



The Structure of Criminal Judges' Legal Reasoning from the Philosophical Foundation of the First Principle of Pancasila

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Abstract. Criminal judges' legal reasoning determines how legal norms are connected to proven facts and how judicial decisions are justified. In Indonesia, this reasoning cannot be separated from Pancasila as the philosophical foundation of the state. This study analyzes the structure of criminal judges' legal reasoning from the perspective of the first principle of Pancasila, Belief in the One and Only God, and examines how divine values can function within judicial consideration without replacing positive law. The study employs normative juridical research using statutory, conceptual, philosophical, and case approaches. Legal materials are analyzed qualitatively through legal interpretation and argumentation. The analysis identifies a sequential reasoning structure comprising the identification of legal facts and issues, selection and interpretation of relevant norms, connection of norms to facts, assessment of evidence, evaluation of criminal responsibility, formulation of legal arguments, and determination of the decision. The first principle operates as a moral-philosophical foundation that reinforces honesty, integrity, impartiality, responsibility, proportionality, judicial independence, and respect for human dignity. The study proposes a three-layer model of judicial reasoning consisting of legal, rational, and moral-philosophical layers. This model clarifies that Pancasila-based reasoning should strengthen, rather than substitute, legality, evidence, and accountable judicial argumentation.

Keywords: criminal judges; judicial power; legal reasoning; Pancasila; philosophical foundation

1. INTRODUCTION

Criminal adjudication directly affects fundamental rights because a judicial decision may determine guilt, liberty, punishment, and the legal status of an accused person. For this reason, a criminal judgment cannot be understood as the mechanical application of statutory provisions. Judges must identify legally relevant facts, assess evidence, select and interpret applicable norms, evaluate criminal responsibility, and justify why the resulting conclusion follows from the law and the proven circumstances of the case. This intellectual process constitutes legal reasoning and forms the argumentative core of a judicial decision.

Legal reasoning becomes particularly significant in criminal cases because errors in fact-finding, interpretation, or argumentation can lead to unjust deprivation of liberty. Judicial independence therefore requires more than freedom from external intervention. It also requires intellectual discipline, integrity, objectivity, and accountability. Contemporary Indonesian scholarship has emphasized the centrality of legal reasoning in judicial decision-making and legal discovery, including in environmental, religious, constitutional, and civil adjudication (Jiwanti & Soponyono, 2022; Purnama et al., 2023; Khalid et al., 2024; Indriastuti & Handayani, 2025). These studies demonstrate that the quality of a decision depends not only on its conclusion but also on the reasoning that connects facts, norms, and values.

In Indonesia, judicial reasoning operates within a constitutional and philosophical order grounded in Pancasila. Pancasila is not merely a political symbol but a source of value orientation for the formation and implementation of national law (Daullah et al., 2022; Ginting et al., 2022; Wounde et al., 2023). This position means that law should not be reduced to a set of technical commands detached from justice, humanity, morality, and the social purposes of adjudication. Recent studies similarly underline the relevance of Pancasila values to judicial institutions, human rights, and the reasoning of judges (Sujatmiko et al., 2024; Saragih et al., 2024; Susilo & Kamali, 2026).

The first principle of Pancasila, Belief in the One and Only God, has particular philosophical significance for the exercise of judicial power. Its relevance should not be understood as authorizing judges to replace positive law with personal religious belief. Rather, the first principle provides a moral orientation that requires the exercise of state power to be accompanied by honesty, integrity, responsibility, impartiality, restraint, and respect for human dignity. In this sense, divine values function as an ethical foundation for the judge as a holder of public authority whose decisions have concrete consequences for defendants, victims, families, and society.

A doctrinal problem nevertheless remains. The relationship between the first principle and the actual structure of judicial reasoning is frequently stated at a normative level but is rarely operationalized. If the first principle is only displayed symbolically in the heading of a judgment, its philosophical function remains unclear. Conversely, if it is invoked without methodological limits, it risks being confused with subjective belief. The crucial question is therefore how divine values can be incorporated into judicial reasoning while preserving legality, evidentiary standards, rational argumentation, and judicial independence.

Previous studies have examined Pancasila as a source of law, the application of Pancasila values in judicial decisions, legal reasoning in particular case types, and the relationship between legal reasoning and legal discovery (Daullah et al., 2022; Harahap et al., 2024; Nugraha et al., 2024; Indriastuti & Handayani, 2025). However, the literature has not sufficiently formulated a structured model explaining where the philosophical values of the first principle operate within the sequential reasoning of criminal judges. This is the research gap addressed by the present study.

Accordingly, this study aims to analyze the structure of criminal judges' legal reasoning from the philosophical perspective of the first principle of Pancasila and to explain how the value of Belief in the One and Only God can function as a moral-philosophical layer within legally accountable decision-making. The novelty of the study lies in its formulation of a three-

layer model of judicial reasoning consisting of a legal layer, a rational-argumentative layer, and a moral-philosophical layer. The model positions the first principle as an ethical orientation that strengthens the responsible use of judicial authority without displacing positive law or evidence.

2. THEORETICAL REVIEW

2.1. Legal Reasoning Theory

Legal reasoning is the structured process through which legal decision-makers identify relevant facts, formulate legal issues, select applicable norms, interpret those norms, connect them to facts, and justify a legal conclusion. In straightforward cases, the process may resemble deductive syllogism: a legal rule functions as the major premise, proven facts as the minor premise, and the judgment as the conclusion. In complex cases, however, judges must resolve ambiguity, choose among competing norms or interpretations, evaluate conflicting evidence, and explain why one legal construction is preferable to another.

The importance of legal reasoning is therefore epistemic and institutional. Epistemically, it disciplines the movement from evidence to conclusion. Institutionally, it enables litigants, appellate courts, and the public to evaluate whether judicial authority has been exercised rationally and consistently. Studies of Indonesian adjudication confirm that legal reasoning plays an essential role in *rechtsvinding* and in the justification of decisions across different fields of law (Purnama et al., 2023; Khalid et al., 2024; Ibrahim, 2025; Indriastuti & Handayani, 2025).

2.2. Judges and Judicial Power

Judges occupy a central position in the exercise of judicial power because they transform general legal norms into binding decisions for concrete cases. Judicial independence protects this function from improper external influence, but independence does not create unlimited discretion. Judicial freedom remains bounded by law, evidence, procedural fairness, professional ethics, and the obligation to provide reasons.

In criminal cases, these constraints are especially important because the state may restrict individual liberty. A judge must therefore assess evidence objectively, protect the procedural rights of the accused, consider the interests of victims and society, and ensure that punishment is legally justified. Independence and accountability should be understood as complementary principles rather than competing values.

2.3. Pancasila as the Philosophical Foundation of Indonesian Law

Pancasila functions as the philosophical foundation and value orientation of the Indonesian legal system. Scholarship on Indonesian legal philosophy consistently places Pancasila as a source of normative direction for legislation and law enforcement (Daullah et al., 2022; Ginting et al., 2022; Wounde et al., 2023). Its function is not to eliminate doctrinal legal analysis but to ensure that law remains connected to humanity, justice, social responsibility, and the constitutional identity of the state.

This philosophical position is relevant to judicial reasoning because the judicial function routinely requires judges to reconcile legal certainty, justice, and utility. Pancasila provides a value framework for this reconciliation. Research on judicial decisions has shown continuing efforts to interpret Pancasila values as substantive standards within the Indonesian justice system (Sujatmiko et al., 2024; Saragih et al., 2024).

2.4. Philosophical Meaning of the First Principle of Pancasila

The first principle, Belief in the One and Only God, recognizes the moral and spiritual dimension of Indonesian public life. In judicial power, this principle may be understood as an ethical reminder that legal authority carries moral responsibility. Judges decide matters that can alter liberty, property, reputation, family life, and social status. Consequently, the exercise of judicial power demands honesty, integrity, impartiality, responsibility, self-restraint, and respect for human dignity.

The first principle must nevertheless be distinguished from the personal religious convictions of individual judges. Its legal-philosophical relevance lies in the ethical quality of decision-making, not in the substitution of religious doctrine for statutory law. This distinction is essential to preserve equality before the law and rationally reviewable judicial reasoning.

2.5. Justice and Human Dignity in Criminal Law

Justice in criminal law concerns the defendant, the victim, and society. A legally valid decision must therefore also be proportionate, procedurally fair, and respectful of human dignity. This does not require leniency toward offenders. It requires punishment and criminal responsibility to be justified through reasons that remain connected to the circumstances of the offense and the person before the court.

A Pancasila-oriented approach strengthens this humanistic dimension by treating the defendant as a legal subject who retains dignity even after guilt is established. The role of moral-philosophical values is thus to discipline the exercise of punitive power, not to weaken the authority of criminal law.

3. METHODS

This study uses normative juridical research because its object concerns legal norms, principles of judicial power, theories of legal reasoning, and the philosophical position of Pancasila in criminal adjudication. The research does not measure judicial behavior statistically; instead, it reconstructs the normative and conceptual structure through which legal reasoning should operate.

Four approaches are employed. First, the statutory approach examines constitutional and statutory provisions relevant to Pancasila, judicial power, criminal law, judges' obligations, and the structure of criminal decisions. Second, the conceptual approach examines legal reasoning, legal interpretation, legal construction, justice, judicial independence, legal morality, and human dignity. Third, the philosophical approach analyzes the meaning of the first principle of Pancasila and its normative relevance to the responsible exercise of judicial authority. Fourth, the case approach is used conceptually to understand how judicial considerations connect facts, evidence, norms, arguments, criminal responsibility, and conclusions in criminal judgments.

The legal materials consist of primary, secondary, and tertiary materials. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, legislation concerning judicial power, and relevant criminal-law provisions. Secondary materials include peer-reviewed journal articles, academic works, and legal-philosophy literature contained in the study's reference base. Tertiary materials assist in clarifying legal terminology and concepts.

Analysis is conducted qualitatively through legal interpretation and legal argumentation. The analytical procedure consists of four stages: mapping the sequential elements of criminal judicial reasoning; identifying the philosophical attributes associated with the first principle; examining the boundary between moral orientation and positive-law reasoning; and synthesizing these elements into a three-layer model of legal, rational-argumentative, and moral-philosophical reasoning. This procedure is used to ensure that the proposed model remains conceptually consistent with legality and judicial accountability.

4. RESULT AND DISCUSSION

4.1. Basic Structure of Criminal Judges' Legal Reasoning

The analysis shows that criminal judicial reasoning develops through a sequence of interconnected stages rather than a single act of applying an article. The first stage is the identification of legal facts. Information presented in court becomes legally relevant only when

it is supported by admissible evidence and connected to an issue that must be decided. The second stage is the formulation of legal issues, including whether the proven conduct satisfies the elements of an offense, whether criminal responsibility can be attributed to the defendant, and whether any justification or excuse applies.

The third stage is the identification of relevant legal norms. The fourth is interpretation, which becomes necessary when statutory language is general, ambiguous, or must be harmonized with other provisions. The fifth stage connects the interpreted norm to the proven facts. The sixth stage assesses culpability and criminal responsibility. The seventh formulates the legal argument that explains the relationship among facts, evidence, norms, and evaluative considerations. The final stage determines the judgment and, where guilt is established, the appropriate legal consequence.

This sequence confirms the significance of legal reasoning identified in recent Indonesian studies. Legal reasoning is not merely the final explanation added to a decision but the method through which judges justify the transition from evidentiary findings to legal consequences (Jiwanti & Soponyono, 2022; Harahap et al., 2024; Indriastuti & Handayani, 2025).

4.2. The First Principle of Pancasila as a Moral Basis for Judicial Reasoning

The first principle contributes a moral dimension to judicial authority. Its role is not to generate a separate rule of decision but to shape the ethical conditions under which legal power is exercised. A judge who controls another person's liberty must act with honesty, caution, impartiality, responsibility, and respect for human dignity. These values determine the quality of the reasoning process even when the applicable statutory rule remains unchanged.

This interpretation is consistent with scholarship that places Pancasila values within the formation and implementation of Indonesian law (Daullah et al., 2022; Ginting et al., 2022; Sujatmiko et al., 2024). The first principle therefore operates internally as a moral standard for the judge and institutionally as part of the philosophical legitimacy of judicial power.

4.3. The Relationship among God, Law, and Judicial Conscience

The relationship between divine values and judicial conscience requires conceptual limits. Conscience cannot function as a substitute for law because decisions based solely on personal feeling would be difficult to review and could undermine equality. Judicial conscience is legally meaningful only when it operates together with evidence, statutory norms, accepted methods of interpretation, logic, and principles of justice.

Within these limits, conscience performs a supervisory moral function. It reminds judges to question whether the evidentiary assessment is honest, whether an interpretation is being selected for legally defensible reasons, whether the defendant and victim are being treated with dignity, and whether punishment remains proportionate. Thus, the first principle strengthens the moral responsibility associated with reasoning without authorizing subjectivity.

4.4. The First Principle and Judicial Independence

Judicial independence has both external and internal dimensions. External independence concerns freedom from political, economic, institutional, or social interference. Internal independence concerns the judge's ability to resist personal interest, prejudice, emotional pressure, relationships, and other influences that may distort assessment. Both dimensions are necessary for reliable legal reasoning.

The first principle can reinforce this independence by framing judicial office as a responsibility rather than a privilege. A judge who understands authority as a moral trust has an additional ethical reason to resist external intervention and internal bias. This philosophical orientation complements rather than replaces institutional safeguards for judicial independence.

4.5. Judicial Reasoning between Legal Certainty and Justice

Legal certainty is indispensable because criminal law restricts state power and provides citizens with predictable standards. Yet a purely mechanical application of legal text can fail to address the factual and moral complexity of individual cases. Judicial reasoning must therefore connect certainty with justice and utility through transparent argumentation.

Pancasila provides a value orientation for this balancing process. Although the present study focuses on the first principle, the moral orientation of divinity cannot be completely separated from the second principle's emphasis on humanity and the fifth principle's orientation toward social justice. The relevant implication is that Pancasila-based reasoning is systemic: divine values guide the ethical exercise of power while the broader Pancasila framework directs that power toward humane and socially just outcomes.

4.6. Indicators of Divine Values in Criminal Judicial Consideration

Divine values do not need to appear in a judgment through religious quotations. Their legal relevance is better identified through observable qualities of the judicial process. Five indicators emerge from the analysis: honesty in identifying facts; objectivity in evaluating evidence; respect for the dignity of the accused, victim, and other parties; proportionality in the determination of criminal consequences; and moral responsibility for the real-world effects of

the decision. These indicators translate the first principle from an abstract philosophical statement into standards that can inform judicial conduct without displacing positive law.

4.7. Judges' Legal Reasoning from a Humanistic Perspective

Humanistic judicial reasoning does not mean reducing accountability or treating criminal offenders leniently. It means recognizing that criminal law is applied to human beings whose rights and dignity remain legally relevant even when guilt is established. Punishment should therefore be imposed because it is legally justified and necessary, not merely because the state possesses punitive power.

This orientation corresponds with the broader philosophical role of Pancasila in ensuring that legal enforcement remains connected to humanity and justice. The first principle strengthens the judge's awareness of moral responsibility, while legal norms and evidence continue to determine the permissible boundaries of the decision.

4.8. A Three-Layer Model of Judicial Legal Reasoning Based on the First Principle

The principal conceptual contribution of this study is a three-layer model of criminal judicial reasoning. The first layer is legal. It consists of positive law, legally established facts, evidentiary standards, procedural requirements, and rules of criminal responsibility. The second layer is rational-argumentative. It consists of logic, interpretation, legal construction, evaluation of competing arguments, and the explicit reasons connecting facts to legal conclusions. The third layer is moral-philosophical. It consists of the values of Pancasila, particularly the first principle, which orient the use of judicial authority toward honesty, integrity, responsibility, impartiality, proportionality, and human dignity.

The layers are complementary but not interchangeable. The moral-philosophical layer cannot cure the absence of evidence or authorize a decision contrary to law. The rational layer cannot legitimately manipulate facts or conceal normative choices. The legal layer, meanwhile, requires interpretation and argumentation when norms are uncertain or facts are contested. A legitimate criminal judgment therefore emerges when all three layers operate coherently. This model develops recent discussions of Pancasila-based judicial reasoning by specifying the location and function of philosophical values within the structure of adjudication (Sujatmiko et al., 2024; Saragih et al., 2024; Susilo & Kamali, 2026).



Figure 1. Model of the Structure of Judicial Legal Reasoning Based on the First Principle of Pancasila

Figure 1 visualizes the conceptual relationship among the legal, rational-argumentative, and moral-philosophical dimensions developed in this study. The model should be read hierarchically only in an analytical sense; in actual adjudication, the three dimensions interact throughout the reasoning process.

5. CONCLUSION

This study concludes that criminal judges' legal reasoning is a structured process that moves from the identification of legally relevant facts and issues to the selection and interpretation of norms, evaluation of evidence, assessment of criminal responsibility, formulation of arguments, and determination of the decision. In the Indonesian legal system, this process operates within the philosophical framework of Pancasila. The first principle, Belief in the One and Only God, does not replace positive law or authorize judges to decide cases according to personal religious belief. Its role is to provide a moral-philosophical orientation that reinforces honesty, integrity, impartiality, responsibility, proportionality, independence, and respect for human dignity. The study's principal contribution is the three-layer model of judicial reasoning. The legal layer secures legality, evidence, and procedural discipline; the rational-argumentative layer ensures logical and reviewable justification; and the moral-philosophical layer directs the ethical use of judicial power. A criminal decision gains stronger legitimacy when these layers operate coherently rather than when Pancasila is invoked only symbolically. Judicial education and professional development should therefore strengthen training in legal philosophy, legal argumentation, and Pancasila values alongside doctrinal criminal law. Criminal judgments should present a clearer argumentative chain connecting facts, evidence, norms, responsibility, and conclusions so that judicial reasoning can be reviewed by litigants, appellate courts, and the public. Future research should test the proposed three-layer model empirically through systematic analysis of criminal judgments and interviews with judges. Such research can assess how Pancasila values are actually articulated, whether they influence interpretive choices or sentencing reasoning, and whether their use strengthens consistency and accountability. The limitation of the present study is its normative design, which develops a conceptual model but does not measure its application across decided cases.

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