

Transformation of Divine Values Based on Pancasila in the Formation of Non-Ministerial Government Institutions for Religious Harmony in Indonesia

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Abstract

The value of Divinity serves as a fundamental basis for the formation of law in Indonesia, grounded in Pancasila, as reflected in the inclusion of the phrase “By the Grace of Almighty God” in every statutory regulation. The issues examined include the meaning and existence of Divine values in the formation of law in Indonesia from the perspective of modern natural law theory, as well as the relevance of the phrase “By the Grace of Almighty God” in the Constitutional Court Decision Number 2-3/PUU-V/2007 reviewed from the perspectives of *das sollen* and *das sein*. This research employs a normative juridical method, drawing on conceptual, philosophical, and statutory approaches, and is descriptive-analytical in nature. Primary and secondary legal materials were collected through a literature review and analyzed qualitatively, using both deductive and inductive reasoning, to examine the relationship between Divine values, modern natural law theory, and the practice of law-making and judicial review in Indonesia. The results of the study indicate that Divine values, from the perspective of modern natural law theory, serve as the highest moral source

and the ethical legitimacy of law, directing law not only toward formal certainty but also toward substantive justice, humanitarian values, and universal truth. Their existence is reflected in the phrase “By the Grace of Almighty God,” which functions as a philosophical foundation, a limitation on state power, and an ethical compass in the formation of law. Meanwhile, the relevance of this phrase in the Constitutional Court Decision demonstrates a duality between *das sollen* and *das sein*, where ideally Divine values lead to the protection of the right to life and humanity, yet in practice they are interpreted as moral legitimacy to justify the death penalty in order to protect the broader interests of society. Thus, Divine values within the Indonesian legal system are dynamic and contextual, and have not yet been consistently and fully implemented in law enforcement practices.

Keywords

Divine Values, Pancasila, Non-Ministerial Government Institutions, Religious Harmony.

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Introduction

Indonesia, as a state based on the rule of law (Pancasila), places the value of divinity as the fundamental basis for the formation of national law. This is explicitly reflected in the first principle of Pancasila, namely “Belief in the One and Only God,” which is not only interpreted as a moral and spiritual principle of the nation, but also as a source of values in state administration, including in the formation of legislation. One concrete manifestation of this value is the inclusion of the phrase “With the Grace of God Almighty” in the preamble or *irah-irah* of every law in Indonesia. The existence of this phrase indicates that Indonesian national law is not built solely on positivistic rationality, but also contains a philosophical and transcendental dimension that grounds the moral legitimacy of legal formation in the value of divinity¹.

In the context of Indonesia’s pluralistic society, the value of Divinity in Pancasila holds a strategic position as a moral and philosophical foundation in maintaining national unity. Indonesia, as a country comprising diverse religions, ethnicities, cultures, and social groups, requires a constitutional system capable of ensuring a harmonious, tolerant interfaith life. Therefore, the first principle of Pancasila, namely “Belief in the One and Only God,” is not only understood as the spiritual foundation of the nation but also serves as an ethical guideline in the formulation of state policies and institutions related to society’s religious life².

The phrase “With the Grace of Almighty God” is not only understood as a formal administrative phrase in the technique of drafting legislation, but also contains philosophical meaning regarding the relationship between law, morality, and divine values in the Indonesian legal system³. From a certain perspective, this phrase is seen as a fundamental requirement for the birth of the legitimacy of a legislation.

¹ Ananda B Kusuma, *Lahirnya Undang-Undang Dasar 1945: Memuat Salinan Dokumen Otentik Badan Oentock Menyelidiki Oesaba2 Persiapan Kemerdekaan* (Badan Penerbit, Fakultas Hukum, Universitas Indonesia, 2004).

² Yudi Latif, *Negara Paripurna: Historisitas, Rasionalitas, Dan Aktualitas Pancasila* (Gramedia Pustaka Utama, 2011).

³ Komaruddin Hidayat, *Agama Masa Depan: Perspektif Filsafat Perennial* (Gramedia Pustaka Utama, 2003).

This means that the existence of the divine element is considered to provide an ethical and moral basis for the validity of a legal norm. In fact, there is a view that states that without the inclusion of this phrase, a regulation can lose its philosophical legitimacy and potentially be considered legally flawed. This condition shows that the formation of law in Indonesia cannot be separated from divine values as the soul that animates the national legal system⁴.

Historically, the principle of God in the Indonesian state system is rooted in the agreement of the nation's founders at the Preparatory Committee for Indonesian Independence (PPKI) session on August 18, 1945⁵. The formulation of the principle "Belief in the One and Only God" was the result of a political and national compromise to maintain Indonesia's unity, despite its diverse religions, ethnicities, and cultures⁶. Through this compromise, Indonesia was affirmed as neither a religious nor a secular state, but rather a Pancasila state that places God's value as the basis of national and state life⁷. Therefore, the existence of the phrase "With the Grace of God Almighty" in legislation is truly a constitutional representation of the spirit of the nation's founders in placing the value of God as the philosophical foundation of national law⁸.

As an implementation of Divine values within Pancasila, the state establishes various governmental and supporting institutions that function to maintain social stability and strengthen religious harmony. The establishment of non-ministerial government institutions related to the development of Pancasila ideology, religious moderation, and social harmonization represents a concrete transformation of Divine values within the Indonesian constitutional system. The existence of these institutions demonstrates that Divine values do not merely remain philosophical norms but are also manifested in state institutions that

⁴ Bartolomeus Samho et al., *Pancasila Kekuatan Pembebas* (Kanisius, 2012).

⁵ Jeremy Bentham, Derta Sri Wulandari, and Nurhadi, *Teori Perundang-Undangan: Prinsip-Prinsip Legislasi, Hukum Perdata Dan Hukum Pidana* (Nuansa, 2010).

⁶ Ali Masyhar et al., "Legal Challenges of Combating International Cyberterrorism: The NCB Interpol Indonesia and Global Cooperation," *Legality: Jurnal Ilmiah Hukum* 31, no. 2 (2023), <https://doi.org/10.22219/ljih.v31i2.29668>.

⁷ Frans Magnis Suseno, *Pemikiran Karl Marx: Dari Sosialisme Utopis Ke Perselisihan Revisionisme (2025)* (Gramedia Pustaka Utama, 2026).

⁸ John Rawls, "A Theory of Justice" (Cambridge: Harvard University Press, 1971).

function to preserve tolerance, prevent religion-based social conflicts, and strengthen national integration⁹.

On the other hand, Pancasila, as the source of all state laws, means that every legislative act must reflect the values of Indonesian society¹⁰. As staatsfundamentalnorn, Pancasila is not only the ideological basis of the state, but also the legal ideals (*rechtsidee*) that animate the entire national legal system¹¹. Thus, every legal norm must reflect the spirit of the nation (*Volksgeist*), including the value of God as the moral and philosophical foundation of law. This aligns with the concept of legislative formation, which requires a philosophical, sociological, and juridical foundation for every legal product¹². In this context, the phrase “With the Grace of God Almighty” occupies an important position as *irah-irah*, serving as the philosophical foundation of legislation.

From the perspective of the Pancasila-based rule of law, the establishment of non-ministerial government institutions related to religious harmony is essentially part of the state’s effort to integrate moral, legal, and social interests in national and state life¹³. The state is not only tasked with creating legal certainty, but is also obliged to realize social justice, order, and a harmonious society¹⁴. Therefore, the transformation of Divine values in the formation of state institutions is important to study in order to understand the extent to which Pancasila values are implemented in the practice of Indonesia’s modern

⁹ Teguh Prasetyo, *Sistem Hukum Pancasila: Sistem, Sistem Hukum, Dan Pembentukan Peraturan Perundang-Undangan Di Indonesia: Perspektif Teori Keadilan Bermartabat* (Nusamedia, 2016).

¹⁰ Diandra Preludio Ramada and Indah Sri Utari, “Unveiling the Surge in Corruption: A Menacing Threat to Indonesia’s Stability in Anti-Corruption Law Reform,” *Journal of Law and Legal Reform* 5, no. 1 (2024), <https://doi.org/10.15294/jllr.vol5i1.2092>.

¹¹ Bagir Manan, *Dasar-Dasar Perundang-Undangan Indonesia* (Ind-Hill-Company, 1992).

¹² Jimly Asshiddiqie, “Pokok-Pokok Hukum Tata Negara Indonesia Pasca Reformasi,” (*No Title*), 2007.

¹³ B Hestu and Cipto Handoyo, “Prinsip-Prinsip Legal Drafting Dan Desain Naskah Akademik,” *Universitas Atma Jaya, Yogyakarta*, 2008.

¹⁴ A Hamid S Attamimi, *Peranan Keputusan Presiden Republik Indonesia Dalam Penyelenggaraan Pemerintahan Negara: Suatu Studi Analisis Mengenai Keputusan Presiden Yang Berfungsi Pengaturan Dalam Kurun Waktu Pelita I-Pelita IV* (Fakultas Pascasarjana, Universitas Indonesia, 1990).

constitutional system¹⁵.

In the Indonesian constitutional system, the transformation of Divine Values is not limited to legal norms and constitutional principles¹⁶. These values are also institutionalized through the establishment of non-ministerial government institutions and supporting bodies that help maintain religious harmony, strengthen tolerance, and prevent social conflicts rooted in religious differences. Such institutions serve as an important bridge between constitutional ideals and practical governance in a pluralistic society.

The establishment of institutions concerned with ideological development, social cohesion, religious moderation, and conflict prevention demonstrates that Divine Values are translated into concrete governmental functions. This institutional approach reflects the State's commitment to ensuring that the first principle of Pancasila is implemented not merely as a philosophical doctrine but as a guiding principle for public administration and national integration. Therefore, the existence of these institutions represents a tangible manifestation of the State's responsibility to preserve harmony among diverse religious communities¹⁷.

Previous studies have generally focused on Divine Values as philosophical foundations of legislation, constitutional interpretation, or legal development¹⁸. However, limited attention has been given to how these values are transformed into institutional structures that operate within the framework of government administration¹⁹. This study, therefore, offers a different perspective by examining the transformation of Pancasila-based Divine Values into the formation of non-ministerial government institutions that contribute to religious

¹⁵ Arfa'i Arfa'i, Bahder Johan Nasution, and Febrian Febrian, "Aktualisasi Pancasila Sebagai Sumber Hukum Dalam Pembentukan Undang-Undang," *Undang: Jurnal Hukum* 3, no. 2 (2020): 377–407.

¹⁶ Aidul Fitriciada Azhari, "KEDUDUKAN PIAGAMAN JAKARTA: Tinjauan Hukum Ketatanegaraan," *Profetika, Jurnal Studi Islam* 1 (2017).

¹⁷ Latif, *Negara Paripurna: Historisitas, Rasionalitas, Dan Aktualitas Pancasila*.

¹⁸ Latif.

¹⁹ Indah Sri Utari et al., "Legal Protection for Child Sexual Violence Victims: Victimology Perspectives, Challenges, and Policy Solutions in Asia," *Jurnal Suara Hukum* 8, no. 1 (2026), <https://doi.org/10.26740/jsh.v8n1.p40-77>.

harmony in Indonesia. The novelty of this research lies in its institutional approach, which emphasizes the practical realization of Divine Values through state institutions rather than merely through legal norms.

Based on the above background, this research aims to analyze how Pancasila-based Divine Values are transformed into the formation of non-ministerial government institutions and to examine the role of these institutions in promoting religious harmony, tolerance, and national integration within Indonesia's constitutional system.

Unlike previous studies that generally discuss Divine Values in legislation or constitutional interpretation, this study specifically examines how Pancasila-based Divine Values are transformed into institutional structures through the establishment of non-ministerial government institutions that support religious harmony in Indonesia. The novelty of this research lies in its analysis of institutional transformation, demonstrating that Divine Values are not only manifested in legal norms but are also operationalized through state institutions responsible for maintaining religious tolerance, social cohesion, and national integration within a pluralistic society.

Accordingly, the research questions addressed in this study are: How are Pancasila-based Divine Values transformed into the formation of non-ministerial government institutions in Indonesia? Moreover, what role do non-ministerial government institutions play in implementing Divine Values to strengthen religious harmony and social integration in Indonesia?

This research is a normative juridical study that examines legal norms, principles, and doctrines related to the transformation of Pancasila's Divine values in the formation of non-ministerial government institutions for religious harmony in Indonesia²⁰. The focus of this research is to analyze Divine values as a philosophical foundation for the formation of state institutions related to religious life and social harmonization within Indonesian society.

This study employs a conceptual, philosophical, and statutory approach to analyze the relationship among Divine values, Pancasila, and the formation of non-ministerial government institutions within

²⁰ Abdulkadir Muhammad, "Hukum Dan Penelitian Hukum (Abdulkadir Muhammad, Ed.)," *Citra Aditya Bakti*, 2004.

Indonesia's constitutional system. These approaches are used to examine the extent to which Divine values in Pancasila are not only understood as philosophical norms but also implemented in the establishment of state institutions that function to maintain religious harmony, tolerance, and national integration²¹.

The specification of this research is descriptive-analytical. The study aims to systematically describe and analyze the implementation of Divine Values within Indonesia's constitutional framework through the establishment of non-ministerial government institutions. The legal materials used include primary sources, such as the 1945 Constitution of the Republic of Indonesia, Law Number 39 of 2008 concerning State Ministries, and other relevant regulations governing state institutions and policies related to religious harmony. Secondary legal materials include books, scientific journals, legal doctrines, and previous studies concerning Pancasila, constitutional law, religious harmony, and institutional governance²².

Legal materials were collected through library research and analyzed qualitatively using deductive and inductive reasoning²³. The analysis focuses on identifying the transformation of Divine Values into institutional structures and evaluating the role of non-ministerial government institutions in maintaining religious harmony as part of the characteristics of the Pancasila-based rule of law state²⁴.

In addition, an institutional analysis was conducted to examine the functions, objectives, and constitutional foundations of non-ministerial government institutions related to religious harmony. This analysis is intended to assess the extent to which Divine Values are reflected in institutional mandates, governance practices, and public policies aimed at strengthening interreligious tolerance and social integration. The research

²¹ Peter Mahmud Marzuki, "Penelitian Hukum," *Jakarta: Kencana Prenada Media* 55 (2005).

²² Soerjono Soekanto and Sri Mamudji, "Penelitian Hukum Normatif Tinjauan Singkat," *Jakarta: Rajawali Pers*, 2006.

²³ Indah Sri Utari et al., "A Criminological Perspective on Corruption as a Catalyst of Economic Breakdown: Socio-Legal Challenges in Indonesian Environmental Governance," *Jambe Law Journal* 9, no. 1 (2026): 205–47, <https://doi.org/10.22437/jmj4ac47>.

²⁴ Mahmud Marzuki, "Penelitian Hukum."

specification is descriptive-analytical, aiming to systematically describe the concepts, principles, and practices for implementing Divine values within the Indonesian legal system²⁵. All of these legal materials were collected through library research and analyzed using a qualitative, normative method that employed both deductive and inductive reasoning.

A. The Meaning of Pancasila-Based Divine Values as the Foundation of State Institutions

The modern concept of natural law positions law as a set of universal values derived from morality, rationality, and the human values inherent in humans. Unlike the legal positivist view, which treats law solely as a product of state power, modern natural law theory emphasizes that law is not assessed solely from a formal legal perspective but also from a moral and substantive justice perspective. In this perspective, law is understood as an instrument for realizing justice derived from universal values inherent in human nature²⁶. Therefore, law cannot be separated from morality because the two are inherently and interconnected. Good law is not only procedurally valid law, but also law that reflects ethical values, justice, and humanity²⁷. Thus, modern natural law theory places morality as the primary foundation in the formation and implementation of positive law in a country²⁸.

The relationship between modern natural law and legal morality is evident in the view that positive law must be tested ethically to determine whether its norms truly reflect justice. From a modern natural law perspective, a statutory regulation must not only meet the formal requirements for legal formation but also embody moral values alive in society. Therefore, morality serves as an ethical compass for positive law,

²⁵ Soekanto and Mamudji, "Penelitian Hukum Normatif Tinjauan Singkat."

²⁶ Sofi Rahma Dewi, "Relasi Hukum Dan Moral Dalam Sistem Penegakan Etika Penyelenggara Pemilihan Umum Di Indonesia," *Acta Law Journal* 1, no. 1 (2022), <https://doi.org/10.32734/alj.v1i1.9898>.

²⁷ Endang Sutrisno, "Relations between Legal Culture and Economic Empowerment among Marginalized Group of Farmers," *Journal of Legal, Ethical and Regulatory Issues* 22, no. 3 (2019).

²⁸ Lili Rasjidi, "Dasar-Dasar Filsafat Hukum," 2004.

ensuring it does not become a mere tool of power. Laws that conflict with moral values and justice are seen as losing their substantive legitimacy, even if formally established according to procedures. This concept demonstrates that law and morality have an inseparable integration (inseparability). Thus, the existence of law must always be directed towards protecting humanitarian values, human rights, and social justice as manifestations of universal morality²⁹.

In the context of a modern state, the principles of modern natural law influence the development of both international and national law, particularly in the protection of human rights, the right to life, procedural justice, and the prohibition of arbitrary state action. These principles demonstrate that modern law still requires a moral foundation to maintain its just orientation. Indonesia, as a state grounded in the rule of law and Pancasila, fundamentally adopts this relationship between law and morality. This is reflected in the first principle of Pancasila, namely “Belief in the One and Only God,” which holds that divinity serves as the ethical foundation of national and state life. In the formation of legislation, this value is embodied through the inclusion of the phrase “With the Grace of God Almighty” in each regulation’s preamble. The existence of this phrase demonstrates that Indonesian national law is not built solely on positivistic rationality, but also contains moral and spiritual dimensions as the basis for the legitimacy of legal formation.

From the perspective of modern natural law theory, the inclusion of the phrase “By the Grace of Almighty God” is not merely an administrative formality in legislative drafting, but rather a recognition that law must have a moral and transcendental foundation. This phrase demonstrates that the formation of law in Indonesia cannot be separated from the value of God as the source of national legal ethics and morals. The existence of this phrase also demonstrates that legal legitimacy cannot be based solely on the procedure for forming laws. However, it must also be based on moral values acceptable to human reason³⁰. Thus, this phrase reflects that the law in Indonesia obtains moral legitimacy through the

²⁹ Dewi, “Relasi Hukum Dan Moral Dalam Sistem Penegakan Etika Penyelenggara Pemilihan Umum Di Indonesia.”

³⁰ Satjipto Rahardjo, “Hukum Adat Dalam Kerangka Negara Kesatuan Republik Indonesia, Perspektif Sosiologi Hukum,” in *Inventarisasi Dan Perlindungan Hak Masyarakat Hukum Adat*, 2005.

recognition of Almighty God as the source of the values of justice and humanity³¹.

From another perspective, the phrase “By the Grace of Almighty God” can also be analyzed as a form of moral limitation on state power in the formation of law. Modern natural law theory fundamentally rejects the absolutism of state power, which reduces law to a political instrument of the ruler. Therefore, the presence of divine values in the formation of law serves as a reminder that state power must be exercised in accordance with moral principles and justice. The state cannot freely create laws that conflict with human values simply because it has constitutional authority. In this context, the phrase “Divine” serves an ethical function, acting as a moral check on lawmakers so that every legal product produced remains oriented towards substantive justice and the public good³².

From a legal perspective, the requirement to include the phrase “By the Grace of Almighty God” in laws and regulations demonstrates that the state constitutionally recognizes the moral and spiritual dimensions of the national legal system. This phrase is rooted in the third paragraph of the Preamble to the 1945 Constitution of the Republic of Indonesia, which affirms that Indonesia’s independence was obtained “by the grace of Almighty God,” and is further strengthened in Article 29 paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which states that the state is based on Belief in the One Almighty God. This provision was subsequently implemented through Law Number 12 of 2011 concerning the Formation of Legislation, which requires the inclusion of the phrase “Belief in God” in regulations. Hierarchically, this demonstrates that the value of Belief in God is the philosophical foundation that animates the entire Indonesian national legal system.

The phrase “With the Grace of Almighty God” in the Indonesian legal system also indicates that the formation of national law is not entirely value-neutral (value-free). From a modern natural law perspective, law always contains a certain value orientation that is the goal of law’s formation. Therefore, the inclusion of the phrase “Divinity” can be understood as an affirmation that Indonesian national law is grounded in the moral orientation and values of Divinity, which reside in society’s

³¹ Hilman Hadikusuma, “Bahasa Hukum Indonesia,” (*No Title*), 1984.

³² Andi M Asrun, “Krisis Peradilan: Mahkamah Agung Di Bawah Soeharto,” 2004.

collective consciousness. This also shows that law in Indonesia functions not only as an instrument of social regulation, but also as a means of establishing a civilized and moral order of life³³. Thus, the existence of this phrase indicates that the Indonesian legal system continues to maintain a close relationship among law, ethics, and spiritual values in the formation of legal norms.

On the other hand, the phrase “By the Grace of Almighty God” also reflects an effort to position law as a manifestation of the state’s moral responsibility towards society. In modern natural law theory, the state is viewed not only as an institution of power, but also as a moral institution obligated to realize justice and the general welfare. Therefore, every legal product created by the state must have an ethical orientation that supports the interests of society and human values. The inclusion of the phrase “Divinity” in the formation of law can be interpreted as a recognition that state power must be exercised responsibly and must not deviate from universal moral values³⁴. In other words, this phrase implies that the formation of law is not solely aimed at creating social order, but also at fostering justice grounded in divine and human values.

The phrase “By the Grace of Almighty God” also serves a symbolic and constitutional function in maintaining the moral legitimacy of the Pancasila state, grounded in the rule of law. The divine symbolism embedded in laws and regulations demonstrates the state’s recognition of the relationship between national law and the religious values prevalent in Indonesian society. In this context, the divine symbol is interpreted not only as a form of respect for religion but also as a representation of the collective moral values of the Indonesian nation. Therefore, this phrase plays a crucial role in establishing Indonesia’s constitutional identity as a state based on the rule of law that consistently embraces the spiritual dimension in the exercise of state power. This demonstrates that the formation of law in Indonesia possesses a unique philosophical character, integrating elements of legality, morality, and religiosity.

³³ Sunarjo Wreksosuhardjo, “Ilmu Pancasila Yuridis Kenegaraan Dan Ilmu Filsafat Pancasila,” 2001.

³⁴ Roeslan Saleh, *Penjabaran Pancasila Dan UUD 45 Dalam Perundang-Undangan* (Aksara Baru, 1979).

From the perspective of modern natural law theory, the inclusion of the phrase “Divinity” indicates a relationship between law and the concept of substantive justice. Law is not only understood as a rule that provides certainty, but also as a force that creates a sense of justice alive in society. Therefore, the presence of the phrase “With the Grace of Almighty God” can be interpreted as an affirmation that Indonesian national law must always be directed towards achieving justice grounded in moral and humanitarian values. The presence of the phrase “With the Grace of Almighty God” indicates that the formation of law in Indonesia is still influenced by the view that law serves an educational and moral function for society. In modern natural law theory, law not only aims to regulate human behavior through sanctions but also to shape society’s moral awareness of what is considered good, just, and right. Therefore, the inclusion of the phrase “Divinity” in legislation can be understood as the internalization of moral and spiritual values into national legal life. This phrase serves as a reminder that the law must be upheld in accordance with the values of Divinity, justice, and humanity. Thus, the phrase “With the Grace of Almighty God” not only has normative and philosophical meaning but also serves a moral function in building a legal culture in society grounded in ethical and religious values.

Based on the above explanation, it can be understood that the presence of the phrase “With the Grace of Almighty God” in the formation of law in Indonesia is a concrete manifestation of modern natural law theory, which grounds legal legitimacy in morality and divine values. This phrase demonstrates that Indonesian national law is not based solely on formal legality and the will of power, but also on universal moral values grounded in God. Thus, the existence of this phrase underscores the character of the Pancasila rule of law, which integrates law, morality, and transcendental values in shaping national law to realize substantive justice for society.

B. Transformation of Pancasila's Divine Values in the Formation of Non-Ministerial Government Institutions for Religious Harmony in Indonesia

The Divine values in Pancasila constitute a fundamental basis of national and state life in Indonesia. The first principle of Pancasila, namely "Belief in the One and Only God," is not only interpreted as recognition of God's existence, but also as a moral and ethical foundation for the administration of the state. In the perspective of the Pancasila-based rule of law, Divine values function as a source of public morality that guides the formation of law, state policies, and governmental institutions so that they remain oriented toward human values, justice, and social harmony³⁵.

As a country with a high degree of religious diversity, Indonesia requires a constitutional system capable of maintaining social harmony and interreligious tolerance. Therefore, the transformation of Divine values in Pancasila is realized not only through constitutional norms but also through the formation of governmental institutions that maintain social stability and religious harmony. The establishment of non-ministerial government institutions related to the development of Pancasila ideology, religious moderation, and the strengthening of tolerance represents a concrete form of implementing Divine values in Indonesia's constitutional life³⁶.

From the perspective of modern natural law theory, law and state institutions cannot be separated from morality and ethical values that exist within society. Law is not only understood as a formal product of the state, but also as an instrument to realize substantive justice and social order. Therefore, the establishment of non-ministerial government institutions related to religious harmony demonstrates that the state seeks to position Divine values as a moral foundation of legitimacy in the administration of government³⁷.

³⁵ Latif, *Negara Paripurna: Historisitas, Rasionalitas, Dan Aktualitas Pancasila*.

³⁶ Asshiddiqie, "Pokok-Pokok Hukum Tata Negara Indonesia Pasca Reformasi."

³⁷ Prasetyo, *Sistem Hukum Pancasila: Sistem, Sistem Hukum, Dan Pembentukan Peraturan Perundang-Undangan Di Indonesia: Perspektif Teori Keadilan Bermartabat*.

The transformation of Divine values in the formation of state institutions is also reflected in the government's efforts to develop a system of religious moderation and strengthen social tolerance. In this context, the state not only acts as a regulator but also as a facilitator that maintains balance in interreligious relations to ensure social harmony. The establishment of institutions oriented toward the development of Pancasila ideology and religious harmony indicates that Divine values in Pancasila possess a social dimension that functions to strengthen national integration within a pluralistic society³⁸.

The formation of non-ministerial government institutions demonstrates that Divine Values are transformed from abstract constitutional principles into concrete institutional mechanisms. This transformation reflects the State's effort to operationalize the first principle of Pancasila through governance structures capable of maintaining social harmony in a pluralistic society. In this context, Divine Values function not merely as moral ideals but also as guiding principles in institutional design and public administration.

In addition, the existence of non-ministerial government institutions in the field of religious harmony also demonstrates that Indonesia's constitutional system is neither strictly secular nor a religious state. Indonesia positions Divine values as a universal moral foundation that underlies the entire administration of the state without being based on any single religion. Thus, the establishment of institutions related to religious harmony represents an implementation of the Pancasila rule-of-law principle, which integrates religious values, humanity, and social justice in a balanced manner³⁹.

In practice, the transformation of Divine values in the formation of non-ministerial government institutions also aims to prevent religion-based social conflicts, strengthen tolerance, and maintain national unity. The existence of such institutions is important because Indonesian society has a high degree of pluralism, thereby requiring institutional mechanisms that foster dialogue, cooperation, and social harmony

³⁸ Indra Rahmatullah, "Meneguhkan Kembali Indonesia Sebagai Negara Hukum Pancasila," *'ADALAH* 4, no. 2 (2020), <https://doi.org/10.15408/adalah.v4i2.16108>.

³⁹ C S T Kansil, "Latihan Ujian Pancasila Untuk Perguruan Tinggi," 2001.

among religious communities. Therefore, Divine values in Pancasila do not merely function as an ideological symbol of the state, but also serve as the foundation for policy-making and institutional development aimed at protecting social life in a just and civilized manner.

However, the existence of institutions alone does not automatically guarantee the successful implementation of Divine Values. One of the major challenges is ensuring that institutional mandates are translated into effective policies and measurable outcomes. In practice, efforts to promote religious harmony may encounter bureaucratic fragmentation, overlapping institutional authority, and varying interpretations of religious moderation. Consequently, the transformation of Divine Values should not be assessed solely by the establishment of institutions, but also by their capacity to create inclusive and sustainable mechanisms for conflict prevention and social integration.

Based on the above explanation, it can be understood that the transformation of Pancasila's Divine values in the formation of non-ministerial government institutions represents the implementation of Pancasila's moral and philosophical values within Indonesia's constitutional system. Divine values are not only embodied in legal norms but also implemented through the establishment of state institutions aimed at maintaining religious harmony, strengthening tolerance, and realizing national integration as a distinctive character of the Pancasila-based rule-of-law state.

From an institutional perspective, the effectiveness of non-ministerial government institutions can be evaluated through their contribution to strengthening interfaith dialogue, protecting minority religious groups, reducing social tensions, and promoting tolerance within society. These indicators demonstrate whether Divine Values have been substantively implemented or remain merely symbolic constitutional principles. Therefore, institutional performance becomes an important measure of the success of transforming Pancasila-based Divine Values into practical governance.

C. The Role and Challenges of Non-Ministerial Government Institutions in Promoting Religious Harmony

The establishment of non-ministerial government institutions and supporting bodies concerned with religious harmony reflects the practical implementation of Pancasila-based Divine Values within Indonesia's constitutional system. These institutions function as strategic instruments through which the State seeks to maintain social cohesion, strengthen tolerance, and prevent conflicts arising from religious differences. In a pluralistic society such as Indonesia, institutional mechanisms are essential to ensure that the constitutional guarantee of religious freedom is accompanied by efforts to preserve social harmony and national integration⁴⁰.

One of the most significant institutional mechanisms supporting religious harmony is the Forum for Religious Harmony (FKUB). Although FKUB is not a ministry, it performs important functions, including facilitating interfaith dialogue, accommodating community aspirations, mediating religious disputes, and providing recommendations on religious affairs. Previous studies indicate that FKUB plays a strategic role in fostering tolerance and maintaining harmonious relations among religious communities through dialogue, cooperation, and community engagement programs. Furthermore, FKUB contributes to preventing social tensions by fostering communication among religious leaders, government officials, and local communities. These functions demonstrate how Divine Values are translated into practical governance mechanisms that promote peaceful coexistence among diverse religious groups.

In addition, institutions concerned with ideological development and social cohesion contribute to strengthening the implementation of Divine Values. The institutionalization of Pancasila values through public policy, civic education, and programs promoting tolerance demonstrates that the first principle of Pancasila serves not only as a constitutional ideal but also as a guiding principle for public

⁴⁰ Asshiddiqie, "Pokok-Pokok Hukum Tata Negara Indonesia Pasca Reformasi."

administration. The collaboration between government institutions, religious leaders, and civil society organizations further reinforces efforts to maintain religious harmony and strengthen national unity.

However, transforming Divine Values into institutional structures is not without challenges. One major challenge is the persistence of religious intolerance, social polarization, and identity-based political mobilization, which may undermine efforts to foster harmony. Although institutions have been established to promote religious moderation and prevent conflict, their effectiveness is often constrained by limited capacity, overlapping authority, and insufficient coordination among stakeholders. Studies also reveal that collaboration between governmental institutions and religious communities is sometimes sporadic rather than systematic, reducing the long-term effectiveness of harmony-building programs.

Another challenge concerns the substantive realization of religious freedom. While institutions such as FKUB have contributed significantly to conflict mediation and dialogue facilitation, several scholars argue that institutional activities tend to focus on administrative issues, particularly matters related to houses of worship. In contrast, broader concerns such as minority protection, anti-discrimination measures, and the prevention of religious radicalism require greater attention. Consequently, the success of transforming Divine Values should not be measured solely by the existence of institutions but also by their ability to ensure equality, inclusiveness, and effective protection of religious rights for all citizens.

Therefore, the role of non-ministerial government institutions in promoting religious harmony extends beyond administrative governance. These institutions serve as vehicles for translating Divine Values into practical policies and social programs that support tolerance, dialogue, and peaceful coexistence. Nevertheless, institutional strengthening, improved coordination, and the development of measurable indicators of religious harmony remain necessary to ensure that the transformation of Pancasila-based Divine Values produces substantive and sustainable outcomes within Indonesian society.

Conclusion

This study concludes that Pancasila-based Divine Values have been transformed from philosophical and constitutional principles into institutional mechanisms through the establishment of non-ministerial government institutions and supporting bodies concerned with religious harmony in Indonesia. The first principle of Pancasila, Belief in the One and Only God, serves not only as a moral foundation for the State but also as a guiding principle in the formation of institutions responsible for maintaining social cohesion, religious tolerance, and national integration. This transformation demonstrates that Divine Values are not merely symbolic constitutional ideals but are also reflected in the Indonesian State's organizational structure and governance practices.

Furthermore, non-ministerial government institutions play a strategic role in implementing Divine Values through interfaith dialogue, conflict prevention, religious moderation programs, and the promotion of social harmony among diverse religious communities. However, these institutions continue to face various challenges, including institutional fragmentation, overlapping authority, limited coordination among stakeholders, and the persistence of religious intolerance and identity-based social polarization. Therefore, the successful transformation of Divine Values should not be measured solely by the existence of institutions, but also by their capacity to produce substantive outcomes that strengthen religious harmony and protect religious freedom.

Accordingly, the government should strengthen the institutional capacity of non-ministerial government institutions by clarifying mandates, improving inter-agency coordination, and establishing measurable indicators for evaluating religious harmony programs. In addition, greater collaboration between government institutions, religious leaders, and civil society organizations is necessary to ensure that Divine Values are effectively translated into public policies and social programs. Such efforts are essential to reinforce tolerance, protect religious diversity, and sustain national integration within Indonesia's pluralistic constitutional system.

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