

Law as Integrity in Pancasila System: Judges' Reasoning for Hard Cases and Grey Areas

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Abstract: Not all legal issues can be resolved solely based on written rules through judicial practice. The development of society is an inevitability, making legal issues increasingly complex and often resulting in gray areas, where sometimes a legal norm does not provide an explicit answer to resolve a case. Ideally, a judge's decision should not only be "based" on written rules in a textual manner, but it should also represent aspects of justice and moral coherence within the legal system. However, the Indonesian legal system, which tends to be legal-formal in style, implies that principle-based reasoning has not been fully utilized when facing ambiguous norms, leading to decisions that may lack the necessary moral and ethical considerations that are essential for justice. Indeed, various studies have discussed the concepts of "hard cases and law as integrity" proposed by Ronald Dworkin, but previous research has not attempted to examine their relevance to systems characterized by civil law, let alone to connect them with the Indonesian legal system based on Pancasila. The method used in this research is normative juridical with a conceptual and doctrinal approach. From the study that has been conducted, this research finds that principled reasoning can be used as a framework for judges' reasoning by making the values of Pancasila the moral foundation in legal interpretation. This integration then gives rise to the "Pancasila-Based Hercules Judge" model, which is a model of judicial reasoning that emphasizes norm analysis, identification of legal ambiguities, and the construction of coherent legal justifications. The gray area of law in this context becomes a space for principled and just legal reasoning.

Keywords: Hard Case; Law as Integrity; Principled Reasoning; Pancasila; Legal Grey Area.

1. Introduction

Interpretation plays an important role in law because law often exists in a gray area (Mattila & Heinilä, 2022). This means that not all legal issues can be resolved with clear and strict rules. Simlen Markov, et al., state that law operates in a balance between clarity, certainty, and ambiguity, thus opening up a wide space for interpretation (Facco, 2023). In this space, Ronald Dworkin emphasizes the importance of the judge's role as an interpreter of the law. According to Dworkin, every case, including those complex in legal or moral terms, still has one correct legal answer, which he refers to as hard cases (De Andrade, 2022).

Dworkin explains that hard cases are matters that cannot be resolved solely by written rules (Zygmunt, 2020). The rules in such cases are often not clear enough or even contradictory, so judges cannot simply follow the existing law. He rejects the notion that judges can arbitrarily create new laws (Dworkin, 2013). On the contrary, judges remain bound by the law, which not only consists of rules but also principles of justice that are part of the legal system itself (Dworkin, 2013). Dworkin distinguishes between rules and principles. Rules function like an on-off switch: if the conditions are met, they are immediately applied. Whereas principles carry moral weight and can conflict with one another. Therefore, judges must weigh which principle is the most just and appropriate to apply in the case being adjudicated (Dworkin, 2013). This approach emphasizes that law

enforcement cannot be separated from the moral considerations inherent in the legal system.

In this case, a conceptual problem arises regarding the limits of a judge's interpretative authority amidst normative uncertainty. When the law does not provide a definite answer, judges are required to interpret the law carefully to avoid falling into subjectivism or abuse of power. This challenge necessitates conceptual clarity in distinguishing between legitimate interpretation and excessive use of authority, as well as emphasizing the importance of a solid philosophical foundation to ensure that law enforcement is conducted objectively and fairly.

This research is not the only study that discusses Dworkin's thoughts, as various previous studies have examined the concepts of hard cases and principled reasoning from different perspectives. Daniela R. Ikawa shows that in hard cases, judges are not enough to just apply written rules but are required to conduct a deep interpretation of the principles that live in society (Ikawa, 2004). In line with this, Tailane Vieira Lopes developed Dworkin's idea by asserting her rejection of the concept of legal indeterminacy, because law is actually discovered through the interpretation of legal and moral principles rooted in social practices (Vieira Lopes, 2024). This view is also reinforced by Gabriela G. Valles Santillán, who asserts that hard cases demand the use of moral reasoning to protect fundamental rights (Valles Santillán, 2022). In the same context, Javier Gallego found that the law is never morally neutral, as what is called "the law in force" is only valid insofar as it can be morally justified to those who must abide by it (Gallego, 2023). Regarding this dimension of morality, Conor Crummey—drawing on Dworkin's thought—asserts that law is best understood as a moral system (one-system), where legal obligations are moral obligations that can be justifiably enforced coercively based on the principle of integrity in order to form a political community that treats every citizen with equal concern and respect (Crummey, 2022). If morality is linked to the role of judges, Maricarmen Jenkins shows that from Dworkin's thinking, it can be concluded that law cannot be separated from morality, and judges are required to interpret the law principledly to find the most just decision for the individuals before them (Jenkins, 2024). This emphasizes that law is fundamentally a practice laden with moral debates, so every judicial decision demands principled interpretation to determine what the actual law is, rather than merely applying written rules, as also demonstrated in Adam Dyrda's study (Dyrda, 2022). Finally, Matthieu Queloz highlights Dworkin's efforts in pursuing conceptual integrity by interpreting freedom as rightful freedom, fully grounded in rights and equality, so that the conflict between freedom and equality is understood not as an inherent contradiction but as a result of a conceptualization that can be eliminated through coherent moral interpretation (Queloz, 2024).

However, these various studies have not thoroughly examined the gray area in law enforcement, a domain that lacks clear definitions. The objective of this study is to address that issue by broadening Dworkin's concept of hard cases to encompass scenarios where rules exist yet create ambiguity within the legal system. This method employs principled reasoning to identify legal gray areas, which are an inherent aspect of the judicial process, possess the singular correct legal resolution, and simultaneously establish these elements as a conceptual framework to elucidate legal ambiguity.

Moreover, various existing literatures have extensively analyzed the concepts of hard cases, law as integrity, and principled reasoning within Dworkin's framework; however, most of these studies primarily focus on abstract philosophical discourse or comparative assessments. Most of the time, these studies see hard cases as unusual doctrinal situations that don't have any legal rules or are in conflict. They think that the way courts work is a

problem that keeps coming up, even though legal rules can sometimes make things less clear. Because of this, theory hasn't fully explored the idea of legal gray areas as a permanent part of the court system (Dworkin, 1974).

This study is based on Pancasila, the philosophy that underpins Indonesia's legal system (Susilo, 2025). Pancasila's values include upholding people's rights, social justice, and their dignity. Reading the law in a principled way is in line with these beliefs. Dworkin's universal moral logic cannot serve as the exclusive framework for legal reasoning; it must also be congruent with Indonesia's national values and legal culture.

What distinguishes this research from previous studies is that the integration between Ronald Dworkin's thought and Pancasila is not merely positioned as a normative or ideological alignment. Instead, this study proposes a concrete and operational model of judicial reasoning that positions Pancasila as an active moral and constitutional guideline in addressing legal gray areas. Through this approach, the concept of law as integrity is translated into a judicial reasoning framework that is context-sensitive and rooted in Indonesia's constitutional identity (Dworkin, 1986; Alexy, 2002; Ibric, 2023; Hadiprabowo et al., 2024).

This article offers several academic contributions. First, it expands the concept of hard cases by incorporating legal ambiguities as systemic challenges within contemporary judicial practice. The increasing complexity of modern legal issues requires a shift from rigid positivism toward more value-based reasoning rooted in justice, morality, and social context (Dworkin, 1977; MacCormick, 2005; Steiner, 2009; Siregar et al., 2024). Second, it develops a principle-based model of judicial reasoning that assists judges in adjudicating cases where positive law fails to provide clear answers, particularly by strengthening the role of judicial discretion grounded in moral reasoning (Campos & Bedê Jr., 2023). Third, it enriches Indonesian legal scholarship by integrating Dworkin's theory of legal integrity with the moral and philosophical values of Pancasila, which function as a guiding framework for legal reform and interpretation in contemporary contexts (Feres, 2013; Kurniawan, 2025; Susilo, 2025).

The objective of this study is to examine Dworkin's concept of hard cases within his legal philosophy and to explore its relevance in addressing complex legal problems that cannot be resolved solely through rule-based approaches. Furthermore, this study aims to integrate Dworkin's principle-based reasoning with the Pancasila-based Indonesian legal system in order to construct a judicial reasoning model that is both adaptable and normatively grounded. In this regard, Pancasila is increasingly positioned as a foundational paradigm in contemporary legal reform and as a normative guide to balance legal certainty and substantive justice, while also reflecting the evolution of Dworkin's interpretive philosophy in modern legal discourse (Waldron, 2011; Asa, 2025; Elviandri et al., 2025).

In relation to the matters outlined above, the research *quo* poses two main questions: First, to what extent can Dworkin's concept of arduous cases be used to resolve complex legal issues when "legal rules" do not provide an explicit answer? Second, how can the reasoning approach developed by Dworkin, particularly concerning the concept of "law as integrity," be implemented and adapted to the Indonesian legal system, which is based on Pancasila values?

2. Method

This research employs a normative juridical method with both conceptual and doctrinal approaches (Ali, 2022). This method does not aim to evaluate or empirically test Dworkin's doctrine; rather, it utilizes the core elements of his legal philosophy—such as hard cases, law

as integrity, and principle-based reasoning—as a conceptual framework for developing a model of judicial reasoning relevant to the Indonesian legal system (Dworkin, 1986; Alexy, 2002; MacCormick, 2005).

The conceptual approach is used to interpret and contextualize Dworkin's ideas within the framework of Pancasila values, which function as the moral and philosophical foundation of law enforcement in Indonesia (Ibric, 2023; Hadiprabowo et al., 2024). Through this approach, legal reasoning is not merely understood as the application of rules, but as an interpretive activity that integrates moral principles, coherence, and institutional integrity (Feres, 2013).

The data employed in this study consist of secondary legal materials, including statutory regulations, legal doctrines, scholarly works, and relevant legal documents. These materials are analyzed qualitatively in order to construct a principled model of judicial reasoning that aligns with the values of justice, humanity, and the integrity of the national legal system (Campos & Bedê Jr., 2023; Siregar et al., 2024). This qualitative analysis emphasizes systematic interpretation, conceptual synthesis, and normative argumentation to ensure that the resulting model is both theoretically grounded and practically applicable within the Indonesian legal context.

3. The Concept of Hard Case in Ronald Dworkin's Thought and Its Relevance to Complex Legal Issues

In Ronald Dworkin's view, easy cases are matters that can be resolved without conceptual debate because the judges agree both on the outcome and the legal basis (Dworkin, 2013). In such cases, the legal text is considered clear enough to be applied directly without requiring deep interpretation, thus not raising theoretical issues for any legal theory (Watson, 2023). On the contrary, the main challenge for legal theory, especially positivism, is hard cases. Dworkin defines hard cases as situations where written legal rules do not explicitly govern the facts faced by the judge, so there are no norms or precedents that can be directly applied. In such conditions, Dworkin rejects the idea that judges are free to create new laws according to their personal discretion. On the contrary, he asserts that judges still have the obligation to find the correct legal answer through moral principles and justice that are already integrated into the legal system itself (Dworkin, 1988).

To explain how judges should act in such cases, Dworkin introduced a fictional character named Judge Hercules (Vallejo & González, 2020). He is an imaginary figure from the American common law system, depicted as a super-intellectual judge with comprehensive knowledge of the constitution, laws, precedents, and the moral and political principles that underpin the legal system. Judge Hercules does not read the law textually alone but performs constructive interpretation, which means interpreting the law in a way that considers its fit with previous legal practices and the best moral justification so that the law appears as a coherent and moral system (Valles Santillán, 2022).

In drafting his decisions, Judge Hercules does not rely on personal beliefs but rather builds legal arguments that are rational and coherent with the constitutional and moral principles of society. The rights and obligations of the parties in the case are determined through an objective legal assessment, even if it may contradict the majority voice in a democracy. Dworkin asserts that the protection of human rights cannot be overridden by the preferences of the majority, because the principle of justice does not always align with the general will of the public (Valles Santillán, 2022).

Furthermore, Dworkin distinguishes between strong discretion (full freedom to create new laws) and weak discretion (limited choices in applying existing rules), and he rejects the

existence of strong discretion. According to him, there is always a legal principle that can serve as the basis for deciding a case, even if it is not explicitly written in the form of a rule (Berman, 2022). Dworkin also refuted the view that equates judges with lawmakers. He argues that if judges create new laws and apply them retroactively, it contradicts the principle of justice because it imposes legal obligations that did not exist at the time the events occurred. The solution offered by Dworkin is to use the moral principles that are already inherent in the legal system to reach the right answer (Dworkin, 1996). In this case, individual rights act as a trump—an ultimate determinant that overrides public policy when the two are in conflict (Berman, 2022). As a concrete example, Dworkin points to the case *Spartan Steel v. Martin & Co.* (1973), where the judge had to decide whether the economic loss due to a third party's power cut could be compensated. Here, the judge is faced with two approaches: whether the decision will be based on principle (for example, justice for the victim) or policy (economic efficiency). For Dworkin, what should be prioritized is principle, not policy (Purshouse, 2023). In his article "Hard Cases," Dworkin does not outright reject positivism; rather, he shows that positivism, particularly Hart's version, is unable to explain the importance of moral principles that arise from judicial practice. He shows that these principles, although initially supplementary, can, through legal practice, become a main part of the legal system itself (Berman, 2022).

However, criticism was also directed at the way Dworkin selected case examples. For example, the use of *Riggs v. Palmer and Henningsen v. Bloomfield Motors* is considered to overly favor Dworkin's argument because they involve clear moral scenarios, such as denying a murderer from inheriting or protecting consumers from deceptive contracts (Atiq, 2023). Critics argue that these examples are strategically chosen and do not represent the complexity of most actual hard cases, such as abortion cases, national security versus civil liberties, or conflicts between the right to privacy and freedom of expression, which give rise to real moral dilemmas and conflicting legal principles (Dyevre & Wijtvliet, 2021).

Finally, according to Dworkin, hard cases are not empty spaces where judges are free to create, but rather opportunities to reveal rights that already exist within the legal and moral structure of society. By relying on fit and justification and maintaining the integrity of the legal system, judges remain bound to deliver decisions that are fair, coherent, and aligned with the moral principles rooted in society (Nomeh, 2024).

Principles play an important role in resolving difficult cases, as analyzed by Peter Mahmud Marzuki. According to him, principles in hard cases function at least in four important ways: first, as a moral standard in judicial decisions, reflecting the demands of justice and the values of propriety that exist in society; second, as the basis for decisions when legal rules are unavailable or inadequate, allowing judges to still deliver fair judgments; third, as a distinction between rules and principles, where principles can transcend written rules in situations demanding justice—as demonstrated in the case of *Riggs v. Palmer*; and fourth, as a corrective mechanism against unjust legal rules, so that principles can serve as moral instruments to correct the rigidity of positive law in order to achieve justice (Marzuki, 2021).

According to Ronald Dworkin, law as integrity is the view that law should be understood as a unity of moral principles and justice that is consistent with previous legal practices (Bustamante, 2021). He likens the role of a judge to that of a continuing author in a collective novel—the judge must interpret the law coherently with the previous "chapters" and provide the most just and reasonable meaning of the law from the entire legal tradition (Hiebaum, 2023). Crummey emphasizes that this approach is part of a monistic view, which holds that law is a part of morality. In this framework, only moral obligations that are worthy of being enforced coercively by the state can be considered legal obligations. This means

that not all moral norms are laws, but laws must have a legitimate moral basis that can be justified normatively (Crummey, 2022). For Dworkin, the main goal of law is to build a just society, where every citizen is treated equally. Therefore, legitimate law is law that consistently upholds the principle of justice—that is the meaning of integrity (Crummey, 2022). This approach is very important in hard cases, which are cases not clearly regulated by written rules or precedents. In such cases, Dworkin rejects free discretion and emphasizes that judges remain bound by the best moral principles that are most coherent with the legal system as a whole.

In this instance, the notion of law as integrity posits that law enforcement must be grounded in "moral principles" that confer legitimacy to legal obligations within a political community. Dworkin posits that morality transcends mere subjective moral values that vary across cultures and locales; rather, it constitutes political morality, defined by normative principles such as "equality, human dignity, and justice," which underpin the justification of legal rights and obligations. These principles are not separate from "legal practice"; rather, they evolve through the interpretation of "constitutions, precedents, and legal traditions" within a society. Dworkin also says that our ideas about morality can change as society changes and as our ideas about rights and justice grow. In this case, the relationship between law and morality is dynamic: "Law reflects the moral commitments that exist in society while also shaping and directing the development of that morality through the interpretive practices carried out by judges." In Dworkin's view, morality is not a changing social sentiment. Instead, it is a set of principles that judges use to interpret the law in a way that makes sense and to explain why they make the decisions they do.

The concept of hard cases is an important contribution to understanding the role of judges when faced with cases that are not explicitly addressed by positive law. Dworkin rejects the assumption that legal gaps allow judges to create new laws based on personal preferences. On the contrary, he asserts that although written rules do not cover all situations, the legal system still provides moral and justice principles that can serve as a basis for finding the correct legal answer. Through the approach of law as integrity, Dworkin shows that law is a living normative system that must be read as a unified narrative consistent both morally and historically.

This view is highly relevant in addressing complex legal issues in the contemporary era. In such situations, legal reasoning cannot rely solely on texts or precedents; judges are required to interpret the law in a way that reflects the evolving principles of justice within society. Therefore, Dworkin's thinking provides a new direction in modern judicial practice: that just law is not merely law that adheres to procedures and the letter of the text, but law built on moral integrity, equality, and coherence of values. In this regard, hard cases do not become a gap for unlimited judicial power but rather an opportunity to showcase the quality of deep, moral, and genuinely justice-oriented legal reasoning.

Although Dworkin's thoughts on hard cases and law as integrity have been widely discussed in legal literature, a systematic study linking these concepts with contemporary judicial practices in Indonesia has yet to be examined. Most analyses stop at the conceptual level and do not address how principle-based reasoning can serve as a framework in resolving legal cases that are not explicitly answered by the law. However, in the Indonesian legal system, which is rife with social complexity and value pluralism, a principle-based approach like the one offered by Dworkin has the potential to enhance the quality of judicial reasoning.

3.1. Dworkin's Theory Position in the Common Law Legal System Tradition

It is acknowledged that Dworkin's philosophy evolved within the framework of the Anglo-American "common law system" (Nedzel, 2023). In this system, judicial reasoning plays a fundamental role in "building and shaping" the development of law through rulings and precedents. In this system, judges don't just follow the rules; they also actively interpret the law and explain their decisions based on the "principles" of law that come up in court. In this case, Dworkin's theory of law as integrity primarily serves as a critique of legal positivism, which emphasizes the "dominance" of formal rules, as Hart stated.

Legal reasoning in the common law tradition often relies on "precedents, case analogies, and interpretations based on existing principles. Judge Hercules, a "metaphor" introduced by Dworkin, represents an ideal judge model in the practice of legal interpretation, seeking the interpretation that best fits and is most morally justifiable within the entire legal system (Ceglarska, 2023). This interpretative approach reflects the institutional character of the common law system, where judicial decisions have a major impact on the development of legal norms.

However, the Indonesian legal system is heavily characterized by the civil law system inherited from the "Continental European" legal system, particularly from the Dutch legal system (Wardhani et al., 2022). In addition, there is also an inherent pluralism within the Indonesian legal system, such as customary law (adat law) and Islamic law, which in certain practices remain part of the legal life of the community (Yusmita et al., 2025). In such cases, legislation in Indonesia holds a dominant position compared to judicial precedents, so judges' reasoning generally leans more toward interpreting the norms enshrined in written regulations.

Although there are structural differences in the legal system, Dworkin's thinking remains relevant because his ideas are not necessarily always attached to and solely dependent on the institutional character of the common law system. The concept of law as integrity contributes to our understanding by framing law as an interpretative practice that must be based on coherent moral principles. In this sense, Dworkin's theory can be understood as a philosophical framework that emphasizes the importance of normative justification, consistency of principles, and integrity in the process of legal reasoning.

According to the above explanation, the use of Dworkin's landscape of thought in this writing is not intended as a direct transplantation of the common law reasoning model into the Indonesian legal system. Conversely, the theory is used as a conceptual perspective that can enrich judicial reasoning, particularly when judges face situations where written law does not provide a clear answer, such as cases involving conflicting laws or ambiguous legal texts. In the context of Indonesia's pluralistic legal system based on Pancasila values, an interpretative approach that emphasizes the coherence of principles and moral justification can make an important contribution to strengthening the quality of legal reasoning.

3.2. Integration of the Dworkinian Principled Approach with the Indonesian Legal System Based on Pancasila

The concept of a gray area, according to the Britannica Dictionary, refers to a legal situation that is unclear—whether an action is right or wrong, permitted or prohibited, legal or illegal (Dictionary, 2025). Ambiguity and uncertainty are inseparable parts of any system. Such ambiguity is an inherent element in any legal system. The text of the law does not always speak clearly, authority can be ambiguous, and social reality often presents new

situations that have not been imagined by the lawmakers. In such circumstances, the law cannot function on its own without the assistance of interpretation and concrete decisions from law enforcement officials. Sometimes the results of such interpretations can be predicted, but often the outcomes are surprising and beyond expectations (Sari, 2020).

This gray area phenomenon is clearly evident in the article "These 7 Legal Gray Areas Could Determine the Future of the Booming NFT Market," which reveals that the rapid development of the non-fungible token (NFT) market has actually created legal uncertainties in many aspects. Among them are the blurring of ownership rights over digital assets, weak copyright protection, the absence of clear tax guidelines, the potential for NFTs to be categorized as securities if sold with a promise of profit, the practice of fractionalized NFTs that approaches illegal investment schemes, the lack of anti-money laundering regulations covering NFTs, and the debated status of NFTs—whether as collectibles or virtual assets. All of this shows that regulations have not been able to keep pace with the speed of digital technology innovation in the NFT ecosystem (Castor, 2021).

The law firm Albertson & Davidson, LLP, also emphasizes that the law is not always black and white because it often contains gray areas. This uncertainty arises because the law does not always explicitly regulate every possible situation, and because the application of the law always depends on the unique facts of each case. For example, in a case of alleged negligence by a trustee, the court does not automatically consider it legally valid unless proven through concrete facts. Even after the facts are presented, the judge's interpretation can differ from the expectations of the plaintiff. This shows that the success of law enforcement cannot solely rely on normative texts but also requires a holistic assessment of context and substance (Albertson & LLP, 2017).

Gray areas also appear in judicial practice, such as in the Delhi High Court's ruling involving a teenage girl who eloped with her partner. Although she was 17 years old—approaching the legal age of adulthood—the report filed by her parents and the victim's inconsistent statements raised legal doubts. The court stated that the significant differences between the initial and subsequent statements, as well as the context of the personal relationship between the two, meant that the act could not be automatically classified as a legal violation. This case highlights the importance of legal sensitivity to social and emotional dynamics that cannot be resolved solely through a rigid legalistic approach (India, 2024).

A similar condition is also examined by Yanelys Crespo in the context of ride-sharing like Uber, which creates a legal gray area because its business model does not fit the conventional legal system designed based on a binary economic relationship between entrepreneurs and workers. Uber asserts itself as a technology platform, not a transportation service provider, thus trying to avoid regulations applicable to conventional taxi services. This clarifies that the traditional legal framework often lags behind in responding to technological disruptions (Crespo, 2016).

This gray area situation underscores the urgency of the judge's interpretative role, as interpretation is an integral part of the legal system itself and has been recognized as a legitimate practice in various legal systems (Smolka, 2022). In this case, André Karam Trindade—quoting François Ost—*introduces the teoria lúdica do direito*, or "playful" legal theory, through the use of metaphors of three mythological figures to represent models of judges: Jupiter, Hercules, and Hermes (Trindade, 2020): Jupiter reflects the classical positivist legal paradigm that emphasizes the hierarchy of norms and deductive logic as explained by Hans Kelsen; Hercules symbolizes the American legal realism approach, where judges are considered social engineers who decide cases based on factual context and practical considerations; Hermes refers to the postmodern judge model that

emphasizes the importance of language interpretation and legal communication, where law is viewed as a dynamic network of meaning.

Legal interpretation itself serves as a bridge between general norms and the complex concrete situations in societal life (Bystranowski et al., 2022). This interpretation involves assigning meaning to legal texts from specific sources, according to applicable interpretive guidelines—such as interpreting the norm "T" as "S" (Reyes Molina, 2020). In this process, judicial discretion becomes relevant; namely, when determining a verdict, one must choose from various available alternatives without any one option being explicitly superior. Discretion consists of two stages: having discretion (the availability of choice) and exercising discretion (making a concrete decision) (Reyes Molina, 2020).

In this case, the principle-based reasoning approach developed by Ronald Dworkin through the imaginative character "Judge Hercules" becomes relevant. This approach emphasizes the application of abstract moral and legal principles to achieve the best decision through coherent and consistent normative reasoning (Amaya, 2023). Dworkin rejects the view that judges may use pure discretion. He asserts that even in hard cases, there is always a right answer to be found if judges delve into the principles of justice, equality, and integrity that are already embedded in legal practice. This is the essence of principle-based reasoning. Related to "law as integrity," Dworkin asserts that law must be understood as an interpretive practice that ensures moral coherence within the legal system (Skolnik, 2021).

Ronald Dworkin's idea of principle-based legal reasoning has a conceptual closeness to Eugen Ehrlich's thinking about living law. According to Ehrlich, living law consists of social norms that grow spontaneously within society and remain effective even without authorization from the state (Machura & Litvinova, 2021) (Rabault, 2024). This view aligns with Dworkin's approach, which places law as an integral part of the moral and ethical values in human life.

Regarding the Indonesian legal system, Dworkin's approach can be understood in its relevance to the values of Pancasila as a philosophical foundation (Agustari et al., 2022). Pancasila, besides being the state ideology, is also a "moral source" that guides the "formation, interpretation, and application of law." Although Dworkin's landscape of thought was born in the tradition of Western legal philosophy, several principles that form the basis of the concept of law as integrity—such as human dignity, moral integrity, and equality—have a conceptual closeness to the ethical values contained in Pancasila.

Philosophically, Dworkin's theory departs from an interpretivist approach that views law not only as a collection of rules but also as a practice of moral reasoning within a political community. The moral standards in his thinking are based on the principles of "equality, human dignity, and the duty of the state" to treat every citizen with equal attention and respect. These principles serve as the foundation for judges in interpreting legal rights and obligations fairly.

The moral foundation of Pancasila, on the other hand, comes from the Indonesian people's history, culture, and spirituality. Pancasila emphasizes the protection of individual dignity and integrates religious values, social solidarity, and social justice into the life of a pluralistic society. Thus, while Dworkin places more emphasis on the protection of individual rights through the principles of equality and human dignity, Pancasila balances these values with collective interests, social harmony, and the spirit of deliberation.

Although they have different philosophical backgrounds, both frameworks place justice, human dignity, and moral legitimacy as foundational in legal practice. Therefore, the integration proposed in this research does not aim to equate the two frameworks completely. Conversely, Dworkin's interpretive theory is positioned as a methodological

framework in judicial reasoning, while Pancasila serves as a moral foundation guiding the interpretation and application of law within the Indonesian legal system.

To clarify this relationship, a comparison between the philosophical principles in Dworkin's theory and the values of Pancasila can be illustrated as follows:

Table 1. Comparative Framework between Dworkin's Theory and the Values of Pancasila

Philosophical Principles in Dworkin's Theory	Values Aligned with Pancasila	Explanation
Human dignity as the moral basis of rights	Just and civilized humanity	Both emphasize the recognition of human dignity and the protection of fundamental rights as the basis for legal reasoning.
Equality and equal concern for every citizen	Social justice for all the people of Indonesia	The idea of equal concern and respect in Dworkin's thought aligns with the Pancasila commitment to achieving social justice.
Moral integrity in law (law as integrity)	The unity of Indonesia	The view that law should be understood as a morally coherent system aligns with efforts to maintain unity and harmony in a pluralistic legal order.
Political morality as the basis for legal interpretation	Democratic life led by wisdom of thoughts in deliberations amongst representatives of the people	Legal reasoning must be conducted through a rational and deliberative process, taking into account the shared values within society.
Ethical justification for legal obligations	Belief in the one and only God	Pancasila places law within a broader ethical and spiritual framework, in line with Dworkin's view that legal obligations must have moral justification.

Source: Author's Elaboration, 2026.

From the comparison table, we can see that, although the concept was developed by Dworkin in the realm of Western philosophy, the "orientation" of law as integrity is not based on the philosophical foundation of the Indonesian legal system, namely "Pancasila." On the contrary, the emphasis on "moral justification, respect for human dignity, and coherent legal reasoning" can be contextually interpreted within the framework of the values contained in Pancasila. Accordingly, the integration of Dworkin's polarized thinking into the Indonesian legal system is not intended to adopt or even perform a "transplantation" outright without considering the uniqueness or differentiation of the Indonesian legal system from other legal systems, but rather as a step of conceptual reinterpretation that

places the principles of universal justice within the framework of Indonesia's moral and constitutional identity (Susilo, 2024).

Dworkin firmly states that law, ethics, and morality are a unified set of values. In *Justice for Hedgehogs*, he emphasizes that legal philosophy not only discusses methods of norm interpretation but also touches on fundamental questions about how humans live with dignity and treat each other fairly (Mahlmann, 2023). For him, human dignity is the center of the system of ethics and law, built on two main principles: self-respect and authenticity (Dworkin, 2011). Self-respect reflects an individual's respect for themselves, while authenticity demands personal responsibility to lead a meaningful life in accordance with their moral values. A good life, according to Dworkin, can only be achieved if one upholds moral values, both towards oneself and towards others (Mahlmann, 2023).

The concept of ideal legal reasoning in Dworkin's thought is embodied through the fictional character Judge Hercules, introduced in *Law's Empire* (1986). Judge Hercules is a metaphor for an ideal judge who is highly intelligent, possesses a comprehensive understanding of the legal system, political philosophy, and moral theory, and is capable of formulating the best legal justifications based on the principle of legal integrity—namely, moral consistency within the entire legal system (Val Rodrigues, 2024).

Judge Hercules's hallmark lies in his ability to apply constructive interpretation, which means providing the best meaning to legal practices so that they align with principles of justice and coherent moral values. He always evaluates each decision based on the principle of integrity, namely whether the decision can be justified morally and politically within the cohesive structure of legal principles. Unlike Hart's view, which acknowledges the existence of discretionary space in the zone of legal indeterminacy (open texture) (Binns, 2022), Dworkin rejects that notion. He believes that there is always one correct legal answer (one right answer), and the task of an ideal judge like Hercules is to find it (Wang, 2023).

Based on the explanation above, in facing various legal gray areas that arise due to technological advancements, social dynamics, and the limitations of positive law, the Indonesian legal system requires an interpretative approach that is not only legal-formal but also rooted in the moral values that live within society. Here is where the relevance of Dworkin's principled approach finds its footing. Principle-based reasoning, as illustrated through the figure of Judge Hercules, provides a concrete picture of how judges should decide cases not only by looking at written rules but also by exploring the principles of justice and integrity inherent in legal practice. This approach aligns with the normative character of the Indonesian legal system, which is grounded in Pancasila as the highest source of values.

In the Indonesian legal system, the moral and ethical principles emphasized by Dworkin can transform into an ideal model known as the "Pancasila-Based Hercules Judge"—a figure of a judge who is capable of interpreting the law constructively and deliberatively by using the principles of Pancasila as their moral compass. Such a judge will consider a balanced approach between written norms, values of fair and civilized humanity, rational deliberation, and the ideal of social justice in making decisions. Thus, legal ambiguity is no longer a gap for arbitrary discretion but rather a field for the actualization of noble principles that uphold human dignity and strengthen the integrity of the national legal system.

The integration of Dworkinian approaches into the Indonesian legal framework is not intended to be a mechanical imitation but rather to adapt the spirit of his reasoning to enrich the thinking of judges and lawmakers in responding to contemporary legal challenges. The application of principles such as self-respect, authenticity, and law as integrity must be framed within the values of Pancasila, which prioritize justice, respect for

human rights, and social unity in diversity. Therefore, through strengthening the interpretative capacity of judges and reformulating a legal thinking framework that unites text, context, and values, the Indonesian legal system can transform into an order that is not only legally valid but also morally right and socially just. To concretize the model of the "Pancasila-Based Hercules Judge," an operational principled judicial reasoning framework is needed. This framework at least includes five stages: 1) Identification of relevant positive legal norms as the initial starting point; 2) Analysis of gaps or inadequacies in norms in addressing concrete facts; 3) Exploration of moral and ethical principles, both contained in Pancasila and living law, which exist in society; 4) Development of legal arguments that are coherent with previous legal practices (fit) and based on the best moral justification (justification); and 5) The final examination of the integrity of the decision, namely, to what extent the decision meets the demands of justice.

This concept can serve as both a normative and practical reference. Additionally, in relation to judge training, this reasoning model can be utilized to shape judges' mindsets to be more reflective, integrative, and based on justice values, so that judges do not only rely on formal legalism but are also able to respond to social complexities within a moral legal framework. From an institutional perspective, this concept can encourage the development of more responsive judicial technical guidelines to the dynamics of contemporary cases, especially those in the gray areas of law, and serve as a reference in forming legal consideration standards that align with justice. This model can serve as a comprehensive approach to legal reasoning because it incorporates moral principles that are alive in Pancasila and society. Thus, the Dworkinian approach no longer stops as merely a theoretical philosophical discourse but rather presents itself as a practical thinking tool capable of bridging norms, context, and values in building a just legal system based on the identity of the Indonesian nation.

4. Conclusion

The research quo shows that Dworkin's thinking, particularly in the concept of hard cases, can serve as a relevant "theoretical framework" to resolve "complex" legal issues when written legal rules do not provide an explicit answer. Judges in such conditions are not given the freedom to create laws "arbitrarily" but are required to use principle-based reasoning grounded in coherent moral justification within the legal system. This research indicates that Dworkin's methodology can be adapted in the Indonesian context by incorporating Pancasila values as a "moral foundation" for judges in their interpretation of the law. Such integration gives rise to a model of judicial reasoning, referred to in this study as the "Pancasila-Based Hercules Judge," which emphasizes the identification of gaps or ambiguities in norms, the extraction of moral values derived from Pancasila and living law, and the formulation of legal arguments consistent with the integrity of the legal system. According to this concept, the legal gray area is no longer understood as a gap for "uncontrolled" discretion but rather as a space for legal reasoning based on principles oriented toward justice. The model produced in this research can serve as a conceptual reference to strengthen the quality of legal reasoning in judicial decisions and encourage the development of interpretative guidelines and judge education that are responsive when facing complex legal issues in the Indonesian legal system.

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