

**LEGAL PHILOSOPHY PARADIGM WITH CHARACTER
BASED ON HUMANS AS PEOPLE OF
ANTHROPOCENTRISM**

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ABSTRACT

Legal philosophy is a science that discusses fundamental issues about law, or the science of the nature of law. This research method uses prescriptive legal research which focuses on literature reviews to collect information from various literature regarding the legal topic being studied. The results of this research show that anthropocentrism is a very instrumentalist paradigm of environmental ethics, because the relationship between humans and nature can only be seen instrumentally. Nature is considered only as a tool for human interests. This paradigm is also selfish because it only prioritizes human interests. Philosophy plays a very important role in shaping human personality and making human life better. People with character usually have ideas about how they can shape and build their future and are able to think about how to develop it. Personality development takes a long time and involves many aspects of life, including experience, education, culture and social environment. The progress or even decline of a nation is influenced by the individual quality of its citizens.

Keywords: Paradigm, Legal Philosophy, Anthropocentrism.

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INTRODUCTION

Paradigm is confidence fundamentals that form it understanding and perspective We to something subject . In knowledge law , paradigm positivistic looking law as something independent entity without influence subjective. ¹

Constitution Number 48 of 2009 stipulates power judiciary as the country's ability to administer Justice based on Pancasila for straighten up law and justice .

¹ Teguh Prasetyo & Abdul Halim Barkatullah. 2016. *Filsafat, Teori, dan Ilmu Hukum: Pemikiran Menuju Masyarakat yang Berkeadilan dan Bermartabat*. (Jakarta: Rajawali Pers, 2016).

Freedom judiciary , that is independence of judges for take decision without influence external , considered important for the rule of law in Indonesia.²

Epistemological imply that justification must defined or analyzed with refers to justification , or like sometimes people say , concept justification require exists draft truth . This is very way traditional in looking connection between truth and justification , but This in a way philosophical No neutral.³

The most popular definition of philosophy is thinking deeply about the nature of something.⁴ Philosophy law is knowledge learning knowledge questions fundamental from law . Or knowledge knowledge about essence law . Put forward natural knowledge This about basics strength tie from law.⁵ Aristotle argued that philosophy law required Because exists limitations in knowledge law , so give alternative method For overcome problem law in a way logical. ⁶

METHOD

Study This use method study law normative For analyze Constitution Personal Data Protection , views law as gathering sourced norms from problem society . Studies This focuses on review literature For gather information about topic law , which is ultimately aim For overcome challenge related protection of personal data in society.⁷

DISCUSSION

Paradigm Ethics Environment Anthropocentrism

Ethics is part from philosophy . Philosophy as something interpretation about life man have task research and determine all fact concrete down to its deep basics.⁸ Ethics environment Alone is a sub- discipline in studying philosophy human moral relations with environment and creatures others , while also studying value and moral status . In its development diverse paradigm ethics environment appear in pay close attention pattern connection This .

² Sudikno Mertokusumo. *Penemuan Hukum Sebuah Pengantar*. (Yogyakarta: Cahaya Atma Pustaka, 2014)

³ Richard L. Kirkham. *Teori-teori kebenaran pengantar kritis dan komprehensif*, (Bandung: Nusamedia, 2018).

⁴ Haidar Putra Daulay. *Pendidikan Islam dalam Perspektif Filsafat*. (Jakarta: Kencana, 2014).

⁵ Soedjono Dirdjosisworo. *Pengantar Ilmu Hukum*. (Jakarta: Rajawali Pers, 1988)

⁶ Sukarno Aburaera. *Filsafat Hukum Teori dan Praktik*. (Jakarta: Prenada Media Group, 2016).

⁷ Irwansyah.. *Penelitian Hukum Pilihan Metode dan Praktik*. (Yogyakarta: Mirra Buana Media, 2021)

⁸ Muhammad Syukri Albani Nasution.. *Hukum dalam Pendekatan Filsafat, Ctk.Kedua*. (Jakarta: Kencana., 2017).

Ethics environment with paradigm anthropocentric looking ethics environment as discipline philosophy speaks about moral relationship between man with environment or natural universe , and how should behavior man to environment Ethics environment here understood as discipline science speaks about governing moral norms and rules behavior man in deal with natural as well as animating moral values and principles behavior man in deal with nature.⁹

Anthropocentrism is paradigm ethics viewing environment man as center from system natural universe . Anthropocentrism is also seen as paradigm stated philosophy that moral values and principles only applies for human , and that needs and interests man own mark highest and most important . In perspective theory anthropocentrism , ethics only applies for man . The highest score is man and his interests , and only humans who have value and interest attention . All something else in nature universe This get value and attention only so far support and serve interest man . Natural just tool For reach objective man.¹⁰

Anthropocentrism is paradigm ethics very environmental instrumentalistic Because pattern connection humans and nature seen only in instrumental relationship . Natural assessed only as tool For interest man . Paradigm this is also characteristic selfish Because only prioritize interest man . Interest creature life others , as well natural in a way overall , no become human moral considerations . Even if get moral considerations only Because relationship with interest man . Because it is instrumentalistic and egoistic , paradigm This looked at as ethics shallow and cramped environment . Especially if We try compare anthropocentrism with two another paradigm then paradigm This visible very narrow and shallow Because only focused on interests man . Weakness this is what opens criticism and improvement from two paradigm next .

In Rene Descartes' view, humans occupy a special and respected position because humans have a soul. The soul enables humans to think and communicate with each other and with the environment outside themselves, so that humans are able to act and communicate because they are moved by their soul. On the other hand, animals are seen as inferior creatures because they only have bodies, therefore animals act mechanically and automatically as if following movements and rhythms that have been determined by God. Immanuel Kant also had a similar view, according to him only humans are rational creatures. Because of their rationality, humans are morally permitted to use other creatures for their own

⁹ M. Ied Al-Munir "Tinjauan Terhadap Metode Empirisme Dan Rasionalisme." *Jurnal Filsafat* Vol.14, No. 3 (2004).

¹⁰ Suryo Adi Sahnutra. *Filsafat Lingkungan: Konstruksi Filosofi dan Teologis tentang Lingkungan dalam Pemikiran Seyyed Hossein Nasr*. (Lamongan: Academia Publication, 2021)

interests or to achieve their life goals, namely the establishment of a rational world order. Because other creatures do not have reason, they do not have the right to be treated morally. This means that humans have no moral duties and responsibilities towards other creatures. This responsibility only applies and is intended for humans alone. Other creatures are only objects and tools that can be used for the needs of human life. Even if humans are responsible for nature and other living creatures, this is done to guarantee human interests indirectly. For example, if humans maintain the cleanliness of rivers, this is done for the sake of *sengai in se*, but rather to ensure human survival, especially in the aspect of health.

However, there is also a defense of this ethical anthropocentrism. one of which was carried out by WH Murdy, according to him, every species of living creature has a purpose for itself. This is different from Kant, who thought that humans were the only goal in themselves. Thus, it is natural for humans to consider and evaluate themselves as high and honorable compared to other creatures. However, according to Murdy, this does not necessarily make humans view nature and other creatures as inferior. Humans continue to have high respect for nature and other creatures because their survival is very dependent on the quality, balance and continuity of the entire ecosystem. As long as humans act reasonably in utilizing nature to meet their needs proportionally, then it is morally justified. The wrong behavior that is at the root of the ecological crisis is the excess that humans want to pursue and achieve, going beyond the limits of tolerance and solidarity towards nature. Thus, humans still try to take into account the impact of their actions on the environment even though it is always related to their needs.¹¹

Forming Legal Philosophy Man As Perpetrator Anthropocentrism

Human nature is always related to the main elements that form it, namely, according to the view of monotheism, then those who look for the main element which determines a single nature, namely material in the view of materialism, or spiritual elements in the view of determining two main elements. Philosophy plays a very important role in shaping human character so that human life is better. Not only good morals but also so that his life is more cultured, wiser and more critical. Humans with character usually have a view of designing and building their own future and are able to think about how to develop it.

¹¹ Barnabas Ohoiwutun. *Posisi dan Peran Manusia dalam Alam Menurut Deep Ecology Arne Naess. (Tanggapan atas Kritik Al Gore)*. (Yogyakarta: PT. Kanisius, 2020).

Character development is a long process that is influenced by experience, education, culture and social environment, which influences the progress or decline of a nation.¹² The influence of philosophy in forming character is:

1. Cultivate Curiosity and Interest in Knowledge

Curiosity drives people to seek deeper understanding beyond what is apparent, thus leading to discovery and growth. The philosophy of science encourages curiosity through the scientific method and a thirst for knowledge. This encourages individuals to question and search for meaning in the world. Although curiosity does not always produce clear answers, the process of exploration and inquiry has enormous value in personal and intellectual development.

2. Increasing Self-Awareness and Open-Mindedness

3. The philosophy of science encourages open-mindedness and self-awareness by recognizing the contextual and evolving nature of knowledge. This teaches that knowledge is not absolute truth, but can change along with the progress of science. This mindset fosters a more tolerant and communicative attitude, helping individuals build positive relationships with others.

4. Building Strong Ethics and Morals

The study of the philosophy of science can help individuals understand the ethical and moral implications of their knowledge and actions. This highlights the importance of considering the impact of science on society, the environment and oneself. This can ultimately shape a person's character and guide him to act responsibly.

5. Questioning the Truth

Studying the philosophy of science involves questioning information rather than accepting it at face value, demonstrating that truth is relative. Individuals are encouraged to analyze and question the validity of truth to understand its context in changing times. This process involves tracing sources to avoid falsehoods and believe in universal truths that remain constant.

6. Developing Critical Thinking Skills

Philosophy emphasizes critical thinking to question assumptions, identify errors, and evaluate ideas objectively from multiple perspectives.

¹² Ryan Nurmansyah. 2023. "Relevansi Filsafat Ilmu Terhadap Pembentukan Karakter". *Jurnal Filsafat, Sains, Teknologi, dan Sosial Budaya* Vol. 29, No. 23 (2023).

Philosophical legal thinking plays an important role in analyzing legal problems in society. As legal science advances, its theoretical framework becomes more comprehensive. By combining legal science and philosophy, legal policies are formed that focus on practical application and constructive teleological thinking. Legal policy helps in forming and interpreting laws, while legal discovery identifies specific provisions for practical application.

Indonesia, as a rule of law country, aims to uphold legal protection and uphold justice through cultural expressions. The purpose of law reflects the morals and virtues of society, shaping its culture and civilization. Society seeks to demand and protect truth, goodness and benevolence, by integrating justice into the principles of legal certainty and efficiency.

Law plays an important role in protecting human interests by ensuring strict and fair implementation. This creates a peaceful and orderly environment for law enforcement agencies to effectively enforce violated laws. Legal certainty is very important in providing protection against arbitrary actions, which ultimately leads to legal certainty that brings order, security and peace in society. The application of law must benefit society and uphold individual rights and obligations, achieving goals such as prosperity, truth and justice.¹³

The article discusses how legal philosophy has an impact on the formation of human personality as anthropocentric creatures. He emphasized that philosophy is present in all forms of science and humans will continue to learn and develop their personalities as time goes by. Humans are seen as masters of their consciousness and must support development with a strong personality foundation. The scientific principles of society also play a role in shaping individual character through philosophy.¹⁴

CONCLUSION

Anthropocentrism put man as center natural universe , believe that moral values only applies for human and prioritize needs and interests man above everything in consideration ethical . Philosophy is very important in shaping human character for a better life. This encourages people to advocate for development while becoming knowledgeable and dominant figures in their class.

Humans as perpetrators of anthropocentrism are expected not to be arrogant because their status is more special than other creatures of God. In fact, humans are creatures who also need other lines of life such as animals and plants to fulfill their living needs. So it is hoped that humans will be able to balance the environment.

¹³ Handayani, et all. "Peranan Filsafat Hukum dalam Mewujudkan Keadilan". *Jurnal Muara Ilmu Sosial, Humaniora, dan Seni*. Vol. 1, No. 2 (2018).

¹⁴ Ali Anwar Yusuf. *Filsafat Pendidikan Kontemporer*. (Banten: PT. Runzune Sapta Konsultan, 2023).

Examining legal philosophy in shaping human character perfectly is highly desirable. Moreover, this country is so dilapidated that we need a strong character. Legal philosophy is one step. So, a person who masters philosophy is a person with character.

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