

The Challenge of Pancasila as a State Ideology in Efforts to Eradicate Corruption

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Abstract

One of the diseases of the Indonesian nation today is corruption which must be resolved, because corruption has appeared in all aspects of life. Corruption is an act that is contrary to and violates general rules/norms that apply in society. Widespread corrupt practices in a country will damage and destroy the foundations of state life. Indonesia is one of the countries with the highest level of corruption in the world. There are many factors that cause the high level of corruption crimes in Indonesia, including internal and external factors. For this reason, efforts need to be made to eradicate and prevent corruption crimes. Efforts to prevent corruption can be started by instilling Pancasila values because Pancasila is the source of all legal sources. It contains the basic morals and character that the Indonesian people should have, even though times are developing. Pancasila is a moral and character basis taken from the culture and purity of the Indonesian people to act. Because the values contained in the Pancasila principles are the crystallization of the noble culture and personality of the Indonesian nation

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1. INTRODUCTION

One of the diseases of the Indonesian nation today is corruption which must be resolved, because corruption has appeared in all aspects of the life of the Indonesian state, even from the smallest sector corruption can occur as time goes by and the development of people's lives, now corruption is increasingly widespread in terms of its forms, as well as The methods of criminal acts of corruption are increasingly developing, making corruption a very massive state problem.

Indonesia already has a positive legal system that accommodates the eradication of criminal acts of corruption. There are even institutions to eradicate corruption. However, so far, it is the law enforcers who have committed many acts of corruption. It can be seen that there are still many cases of corruption that have not been resolved, this is an indicator that the Indonesian judiciary has not been able to optimally eradicate criminal acts of corruption. If this continues, it could have an impact on reducing the public's sense of trust in legal institutions in Indonesia to eradicate corruption.

The corruption problem faced by the Indonesian government mostly occurs in the public sector. Corruption is considered a serious social problem, because this corruption arises not only due to existing legal loopholes, but rather due to the process of social conditions in society. Community habits that encourage corruption make a person inevitably faced with things that indirectly require him to carry out actions that constitute forms of corruption, for example bribery or gratification

Corruption is an action that can be categorized as an act that violates human rights. Because it can result in other people's rights being taken away, for example the right to receive good welfare which includes education, housing, health facilities, and so on. If we understand that Human Rights (HAM) have been regulated in Pancasila as a source of law which is then stated in the 1945 Constitution which states that Indonesians rule of law, however acts of corruption still

occur and are even widespread, corruption has also been carried out in an organized and systematic manner.

Indonesia has Pancasila as the source of all legal sources. Which contains about the moral foundations and character that the Indonesian people should have, even though times are increasingly developing. Pancasila is a moral and character basis taken from the culture and purity of the Indonesian people to act. Because the values contained in the Pancasila principles are the crystallization of the noble culture and personality of the Indonesian nation. Pancasila has become part of the process of ordering social, national and state life so it is appropriate if Pancasila is the personality of the nation. If we look at developing countries, for example South Korea, China and Japan, which choose to instill existing moral and cultural values. nature of their nation and country, to minimize the occurrence of acts of corruption, even in these countries moral and cultural education has been instilled from an early age, even in the era of globalization, besides that, these three countries also educate their people to be disciplined, polite, hard working, responsible, so that the level of the corruption is small.

2. DISCUSSION

A. UNDERSTANDING CORRUPTION AND FACTORS CAUSING CORRUPTION

1. Understanding Corruption

Corruption comes from the word *corruptio* in Latin, *corrupt* from English, *corruption* from French, and also *corruptie* from Dutch (Setiadi, 2018). In Black's Law Dictionary, Henry Campbell Black (Campbell Black, 1968) states that the meaning of corruption is behavior carried out with the intention of gaining advantage by means of the obligations and rights of other people, where this behavior is from someone who wrongly uses his position to gain advantage for himself, himself or others. The legal definition of corruption is not only limited to acts that can harm state finances, but also other acts that harm society and individuals (Pujiyono, nd).

The assumptions and understanding of corruption expressed by the public. There are some people who think that corruption is an act of embezzling state money, there are also those who think that corruption is an act of stealing people's rights. The various opinions of the community are not wrong. In fact, corruption comes from the Latin word *corruptio*. And from the Arabic word *rasuah* which means bribe. Muhammad Ali explained the meaning of corruption; *Corrupt*: means rotten, likes to accept bribes, uses power for one's own interests and *Corruption*: means rotten acts such as embezzling money, accepting bribes, and *Corruptor*: means someone who commits corruption.

Thus the meaning of the word corruption is something that is rotten, evil and destructive. Meanwhile, according to Juniadi Suwartoyo, corruption is the behavior or actions of one or more people who violate applicable norms by using and/or abusing power or opportunities through the process of procurement, determining fees, receiving or providing facilities or other services carried out during reception and/or activities. or expenditure of money or wealth, storage of money or wealth as well as licensing and/or other services with the aim of personal or group gain so that it directly or indirectly harms the interests and/or finances of the state.

Meanwhile, according to Baharudin Lopa, the definition of corruption is a criminal act of bribery and unlawful acts that harm or can harm state finances or the state economy, harm the welfare or interests of the people. In Law No. 31 of 1999 concerning the eradication of criminal acts of corruption, corruption is defined as an act against the law by enriching oneself or another person by abusing the authority, opportunities or facilities available to him because of his position or position which can harm other people or the state. so that those who can be charged with a criminal act of corruption are anyone who unlawfully commits an act of enriching themselves or another person or a corporation which can harm the state's finances or economy, for example in the form of loss of state money, bribery, embezzlement in office, extortion, acts of Cheating, Conflict of interest

in procurement, and Gratification. Apart from that, Armen Yasir also explained the forms of corruption in everyday life, for example, First, Epidemic Corruption: its scope is directly related to various government activities that concern the interests of society. These can take the form of community welfare services (education, housing, agriculture, electricity, etc.), legal instruments (taxation, price control, etc.), as well as services (driver's license, KTP, land certificates, permits,) Second, Corruption planned, its scope is related to political objectives, this form is deliberately planned for government operational needs which are not funded by the budget (it will be seen that if it is related to an election, the issue of money politics is the most important issue), thirdly, development corruption, its scope is related to the function of government as an economic regulator which has an important role in the government as an economic regulator which has an important role in dealing with entrepreneurs, entrepreneurs, importers, exporters, producers, distributors, and so on

2. Factor Reason Occurrence of corruption

Corruption on state land is like an "illegitimate inheritance" without a will. It remains sustainable even though it is prohibited by the legal regulations that apply in each order that comes and goes. Handoyo (2013: 79-81) states that several factors causing corruption are political, legal, economic, bureaucratic and transnational. Political factors are the cause of corruption, because many political events are influenced by money politics. This money politics uses money to influence prospective voters to choose and/or win the funder. As a result, democracy becomes unhealthy, and is unable to elect potential leaders in accordance with the competencies required by the country. This money politics is difficult to eliminate, because the political law does not provide strict regulations regarding campaign funds. Meanwhile, from the aspect of law enforcement, law enforcers have not taken firm action against money politics players.

The cause of corruption from a legal aspect is the existence of legal products whose articles still have multiple interpretations, and there is a tendency for legal rules to be made to benefit certain parties. Corruption occurs because of weaknesses in legislation. These weaknesses include, among others, the existence of laws and regulations that contain the interests of certain parties, the quality of laws and regulations is still lacking, lack of socialization of laws and regulations, unfair sanctions, weak evaluation and revision of laws and regulations, low mentality of law enforcers, low awareness. society, as well as a lack of political will from the government. Apart from that, there are also many factors that cause corruption, either from within the perpetrator or from outside the perpetrator. As Yamamah said, when society's materialistic and consumerist behavior and the political system still "deify" material things, it can "force" money games and corruption to occur. Under these conditions, it is almost certain that all officials will be "forced" to commit corruption once they take office

In more detail, Corruption is caused by greed (corruption by greed), need (corruption by needs), and opportunities (corruption by chance) (Majlis Tarjih and Tajdid PP Muhammadiyah, 2006: 14). Corruption due to greed is carried out by people who are already well-off, even rich, have high positions, and are on the rise in popularity. Corruption, because of pressure to fulfill the basic needs of life, can be carried out by middle to lower class employees. Meanwhile, corruption is due to the opportunity to take shortcuts or instantaneous actions, which occurs due to weak organizational system support, low accountability, lack of or weak public supervision, and weak law enforcement. Majlis Tarjih and Tajdid PP Muhammadiyah further emphasized that, more specifically, the causes of corruption are the low level of practice of religious values in daily life, closed government or leadership structures, lack of functioning of people's representative institutions, non-functioning of supervisory and law enforcement institutions, the lack of exemplary leadership in everyday life, and wages that have not been able to adapt to the needs of employees/employees. More fundamentally, corruption

is caused by the mindset of individuals and society. As long as society has the mindset that a person's success is based on materialistic things, then a person or society pursues materialistic things in various ways, including corruption. Apart from that, the assumption that giving something to other people is okay is also a cause of corruption. Giving with a specific purpose, or giving because you want to be given something, is camouflage or subtle forms of corruption.

B. THE MEANING OF PANCASILA REGARDING ACTS OF CORRUPTION

In this world, various kinds of abuse will occur in the government system, whether done intentionally or unintentionally. Officials who have power often abuse this power and use it for their own interests without considering the interests of their nation and state. One of the acts of fraud that often occurs even today is corruption.

Many countries in the world experience corruption, one of which is our country, Indonesia. In Indonesia, corruption is something that is very widespread in government, this occurs due to many factors, one of which is the low strength of faith possessed by officials. Officials must have strong faith so they are not easily influenced by something tempting. Even though the Corruption Eradication Commission (KPK) has been established to eradicate corruption, this is not enough to eliminate corruption in Indonesia. The government must be more firm in dealing with violations that occur so that bad things will not happen to Indonesia.

Indonesia has a source and view that must be used as a guide in doing everything, namely Pancasila. Pancasila is the basic ideology in life for the Indonesian state, not just an ideology, but Pancasila is a principle that every Indonesian citizen must have. With this understanding, we can interpret that in everything we do, we must adhere to Pancasila, which is the basic principle of our country. If we carry out activities based on Pancasila, life between communities will be very well connected, as will the government.

In Pancasila there are five precepts, each of which has a different meaning but has one goal, namely creating and realizing the ideals of the Indonesian state. As has been explained, corruption is one of the frauds that is widespread in Indonesia. This action not only violates state regulations but it also violates the ideology and principles of Pancasila. By deviating from actions against Pancasila, this will eventually destroy the ideals that the state and nation long for. Therefore, there is an important thing in acts of corruption against Pancasila, that is, by committing acts of corruption we are destroying Pancasila which was painstakingly created by the founders of our nation who fought tooth and nail.

The first principle states "Godhead is One Time." If we commit acts of corruption, it means we have lied to God. The second principle, which reads "Just and Civilized Humanity", has the meaning of treating fellow humans as they should and taking correct, dignified and fair actions towards fellow humans as they should. By committing corruption, it means that you have violated this second principle because you have carried out actions that treat power and position as a place to get what you want for your own happiness and also make other people suffer losses because of these acts of corruption.

The third principle reads "Indonesian Unity" which means that the position of society/people is equal before the eyes of the law without discrimination and receives equal treatment before the law so that by committing corruption it is the same as violating this principle. Corruption is an action that can destroy public trust so that it will make people feel intimidated and no longer care about the actions taken by the government. Over time, this will make Indonesia disharmonious.

The fourth principle which reads "The people are led by wisdom in deliberation and representation" by committing acts of corruption means that we have also violated this fourth principle because this principle contains the meaning of deliberation in doing and determining everything in order to reach a joint decision that has a good impact on Indonesia. . However, with corruption it is the same as taking action with one's own decision and that is not good because determining and doing everything must be based on a joint decision because

Indonesia highly values deliberation. Carrying out acts of corruption means underestimating the power of deliberation and this will divide the country.

The fifth precept which reads "Social Justice for All Indonesian People" with the existence of corruption means that you have committed an action that deviates from this precept because this precept has the meaning of being fair to others and respecting every right that the Indonesian people have. Corruption shows injustice between government and society. Not only that, it is also an injustice to the country itself because it has used something that does not have the right to make it an enjoyment for oneself without thinking about the original purpose for which it was done.

From this explanation, we can see that acts of corruption are acts that are very fatal for the country, especially acts of corruption that also violate and deviate from the noble values contained in Pancasila. By perverting acts of corruption against the noble values of Pancasila, the condition of our country is getting worse and there are many very serious riots. Therefore, we must do everything in accordance with the values contained in Pancasila, especially for officials so that when they do something they do not cause irregularities that have a negative impact on the State.

C. EFFORTS TO ERADICATE CORRUPTION

Efforts to eradicate corruption need to be carried out massively, integratively, comprehensively and creatively. Considering the mode of corruption, it is becoming more sophisticated and systemic every day. In the world of education, the modus operandi of corruption includes procurement of goods, education administration, management of student funds, management of infrastructure development funds, time corruption, and corrupt behavior of students at school (cheating, plagiarism, leaving attendance). In everyday life in society, the modus operandi of corruption includes emptying or writing receipts according to the buyer's wishes, inflating the value of public building projects, falsifying financial reports to reduce the tax burden, fraud in overtime work, personal business during working hours, and use of facilities. together. Meanwhile, the modus operandi of corruption in the government and private sectors includes public services, sales, distribution/warehouse, purchasing, and improving human resources. The eradication of corruption also needs to be improved, considering the many negative impacts of corruption on the ummah because corruption penetrates various aspects of life, both economic aspects, aspects for community welfare, impacts on political stability and security, impacts on law enforcement, impacts on the supply of natural resources, and impact on public morals, so various things need to be done, including the following:

1. Establishment of an Anti-Corruption Agency

Establish an independent institution that specifically handles corruption. In Hong Kong it is called the Independent Commission Against Corruption (ICAC), in Malaysia the Anti-Corruption Agency (ACA), and in Indonesia: the Corruption Eradication Committee (KPK) improves the performance of judicial institutions at the police, prosecutor's office, court and correctional institutions. At the departmental level, the performance of audit institutions such as the Inspectorate General must be improved. There is an impression that this institution has absolutely no 'teeth' when dealing with corruption involving high-ranking officials. Bureaucratic reform and public service reform is one way to prevent corruption. The more desks you have to go through to take care of something, the greater the possibility of corruption occurring. Another crucial thing for reducing the risk of corruption is improving and monitoring the performance of Regional Government. Before Regional Autonomy was implemented, generally all policies were taken by the Central Government. At that time, large-scale corruption generally occurred in the National Capital. With autonomy, pockets of corruption are not concentrated only in the national capital but expand to various regions.

2. Prevention of Corruption in the Public Sector

One way to prevent corruption is to require public officials to report and announce the amount of wealth they own both before and after taking office. The public participates in monitoring the reasonableness of the increase in wealth after leaving office. Difficulties arise when wealth obtained through corruption is transferred to another person. Procurement of goods or work contracts in the central and regional governments as well as the military should be done through auctions or open bidding. The public is given access to observe and monitor the results of the auction. Corruption also occurs a lot in the recruitment of new civil servants and TNI-Polri members. Corruption, collusion and nepotism often occur in the recruitment process. A transparent and accountable system in terms of recruitment needs to be developed.

3. Social Prevention and Community Empowerment

One effort to eradicate corruption is to give the public the right to have access to information. A system needs to be built where the public (including the media) is given the right to request all information regarding government policies related to the lives of many people. The issue of public awareness or public awareness and concern for the dangers of corruption and issues of community empowerment is an important part of efforts to eradicate corruption. One way to increase public awareness is by conducting campaigns about the dangers of corruption. Providing facilities to report corruption cases. For example by telephone, letter, facsimile (fax), or internet. In some countries the articles regarding 'slander' and 'defamation' cannot be applied to those who report cases of corruption, on the basis that the dangers of corruption outweigh the interests of the individual. A free press is one of the pillars of democracy. The more information the public receives, the more they understand the dangers of corruption. Non-Governmental Organizations (NGOs) or NGOs at both local and international levels also have an important role in preventing and eradicating corruption. Since the Reformation era, many new NGOs working in the field of Anti-Corruption have emerged. NGOs have the function of supervising the behavior of public officials. An example of a local NGO is ICS (Indonesian Corruption Watch).

4. System improvement and Law Enforcement

Eradicating corruption can also be done by improving the wage system. One way to improve services is to provide additional welfare. Employee welfare can be achieved, among other things, by determining proportional salaries, access to legal protection, health insurance for themselves and their families, as well as old age security. Thus they depend their lives on their work seriously. The next effort to eradicate corruption is de-bureaucratization, namely the realization of the principle of ease in administration and management. One of the reasons for the emergence of corrupt practices is a complex and diverse bureaucratic system. An easy bureaucratic system, supported by the development of principles of discipline, transparency, independence, responsibility, and social awareness. Reverse proof is one of the efforts to eradicate corruption. One legal principle that applies in Indonesia, as a country of law, is the principle of presumption of innocence, until there is supporting evidence, a person cannot be declared a defendant. In fact, in reality, sometimes even often, evidence of someone committing corruption is difficult to find, due to the length of time, or because the evidence was deliberately removed, or because of disaster factors. If this happens, then the perpetrators of corruption are free from the legal process, which results in injustice. In this case, for the sake of justice, it is very necessary to carry out reverse proof efforts. In a reverse proof effort, the perpetrator is required to prove that he is not corrupt, by proving the origin of the assets he owns. The next effort to eradicate corruption is to optimize community involvement to control public policy. Community involvement in all policies, both during preparation, implementation and evaluation. In this case, it is absolute that there is an intelligent and wise society.

5. Development and Creation of Various Legal Instruments that Support the Prevention and Eradication of Corruption

Support for preventing and eradicating corruption is not enough to rely on just one legal instrument, namely the Corruption Eradication Law. Various statutory regulations or other legal instruments need to be developed. Legislation is needed that supports the eradication of corruption, namely the Law on the Crime of Money Laundering or money laundering. To protect witnesses and victims of criminal acts of corruption, a legal instrument is needed in the form of the Witness and Victim Protection Law.

6. Monitoring and Evaluation

It is necessary to monitor and evaluate all work or activities to eradicate corruption so that the achievements that have been made are known. Through monitoring and evaluation, successful and failed strategies or programs can be seen. Programs that are successful should be continued, while those that fail need to be looked for. Experiences in other countries that have succeeded or failed can be taken into consideration when choosing methods, strategies, efforts and programs to eradicate corruption in a particular country.

7. International Cooperation

Another effort that can be made to eradicate corruption is to carry out international cooperation both with other countries and with international NGOs. For example, at the international level, Transparency International (TI) created a National Integrity System program. The OECD (Organization for Economic Co-operation and Development) which is supported by the UN to take new steps in fighting corruption at the international level created the Ethics Infrastructure program and the World Bank created the A Framework for Integrity program.

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