



Legalistic Humanism Between Conflict and Actualization of Humanity Concept in the History of War and Conflict

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Abstract. Humanism is understood as a system of relations between humans. The conception of the four precepts in Pancasila places a very strategic human position. The highest value after the Divine Value of all social, economic, legal, political, defense, cultural and even scientific life orders is man himself. Humanism as the message of the precepts in Pancasila is nothing but to build a state life in which human relations are based on free cooperation and aim to create a good life together in an independent and sovereign country. This research was conducted to provide an objective picture of the actual state of the object being investigated. This study uses data collection techniques, including observation, interviews and Focus Group Discussion (FGD). Humanity is a natural concept that is inherent in every human individual, the evolution of human civilization has given birth to a derivative concept of the meaning and nature of humanity as a consequence of human relations which are influenced by complex facts that give rise to conflictual concepts and actualizations of humanity. In reality the concept of legalistic humanism has not been fully able to prevent war and conflict, at least the concept of legalistic humanism is the only norm that protects many countries, nations, communities and individuals from broader humanitarian problems.

Keywords: legalistic humanism · war · conflict

1 Introduction

First learned about humanity when introduced by elementary school teachers about Pancasila, the ideology of the Unitary State of the Republic of Indonesia, which was formulated by the founders of the Republic of Indonesia, Bung Karno et al., which was later stipulated in the Preamble to the Constitution of the Republic of Indonesia.

Humanity issues in the state basis reads “Just and Civilized Humanity” which in its implementation as a citizen is obliged to respect other human beings regardless of ethnicity, religion, race and group background where every citizen is obliged to respect the humanity of others according to the law and the law. (Anwar, Khoirul 2021)

The second lesson, of course, I got at the police academy which gave me lessons and police doctrine to respect humanity and help those who are weak.

Then I got the basic concept of humanity in the values that I learned from Javanese religion and culture as well as the culture that exists in the natural life of the Indonesian nation which contains cultural and religious codes of conduct that complement each other as a way of life.

In the course of later, I had the opportunity to serve in areas experiencing conflict and war at home and abroad which left a trail of death; the destruction of a city; loss of property and the right to live in safety and peace as well as loss of family generations. In addition to war and conflict areas, multicultural and cosmopolitan work assignments that cannot be separated from fights between groups on the basis of religious and ethical identities include crimes or natural disasters and mechanical disasters that intersect with humanitarian issues such as murder, rape, sale of human organs, disaster nature that takes human life and property. It also provides an overview of the spectrum of other humanitarian problems that actually occur in our social environment which are the objects of the busyness of government officials, law enforcement officers, security forces and the community.

These events are certainly very relevant to the humanitarian issues we are discussing and have even been discussed by many people since hundreds of years ago, to understand humanity and humanitarian issues that pose a threat to human life and civilization.

However, if we relate to today's theme, of course my experience served as part of an international police task force under the umbrella of the United Nations in Bosnia and Herzegovina (Former Yugoslavia) in 1998–1999; Part of the Tri Partite Monitoring Team The Armistice Agreement Between the Government of the Republic of Indonesia and the Free Aceh Movement in Aceh Under the Facilitation of the Hendry Dunand Center Finland in 2002–2003 and the Handling of the Terrorism Movement in Poso, Central Sulawesi 2011–2012 gave me a picture of the meaning of humanity which is different and not linear with doctrine and my initial knowledge of the meaning and practice of humanity itself.

Included in this paper, it requires me to think deeply to ensure that my view of humanity in the context of war and conflict can relatively provide an overview of the complex or multi-interpretative reality of the concept of humanity and provide a rational and progressive conclusion and recommendation.

In the space of war and conflict, for example, killing or carrying out anti-humanitarian actions against their opponents is an achievement and honor with all the justification narratives that the perpetrators later in the history of actors who commit excessive and structural violence are not least declared as heroes who are awarded medals of honor and will be remembered. in history as a fighter, especially for those who won the war.

On the other hand, for the losing party, the matter of death from a war causes a person or country to suffer suffering which is then declared as an enemy of humanity with the label of war criminals who must receive punishment and social sanctions who are excommunicated from the social community and are not least declared in history as criminals. humanity.

2 Method

This research is descriptive qualitative. Qualitative descriptive research aims to make a description in a systematic, factual, and accurate, about the facts and properties of

certain objects. This research was conducted to provide an objective picture of the actual state of the object being investigated. This study uses data collection techniques, including observation, interviews and Focus Group Discussion (FGD). (Mohajan 2018). Observations made based on the author's observations and experiences while serving in the Indonesian National Police.

3 Results and Discussion

What is the experience depicted from the events in Bosnia, Aceh and Poso then in reality is a repetition of the journey and history of conflicts that exist in the course of world civilization.

The events of Colonialism, World War I and World War II are included in the war against terrorism and group identity-based conflicts in the world, of course, documenting the reality of our history how humanity is conceptualized and interpreted differently from many parties who are in conflict spaces that are multi-interpreted. and multiple practices.

In the conceptual struggle to understand the above experience and at the same time answer the question of the theme of today's discussion, I finally got an answer that is close to what I think about humanity in relation to war and conflict, as an answer to the standard question from an in-depth process, why?

In a book written by Yuah Noval Harri about Homo sapiens, Yuvah's brother, Noah Harari, states that "all humanists are worshipers of humanity but they do not agree on the definition". (Roberts 2020)

The devotees of humanism are divided into 3 (three) sects as follows:

1. Liberal Humanism Sect

Humanity is individualistic and resides in every individual human being. With the highest commandment is to protect the essence and freedom of each individual.

2. The Sect of Socialist Humanism

Humanity is collective and resides within the human species as a whole. The highest commandment is to protect the equality of the species Homo sapiens.

3. The Sect of Evolutionary Humanism

Humanity is a species that can mutate where humans can be degraded into sub-humans or evolve into superhumans. With the highest command is to protect mankind from degeneration into subhumans and encourage evolution into superhumans.

In his further explanation, the liberal sect of humanism and the sect of socialist humanism are built on a monotheistic foundation, where we recognize the idea that all humans are equal, including all souls equal before God. (Pinn 2021)

What about the adherents of a sect of evolutionary humanism that is well understood and operationalized by NAZI admirers. Evolutionary humanists believe that humanity is not something universal and eternal, but a species that can change, either evolve or degenerate. Humans can evolve into superhumans or degenerate into subhumans.

In practice, the concept of Evolutionary Humanism also stimulates wars in the name of the superiority of the Aryan race over other races that are considered lower than the Aryan race as one of the human races that has the potential to become superhuman.

It also shows us that the different interpretations of the sects of humanism also produce wars and humanitarian events, where Hitler and his Nazis believed that the concept of evolutionary humanism was the most appropriate concept of humanity compared to the concept of liberal and social humanism.

In its post-World War II journey, which was marked by humanitarian events in Europe and the dropping of the atomic bombs on Hiroshima and Nagasaki, the world which had experienced many events for a long time due to colonialism and wars between nations agreed to stop war and build a new world with an international legal system. including humanitarian law whose aim is to build a new world that enforces liberal and social humanitarian law which is regulated in the formulation of international law, which in my opinion is the birth of a new sect of humanism, namely legalistic humanism, which regulates human behavior in conditions of peace and war in an international norm.

However, the birth of a new sect of legalistic humanism or the birth of an international legal regime and the existence of its legal superstructure and infrastructure are also not able to prevent wars and conflicts and other humanitarian disasters, as happened in Afghanistan, Iraq and Syria where the United States and its allies were involved in it or in other contexts. The war between Russia and Ukraine in Europe, which was actually the center of the perspective of human rights law growing and developing, or in Asia and Africa, which in reality gave birth to debates about right and wrong from a humanitarian perspective.

Likewise, the problems of humanity and civilization in many nations and countries face domestic problems with the existence of wars and conflicts due to separatist movements, terrorism and communal conflicts between groups, which if we study their jargon, they cannot be separated from the concept of liberal humanism regarding rights. Individual; social humanism about group rights and evolutionary humanism about the concept of superhuman, as verification that the concept and actualization of humanity is understood and practiced in many faces that give rise to endless debates.

4 Conclusion

The concept of humanity is practiced in many ways. Even though humanity is a natural concept that is inherent in every human individual, the evolution of human civilization has given birth to a derivative concept of the meaning and nature of humanity as a consequence of human relations which are influenced by complex facts that give rise to conflictual concepts and actualizations of humanity.

The concept of legalistic humanism that exists in the international legal system is a concept that is compiled and created to bridge conflicts between 3 (three) sects of humanism concepts that exist in the course of human civilization.

Although in reality the concept of legalistic humanism has not been fully able to prevent war and conflict, at least the concept of legalistic humanism is the only norm that protects many countries, nations, communities and individuals from broader humanitarian problems.

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