state of Indonesia, of course, it must also prioritize democratic values, where in this country of Indonesia in the context of legal development, especially about the making of laws, it is carried out in a democratic way, which of course is the implementation of values. Pancasila values, especially the 4th Precept which reads: "Popularity led by wisdom in representative deliberation.

In the context of making laws in the current state of Indonesia, of course, it is carried out by the legislative body, which is a declaration of democratic values in the context of developing law in Indonesia, which of course, shows that the people are also involved in the development of law in the state of Indonesia. This is because the making of law by the legislature is also the making of law by the people through their representatives who are in the people’s consultative assembly.

The legal system of the Indonesian state is a legal system that implements the values of Pancasila in the context of law development and also law enforcement in the Indonesian state; of course, the legal system based on Pancasila only exists in Indonesia, considering that this is the ideology of the Indonesian state which is used as a The guideline for the life of the nation and state which is only owned by the state of Indonesia.

V. Conclusion

Every country certainly has a legal system; the legal system is the essential thing in the law of a country. Several countries use systems such as continental Europe, Anglo Saxons, or the Islamic law system. The Indonesian state applies several legal systems by the characteristics of each legal system, which of course, shows that the application of the legal system in Indonesia does not only apply to one system; some people think that the Indonesian state is still implementing a legal system. Continental Europe has a civil law system, but it should be noted further that the legal system used in Indonesia today is not only based on the continental European legal system or civil law system, but basically, the current legal system used in Indonesia is a legal system. Law based on the state ideology, namely Pancasila, where the Indonesian state, in carrying out the law, must also be adapted to the state philosophy, namely Pancasila. 1945. The legal
system in the State of Indonesia also recognizes the existence of customary law, the existence of religious law, such as Islamic law, which of course, makes the Indonesian legal system different from the legal system used by other countries, which only adheres to one legal system. Course, such as continental Europe or Anglo-Saxon only. The Indonesian state is undoubtedly more visible using the civil law system or continental European legal system because the Indonesian state uses laws in its law enforcement system, where law enforcement in Indonesia still many people refer to the law as a written source of law in the context of law enforcement. , but on the other hand, the Indonesian state also applies the existence of jurisprudence as a source of law, which is one of the characteristics of the standard law system, or anglo Saxon, besides that in Indonesia, the existence of Islamic law is also in the legal system in Indonesia, and not only that, but the existence of Islamic law in Indonesia is also a religious court, where this religious court has the authority to settle cases related to the field of the Islamic religion. Indonesia also recognizes the existence of customary law, as stated in Article 18B of the 1945 Constitution of the Republic of Indonesia; the Indonesian Constitution also protects the existence of indigenous peoples in Indonesia. Based on this, it can be seen that the law in Indonesia consists of various aspects, which of course, do not only adhere to the continental European legal system or civil law, but the Indonesian state also applies other legal systems in the current Indonesian law. The legal system in Indonesia is based on the values of Pancasila, as well as the constitution of the Indonesian state, in the context of law development and law enforcement in Indonesia. Other. The legal system of the Indonesian state also recognizes the existence of customary law communities, as mentioned in the Indonesian state constitution. In the Indonesian state legal system, there is also Islamic law in the legal system, so there are various aspects of the legal system in this Indonesian state that must be accommodated because With different legal interests, with the existence of the Indonesian state philosophy, namely Pancasila, the Indonesian state legal system is also based on the values of diversity which of course is based on Pancasila and the constitution as the primary basis for law-making and also the implementation of law enforcement, which of course prioritizes values. The value of social justice in the context of law enforcement and justice.
Bibliography


