

Protection of Human Rights in Pancasila Democracy

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Article History:

Submitted:

13-05-2024

Received:

21-05-2024

Accepted:

17-06-2024

Keywords:

Democracy; Human

Rights; Pancasila

Abstract

Pancasila serves as the foundation of the Indonesian state and the principal ideology guiding the formulation and implementation of government policies. This research aims to provide evaluative and informative material on Pancasila from a human rights perspective. The study falls within the juridical-normative category, involving the examination of theories, concepts, legal principles, and regulations pertinent to the research subject. Specifically, this research seeks to evaluate and elucidate the human rights dimensions embedded within Pancasila values. Pancasila underscores the protection of individual rights as articulated in the 1945 Constitution, which guarantees fundamental rights such as the right to life, the right to freedom of religion, and the right to education. This study examines the protection of human rights within the context of Pancasila democracy in Indonesia. Utilizing a literature review and an empirical data approach, the article delves into the philosophical and legal underpinnings of Pancasila democracy and its implications for human rights protection in Indonesia. As the state ideology, Pancasila democracy emphasizes the importance of participation, justice, and welfare for all citizens, including the safeguarding of human rights. In Pancasila democracy, the protection of human rights is a paramount responsibility of the Indonesian state. By strengthening law enforcement, ensuring the fair application of laws, and fostering active societal participation, Indonesia can guarantee and respect the rights of every citizen in alignment with the democratic principles of Pancasila.

1. Introduction

Pancasila is a set of values and goals that originate from Indonesia's spiritual, moral and cultural riches. This concept makes Pancasila a flexible ideology, able to adapt to changing times, dynamic and the result of mutual agreement with society. Therefore, Pancasila is the basis of the state, so it must be reflected in every aspect of national and state life.¹ Pancasila is a comprehensive ideology with unique elements. The five precepts in Pancasila have universal properties, so they can be found in the concepts of various other societies. The case of Pancasila in Indonesia is very clear; as the foundation of the state, guidelines for the life of the Indonesian nation in various fields, especially in the national and governmental environment, as well as the Indonesian national ideology.²

Along with the establishment of the Unitary State of the Republic of Indonesia, Pancasila became the main basis for the formation and regulation of the constitutional system, policies and laws in Indonesia. Etymologically, Pancasila comes from the Sanskrit words 'panca' which means five and 'sila' which means principle or principles. Therefore, it can be concluded that Pancasila is a set of five basic principles that form the basis of the unitary state of the Republic

¹ Iman Pasu Purba, "Penguatan Budaya Hukum Masyarakat Untuk Menghasilkan Kewarganegaraan Transformatif," *Jurnal Civics: Media Kajian Kewarganegaraan* 14, No. 2 (2017): 146-53, <https://doi.org/10.21831/Civics.V14i2.16050>.

² Teuku Muharam Rizqullah And Fatma Ulfatum Najicha, "Pegimplementasian Ideologi Pancasila Dalam Kehidupan Berbangsa Dan Bernegara," *Jurnal Kewarganegaraan* 6, No. 2 (2022): 2630-33.

of Indonesia.³ Pancasila adheres to human rights as an ideology that contains philosophical and ethical values.⁴

Protection of human rights in the context of democracy (HAM) is a concept that adheres to the founding democratic principles of the Unitary State of the Republic of Indonesia, namely Pancasila. As the ideological foundation of the Indonesian state, Pancasila is not only the foundation of the state, but also guarantees and protects human rights as a component of Indonesia's democratic system. Human Rights are basically the basic rights that every person has from birth; These rights cannot be revoked because they are considered a gift from God Almighty. In other words, human rights reflect recognition of human value and dignity, recognizing that everyone has these rights as an integral part of human existence. One of the goals of human rights is to protect and defend human dignity and freedom. On December 10, 1948, in Paris, France, the United Nations adopted the Universal Declaration of Human Rights (UDHR), which was the first breakthrough in the recognition of human rights. The UDHR was adopted as a response to crimes against humanity committed during World War II. Fulfillment of human rights is a principle that Indonesia always supports. The founders of this republic, especially those who lived during the colonial era, really understood the importance of human rights in government institutions. This is reflected in the 1945 Constitution, which contained these basic rights and principles even before the UDHR was adopted. In addition, the leaders of the independence movement of the Republic of Indonesia promoted the idea of a democratic rule of law that recognizes, respects and protects human rights. The founders of this country insisted on maintaining the supremacy of law, prioritizing democracy and human rights⁵.

Pancasila, the founder of the Indonesian state, emphasized its desire to protect human rights through the principles that form its philosophical basis:

1. Belief in the Almighty God: Guaranteeing public welfare and maintaining the dignity of humans as God-fearing and civilized creatures.
2. Just and civilized humanity: equal protection and guarantee of human rights without discrimination.
3. Indonesian Unity: Preserving diversity and protecting the rights of minority groups as an integral part of the Indonesian nation.
4. Deliberative/representative democracy based on wisdom: guarantees freedom of opinion and thought as well as active participation of the community in the political decision-making process.
5. Social justice for all Indonesian people: guaranteeing protection and equality of the social, economic and cultural rights of all Indonesian people.⁶

³ And Fatma Najicha Wibowo, Keysa, "Aktualisasi Pancasila Dalam Kehidupan Masyarakat Di Era Globalisasi," *Journal Of Education, Psychology And Counseling* 4, No. 1 (2022): 22-31, <https://doi.org/10.33487/Edupsycouns.V4i1.3302>.

⁴ Atna Sariputta And Fatma Ulfatun Najicha, "Ideologi Pancasila Menjadi Pedoman Kehidupan Sehari-hari Bagi Bangsa Indonesia," *Jurnal Rontal Keilmuan Pkn* 9, No. 1 (2023): 24-29.

⁵ Fatma Ulfatun Najicha Safira Kanaya Iffat Husnaa, "Pancasila Dan Hubungannya Dengan Hak Asasi Manusia Di Indonesia," *Penguatan Nilai Masyarakat Bugis Macca Na Lempu Dalam Perspektif Pendidikan Karakter* 6, No. 2 (2023): 104-12.

⁶ Safira Kanaya Iffat Husnaa.

Human Rights are human rights that every human being has from birth and cannot be denied because they are a gift from Allah SWT. This right shows respect for human dignity and status by recognizing that every person has value as a human being. In subsequent developments, the protection of human rights is clearly stated in the constitution or written law in constitutional democratic countries and is considered an important element to be included in the constitution along with other elements such as institutional structures, and interaction mechanisms between state institutions, as well as the division of state power.⁷

For Indonesia, respect for human rights is a principle that is always upheld. The founders of our republic, as a nation that survived colonialism, understood the importance of human rights in public administration. This is reflected in the emphasis on the most basic principles and rights in the 1945 Constitution of the Republic of Indonesia, which was implemented even before the Universal Declaration of Human Rights. Apart from that, the concept of a democratic legal state that recognizes, respects and protects human rights was also promoted by the independence figures of the Republic of Indonesia. The ideas and concepts of the supremacy of law and democracy as a forum for the promotion and protection of human rights are still at the core of this country's founding fathers. This is proven by the creation of a constitution that can be implemented in Indonesia⁸.

Democracy is a constitutional system that guarantees the recognition of Human Rights (HAM) and the implementation of democracy must be based on human rights principles. Therefore, a comprehensive understanding of democracy must also include an understanding of human rights; It could be the opposite⁹. Democracy and human rights are not new topics; Currently, almost all countries in the world declare themselves democratic and uphold human rights. Democracy recognizes the people as sovereign beings, which is known as the principle of popular sovereignty. According to social contract theory, the realization of each individual's rights cannot be achieved individually, but must be achieved together¹⁰. *Demos* which means people and *Cratos/Cratein* which means government. Therefore, government by the people can be interpreted as government of the people, for the people, and by the people¹¹. Etymologically, democracy in ancient Greek can be interpreted as government or government by the people¹².

The Indonesian government also has a duty to enforce fair laws and eliminate human rights violations. Institutions such as the National Human Rights Commission (Komnas HAM) were formed to monitor, report and ensure the protection of human rights in Indonesia. However, efforts to protect human rights in Indonesia, including violence against women, discrimination against minority groups and the use of force by security forces, continue to face

⁷ Ellya Rosana, "Negara Demokrasi Dan Hak Asasi Manusia," *Jurnal Teropong Aspirasi Politik Islam* 12, No. 1 (2016): 17.

⁸ Bobi Aswandi And Kholis Roisah, "Negara Hukum Dan Demokrasi Pancasila Dalam Kaitannya Dengan Hak Asasi Manusia (Ham)," N.D.

⁹ R. Javaherdashti, "Ref 9.Pdf," *Anti-Corrosion Methods And Materials*, 2000.

¹⁰ Jimly Asshiddiqie, *Hukum Tata Negara Dan Pilar-Pilar Demokrasi*, Cet.2 (Jakarta: Jakarta : Sinar Grafika, 2015, 2012).

¹¹ Jailani, "Sistem Demokrasi Di Indonesia Ditinjau Dari Sudut Hukum Ketatanegaraan," *Inovatif: Jurnal Ilmu Hukum*, Vol. 8, No. 8, No. 1 (2015): 134-47.

¹² Francis Fukuyama Et Al, "Democracy ' S Past And Future Twenty Years Of Postcommunism Deepening Dissatisfaction" 21, No. 1 (2010).

challenges. Therefore, it is important for the government, civil society institutions and the wider community to continue to work together to maintain and improve the protection of human rights in the context of Pancasila democracy.

Previously, several researchers had conducted research related to the author's article, namely about the rule of law and Pancasila democracy in relation to human rights (HAM)¹³, human rights, democracy and Pancasila in Indonesia¹⁴, and the rule of law and Pancasila democracy in relation to human rights. (HAM)¹⁵. In the above research, the focus is on the importance of the state in forming a just democracy by continuing to fight for the human rights of the people in the state. What is different between the researcher's research and previous research is that this article discusses the state's protection of the human rights of the people towards human values. democratic Pancasila values.

2. Methods

This research uses a conceptual analysis method in its analysis process which is based on existing literature resources. The database used in conceptual analysis comes from literature searches using berrypicking techniques in several journal databases such as Google Scholar regarding the topic to be discussed using analytical techniques, checking the bibliography of an article, or searching for topics related to the main problem.¹⁶ To analyze the existing collection of literature, conceptual analysis techniques are used, which is an analysis technique that treats "concepts" as class objects, events, properties, or relationships that can expand understanding of how to identify a phenomenon so that it can be classified into a concept.¹⁷

3. Results and Discussion

3.1. Correlation of Human Rights with Pancasila Values (HAM)

The concept of humans as creatures created by God Almighty has two dimensions, namely the individual dimension (individual) and the social dimension (community), which are stated in the Pancasila Declaration of Human Rights¹⁸. Pancasila is used as an expression of values that have been ingrained in Indonesian society for many years. These values play an important role in shaping the identity and spirit of nationalism of Indonesia's young generation¹⁹. Human Rights (HAM) are rights enjoyed by all people throughout the world, without distinction of ethnicity, religion, race or particular group. This is a basic principle of international human rights law, and although the application of human rights varies by country, the principle of its universality remains. A country's culture and ideology can

¹³ Aswandi And Roisah, "Negara Hukum Dan Demokrasi Pancasila Dalam Kaitannya Dengan Hak Asasi Manusia (Ham)."

¹⁴ Honing Sanny Et Al., "Hak Asasi Manusia, Demokrasi Dan Pancasila Di Indonesia," N.D.

¹⁵ Delsiana Lali Kaka, "Negara Hukum Dan Demokrasi Pancasila Dalam Kaitannya Dengan Hak Asasi Manusia (Ham)," N.D.

¹⁶ Furner, J. 2004. *Conceptual Analysis: A Method For Understanding Information As Evidence, And Evidence As Information. Archival Science*, 4 (3), 233-265.

¹⁷ *Ibid.* Hlm 233-265.

¹⁸ Ana Fauzia And Fathul Hamdani, "Aktualisasi Nilai-Nilai Pancasila Dan Konstitusi Melalui Pelokalan Kebijakan Hak Asasi Manusia (Ham) Di Daerah," *Indonesia Berdaya* 2, No. 2 (2021): 157-66, <https://doi.org/10.47679/Ib.2021136>.

¹⁹ Anita Trisiana And Duta Syakti, "Jurnal Global Citizen," *Jurnal Global Citizen Jurnal Ilmiah Kajian Pendidikan Kewarganegaraan* 9, No. 2 (2021): 103-19.

influence its approach to human rights. In Indonesia, the Pancasila ideology is the framework that regulates and guides the implementation of human rights. Pancasila emphasizes the principles of humanity, unity and social justice as the ethical foundation in the practice of respecting human rights. Implementation of respect for human rights in Indonesia covers various issues, including freedom of religion, freedom of expression, access to justice, as well as economic and social rights. The Indonesian government has taken steps to uphold these values in line with international human rights obligations, including by ratifying various international human rights conventions²⁰.

The principles of human rights originate from a universal value system reflected in Pancasila, including religious or divine values, human values, unity values, people's values, and justice values. Pancasila has values that are in line with the principles of human rights. For example, the Pancasila values of humanity, unity, democracy and justice support the protection of individual human rights. Pancasila also respects diversity of religions and beliefs, which is in line with the principle of human rights, namely freedom of religion and belief. Pancasila, which is the foundation of the Indonesian constitution and the philosophy of the country's legal system and government, plays an important role in ensuring the understanding and protection of human rights in Indonesia. Despite the challenges and debates surrounding the integration of human rights values into practice, Pancasila remains an important framework for understanding and protecting human rights in Indonesia. Pancasila plays an important role in maintaining a balance between public interests and respect for human rights, as well as ensuring the implementation of human rights in line with the vision and values of Pancasila. This reflects Indonesia's determination to create a just, ethical and compassionate society²¹. Consisting of five basic principles or rules, Pancasila is the basis of the Indonesian state and ideology. "Just and civilized humanity" is the second principle of Pancasila which emphasizes the importance of respecting human rights and advancing social welfare for Indonesian society. Although Pancasila does not directly address the concept of human rights contained in international law, the second principle of Pancasila reflects Indonesia's determination to guarantee equal rights, fair treatment and access to social justice for all citizens. Therefore, in the case of Indonesia, the second principle of Pancasila can be considered as a fundamental principle in supporting human rights²².

In a country rich in ethnic, cultural and religious diversity, respect for human rights is an important factor in maintaining social unity and harmony in Indonesia. Understanding and respect for human rights is in line with the principles of Pancasila, especially the principles of just and civilized morality. This principle emphasizes the importance of tolerance and respect between citizens which is a characteristic of Indonesian society as a whole. As an application of the second principle, human rights emphasize that every citizen has the same rights, namely

²⁰ Elsa Aulia Fadhilah, Dinie Anggraeni Dewi, And Yayang Furi Furnamasari, "Hak Asasi Manusia Dalam Ideologi Pancasila," *Jurnal Pendidikan Tambusai* 5, No. 3 (2021): 7811-18.

²¹ Anisa Aulia Hasmi A, "Konstruksi Sosial : Jurnal Penelitian Ilmu Sosial Implementasi Hak Asasi Manusia Sebagai Nilai Yang Terkandung Dalam" 2, No. 5 (2022): 181-87.

²² Tia Lahera, "Hak Asasi Manusia; Pentingnya Pelaksanaan Dan Penegakan Hak Asasi Manusia Di Indonesia Saat Ini," *Journal Civics & Social Studies* 5, No. 1 (2021): 90-97, <https://doi.org/10.31980/Civicos.V5i1.1055>.

the right to obtain the same rights. Everyone has the same rights and obligations regarding legal protection and security²³.

Human rights in the practical values of Pancasila can be realized if the basic and instrumental values of Pancasila themselves can be implemented in everyday life by all citizens. This can be realized if every citizen shows a positive attitude in everyday life. Some examples of positive attitudes that citizens can show include the following:

1. Belief in the Almighty God: Respect and work together between religious communities so that harmony in life can be fostered, Mutual respect for freedom of worship in accordance with their religion and beliefs, Not forcing a religion and belief on others.
2. Just and civilized humanity: Recognizing equality, rights and obligations between fellow human beings, loving each other human beings, Tolerance for others, Not being arbitrary towards others, upholding human values, dare to defend the truth and justice, and respect and cooperation with other nations.
3. Indonesian Unity: Placing unity, unity, interests and safety of the nation and country above personal or group interests, willing to sacrifice for the interests of the nation and country, Love the homeland and nation, Proud of being an Indonesian nation and of the Indonesian Motherland, and Promoting social relations for the sake of unity and unity of the nation with *Bhinneka Tunggal Ika*.
4. Democracy led by wisdom in representative deliberations: Prioritizing the interests of the state and society, do not impose their will on other people, prioritize internal deliberation make decisions for the common good, accept and implement every deliberation decision and take responsibility for each moral deliberation decisions to God Almighty.
5. Social justice for all Indonesian people: Maintaining a balance between rights and obligations, Respecting the rights of others, Likes to give help to others, Avoids extortion towards others, Avoids extravagance and luxurious lifestyles and Willing to work hard Respecting the results other people's work.²⁴

Reaffirmation regarding government's obligation to promote, protection, enforcement and compliance Human rights are stated in Article 8 of Law no. 39 of 1999 concerning Human Rights. Law which is the umbrella of all statutory regulations in the field of human rights stated protection, promotion, enforcement and the fulfillment of human rights especially becomes Government responsibility. 10 Article 74 This law also states that: Not a single provision in the Law This law may be interpreted as follows: Government, party, group or parties wherever it is justified to reduce, undermine or eliminate human rights or regulated basic freedoms in this law. Specifically parameters formation of regional legal products based on human rights is mentioned in detail in the Joint Regulation of the Minister of Law and

²³ Ridwan Arifin And Lilis Eka Lestari, "Penegakan Dan Perlindungan Hak Asasi Manusia Di Indonesia Dalam Konteks Implementasi Sila Kemanusiaan Yang Adil Dan Beradab," *Jurnal Komunikasi Hukum (Jkh)* 5, No. 2 (2019): 12, <https://doi.org/10.23887/jkh.v5i2.16497>.

²⁴ Dicky Febrian Ceswara And Puji Wiyatno, "Implementation Of Human Rights Values In The Pancasila Precepts," *Lex Scientia Law Review* 2, No. 2 (2018): 227-40, <https://doi.org/10.15294/lesrev.v2i2.27581>.

Human Rights and the Minister Domestic Numbers 20 and 77 Years 2012 concerning Human Rights Parameters Humans in Product Formation Regional Law.

This regulation is expected serve as a guide for regional legislators so that the regional legal products they make do not conflict with the principles HAM. The substance of this ministerial regulation contains 4 articles, where the parameters of human rights as a reference for regional legal products is an attachment to the regulations with that. In the attachment to the joint regulations the minister, stated the parameters-Human rights parameters are divided into two categories of general parameters and custom parameters. In general formation of regional legal products to pay attention to non-principles discrimination, the principle of gender equality, and pay attention to the division of affairs detailed government or which grouped into 31 aspects, namely: Education; Health; Public Works; Housing area; Spatial planning; Development Planning; Transportation; Environment; Land; Population and civil registration; Women's empowerment and child protection; Family planning and family prosperous; Social; Employment and transmigration rational; Cooperatives and small and medium enterprises; Capital investment; Culture and tourism; Youth and sport; Domestic political national unity; Regional autonomy, general government, regional financial administration, regional apparatus, personnel and coding; Community and village empowerment; Statistics; Record management; Library; Communication and informatics, Agriculture and food security; Forestry; Energy and Mineral Resources; Trading; and Industry.²⁵

In general, the development of human rights in Indonesia faces various challenges, for example regarding equality, humanity, justice and the protection of minority groups. Freedom of expression has also been in the spotlight recently. Beka reminded that even though freedom of expression is guaranteed by the constitution, there are limits, namely not degrading human dignity such as slander, hoaxes, SARA, and endangering state security. Another important challenge to pay attention to comes from state administrators. In our opinion, state administrators have not made human rights the basis for implementing government programs and policies. Regarding complaints, in the January-August 2020 period, Komnas HAM received 1,792 complaints. The institutions that receive the most complaints are the police, companies/corporations, and regional governments (Pemda).

Komnas HAM also pays attention to the protection of human rights activists/defenders. Human rights activists must receive proper protection from the state because their role is important in encouraging the enforcement of human rights. Komnas HAM has a special mechanism to protect human rights activists, and also continues to coordinate with various ministries and state institutions. Komnas HAM will also establish an MoU with the National Police regarding the protection of human rights activists. The role of society in preventing human rights violations in Indonesia is very significant. The community can contribute by taking several actions, including:

1. Education and Awareness: The public must be given a good understanding of the concept of human rights and the importance of maintaining and protecting the human rights of every individual. Education and awareness about human rights

²⁵ Andi Akhirah Khairunnisa, "Penerapan Prinsip-Prinsip Hak Asasi Manusia Dalam Pembentukan Produk Hukum Oleh Pemerintah Daerah," *Jurnal Manajemen Pemerintahan* 5, No. 1 (2018): 65-78.

must be instilled from an early age, both in the family environment and in formal education at school.

2. **Active Participation:** The community must be actively involved in activities related to the promotion and protection of human rights. For example, through participation in community organizations, NGOs, or human rights movements, the community can have a voice and play a role in ensuring the implementation of human rights in Indonesia.
3. **Reporting Violations:** The community also plays an important role in reporting human rights violations that occur. If there are indications of violations, the public must have the courage to report them to the authorities or competent institutions to carry out investigations and uphold justice.
4. **Advocacy and Joint Action:** The community can carry out advocacy and joint action in the face of human rights violations. By mobilizing support and increasing public awareness, society can strengthen demands for human rights protection and pressure perpetrators of violations to be held accountable.

It is important to note that society must also play a role in respecting the human rights of others and maintaining a balance between individual rights and collective rights. Apart from that, the government also has a responsibility to create an environment that supports and protects human rights through policies that support justice and freedom. Overall, the concept of human rights and the role of society are interrelated and support each other in preventing human rights violations in Indonesia. With good understanding, active participation, reporting violations, and effective advocacy, society can contribute to creating a society that is more just, inclusive, and respectful of human rights.

3.2. Protection of Human Rights in Pancasila Democracy

Pancasila is the basis of the Indonesian state and is the basis for national ideals to achieve state goals. The values contained in each of the Pancasila principles were born and developed from characteristics that reflect the culture and traditions of Indonesian society. Each of the Pancasila principles contains noble values that must be respected by the Indonesian nation and society. The first principle, Belief in the One and Only God, includes a sense of faith and recognition that is manifested in actions towards the One and Only God. This value emphasizes the freedom of religious communities to express their beliefs without restrictions, as well as the importance of mutual respect and cooperation between people of different beliefs²⁶.

Because of this principle, the spiritual dimension of diversity is more hopeful and encouraging and is not limited to the formal aspects of religious institutions. Just and civilized human values reflect conscience, attitudes and behavior that are in accordance with moral norms of coexistence based on the call of conscience to act in accordance with everything. The application of just and civilized human values includes recognition of human rights, where every person is recognized and respected as a creature created by God Almighty. The value of Indonesian unity includes the value of efforts to unite the people under sovereignty to strengthen domestic nationalism. A process where all Indonesian citizens, both local and

²⁶ Syahrul Kirom, "Pancasila Dalam Bingkai Kerukunan Beragama," *Dialog* 35, No. 2 (2017): 45–64, <https://doi.org/10.47655/Dialog.V35i2.112>.

foreign, from various ethnicities, can work together in a spirit of mutual cooperation and solidarity based on the value of unity. Popular values, carefully applied in the process of representative negotiations, demonstrate people's governance through specific institutions, decision-making through dialogue, reliance on human justice to reach agreements based on truth and judgment, and a focus on realizing the will of the people well-being. The value of social justice for all Indonesian people emphasizes the creation of a just and prosperous society, both materially and spiritually; In this way, every citizen obtains his rights based on the principles of civilized justice and decency.

Human rights are the just and civilized application of human values. Human rights are highly respected and the values of Pancasila are fully respected, especially the second principle, namely tolerance and mutual respect, which is part of the culture that develops and grows in the lives of Indonesian society²⁷. Human rights, which is the second principle, emphasizes that every citizen has the same rights in his or her situation. Every individual has the same obligations and rights to legal protection and insurance in accordance with legal norms. As an application of the second principle, human rights place people in an equal position, especially in a legal context; because Indonesia is a rule of law country. As has been explained, respecting and protecting human rights is very important in the administration of public power in accordance with the principle of the supremacy of law. The values of the second principle can be realized if human rights are respected. By implementing respect for human rights, we can guarantee the welfare of the Indonesian people and prevent tensions resulting from human rights violations. This is in accordance with the contents of Article 28 which confirms the human rights of every person to their full existence.

Respect for human rights is a manifestation of civilized moral principles which emphasize equal treatment and dignity for all Indonesian citizens regardless of location, skin color, religion and other factors. The realization of human rights can be strengthened by strengthening the character of society as an important part in the realization of human rights based on Pancasila values in Indonesia. If you look more closely, human rights are reflected in every principle of Pancasila. Starting from freedom of religion, the right to respect other people, participation in national unity, freedom of opinion, the right to access justice without discrimination. If human rights laws in Indonesia are not enforced, then chaos will spread and the human values adhered to by the Indonesian people will be threatened.

One of the cases of human rights violations that occurred in Indonesia was the case of forced disappearances that befell activists during the New Order era. These activists were arrested without any clear legal process and taken to an unknown place by their families and friends. As a result of this enforced disappearance, some of them experienced torture and even death. This case of enforced disappearance has become a very controversial issue because it concerns human rights and justice. Even though Indonesia has changed eras, cases of human rights violations still occur today. Therefore, the government must improve the legal system and ensure that cases of human rights violations do not occur again in the future ²⁸. One

²⁷ Arifin And Lestari, "Penegakan Dan Perlindungan Hak Asasi Manusia Di Indonesia Dalam Konteks Implementasi Sila Kemanusiaan Yang Adil Dan Beradab."

²⁸ Iblam School Of Law, "Perlindungan Hak Asasi Manusia Dalam Hukum Indonesia," 2023, <https://Iblam.Ac.Id/2023/05/10/Perlindungan-Hak-Asasi-Manusia-Dalam-Hukum-Indonesia/>.

solution to prevent cases of human rights violations in the future is to strengthen the institutions tasked with protecting human rights, such as the National Human Rights Commission and human rights courts. In addition, the government must ensure that human rights are recognized and protected by law and that there is no discrimination in providing these rights.

In modern times like now, Indonesia has experienced significant developments in terms of protecting human rights. Even though human rights violations still occur in several areas, the government continues to strive to improve the legal system and increase public awareness of the importance of protecting human rights. Therefore, the younger generation must become agents of change and contribute to maintaining the continuity and balance of rights between individuals and the state. As one of the best law schools in Jakarta, STIH IBLAM plays an active role in producing young people who have a good understanding of human rights and the legal system in Indonesia. Through the Undergraduate and Postgraduate Legal Education programs, STIH IBLAM is committed to producing graduates who are able to make real contributions in protecting human rights and improving the quality of the legal system in Indonesia.

One solution to prevent cases of human rights violations in the future is to strengthen the institutions tasked with protecting human rights, such as the National Human Rights Commission and human rights courts. In addition, the government must ensure that human rights are recognized and protected by law and that there is no discrimination in providing these rights.

4. Conclusions

Pancasila and Human Rights (HAM) in Indonesia have a very close relationship. Pancasila reflects human rights values and is a philosophical framework for understanding and protecting human rights in Indonesia. Pancasila strongly emphasizes the values of humanism, solidarity and social justice in accordance with the basic principles of human rights. Pancasila further emphasizes that the protection of human rights in Indonesia is a joint responsibility between the government and society, emphasizing that everyone has the same rights and responsibilities to respect and protect these rights. This ensures the protection and understanding of human rights in Indonesia is in line with the values of Pancasila which ultimately prioritizes justice, equality and just and civilized humanity. In Pancasila democracy, protecting human rights is the main responsibility of the Indonesian state. By strengthening law enforcement, fair application of laws and active participation of all society, Indonesia can ensure that the rights of every citizen are guaranteed and respected in accordance with the democratic principles of Pancasila.

5. Acknowledgments

I would like to thank the lecturers at law doctoral program faculty of law Universitas Jember and fellow students class of 2023 and my beloved family for their support during the process of artickel this.

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