

# Pancasila as a Paradigm of Development in Indonesia Government

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**Abstract** - This paper aims to examine the urgency of Pancasila in the development of National Law. Therefore, why Pancasila should be a guide in every law formation in Indonesia. How the philosophical basis of Pancasila is used as a guide in the development of national law and what is the juridical basis. Pancasila is the ideology of the Indonesian nation, the crystallization of the noble values of the Indonesian nation originating from religious values and customary values which are believed to be true and become the basis and guidelines for the behavior of the Indonesian people in the life of the nation and state. Based on this, Pancasila becomes the philosophical basis for the development of national law because the law can be enforced and effective if the law is based on religious values, customary values, and state law. In addition, the basis of the Pancasila state is the source of all sources of law in Indonesia so it becomes a necessity for Pancasila as a philosophical foundation in the development of law in Indonesia. The legal basis for the use of Pancasila as a basic guideline in the development of national law is included in Law Number 10 of 2004 concerning the formation of laws and regulations which was later refined by Law Number 12 of 2011 concerning the formation of laws and regulations. Article 2 of Law Number 12 of 2011 explicitly states that Pancasila is the source of all legal sources. The contents of article 2 contain the understanding that the formation of law must not conflict with the values contained in the precepts of Pancasila.

**Keywords:** Juridical basis, national law development, Pancasila, the philosophical basis

## I. INTRODUCTION

The term "paradigm" initially developed in the world of science, especially in relation to the philosophy of science. Terminologically the figure who developed the term in the world of science is Thomas S. Khun in his book entitled "The Structure of Scientific Revolution" the paradigm is also a basic assumption and general theoretical assumption (a source of value). A source of laws, methods, exciting application in science so that it greatly determines the nature, characteristics, and character of science itself. The paradigm itself is also the basic assumptions and assumptions of value (a source of value) so that it is a source of laws, methods and applications in science that determine the nature, characteristics and character of science itself. The meaning of paradigm in terms of the origins of several languages, according to English paradigm means the state of the environment. Meanwhile, according to the Greek paradigm, namely 'para' which means beside, next to, and known. Then according to the psychological dictionary, the paradigm is defined as a model or pattern demonstrating all possible functions of what is presented. Science is very dynamic, this is due to the increasing number of results of human research, so that in its development there is a very large possibility of finding weaknesses in existing theories, and if so, scientists will return to basic assumptions and assumptions. Theoretically so that the development of science re-examines the paradigm of science or in other words, science must examine the ontological basis. For example, in the social sciences, when a theory based on a research result is based on a quantitative method that examines humans and society based on partial, measurable, correlative and positivistic characteristics, it turns out that the results of the science are epistemologically only examining only one aspect of the object of science, namely humans. Therefore, the social scientists re-examine the paradigm of science, namely humans. In reality, based on human nature, the objective is dual and even multidimensional.

The term paradigm according to the Indonesian dictionary, namely (1) a list of all the formations of a word that shows the conjugation and declination of the word, (2) a model in scientific theory, (3) a frame of mind. In this context, the notion of paradigm is the second and third sense, especially the third, namely the framework of thinking.

## II. RESULT AND DISCUSSION

### 1. Pancasila as a Paradigm of Science and Technology Development

National development is the nation's effort to achieve its national goals as stated in the preamble to the 1945 Constitution. In essence, Pancasila as a national development paradigm means that all aspects of development must reflect the values of Pancasila. National development is for Indonesian people, where humans by nature have a position as social beings. Humans do not only pursue personal interests, but also pay attention to the interests of society. Humans are not only concerned with achieving material needs, but also spiritual happiness. Humans have a monodualistic function not only to pursue the interests of the world, but to get happiness in the hereafter. Therefore, national development should realize this goal.

Pancasila is an integral part of its precepts, it must be a source of values, frameworks of thought and principles of morality for the development of science and technology. When we look at precepts by precepts as follows:

The precepts of *Ketuhanan Yang Maha Esa*, implement science, create, balance between rational and irrational, between reason, taste and will. Based on this first principle, science and technology do not only consider what is found, proven, and invented, but also considers its intentions and consequences for the losses and benefits of humans and their surroundings. Processing is balanced with preservation. The first precept places humans in the universe not as the center, but as a systematic part of the nature they cultivate.

The precepts of *Kemanusiaan yang Adil dan Beradab*, provide the basics of morality that humans in developing science and technology must be civilized. Science and technology are part of the process of civilized and moral human culture. Therefore, the development of science and technology must be based on efforts to achieve the welfare of mankind, not make humans arrogant and arrogant creatures through use of science and technology.

The precepts of *Persatuan Indonesia*, provide awareness to the Indonesian people that the nationalism of the Indonesian nation is a result of the contribution of science and technology, science and technology, unity and national unity can be realized and maintained, and brotherhood and friendship between regions in various regions are established because it cannot be separated from the factor of science and technology progress. Therefore, science and technology must be developed to strengthen the sense of unity and integrity against the spirit of precepts and can further be developed in Indonesia's human relations with the international community.

The precepts of *Kerakyatan yang Dipimpin oleh Hikmat Kebjiaksanaan dalam Permusyawaratan/Perwakilan*, the principle of democracy as the soul of this fourth precept can underlie human thinking freely to study and develop science and technology. A scientist must also have an attitude of respect for the results of other people's thoughts and be open, criticized and reviewed the results of his thoughts. The discovery of science and technology that has been proven true must be presented to the interests of the people at large.

The Precepts of *Keadilan Sosial bagi Seluruh Rakyat Indonesia*, the progress of science and technology must be able to maintain a balance of justice in human life, namely the balance of justice in human life, namely the balance of the relationship between humans and each other, the relationship between humans and God as their Creator, the relationship between humans and the environment in which they are located.

The position of Pancasila as a national development paradigm must pay attention to the following concepts:

- a) Pancasila must be a cognitive framework for self-identification as a nation. Pancasila must be placed as an objective rational framework of thinking in building the nation's personality. Therefore, it is necessary to develop a culture of science in fostering a sense of national unity and integrity.
- b) Pancasila as the basis of national development, changes that occur in society and the nation as a result of development must increasingly place the values of Pancasila that can be felt in the life of the nation and state.

- c) Pancasila is the direction of national development, the national development process cannot be separated from the control of Pancasila values. Therefore, the direction of development through its stages cannot be separated from efforts to implement the values of Pancasila, so that development is the safeguarding of Pancasila.
- d) Pancasila is the ethos of national development, realizing the vision of the future Indonesian nation created a mission to consistently practice Pancasila in the life of society, nation and state. Consistency between theory and reality and speech and action is a new paradigm in making Pancasila a national development ethic.
- e) Pancasila as the moral of development, this designation implies that the noble values of Pancasila (the Pancasila norms contained in the preamble of the UUD 1945) are used as benchmarks in carrying out national development, both in carrying out national development, both in planning, organizing, implementing, monitoring, as well as in its evaluation.

In facing the era of globalization we have to look at two characteristics of society for nation building (S. Budisantoso. 1998:42-43). First, the plurality of society and cultural diversity. Second, the dynamics of society and cultural openness to renewal. Indonesia's pluralistic society, which is experiencing rapid development due to the impact of national development and the stimulation of globalization, requires a common frame of reference in responding to challenges to the integrity of the nation. Therefore, national development must pay attention to the following principles:

- 1) Respect for everyone's religious beliefs.
  - 2) Respect for human dignity as a person or subject (whole person).
  - 3) Unity as a nation that serves all forms of sectarianism. This means a commitment to the value of togetherness for the entire nation and a moral commitment to maintaining the existence and development of the entire Indonesian nation.
  - 4) Values related to constitutional democracy (political equality, human rights, rights, and obligations of citizenship).
  - 5) Social justice which includes equality and equity.
2. Pancasila as a Paradigm for Development of Ideology, Politics, Economy, Socio-Culture, Defense and Security (Ipoleksosbudhankam)

a. Ideology Development

In the development of Pancasila as an ideology, it must be viewed as a dynamic ideology that can catch signs of development and changing times. For that we must pay attention to the role and position of Pancasila in the life of the nation and state, as follows:

1) Pancasila as an Open Ideology

The basic values in the Pancasila ideology are formulated in the UUD 1945 to clarify order of religious life, law, politics, economy, social culture, defense and security, and so on. The basic values do not change easily, while the translation of the basic values into operational values can develop by mutual agreement in the MPR which is called amendments and GBHN. The basic value has not changed because it is a measure of stability and dynamics, for Article 37 of the 1945 Constitution.

2) National Insight (Nationalism)

We can summarize the concept of the State (Staatsidee) of the Indonesian nation from the main ideas contained in the Preamble to the UUD 1945. The state is the state of life in groups of the Indonesian people, which:

- a) By the grace of Allah the Almighty, and
- b) Driven by the noble desire of the nation, to
- c) Live a free life, in the sense of
- d) Independent, sovereign, just and prosperous
- e) Based on Pancasila

Pancasila is used as a common life platform for the very diverse Indonesian nation to remain closely bound as a unified nation.

b. Political Development

The basis: power and sovereignty are in the hands of the people. Therefore, it is necessary to perfect the UUD 1945 in line with the development of the nation's needs, dynamics and demands for reform while maintaining the unity and integrity of the nation, and by the spirit and spirit of the Preamble to the UUD 1945. Increase the role of the MPR, DPR and other high state institutions by affirming the functions, authority and responsibility which refers to the principle of separation of powers and a clear relationship between the executive, legislative and judicial institutions.

To build political life, several elements that need to be developed and improved are as follows.

- 1) A national political system that is sovereign, democratic and open to the people
- 2) The independence of political parties in fighting for the interests of the people.
- 3) Political education to the community to develop a democratic political culture
- 4) Quality general elections with the widest possible participation of the people.

Three aspects of democracy that must be developed are as follows;

- Democracy as a system of government
- Democracy as a political culture
- Democracy as an organizational structure

Democracy as a government system will only succeed if it is supported by democracy as an objective rational political culture. Human rights must be implemented contextually by Indonesian culture which is reflected in the equality and balance of the roles of democratic institutions.

c. Social-Cultural Development

Pancasila can be used as a frame of reference for self-identification if Pancasila is more credible, namely that the community has actually experienced the realization of the principles contained in Pancasila. Efforts are made in the following ways:

- 1) Respect for human dignity
- 2) Treated humanely
- 3) Experience solidarity as a nation due to the disappearance of economic and cultural disparities.
- 4) Have the opportunity to participate in political life, and
- 5) Feel the well-being that you deserve as a human being.

d. Economic Development

The development and improvement of the quality of human resources (HR) consist of several criteria for the quality of human resources needed, as follows.

- 1) Have the basic ability to develop.
- 2) Able to use science and technology to process natural resources effectively, efficiently, sustainably and sustainably.
- 3) Have a professional ethos; responsibility for developing their expertise, honesty in carrying out their duties, thoroughness of service to the community, respect for time and punctuality.

Achieving equitable welfare access to economic resources, the world of work, health and information. Welfare improvement is always faced with the problem, of how we integrate economic values that will develop into an economic ethos with the ethical values of Pancasila.

e. Defense and Security Development

National security, national development cannot be separated from national resilience, namely the realization of the ideals of the nation at the level of national resilience which is outlined as follows.

- 1) Fundamental values concerning the citizen's personality, namely the personal development of citizens, namely personal development in horizontal and vertical dimensions, social-economic growth, diversity, and equality.
- 2) Fundamental values concerning the system/structure of people's lives, namely the distribution of welfare, community solidarity, independence, and participation of the whole community.
- 3) Fundamental values concerning the interaction between private citizens and the system/structure of community life, namely social justice, security/stability and environmental balance.

3. Pancasila as a Paradigm in the Field of Law

One of the goals of the Indonesian state is to protect the entire Indonesian nation and the entire homeland of Indonesia. This implies that the duties and responsibilities are not only by state officials but also the Indonesian people as a whole. On this basis the system and security are to include all components of the nation. Indonesia's defense and security development system is called the universal people's security system. According to MPRS Decree No. XX/MPRS/1966 Pancasila is the source of all sources of law, thus all laws and regulations in Indonesia must not conflict with Pancasila as the basis of the state. The preamble to the UUD 1945 which contains Pancasila cannot be changed by anyone, including the MPR. This is based on Article 3 and Article 37 because changing the contents of the preamble means the dissolution of the state.

#### 4. Pancasila as a Paradigm in Economic Development

By the Pancasila Paradigm in economic development, the economic system must be based on divine morality and humanity. It aims to prosper the people as a whole. Economic development must be able to avoid monopoly and free competition which will later provide great benefits to those who are strong in the economic field. Meanwhile, small entrepreneurs will be disadvantaged by the existence of a system of free competition in the economy. Article 33 of the UUD 1945 states that the system of free competition and monopoly is prohibited in the economy. Regarding Article 33, the explanation of the UUD 1945 states: "In Article 33 it is stated that the basis of economic democracy is that production is carried out by all, for all under the leadership or supervision of members of the community." Therefore, the country's economic system must prioritize the welfare of the people. The community must also take part in economic development activities. Meanwhile, the government is obliged to provide direction and guidance on healthy economic growth for the development of the business world.

#### 5. Pancasila as a Paradigm in the Development of Inter-religious Life

In the current reform process in several regions of the Indonesian state, there are social conflicts that stem from racial issues, mainly religious issues. This shows the decline of the Indonesian nation towards an inhumane religious life. The tragedies in Ambon, Poso, Medan, Mataram, Kupang and other areas show the weakening of tolerance for religious life based on just and civilized humanity. Therefore, it is a difficult task for the Indonesian people to restore an atmosphere of religious life that is full of peace, mutual respect, mutual respect and love as fellow civilized human beings. Pancasila has provided fundamental values for the Indonesian people to live in peace in religious life in this beloved country of Indonesia. Humans are creatures of God Almighty, therefore humans are obliged to worship God Almighty in the territory of the country in which they live. Pancasila has also provided fundamental values for religious people to be able to live peacefully in religious life in Indonesia. By the values contained in the first and second precepts of Pancasila, which read that there is *Ketuhanan Yang Maha Esa* and *Kemanusiaan yang Adil dan Beradab*. Indonesia is very open to people of other religions. The State of Indonesia also gives freedom to its citizens to embrace religion and carry out worship according to their respective beliefs.

Various Kinds of Actualization of Pancasila in today's times are often a question. Are the different values of Pancasila still being used in an era that has been more than 70 years since Pancasila was created. Until now, Pancasila has become the ideology or perspective of the Indonesian nation. That is one proof that Pancasila is still being implemented today. If there is no actualization of Pancasila, then Pancasila is nothing but a symbol for this Indonesian state. The actualization of Pancasila is the pouring of Pancasila values into the norms that apply in the life of the nation and state. The main problem in the actualization of Pancasila is how to realize the realization of universal Pancasila values into norms that are directly related to Pancasila values in the administration of state government. Pancasila is also the basis of state philosophy, the nation's view of life and the ideology of the nation and state, not only a series of beautiful words but must be realized and actualized in various fields in the life of the nation and state. The actualization of Pancasila can be divided into two types, namely objective and subjective actualization. Actualization of Pancasila Objectives Actualization of Pancasila is objective, namely the actualization of Pancasila in various fields of state life which includes state institutions, including legislative, executive, and judicial. It also includes other fields of actualization such as politics, economics, law, especially in the translation into laws, GBHN, defense and security, education, and other state fields. Subjective Pancasila Actualization Subjective Pancasila actualization is the actualization of Pancasila in

every individual, especially in the aspect of morals about the life of the State and society. This subjective actualization is no exception whether ordinary citizens, state administrative apparatus, state authorities, and especially the political elite in political activities need to be introspective to have divine and humanitarian morals as contained in Pancasila.

### III. CONCLUSION

Pancasila as a national development paradigm contains a consequence that in all aspects of national development we must base on the essence of the values of the Pancasila precepts. The essence of the value of the precepts. Pancasila is based on a human ontological basis as the subject of the main supporter of the Pancasila precepts as well as the main supporter of the state. This is based on the objective fact that Pancasila is the basis of the state and the state is a human organization (living association). Therefore, the state to realize its goals through national development to realize the goals of all its citizens must be returned to the basics of "monopluralist" human nature.

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