



## The Path of Pancasila Ideology: Legislation and Philosophical Approach in Policy Arrangement for National Ideology

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**Abstract.** The success of the state in realizing its goals is not only because the state has an ideology but is also determined by the good values that exist in the quality of humans or individuals in a nation. It means that to make it happen, a good and equal understanding of the values contained in the ideology requires concrete policies, which are actualized in the attitude of social life. In other words, ideology must become a real character of a nation. The implementation of the Pancasila Ideology Development has not been carried out optimally because the regulatory framework that regulates the Pancasila Ideology development is still scattered in various regulations. This issue is important to be studied more deeply considering the direction of the regulation of Pancasila Ideology development has a very important meaning, especially related to policies in the regulation field, which will greatly influence the success of Pancasila ideology development to strengthen national resilience. This study uses qualitative methods through document analysis. The data was analyzed related to documents related to the development of the Pancasila ideology. The draft implementing regulations that are needed to describe the level of implementation of the basic Pancasila ideology development is the need for implementing regulations that regulate procedures for the implementation of pancasila ideology development and roadmap for pancasila ideology development and procedures for monitoring and evaluation of the implementation of pancasila ideology development. With the principles of fostering the Pancasila ideology outlined in a law-level regulation, it is hoped that this regulation can become a policy direction with a stronger legal basis in the context of fostering the Pancasila ideology, which is national and binding on all state administrators and elements of society.

**Keywords:** Pancasila, Legislation, National Ideology Development, Indonesia



**Abstrak.** Keberhasilan negara dalam mewujudkan tujuannya bukan hanya karena negara memiliki ideologi, tetapi juga ditentukan oleh nilai-nilai baik yang ada pada kualitas manusia atau individu dalam suatu bangsa. Artinya untuk mewujudkannya, pemahaman yang baik dan setara terhadap nilai-nilai yang terkandung dalam ideologi memerlukan kebijakan-kebijakan yang konkrit, yang diaktualisasikan dalam sikap kehidupan bermasyarakat, dengan kata lain ideologi harus menjadi karakter nyata suatu bangsa. Pelaksanaan Pembinaan Ideologi Pancasila belum terlaksana secara maksimal karena kerangka regulasi yang mengatur tentang Pembinaan Ideologi Pancasila masih tersebar di berbagai regulasi. Masalah ini penting untuk dikaji lebih dalam mengingat arah pengaturan pengembangan Ideologi Pancasila memiliki arti yang sangat penting, terutama terkait kebijakan di bidang regulasi yang akan sangat mempengaruhi keberhasilan pengembangan ideologi Pancasila dalam rangka memperkuat ketahanan nasional. Dalam penelitian ini, menggunakan metode kualitatif, melalui analisis dokumen. Dalam menggunakan metode kualitatif, data penelitian akan dianalisis terkait dengan dokumen-dokumen yang terkait dengan perkembangan ideologi Pancasila. Rancangan peraturan pelaksanaan yang diperlukan untuk menggambarkan tingkat pelaksanaan pembangunan ideologi Pancasila yang bersifat mendasar adalah perlunya peraturan pelaksanaan yang mengatur tata cara pelaksanaan pengembangan ideologi Pancasila dan roadmap pengembangan ideologi Pancasila dan tata cara monitoring dan evaluasi pelaksanaan pengembangan ideologi Pancasila. Dengan prinsip-prinsip pembinaan ideologi Pancasila yang dituangkan dalam suatu peraturan perundang-undangan, diharapkan peraturan ini dapat menjadi arah kebijakan yang memiliki landasan hukum yang lebih kuat dalam rangka pembinaan ideologi Pancasila yang bersifat nasional dan mengikat seluruh negara, pengurus dan unsur masyarakat.

**Kata kunci:** Pancasila, Legislasi, Pembangunan Ideologi Nasional, Indonesia

## 1. Introduction

Throughout history, it is recorded that no nation becomes great without being supported by a foundation of values that comes from the wisdom of that nation. The great countries that are present in the historical reality are certainly rooted and developed from the values that live and grow in the midst of their people. Values that are considered important are good, valuable, quality, qualified, and useful for humans. The concrete form, the value, is a belief that humans own.<sup>1</sup> The values of life in the nation have a moral dimension.<sup>2</sup> Because without a moral dimension that supports the nation's civilization, a nation will not achieve its greatness.<sup>3</sup>

We understand the meaning of the word moral dimension or belief in the Indonesian context as the state ideology, namely Pancasila. As an ideology, Pancasila is needed as a binder for collectivity to become a directed movement to achieve certain goals. The set of values contained in Pancasila is an ideal basic value, a national commitment, and a national identity which is the basis for building the character of the Indonesian nation. In a country with diverse cultures and customs, such as Indonesia, Pancasila is a shared value that binds unity (integrative), common denominator, and national identity, which is also a national identity. The good value must be realized (ideal value). Therefore, it can be ascertained that the values of Pancasila essentially reflect the nature of the life of the Indonesian people in the universe, which directly or indirectly have universal applicability. Thus, it would not be wrong to say that the values of Pancasila are original and universal. Its authenticity lies in extracting the nation's founding fathers in their talk of the foundation of the state. The universality of Pancasila values lies in its essence as the principle of relations or relations.<sup>4</sup>

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<sup>1</sup> Ahmad Kosasih Djahiri. *Dasar-dasar Umum Metodologi dan Pelajaran Nilai dan Moral PVCT*. Purwakarta: IKIP, 1995.

<sup>2</sup> According to Notonagoro, in Kabul Budiyo it is stated that moral is the value of goodness that comes from human will/intention. Kabul Budiyo. *Pendidikan Pancasila Untuk Perguruan Tinggi*. Bandung: Alfabeta, 2016.

<sup>3</sup> Nurcholish Majid. *Indonesia kita*. Gramedia Pustaka Utama, 2004.; J. A. Denny. *Menjadi Indonesia Tanpa Diskriminasi: Data, Teori, dan Solusi*. Cerah Budaya Indonesia, 2014.

<sup>4</sup> Alexander Seran. "Krisis Pengamalan Pancasila dan Perlunya Penguatan Ruang Publik Melalui Etika Komunikasi: Sebuah Pendekatan Etika Keutamaan." *Respons: Jurnal Etika Sosial* 22, no. 02 (2017); Ariesta Wibisono Anditya. "Penanaman Nilai-Nilai Pancasila Melalui Kontrol Sosial Oleh Media Massa Untuk Menekan Kejahatan di Indonesia." *Nurani Hukum* 3, no. 1 (2020): 30-45.

The success of the state in realizing its goals is not only because the state has an ideology, but is also determined by the good values that exist in the quality of humans or individuals in a nation. This means that to make it happen, a good and equal understanding of the values contained in the ideology requires concrete policies, which are actualized in the attitude of social life, in other words, ideology must become a real character of a nation. The “cultural” character of a nation must also be maintained and built not only as a differentiator from other nations, but also as a form of existence of the existence of a nation. In other words, the development of the nation’s character cannot stop since the existence of a nation, but develops along with the journey of the nation itself.

However, since MPR Decree (TAP MPR) No. II/MPR/1978 concerning Guidelines for the Live and Practice of Pancasila (TAP MPR P4/*Pedoman Penghayatan dan Pengamalan Pancasila*) was declared null and void, which then also resulted in the dissolution of the BP-7 institution, practically there is no longer a system and agency that has the task of carrying out fostering the values of Pancasila. The implication is that the values of Pancasila are becoming increasingly poorly understood and practiced as the ideal foundation in the national development of the Indonesian nation. The values of Pancasila are gradually being uprooted from their own national identity.

Meanwhile, the pressure of the current of globalization has the potential to influence the entry of cultural values from outside, which has an impact on the order of life of the nation and state. The understanding of Pancasila values is getting weaker, as can be seen from the results of the Kompas daily survey on June 1, 2008 which shows that public knowledge about Pancasila has fallen sharply. The data shows that as many as 48.4% of respondents aged 17-29 years cannot mention the Pancasila precepts completely and correctly. As many as 42.7% of respondents aged 30-45 years are wrong when mentioning the precepts of Pancasila. As many as 60.6% incorrectly mention the Pancasila precepts for respondents aged 46 years and over.<sup>5</sup>

In 2011 the Institute for the Study of Islam and Peace also conducted a survey by taking 993 junior and senior high school students as respondents. From the survey results obtained data that 50% of respondents agreed to acts of violence or

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<sup>5</sup> Kompasiana. “Masihkah kita mengenal Pancasila.” (2011.November 11) accessed on 15 Agustus 2019. <https://www.kompasiana.com/pakcah/55094b49813311785db1e143/masihkah-kita-mengenal-pancasila>

radical actions in the name of religion, 14.2% of respondents agreed that there were acts of terrorism, 84.8% of respondents agreed to enforce Shari'a based on religion, and 25.8% of respondents stated that Pancasila is no longer relevant as a state ideology.<sup>6</sup> The results of the CSIS survey also show that 26.9% of respondents are very optimistic that the values of Pancasila can be used as guidelines for overcoming crises and guidelines for strengthening the life of the nation and state, 62.3% of respondents are quite optimistic, 52% of respondents do not agree and 32% of respondents do not agree to replace Pancasila as the basis and ideology of the state. The results of the survey are certainly very concerning and show clearly how weak the understanding of Pancasila values is.<sup>7</sup>

Conditions that describe the weak understanding of the ideology of Pancasila, of course greatly affect the resilience of the state ideology and generally have implications for the national security of the Indonesian nation. Therefore, strengthening the resilience of the Pancasila ideology is directly correlated to national security. The ideology of Pancasila as the bulwark of unity will be able to restore the condition of the country that faces shocks, pressures, and conflicts that threaten the unity and integrity of the nation.<sup>8</sup>

As one of the responsive steps to the not yet optimal development of Pancasila ideology after the revocation of TAP MPR P4, and the dissolution of the state institution BP-7, the MPR for the 2009-2014 period took the initiative to promote Pancasila, the 1945 Constitution of the Republic of Indonesia, the Unitary State of the Republic of Indonesia, and *Bhinneka Tunggal Ika*. Furthermore, through the provisions of Article 5 letter b of Law No. 17 of 2014 concerning Law on Legislative Bodies (or MD3 Laws), the MPR is given a mandate to promote Pancasila. Furthermore, in August 2017 the Government also took the initiative to issue a policy through Presidential Regulation No. 54 of 2017 concerning the Presidential Working Unit for the Development of Pancasila Ideology (PWU-DPI), which is responsible for fostering the Pancasila Ideology. In its development, PWU-DPI underwent a change into the Pancasila Ideology Development Agency

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<sup>6</sup> PUSAD, "Konservatisme keagamaan disekolah" (2011. Maret 7) accessed on 15 Agustus 2019. <https://www.paramadina-pusad.or.id/konservatisme-keagamaan-di-sekolah/>

<sup>7</sup> *Ibid.*

<sup>8</sup> Abdul Haris Fatgehipon, and Saidna Zulfiqar Bin-Tahir. "Building students state defending awareness in preventing the radicalism." *International Journal of Scientific & Technology Research* 8, no. 10 (2019): 3536-3539.; Leni Anggraeni, Cecep Darmawan, and Sri Wahyuni Tanshzil. "The Use of Comic-Based Technology: Media Cultivation of Values in the Nation Defense." In *2nd Annual Civic Education Conference (ACEC 2019)*, pp. 428-431. Atlantis Press, 2020.

(PIDA/*BPIP*) which in Presidential Regulation No. 7 of 2018 concerning the Pancasila Ideology Development Agency (*BPIP*)

However, if we look closely, the Government's efforts in the policy aspect of fostering the Pancasila ideology have not been as expected, including:

1. There is still an understanding of teachings that tend to lead to intolerant, exclusive, and sectarian attitudes that threaten togetherness in the life of society, nation, and state, and the concretization of moderation of religious life has not been optimally developed;
2. The fading understanding of the noble values instilled by the founding fathers of the nation, as well as the incomplete understanding of Pancasila as the basis and ideology of the state as well as the nation's view of life as aspired by the founding fathers of the nation;
3. Lack of mainstream understanding of Pancasila values as the basis and ideology of the state as well as the nation's view of life as a whole and in depth in the world of education, so that there is a very limited understanding of the role of Pancasila in the life of society, nation and state;
4. Lack of mainstreaming of Pancasila as the basis and ideology of the state as well as the nation's view of life substantively in the administration of state administration as well as socio-political and community organizations;
5. The existence of laws and regulations that are substantively contrary to the values of Pancasila which threaten national unity and social justice and human rights;
6. Lack of exemplary in attitudes and behavior based on Pancasila values by state leaders and national figures.

It can be concluded that the implementation of the Pancasila Ideology Development has not been optimally due to the regulatory framework governing the development of the Pancasila Ideology which is still scattered in various regulations, which results in First, the unintegrated Pancasila Ideology development so that it affects the effectiveness of its implementation; Second, there is potential for overlapping so that the development of the Pancasila ideology becomes inefficient. Third, there are various models of governance for the

development of the Pancasila ideology, which in the end the development of the Pancasila ideology does not run comprehensively and on target.<sup>9</sup>

Therefore, this issue becomes important to be studied in more depth considering the direction of the regulation on fostering the Pancasila ideology has a very important meaning, especially related to policies in the field of regulation which will greatly influence the success of fostering the Pancasila ideology in order to strengthen national resilience.<sup>10</sup>

## 2. Research Method

The writing method used in writing this research is using qualitative methods, through document analysis. In using the qualitative method, the study data will be analyzed related to documents related to the development of the Pancasila ideology. This study uses 3 (three) kinds of approaches, namely: a philosophical approach, a legislation history approach, and a legislation approach. The philosophical approach is carried out to examine the problems and basic concepts that exist in the study from a philosophical perspective. The historical approach to legislation is carried out to examine or examine various laws and regulations that have been a source of law or the legal basis used. The statutory approach is carried out to examine or examine several relevant laws and regulations and become a source of law or legal basis in the practice of implementing state government in force.<sup>11</sup>

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<sup>9</sup> Aristo Evandy A Barlian. "Development of Legal System in Indonesia that based on the Value Pancasila." *International Advisory Board* (2017): 29.; Abdul Latief, Muhammad Nadir, Theodorus Pangalila, Apeles Lexi Lonto, Totok Suyanto, and Mr Warsono. "Revitalizing the Value of Pancasila in the Development of the Character of Indonesian Citizens." In *1st International Conference on Social Sciences (ICSS 2018)*, pp. 923-926. Atlantis Press, 2018.

<sup>10</sup> Sayidiman Suryohadiprojo. "Konsep Keamanan Komprehensif." *Jurnal Ketahanan Nasional* 1, no. 1996 (1996).; Suyidiman Suryohadiprojo. "Ketahanan Nasional Indonesia." *Jurnal Ketahanan Nasional* 2, no. 1 (1997): 13-32.; Wahyono Wahyono. "Keamanan Nasional Dalam Perspektif Baru." *Jurnal Ketahanan Nasional* 5, no. 1 (2000): 19-34.

<sup>11</sup> *Idem.*

### 3. Result and Discussion

It should be emphasized that regulatory policy is government (and public) intervention to find ways to solve problems in development and support a better development process. Regulatory policies are the government's efforts, methods and approaches to achieve the development goals that have been formulated. Legislation (rule) is a form of policy implementation, which is the implementation of basic policy decisions, in the form of laws or can also be in the form of decisions or orders that have more explicitly identified the problem to be overcome and clearly stated the goals and objectives. target to be achieved. This means that the legislation itself is a concrete form of public policy. Public policies such as laws and regulations can be categorized as public goods.

The development of Pancasila ideology in the pre-reform era can be classified into two phases or eras of government, namely the old order and the new order government. In the era of the old order government, Pancasila ideology development was still in the form of directive policies in the state mandate, the President's mandate and the President's speech as a political manifesto, including the President's speech in international forums. The Pancasila ideology development contained in the Political manifesto was later determined to be the basic policy in the form of the state policy as stated in the MPRS TAP No. I/MPRS/1960 concerning the Political Manifesto of the Republic of Indonesia as Outlines of the State Policy, and MPRS TAP No. II/MPRS. /1960 concerning the Outlines of the Planned Universal National Development Pattern for the First Stage 1961-1969.

In its development during the Old Order era in the context of fostering the Pancasila ideology, various materials related to Pancasila were also stipulated in several TAP MPRS in 1960-1969, among others, regulating: a) the outlines of the State Policy (GBHN), b. ) independence in the field of economy and development, c) deliberation for consensus in guided democracy, d) position of state institutions, e) general elections, f) parties, organizations and work, g) policies in defense and security, h) religion, education , and culture, i) policies to improve people's welfare, j) fostering the press, foreign policy based on Pancasila, k) as well as resolutions on fostering national unity.



Even though in the old order era, the government system was still in transition so that state equipment had not been formed in accordance with the mandate of the 1945 Constitution, but the development of the Pancasila ideology had become a basic policy direction that occupies a high hierarchy in the system of laws and regulations, namely as the direction of the state. which complements the state's constitutional rules regulated in the 1945 Constitution of the Republic of Indonesia. The issuance of TAP MPRS No. XXV/MPRS/1966 proves that the development of Pancasila ideology became the main agenda of the state in the old order era which prohibited any teachings that were contrary to the values of Pancasila.

In the new order era, the development of the Pancasila ideology was also carried out and was explicitly placed as a national development paradigm as stated in the MPR TAP concerning the Outline of State Policy in each period of the new order government, as well as stated in the MPR TAP P4 In addition to MPR TAP No. II/MPR/1978, fostering the ideology of Pancasila is also implicitly contained in several TAP MPR which was stipulated from 1973-1998 which regulates material related to the development of the Pancasila ideology, among others: a) the position and working relationship of the highest state institutions with or high state institutions , b) general election, c) referendum, d) accountability of the President, and e) the success and security of National Development.

**Table 1.** Arrangements for the Development of Pancasila Ideology before the Reformation Era.

<b>OLD ORDER</b>	<b>NEW ORDER</b>
TAP MPRS No. I/MPRS/1960 concerning the Political Manifesto of the Republic of Indonesia as Outlines of State Policy, TAP MPRS No. II/MPRS/1960 concerning Outlines of the Planned Universal National Development Pattern for the First Stage 1961-1969.	TAP MPR 1973-1998 Concerning Outlines of State Policy  TAP MPR No. II/MPR/1978, concerning Guidelines for the Live and Practice of Pancasila

In contrast to the previous era, in the reform era, if you look closely, there is no policy framework that specifically regulates the development of the Pancasila ideology. There should be a rule of law that becomes the main legal umbrella in fostering the Pancasila ideology. Efforts to have a special law on fostering the Pancasila ideology have been planned, namely by compiling the Draft Law on the Path of Pancasila Ideology (RUU HIP). Hopefully, this bill will become the legal umbrella for fostering the Pancasila ideology. However, this bill received a rejection

from several circles, which eventually postponed the discussion of the bill. This bill is considered to have formal and substantive problems. Formal problems in drafting the HIP Bill are deemed less transparent and have not involved broad and deep public participation. Meanwhile, the substance of the HIP Bill does not take into account historical aspects. As a result, the material in the HIP Bill narrates more political statements from certain schools of thought and does not include MPRS Decree No.

If examined in theory, this regulatory instrument becomes important because it determines the success of a policy because the scope of the policy can be formulated programmatically in a regulation that has an “imperative” binding nature. The function of law is not only to control society but also to function as a means of community engineering. “Social Engineering,” stated by Roscoe Pound that law is a tool of social engineering, is based on the idea that law is used to shape society and regulate people’s behavior. Pound also reminded us that the law is not only for the benefit of the individual, but the law has more important aspects. First, the public interest is a demand or desire that an individual affirms from the point of view of political life, which means that every individual in a society has a responsibility to one another. and to take advantage of things that are open to the public interest. Second, social interests demand in terms of meaningful social life to meet all the needs of society as a whole for its proper functioning and maintenance.

Therefore, the existence of a law that regulates the Development of the Pancasila Ideology is an important thing as a means for community engineering. Analyzing what happened to the HIP Bill, what the public actually rejected was not the concept of fostering the Pancasila ideology, but the community judged the substance it regulated to be inappropriate, namely:

1. This bill does not discuss all the precepts of Pancasila and only emphasizes certain precepts, namely Political Democracy (*sila* 4) and Economic Democracy (*sila* 5) Pancasila. This gives the impression that Pancasila is only related to Political Democracy and Economic Democracy.
2. Use of basic principle phrases. Even though the five are basic values, not basic principles. A distinction must be made between values and principles, while the basic principles are actually the five precepts of Pancasila as a whole, complete in an inseparable unit.
3. A reductive impression of Pancasila also occurs when there is an “extortion of Pancasila” from Pancasila to *Trisila* and *Ekasila*.

#### 4. Conclusion

Departing from the political dynamics as a response to the The Path of Pancasila Ideology (*Haluan Ideologi Pancasila/HIP*) Bill obtained in this study, the substance that should be regulated according to the author's opinion is the basic one regarding the fostering of the Pancasila ideology as well as the material content of the MPR TAP No. II/MPR/1978, concerning the Guidelines for Appreciation and the Practice of Pancasila. As an alternative, the development of pancasila ideology, according to the author's opinion, is regulated in a law that regulates the Principles of Pancasila ideology development, not its ideological direction, because Pancasila as a state ideology is clearly and unequivocally stated in the opening of the 1945 Constitution of the Republic of Indonesia that the drafted bill is not about ideological direction but about Pancasila ideology development.

This law becomes important in the context of realizing the unity of the Pancasila Ideology development system. To strengthen regulations regarding the development of the Pancasila ideology, it is necessary to have a policy direction to formulate derivative regulations so that the development of the Pancasila ideology can be operationalized according to the needs and dynamics of the community in line with the characteristics of Pancasila as an ideology that is alive and open to adapt to the times.

The draft implementing regulations that are needed in order to describe the level of implementation of the Pancasila ideology development, which is basic in nature, is the need for implementing regulations that regulate procedures for the implementation of pancasila ideology development and roadmap for pancasila ideology development procedures for monitoring and evaluation of the implementation of Pancasila ideology development. With the principles of fostering the pancasila ideology outlined in a law-level regulation, it is hoped that this regulation can become a policy direction with a stronger legal basis in the context of fostering the Pancasila ideology, which is national and binding on all state administrators and elements of society.

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