



Tax Reform Through the Reconstruction of Disputes and Law Enforcement Based on the Pancasila Legal Philosophy

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Article	Abstract
Keywords: Pancasila; Law Enforcement; Tax Disputes	<p><i>Problems with tax disputes in Indonesia include the burden of cases in the Tax Court that have not been decided and as well as the resolution of tax disputes in two courts, namely the PTUN and the Tax Court. This gives rise to inefficiencies in resolving tax disputes. This research aims to formulate tax reform by reconstructing disputes and enforcing tax law based on the values of Pancasila as the ideals of Indonesian law. This research is normative legal research by prioritizing, prioritizing conceptual, statutory, and comparative approaches. The results of the research show that the urgency of resolving disputes and enforcing tax law which refers to the values of Pancasila as the ideals of Indonesian law is expected to be able to apply the three values in Pancasila, namely deliberation-consensus, the value of efficiency and the value of justice which are expected to be applied used in disputes and enforcement of tax law which is more efficient. Reconstructing disputes and enforcing tax law, which is based on the three main central values in Pancasila, namely the value of deliberation and consensus, the value of efficiency, and the value of justice, requires tax reform through the revision of statutory regulations using the omnibus law method. This requires involves the formulation of the Tax Dispute Law using the omnibus law method, which revises several related laws such as the Tax Court Law, the HPP Law, and various other related associated laws and regulations. In practice, the idea of dispute reconstruction and tax law enforcement needs to be carried out by prioritizing tax mediation, resolving tax disputes in the Tax Court, and optimizing preventive approaches such as e-tax consultation.</i></p>

INTRODUCTION

Taxation is an important essential aspect in a country because it relates to the financing of the state to implement various policies while also of a country because it finances the state's implementation of various policies while upholding the trust of the people who are taxedtaxed people (Mazroui, Alawi, Thottoli, Hoqani, & Shukaili, 2022). The importance of taxation has led almost every country in the worldworldwide to

regulate taxation principles in their respective constitutions. In Indonesia, taxation aspects are regulated in Article 23A of the 1945 Constitution of the Republic of Indonesia, which states that matters related to taxes and various other levies are further regulated by law. Further regulation through legislative products is intended so that a tax can be agreed upon and receive consideration from the representatives of the legislative body (Bakar, Palil, Maelah, & Ali, 2022).

The importance of taxes for a country is emphasized by Mardiasmo, stating that for the state, taxes have three orientations: first, taxes as a contribution from society to the state Mardiasmo emphasizes the importance of taxes for a country, stating that taxes have three orientations for the state: first, taxes as a contribution from society to the state, and second, taxes as a basis for financing various state policies. (Mardiasmo, 2018) Taxes are important essential so that various government policies can be implemented to implement various government policies to serve the community. Second, taxes for the state are a form of participation and contribution from society to the state. From the state's perspective, taxes are part of the implementation of implementing the social contract, where there is a mutually trusting relationship between the state and the people. (I Dewa Gede Atmadja, 2021) Third, taxes for the state are a mandate that the state must be accountable for fulfil in order to achieve the greatest prosperity for the people.

The importance of the tax aspect above mentioned tax emphasizes that taxes play a crucial role in efforts to finance the administration of the state. However, in Indonesia, there are issues related to taxation, particularly concerning disputes and law enforcement in the field of taxation. The issues problems surrounding tax disputes in Indonesia are generally influenced by the convoluted and inefficient processes and procedures for tax disputes, as evidenced by the duality of judicial institutions handling tax disputes, namely the Tax Court and the Administrative Court (Erwiningsih, 2022). The inefficiency of tax dispute resolution, according to Richard Susskind, could potentially. According to Richard Susskind, the inefficiency of tax dispute resolution could weaken the system and law enforcement in the field of taxation (Susskind, 2015).

Data from the Tax Court shows that the process of resolving tax disputes also tends to experience a backlog of cases, as it is emphasized that there are 26,000 tax cases still pending, especially since the establishment of the Tax Court. (Safarina, 2022) If we refer to the year 2022, in the Tax Court itself, there were 15,530 cases, of which only 14,709 were resolved, leaving a backlog of 821 cases in 2022 (Komisi Yudisial, 2023). From the above facts, it can be seen that there is inefficiency in tax disputes and their enforcement processes. In fact, various countries have developed rapid tax resolution procedures, including through mediation processes.

The issue of tax disputes in Indonesia is also related to the orientation of tax law enforcement, which has not yet optimally based itself on the values of Pancasila. This can be seen in that tax disputes still predominantly rely on processes and legal

approaches that tend to be legalistic and place the legal process as the primary process in the field of tax disputes (*primum remedium*). (Hikmah, 2018) However, if we refer to the values of Pancasila as the legal ideals of Indonesia (*rechtsidee*) which emphasize a familial approach and consensus-oriented deliberation, suppose we refer to the values of Pancasila as the legal ideals of Indonesia (*rechtsidee*), which emphasize a familial approach and consensus-oriented deliberation. In that case, various orientations and formulations should ideally outline the resolution of tax disputes in Indonesia effectively and efficiently, there should ideally be various orientations and formulations that outline the resolution of tax disputes in Indonesia effectively, efficiently, and by prioritizing the values of Pancasila as the foundation and legal ideals of Indonesia (Shidarta, 2020).

The literature review in this research is fundamentally based on the theory or conception of the Pancasila legal ideal. The term "ideal" in the context of the Pancasila legal ideal is often misunderstood or equated with the term "aspiration" (Disantara, Anggono, & Efendi, 2022). According to Hamid At-Tamimi, ideals and aspirations have different orientations, where ideals are more oriented towards. Ideals are more oriented toward a set of values that serve as the foundation, guidelines, and guides, while. In contrast, aspirations are more oriented towards the goal of implementing something (Maria Farida Indrati, 2021).

In the context of Pancasila, the correct term is the legal ideals of Pancasila. This is because Pancasila contains a set of values and legal principles that must be implemented in various legal products and policies in Indonesia (Hamid, 2022). The position of the Pancasila legal ideals within the Indonesian legal system holds significant importance. This is because the Indonesian rule of law can be said to have implemented the Pancasila legal ideals if, in practice, these ideals serve as a guide in the application of significant. The Indonesian rule of law can be said to have implemented the Pancasila legal ideals if, in practice, these ideals serve as a guide in applying various legal practices (MahfudMD, 2017). This is relevant when the legal ideals of Pancasila's legal ideals can serve as the main orientation in guiding legal reforms in the field of taxation.

Previous research related to tax disputes has been conducted by three earlier researchers, such as Irawan et al. (2022), who analyzed the dimension of justice regarding objections or lawsuits related to tax disputes (Aji, Khosafiah, Jusikusuma, & Irawan, 2022). Penelitian lain mengenai sengketa perpajakan dilakukan oleh Chaisse dan Ji (2023) yang membahas mengenai penyelesaian sengketa perpajakan melalui mediasi dan berbagai formulasi ke depannya. Another study on tax disputes was conducted by Chaisse and Ji (2023), who discussed the resolution of tax disputes through mediation and various future formulations (Julien Chaisse, 2023). In addition, research on tax disputes was also conducted by Braumann (2023), who analyzed tax disputes in international law (Braumann, 2023). From the three previous studies, the research conducted by the author with a focus on the reconstruction of disputes and the

enforcement of tax law based on the values of Pancasila as the legal ideal of Indonesia has never been conducted and analyzed by the three previous researchers, making this study original.

The research gap in this study is the absence of a reformulation of tax law based on the legal ideals of Pancasila. Therefore, this research aims to formulate tax reform through the reconstruction of tax disputes and enforcement based on the values of Pancasila as the legal ideal of Indonesia. There are two problem formulations that this research aims to address: (i) what is the urgency of tax reform through the reconstruction of disputes and the enforcement of tax law based on the values of Pancasila? and (ii) how to formulate the reconstruction of tax disputes and the enforcement of tax law based on Pancasila values to succeed in tax reform?

Literature Review

The literature review in this research is fundamentally based on theories or concepts that serve as the analytical framework, which includes:

1. Tax Reform

Reformation linguistically comes from the word reform, which means change, improvement, or renewal (Bryan A. Garner, 2019). Lexically, tax reform means an effort to make improvements in the world of taxation. From a regulatory aspect, one of the government's efforts to realize tax reform is by enacting Law No. 7 of 2021 on the Harmonization of Tax Regulations (HPP Law). As part of the endeavor to carry out tax reform, the HPP Law has several orientations, such as: simplification and harmonization of tax regulations, optimization of various aspects in the tax field, as well as increasing taxpayer legal awarenesssimplifying and harmonizing tax regulations, optimizing various aspects in the tax field, increasing taxpayer legal awareness, and boosting state revenue in the tax sector (Kanantha & Edwar, 2022).

One of the progressive orientations in the HPP Law is the process of drafting the HPP Law using the omnibus law method. The omnibus law is a method in the formulation of legislation aimed at revising, improving, and harmonizing a piece of legislation effectively, efficiently, of formulating legislation aimed at revising, improving, and harmonizing a piece of legislation effectively and efficiently, and as well as ensuring legal certainty in a single legislative document (one bill) (Sulistina, Anggono, Khanif, & Dinh, 2022). Therefore, the term omnibus itself is likened to a "big bus" that accommodates various aspects, making it more effective and efficient.(Dodek, 2017) The presence of the HPP Law using the omnibus law method is expected to be a solution toUsing the omnibus law method, the HPP Law is expected to solve the problems in taxation regulation, such as the overlap in tax regulations and the frequent changes in tax regulations that create legal uncertainty (Juwana, Stephanie, Gabriella Gianova Laidha, 2020).

Overlapping in various tax regulations occurs due to the lack of harmonization and synchronization processes among different tax provisions. Additionally, overlapping in

tax regulations also happens because of the sectoral ego of lawmakers, which sometimes leads to conflicts of interest between one regulation and another, causing them to overlap with each other (Budiman, 2023). The existence of overlapping tax regulations impacts legal certainty and makes it difficult challenging to implement tax regulations in the field due to this overlap (A.A Gede Diotama, Budiarta, & Widiati, 2022). Therefore, from a regulatory perspective, tax reform is highly relevant to the formulation of formulating legislation using the omnibus law method to address various overlaps in tax regulations.

2. Tax Dispute

Specifically, the regulation regarding tax disputes in Indonesia is governed by Law No. 14 of 2002 on the Tax Court (Tax Court Law). Article 1, paragraph 5 of the Tax Court Law essentially emphasizes three aspects of tax disputes, which include: first. First, tax disputes are fundamentally disputes between the taxpayer (in this case, the Taxpayer) and the official authorized to collect taxes (Simatupang, Pasca Putri Quitrine Purba, 2023). This indicates that tax disputes are disputes between the public and the authorized officials (state administrative officials). Second, tax disputes arise from decisions made by the authorized officials. Tax-related decisions made by authorized officials in the context of state administrative law can be classified as a *beschikking* or a state administrative decision, as stated by Van der Pot. Van der Pot states, which is individual, concrete, and final. (Agus P. Priyono, 2022) Third, decisions related to taxation in tax disputes can be appealed or litigated in the Tax Court, which also includes lawsuits regarding the enforcement of collection in accordance with by the Taxation Law using a Writ of Execution.

Referring to the understanding of tax disputes as regulated in Article 1 number 5 of the Tax Court Law above, it can be concluded that in general, tax disputes have the characteristics of disputes in the field of state administrative law, namely: related to decisions made by government officials and these decisions can be subject to legal remedies in the Tax Court. Although in general, tax disputes are tax disputes are generally part of state administrative disputes, due to various specific characteristics and peculiarities in tax disputes, it can be concluded that tax disputes are a "*lex specialis*" of state administrative disputes in general. (Indah, 2022)

Tax disputes, although specifically within the jurisdiction of the Tax Court, in practice, there are also tax disputes that are subsequently granted by the Administrative Court. The Administrative Court subsequently grants. For example, in the Surabaya Administrative Court Decision No. 60/G/PTUN. SBY and the Surabaya Administrative Court Decision No. 61/G/PTUN. SBY, which substantively contains a lawsuit from the taxpayer at KPP Pratama against the Director General of Taxes to revoke the Tax Assessment Letter. (Sentosa, 2020) The Surabaya Administrative Court, which received the lawsuit, based its argument on Article 1 number 9 of Law No. 51 of 2009 concerning on the Second Amendment to the Administrative Court Law (Second

Amendment to the Administrative Court Law) along with Law No. 30 of 2014 concerning on Government Administration (Government Administration Law) that the Tax Assessment Letter has met the elements of KTUN, thus it is within the competence of the Administrative Court to adjudicate it.

Besides, at the Administrative Court, tax disputes are also concretely resolved by the Tax Court after first fulfilling tax disputes are concretely resolved at the Administrative Court after the Tax Court has first fulfilled various established procedures. In general, tax disputes in the Tax Court emphasize the appeal process and lawsuits related to taxation. Referring to Article 31 paragraph (2) of the Tax Court Law, it is emphasized noted that the appeal process is a process in which the Tax Court decides tax disputes based on objection decisions. Furthermore, Article 31 paragraph (3) of the Tax Court Law emphasizes the obligation of the Tax Court to examine and adjudicate lawsuits related to tax disputes. Referring to the competence of the Tax Court and the tax dispute process, it can be seen that the formulation of tax disputes has substantial similarities with the resolution of administrative disputes. (Ispriyarso, 2019) The resolution of state administrative disputes is generally carried out through administrative efforts and court proceedings at the Administrative Court. Administrative efforts are conducted at the authorized institutions. (Erna Dwi Safitri, 2021)

In the context of tax disputes, administrative efforts are made through the objection process submitted by taxpayers to the Director General of Taxes. Furthermore, in tax disputes, legal efforts are made through the Tax Court, legal efforts are made through the Tax Court in tax disputes. Given the substantive similarities between the resolution of state administrative disputes and tax disputes, it can be concluded that tax disputes are a specialization of state administrative disputes, and this applies *mutatis mutandis* to the Administrative Court and the Tax Court.

3. Enforcement of Tax Law

Conceptual law enforcement refers to the view of Satjipto Rahardjo that law enforcement is Satjipto Rahardjo's view that it encompasses various efforts made to realize the concrete goals of the law. (Rahardjo, 2010) In another view, according to Achmad Ali, law enforcement is the realm of concrete law, which means applying legal values and objectives in the societal realm sphere (law in society). (Ali, 2017) Procedurally, the law enforcement process is carried out by authorized law enforcement officers. Authorized law enforcement officers carry out the law enforcement process as regulated by legislation. Legislated.

Tax law enforcement is carried out by tax law enforcement officials who refer to Article 1, number 1 of the Tax Court Law juncto Article 2 of the HPP Law, which emphasizes in conjunction with Article 2 of the HPP Law, which emphasises that the authority in tax law enforcement is the Director General of Taxes. Referring to Article 2, paragraph (4) of the HPP Law, it is emphasized that the Director General of Taxes

has the authority to issue NPWP and confirm taxable entrepreneurs if the taxable entrepreneurs they do not fulfill their tax obligations.

4. The Ideals of Pancasila Law

The term "cita" in the context of the legal ideals of Pancasila is often misunderstood or equated with the term "cita-cita." Pancasila's legal ideals is often misunderstood or equated with "cita-cita." (Maria Farida Indrati, 2021) According to Hamid At-Tamimi, ideals and aspirations have different orientations, where ideals are more oriented towards. Ideals are more oriented toward a set of values that serve as the foundation, guidelines, and guides, while. In contrast, aspirations are more oriented towards the goal of implementing something. (Disantara et al., 2022) In the context of Pancasila, the correct term is the legal ideals of Pancasila. This is because Pancasila contains a set of values and legal principles that must be implemented in various legal products and policies in Indonesia. (Hamid, 2022) The position of the Pancasila legal ideals within the Indonesian legal system holds significant importance. This is because the Indonesian rule of law can be said to have implemented the Pancasila legal ideals if, in practice, these ideals serve as a guide in the application of is significant. The Indonesian rule of law can be said to have implemented the Pancasila legal ideals if, in practice, these ideals serve as a guide in applying various legal practices. (MahfudMD, 2017)

According to Rudolf Stamler, the ideal of law has two orientations: as a guide and as a tester of the regulations and legislation below it. (Dyah Ochtorina Susanti, 2021) As a guide, the legal ideals must be used as a guide Lawmakers, including policymakers in Indonesia, must use legal ideals by lawmakers, including policymakers in Indonesia. As an examiner, the legal ideal is placed as a "standard" or benchmark in assessing legal products and policies that are deemed inconsistent or contrary to the legal ideal. (Rofii, 2021) From Rudolf Stamler's idea above, Arief Hidayat emphasized that in the context of Pancasila's legal ideals, the values of Pancasila serve as guides and testers of legal substance, direct the legal structure, and are part of efforts to optimize a Pancasila-based legal culture. (Erwin, 2018)

In Jimly Asshiddiqie's view, the implementation of implementing Pancasila values in practice and law enforcement must refer to the five basic fundamental values enshrined in Pancasila. (Manullang, 2020) The five basic fundamental values of Pancasila include: the value of fare divinity, humanity, unity, democracy, and justice. (Asshiddiqie, 2021) In the context of tax disputes and law enforcement, among the five basic values in Pancasila mentioned above, there are actually three main values in Pancasila that need The five central values in Pancasila mentioned above need attention regarding tax disputes and law enforcement. They should be applied in tax disputes: the value of deliberation and consensus (the fourth principle of Pancasila), the value of efficiency (part of the second principle of Pancasila—efficiency attention and should be applied in tax disputes, namely: the value of deliberation and consensus (the fourth principle of

Pancasila), the value of efficiency (part of the second principle of Pancasila. Efficiency as part of humanity), and the value of justice (the fifth principle of Pancasila).

The value of deliberation and consensus in the context of taxation in Indonesia is not yet optimal because the process of resolving tax disputes is still based on a legal orientation and process that seems convoluted. In fact, referring to the legal ideals of Pancasila, the value of deliberation and consensus should be optimized and made the main orientation. In terms of efficiency, the resolution of tax disputes, which is practically handled by the Administrative Court and the Tax Court, also leads to inefficiency. This is because with the increasing number of judicial institutions involved, the resolution of tax disputes can take longer, become convoluted, and be neither effective nor efficient. In terms of justice value, particularly in the process of tax law enforcement, it is necessary to refer to the concept of legal protection as proposed by Philipus M. Hadjon, which emphasizes legal protection both preventively and repressively. (Philipus M. Hadjon, 2007) In practice, tax law enforcement is still repressive and has. It has not yet adopted preventive legal protection aspects, so it is necessary to apply the value of justice in the tax dispute process. Applying the value of justice in the tax dispute process is necessary.

METHOD

Research that discusses the reconstruction of disputes and the enforcement of tax law based on the values of Pancasila as the legal ideal of Indonesia is normative legal research. (Negara, 2023) Normative legal research is based on legal science's "internal" aspects, emphasizing coherence between concepts, theories, and legal principles. (Peter Mahmud Marzuki, 2017) The purpose of normative legal research is to prescribe a legal solution. The primary legal materials in this research are the Tax Court Law, the Second Amendment to the Administrative Court Law, and the HPP Law. The secondary legal materials are journal articles, books, and research results discussing tax disputes. Non-legal materials include legal dictionaries. The approaches used are conceptual, legislative, and comparative. The legal materials are analyzed qualitatively-prescriptively, which involves formulating legal solutions to the legal issues being discussed.

RESULTS AND DISCUSSION

The Urgency of Tax Reform Through the Reconstruction of Tax Disputes and Tax Law Enforcement Based on Pancasila Values

Tax reform is essentially one of the efforts and orientations to renew various aspects of taxation. (Farrar, Rennie, & Thorne, 2022) In general, tax reform refers to three aspects, namely: reform of the substance of tax regulations, reform of the tax law enforcement apparatus, and reform of the tax legal culture that accommodates a mutualistic relationship between tax officials (in this case, the Director General of Taxes) and taxpayers. (Chaisse & Mosquera, 2023) One of the implementations of tax

reform in the substance of tax regulations is the enactment of the HPP Law. The HPP Law essentially manifests the reform of the substance of tax regulations due to various problems in taxation, particularly hyperregulation and disharmony in tax regulations. (Kurniawan, 2019) Hyperregulation is essentially a common phenomenon that occurs in modern legal states. This is because modern legal states are dependent on positive law. (Anggono, 2022) In Bayu Dwi Anggono's view, hyperregulation occurs because the formation of positive law tends to be implemented unilaterally without considering and referring to other related rules. (Habibah Zulaiha, 2022)

The phenomenon of hyperregulation in taxation can be seen, among other things, in the constantly changing regulations within the General Tax Provisions (KUP). The rules in the KUP, which tend to change frequently, on the one hand, create legal uncertainty in society and make the implementation of tax legislation difficult. (Angger Sigit Pramukti, 2018) Therefore, the HPP Law has facilitated efforts to reform tax law, particularly in reforming tax regulations. In tax reform, particularly in tax law enforcement, it can be seen that this has not been optimally implemented. This is because there has been no addition or effort to enhance the role of the Director General of Taxes. In the aspect of tax legal disputes, for example, the Director General of Taxes is still granted authority as regulated in the Tax Court Law, so there has been no substantive renewal in the aspect of tax law enforcement reform. (Yasin, 2021) In the tax reform in the field of tax law culture that accommodates the mutualistic relationship between tax officials (in this case, the Director General of Taxes) and taxpayers, this has not yet been seen because the resolution of tax disputes referring to the Tax Court Law still emphasizes an orientation towards prioritizing legal resolution (law as *primum remedium*). (Erwiningsih, 2022) However, referring to the characteristics of tax disputes that require quick and specialized handling efforts, the resolution of tax disputes that emphasize a legal resolution paradigm must be changed so that the legal process is not the primary process but the last resort in resolving tax disputes (*ultimum remedium*).

Efforts to resolve taxation that make the legal process the final step in resolving tax disputes mandate the existence of non-legal procedures that can make tax resolution more efficient without reducing the essence and substance of the tax itself. One of the essential aspects of reform in the field of tax disputes and enforcement of tax law is the need for a reconstruction or reorganization of tax disputes and enforcement of tax law that refers to the values of Pancasila. The importance of efforts to resolve disputes and enforce tax law by the values of Pancasila is at least based on three arguments: first, Pancasila as the legal ideal of the Indonesian nation must be used as a reference, guide, and guideline in legal practice. (Prasetyo & Handayani, 2018) The values of Pancasila in the context of dispute resolution and tax law enforcement must be explored, and the "praxis" aspect sought so that they can be applied in efforts to reorganize dispute resolution and tax law enforcement to be efficient and just.

Second, the importance of excavating Pancasila values in dispute resolution and tax law enforcement is that Pancasila values can be said to be neglected in dispute resolution and tax law enforcement efforts. This can be seen from the legalistic-formalistic approach in resolving disputes and enforcing tax law based on administrative and legal processes. The resolution of disputes and the enforcement of tax law based on administrative processes and legal processes essentially undermine the values of Pancasila, such as the value of deliberation and consensus. As a genuine value and the identity of the Indonesian constitution, deliberation and consensus should ideally be used as a guideline and practice in resolving disputes and enforcing tax law. (Fadilah, 2019) Third, the resolution of tax disputes and the enforcement of tax law applied in Indonesia tend to prioritize a repressive approach, namely, resolving disputes and enforcing tax law through the courts, particularly in the Tax Court institution. (Kusumastuti, 2021) However, referring to the value of justice, which is a fundamental value of Pancasila, it should be that besides a repressive approach, the resolution of disputes and the enforcement of tax law should also prioritize a preventive approach, such as resolving disputes and enforcing tax law through non-legal efforts like alternative dispute resolution.

Efforts and orientations in resolving tax disputes through non-legal means are essentially progressive ideas, especially when the values of Pancasila, as the legal ideals of Indonesia, also emphasize non-legal resolution efforts first. Theoretically, resolving tax disputes through non-legal means is particularly relevant when linked to the position of law as part of the societal subsystems that cannot stand alone. (Dicky Eko Prasetyo Adam Ilyas Felix Ferdin Bakker, 2021) This emphasizes that law is not society's only means of dispute resolution. Outside the law, efforts and orientations for dispute resolution still substantially reflect Pancasila's values. (Siregar, Lubis, & Harahap, 2023) Based on the three primary values in Pancasila, namely, deliberation-consensus, efficiency, and justice, efforts need to be made to reconstruct the resolution of disputes and the enforcement of tax law to achieve an effective, efficient, and just resolution of disputes and the enforcement of tax law.

The urgency of resolving disputes and enforcing tax law, which refers to the values of Pancasila as the legal ideal of Indonesia by prioritizing three values, such as deliberation and consensus, efficiency, and justice, is expected to make the process of resolving tax law disputes more effective. This is particularly important as it tends to result in a high number of cases, some of which have not yet been decided by the Tax Court. Additionally, by emphasizing the three values in Pancasila—deliberation and consensus, efficiency, and justice—it is hoped that tax disputes and law enforcement will also be more efficient by focusing on the Tax Court. This would make the Tax Court the sole legal institution for resolving tax disputes, eliminating the authority of the Administrative Court. Furthermore, it is expected that tax disputes and law enforcement can also adopt non-legal approaches, such as tax mediation, while

emphasizing both preventive and repressive approaches. This is expected to reduce the burden on the Tax Court and achieve justice for tax law enforcement officers and taxpayers.

Reconstruction of Tax Disputes and Enforcement of Tax Law Based on Pancasila Values in Achieving Tax Reform Success

The reconstruction of tax disputes and law enforcement is fundamentally based on three central values in Pancasila that are relevant in resolving tax disputes: deliberation-consensus, efficiency, and justice. In applying the deliberation-consensus value, the reconstruction of tax disputes and law enforcement can be oriented towards adopting tax dispute resolution efforts through non-legal channels or alternative dispute resolution. Tax dispute resolution through alternative dispute resolution has indeed been implemented in various countries, such as the UK, which applies tax disputes through HM Revenue & Customs (HMRC). (Radvan, 2023) In England, the resolution of tax disputes by HMRC has been preceded by a mediation process since 2011. This is done to minimize the time and cost of the tax dispute process while still striving to achieve substantive justice in tax disputes through mediation. In England, the process of resolving tax disputes through mediation is also carried out in Australia through the Australian Taxation Office (ATO). (Ardiansyah, 2022) When a tax dispute occurs, the ATO always recommends and strives to resolve it through mediation. Through the ATO, mediation is conducted substantively by prioritizing communication between the two parties, namely the taxpayer and the tax law enforcement officers. Applying tax disputes through mediation by the ATO has also effectively reduced the tax case burden by 30% from 2018 to 2021. (Hidayah, Suhariningsih, & Istislam, 2018)

Tax mediation is also possible in Canada, England, and Australia. Although a Tax Court serves as the Tax Tribunal, this can only be realized if there is an audit and mediation mechanism between tax officers and taxpayers. (Hidayah et al., 2018) Referring to the mediation practices in the three aforementioned countries, it is appropriate for this tax mediation orientation to be implemented in Indonesia by first revising the Tax Court Law. The orientation of implementing tax mediation in Indonesia can be implemented by replacing the objection procedure as regulated in the Tax Court Law with tax mediation. A lawsuit can be filed directly in the Tax Court if tax mediation does not reach an agreement.

In applying efficiency values, the reconstruction of tax disputes and the enforcement of tax law must be unified under a "one-roof system" in which tax disputes are resolved solely through the Tax Court. (Aidonojie, 2022) This is so that tax disputes can be resolved more effectively and efficiently. The effort to unify the resolution of tax disputes solely through the Tax Court substantively also aims to close the opportunity and eliminate the authority of the Administrative Court to adjudicate tax disputes. The effort to unify the resolution of tax disputes solely through the Tax

Court can be achieved by revising the Tax Court Law while reinforcing the authority of the Tax Court as the only court handling tax disputes.

In applying the value of justice, the reconstruction of tax disputes and law enforcement must simultaneously prioritize preventive and repressive aspects. The preventive aspect is achieved by optimizing socialization and conducting substantial tax consultations with taxpayers. Effective tax consultation to taxpayers can also prioritize technological developments by optimizing e-tax consultation for taxpayers. After the preventive approach, the repressive approach through mediation and the Tax Court institution.

The orientation of implementing the three values of Pancasila, namely the value of deliberation and consensus, the value of efficiency, and the value of justice, is expected to be applied in efforts to reconstruct tax disputes and law enforcement in Indonesia. Efforts to reconstruct tax disputes and law enforcement in Indonesia that prioritize tax mediation, the unification of tax disputes in the Tax Court, and optimizing preventive approaches such as e-tax consultation for taxpayers can only be realized by reforming the tax system through the revision of legislation using the omnibus law method. Formulating the Tax Dispute Law using the omnibus law method, which revises several related laws such as the Tax Court Law, the HPP Law, and various other associated regulations.

CONCLUSION

The urgency of resolving tax disputes and enforcing tax law, which refers to the values of Pancasila as the legal ideal of Indonesia, is expected to make the process of resolving tax law disputes more effective, as it tends to result in a large number of cases, some of which have not yet been decided by the Tax Court. Additionally, by prioritizing three values in Pancasila—deliberation and consensus, efficiency, and justice—it is hoped expected that tax disputes and the enforcement of tax law will also be more efficient by focusing on the Tax Court, making the Tax Court the sole legal institution to resolve tax disputes by eliminating the authority of the Administrative Court. Furthermore, tax disputes and enforcement of tax law are also expected to adopt non-legal approaches such as tax mediation while emphasizing both preventive and repressive approaches simultaneously, thereby not only reducing the burden on the Tax Court but alsosimultaneously emphasizing both preventive and repressive approaches, thereby reducing the burden on the Tax Court and achieving justice for tax law enforcement officers and taxpayers. The reconstruction of tax dispute resolution and law enforcement based on the three main central values in Pancasila, namely the value of deliberation and consensus, the value of efficiency, and the value of efficiency, and justice, requires tax reform through the revision ofby revising legislation using the omnibus law method. This means that itFormulating the Tax Dispute Law using the omnibus law method, which revises several related laws such as the Tax Court Law, the HPP Law, and various other associated regulations, is necessary is necessary to formulate the Tax Dispute Law using the omnibus law method, which revises several related laws such as the Tax Court Law, the HPP Law, and various other related regulations. In practice, the idea of reconstructing tax disputes and law enforcement needs to must be carried out by prioritizing tax mediation, unifying tax disputes in the Tax Court, and optimizing preventive approaches such as e-tax consultation.

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