

National Education Based on the Concept of the Pancasila Legal State as a Form of Character Formation for a Dignified National Civilization

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Abstract

National Education is education based on Pancasila and the 1945 Constitution of the Republic of Indonesia, rooted in religious values and Indonesian national culture, and responsive to the demands of changing times. Realizing this ideal requires the concerted efforts of the community, government, and education providers. National education functions to develop capabilities and shape the character and civilization of a dignified nation in order to educate the nation. The implementation of education based on Pancasila values is crucial for improving the quality of education in Indonesia and shaping the character of students. Therefore, the government, educators, and non-formal educational institutions need to continue to collaborate and commit to developing and implementing Pancasila values within the Indonesian education system. The world of education is expected to be a driving force for facilitating character development, so that members of society have an awareness of a harmonious and democratic national life while still paying attention to the principles of the Unitary State of the Republic of Indonesia (NKRI) and social norms in society that have been mutually agreed upon. The formulation of national education goals in Indonesia requires at least several national educational foundations. So it is hoped that the objectives will be full of meaning, among these foundations are religious foundations, scientific and technological foundations, philosophical foundations, legal foundations, sociological foundations, psychological foundations, and cultural foundations.

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1. INTRODUCTION

Pancasila education serves as a strong moral and ethical foundation to guide our young generation in today's challenging and dynamic era. By incorporating Pancasila education into the school curriculum, the ultimate goal is to provide students with a strong understanding of the fundamental values of Pancasila. Building character is not an instantaneous process, but rather requires a long, synergistic process. Instilling character values is not merely a matter of providing an understanding or interpretation through definitions; rather, its substance lies in the realm of actualization, such as enforcing habits and providing role models for students. Cultivating character values truly begins with faith and an understanding of human existence, recognizing oneself as a creature of God tasked with serving and building a noble mission on earth for the benefit of oneself, others, and the natural world.

Education in character building is a conscious and planned effort in the process of guidance and learning for individuals. The goal is to grow and develop into knowledgeable, noble, independent, and responsible human beings. Education is basically to shape the character of students. The purpose of education is stated in Law Number 20 of 2003 concerning the National Education System (Sisdiknas) in article 3 which reads "National Education functions to develop abilities and shape the character and civilization of a dignified nation to educate the life of the nation, aiming to develop the potential of students to become people who believe in and fear God Almighty, have noble morals, are healthy, knowledgeable, capable, creative, independent and become democratic and responsible citizens."

On the other hand, in Law Number 20 of 2003 concerning the National Education System, specifically Article 1 paragraph (1) and (2) it is emphasized that education is a conscious and planned effort to create a learning atmosphere and learning process so that students actively develop their potential to have spiritual religious strength, self-control, personality, intelligence, noble morals and skills needed by themselves, society, nation and state. National Education is education based on Pancasila and the 1945 Constitution of the Republic of Indonesia, which is rooted in religious values, Indonesian national culture, and responsive to the demands of changing times. As is known, after the amendment to the 1945 Constitution, national education has been regulated in such a way. The series of amendments to the 1945 Constitution is intended as an effort to reform the constitution in order to perfect it towards a constitution that is truly in accordance with the conditions of the nation and Indonesia (Janpatar Simamora, 2014: 549).

This means that it is very clear that education is a necessity for every individual, especially early education for children from economically limited backgrounds. Indonesia is a country with abundant human resources, but if human resources are not given enough attention, it is possible that Indonesia will become a country that cannot progress further. Especially the problem of education, especially in some remote areas, has always been in the spotlight and the topic of conversation for many people, even though it has often been raised in the mass media and so on, it is still often neglected by the government, both local governments and especially the central government, this happens not only in one area, but almost covers all parts of remote areas in Indonesia.

The basis, function, and objectives of National Education are stated in Articles 2 and 3 as follows:

Article 2: National education is based on Pancasila and the 1945 Constitution of the Republic of Indonesia.

Article 3: National education functions to develop abilities and form the character and civilization of a dignified nation to enlighten the life of the nation, aiming to develop the potential of students to become human beings who believe in and fear God Almighty, have noble morals, are healthy, knowledgeable, capable, creative, independent, and become democratic and responsible citizens.

Then, regarding the rights and obligations of citizens, parents, and society, these are stated in articles 5, 6, 7, and 8 as follows: Article 5:

1. Every citizen has the same right to obtain quality education.
2. Citizens who have physical, emotional, mental, intellectual, and/or social disabilities have the right to receive special education.
3. Residents of remote or underdeveloped areas and isolated indigenous communities have the right to receive special education services.
4. Citizens who have special intelligence and talent have the right to receive special education.

5. Every citizen has the right to the opportunity to improve their education throughout their lives.

Article 6

1. Every citizen aged seven to fifteen years is required to attend basic education.
2. Every citizen is responsible for the continuity of education.

Rights and obligations of parents (Article 7)

1. Parents have the right to participate in choosing educational institutions and obtain information about their child's educational development.
2. Parents of children of compulsory school age are obliged to provide basic education to their children.

Rights and Obligations of the community in Article 8: The community has the right to participate in the planning, implementation, supervision, and evaluation of educational programs. In terms of the relationship between the law (UU) and the National Education System above, it is worth noting the opinion of Hernando De Soto in his book, "The Other Path," that the draft law will be accompanied by a cost-benefit analysis of its possible impact on the socio-economic field.

The National Education System Law, which in this law means that an educational organization must uphold several principles, namely education is organized democratically and fairly, and non-discriminatory by upholding human rights, religious values, cultural values, and national diversity with a systemic unity with an open and multi-meaning system. In addition, the organization must also be in a process of acculturation and empowerment of students that lasts throughout life by providing examples, building will, and developing students' creativity in the learning process through developing a culture of reading, writing, and arithmetic for all citizens empowering all components of society through participation in the organization and control of the quality of educational services. The National Education Law should accommodate all types of education in Indonesia and make changes for periodic improvements so that the system can be good in its implementation. Legal education is one of the branches of educational science in the national education system, even though it is not directly implied, because a system cannot be only autonomous towards a particular science or education without paying attention to other branches of educational science.

Judging from the highest legal regulations in the Republic of Indonesia, namely the 1945 Constitution (before or after amendment), in the fourth paragraph of the Preamble it is written: "Then, to form an Indonesian State Government that protects all the Indonesian people and all of Indonesia's territory and to advance general welfare, *enlightening the life of the nation*, and participate in implementing world order based on freedom, eternal peace and social justice,..."

From the fourth paragraph above, since the declaration of independence by Ir. Soekarno and Bung Hatta, Indonesia has aspired to increase the intelligence of its people, from the Preamble to the 1945 Constitution (before the amendment), which is then followed by Article 31, namely:

1. Every citizen has the right to receive an education.
2. The government strives to establish and implement a national education system, which is regulated by law.

Currently, after the 1945 Constitution has been amended, in the fourth amendment ratified in Jakarta on August 10, 2002, Chapter XIII was changed to be entitled Education and Culture and consists of 2 (two) articles, namely Article 31 on education and Article 32 on culture, before the amendment, the regulation of education was also contained in Chapter XIII with the title Education which also contains 2 (two) articles, namely Article 31 on education, Article 32 on culture. Although only the chapter title changed and contains the

same 2 (two) articles, both before and after the amendment, this fourth amendment provides basic regulations on the rights and obligations to obtain education that must be fulfilled by the state to its citizens. For more details, the contents of Article 31 after the amendment will be written, including:

1. Every citizen has the right to education. *****)
2. Every citizen is obliged to attend basic education, and the government is obliged to finance it. *****)
3. The government strives for and organizes a national education system, which increases faith and piety as well as noble morals to enlighten the life of the nation, which is regulated by law. ***)
4. The state prioritizes the education budget at least twenty percent of the state revenue and expenditure budget and regional revenue and expenditure budgets to meet the needs of organizing national education. *****)
5. The government advances science and technology by upholding religious values and national unity for the advancement of civilization and the welfare of humanity. *****)

2. RESEARCH METHOD

The research method used is normative juridical research. Normative juridical research is a library research or document study, namely research conducted or directed at written regulations. The data used is in the form of legal materials, both primary, secondary, and tertiary legal materials. The primary legal materials used in this study are in the form of national legislation. The secondary legal materials used are in the form of academic texts and various scientific articles related to the concept of education as a constitutional right. In some cases, for further clarification, tertiary legal materials are also used in the form of dictionaries and encyclopedias. The legal materials in question are obtained and collected through library research and analyzed descriptively and qualitatively.

3. RESEARCH RESULTS AND DISCUSSION

1. National Education System in the Concept of a Legal State

A state can be defined as an association of people working together to achieve common goals. The goal of a state is to create happiness for its people. (*public good, common good, common weal*). According to Harold J. Laski, the goal of the state is to create conditions in which its people can achieve the maximum fulfillment of their desires. (*creation of those conditions under which the members of the state may attain the maximum satisfaction of their desires*) (Miriam Budiardjo, 1996: 45).

Through the preamble to the 1945 Constitution, the Indonesian people declared their noble ideals (goals) to form an Indonesian state government that is capable of protecting all Indonesian people and all of Indonesia's territory, advancing general welfare, improving the life of the nation, and even participating in implementing world order based on independence, eternal peace, and social justice.

With education internationally recognized as a fundamental right and nationally affirmed as a constitutional right, the constitutional commitment to education assumes significant importance, not only practically but also symbolically. This explains why discourse on education and its related issues is constantly discussed. It's not difficult to find numerous reviews of the weaknesses of various aspects of education in Indonesia from various sources. This is understandable, given that education is believed to be the path, even the only path, to enlightening the nation. Enlightening the nation clearly means more than just enabling every citizen to read and write. The meaning of "intelligence" in the Big Indonesian Dictionary (KBBI) is even defined as the perfection of intellectual development (the ability to think, understand, and so on). The

enlightenment to be achieved, in accordance with the nation's ideals, is not limited to individuals, but rather a collective one, defined by the word "nation."

Our Constitution places a high premium on ensuring that the state guarantees its citizens access to education. Article 31 of the 1945 Constitution mandates:

1. Every citizen has the right to education
2. Every citizen is obliged to attend basic education, and the government is obliged to finance it.

Education can be categorized as a fundamental right of individual Indonesian citizens and a constitutional right, as affirmed in the constitution. Given that one of the primary functions of the 1945 Constitution of the Republic of Indonesia as a constitution is to protect individuals and fundamental rights, especially for citizens, education, as a constitutional right of citizens, demands protection from the state, as well as respect and fulfillment.

The National Education System has been fully regulated in state law, but has not been implemented properly and fully in accordance. In reality, the development of education is often influenced by the development of political power, and it has become an institutionalized habit that when power changes, the system or policy in education also changes, both regulations, curriculum and other matters related to education, so that the teaching and learning process and the results of the process have not been able to produce as expected and aspired to, and educational goals have not been achieved optimally (Muntoha, 2016: 1). With the government's inconsistency in implementing the same national education system model, many things are often sacrificed, such as the implementation of the National Examination, whose status is changed.

Law Number 20 of 2003 concerning the National Education System and Law Number 14 of 2005 concerning Teachers and Lecturers. Article 31, paragraphs 1 to 5 of Law Number 20 of 2003 concerning the National Education System states the following:

- Every citizen has the right to education
- Every citizen is obliged to attend basic education, and the government is obliged to finance it.
- The government strives for and organizes a National Education system that increases faith and piety as well as noble morals in order to enlighten the life of the nation, which is regulated by law.
- The state prioritizes the education budget at least twenty percent of the state revenue and expenditure budget, and regional revenue and expenditure budgets to meet the needs of organizing national education.
- The government advances science and technology by upholding religious values and national unity for the advancement of civilization and the well-being of humanity.

The ambiguity of legal education has resulted in many interpretations regarding the implementation of legal education in Indonesia. To change the concept of legal education in the national education system requires several stages which can be categorized as legal education 'not an autonomous process', but rather: "A process that is functionally required to follow political developments, especially politics that are related to government policies and efforts to utilize the law to achieve goals that are not always in the realm of law and/or the realm of justice."

2. Formation of National Character Through an Education System Based on Pancasila

National Education is education based on Pancasila and the 1945 Constitution of the Republic of Indonesia, rooted in religious values and Indonesian national culture, and responsive to the demands of changing times. Realizing this ideal requires a

concerted effort from the community, government, and education providers (teachers). As a developing country, education in Indonesia continues to improve to create a better education system. Efforts to improve education in Indonesia are an attempt to change the perception of other countries that developing countries lack adequate human resource management, educational services, and administrative skills to support them in becoming developed nations. Therefore, it can be said that every developing country's goals have similarities, including: meeting minimum standards for education, health, housing, and food for the community.

Pancasila is the basis for the Indonesian nation in organizing education, as stated in Law No. 20 of 2003 concerning the National Education System, which states: National Education is based on Pancasila and the 1945 Constitution of the Republic of Indonesia. The role of Pancasila in Education is certainly very important in Indonesia, because Pancasila has an important role in character formation through the application of Pancasila values. Pancasila as a state ideology is also a philosophy of life for all Indonesian citizens because the meaningful values contained in Pancasila are beneficial for everyday life. Pancasila education is a fundamental thing for every citizen's life to be used as a benchmark or guideline in establishing life as a good citizen, or in accordance with the values of Pancasila. The application of Pancasila values in an educational institution is a benchmark for the success of the implementation of Pancasila values that already exist and are believed by all Indonesian people. In reality, the values of Pancasila live and develop in accordance with the diversity of Indonesian society. The application of Pancasila values is very important in the learning process because the application of Pancasila values does not stop at students being able to master the material, but the most important thing is how to instill Pancasila values in students so that they have good character and behavior patterns.

One of the main issues facing this nation as it enters the era of globalization is the relatively low quality of human resources (HR), as evidenced by their educational background. Improving the quality of human resources is a concern for all parties, especially in the current multidimensional crisis, where society requires support from various parties to face free competition. Therefore, education plays a crucial role in improving the quality of its resources. In this regard, educational development actors are striving to raise the quality of Indonesian education so that it can compete in the labor market by adapting the development of education itself.

The application of Pancasila values in the learning process through education is very important because national education basically functions to develop abilities and shape the character and civilization of the nation that is useful to educate the life of the nation, aiming to develop the potential of students to become people who believe in and fear God Almighty, have noble morals, are healthy, knowledgeable, capable, creative, independent, and become democratic and responsible citizens (Article 3 of Law No. 20 of 2003 concerning the National Education System). It is hoped that the application of Pancasila values will form people who are educated, knowledgeable, and have character. In the context of global life, Pancasila and Citizenship Education, in addition to strengthening Pancasila civilization, must also equip students to live in the global arena as world citizens (*global citizenship*). This is because citizens live not only within their national environment but also with other nations in international relations. Furthermore, we need to realize that we are not the only ones in this world; there are also other people living throughout the world. Therefore, we must learn more about global citizenship education (Hakop Walangadi, Elmia Umar, Kian Palilati, 2020).

Education in Indonesia must be geared toward developing positive character and attitudes in students so they can contribute to the advancement of the nation and

state. Therefore, integrating Pancasila values into every aspect of education, both formal and non-formal, is crucial (Azlina et al., 2021).

Implementing education based on Pancasila values has become a primary focus in educational development in Indonesia. This is part of an effort to improve the quality of education in Indonesia, build better student character, and strengthen national identity. The Indonesian government has committed to strengthening the implementation of Pancasila values in the Indonesian education system. One effort is to incorporate Pancasila values into the education curriculum, from elementary school to university level. This aims to systematically teach Pancasila values to students and help them understand the meaning and relevance of these values in everyday life.

4. CONCLUSION

Philosophical basis Indonesia's national educational philosophy is rooted in the cultural values embodied in Pancasila. These Pancasila values must be instilled in students through the implementation of national education at all levels and types of education. These values inform not only the curriculum but also the implementation. The design for instilling these national cultural values is designed to achieve not only cognitive mastery but, more importantly, affective achievement. Furthermore, the achievement of cultural values as a philosophical foundation aims to develop talents, interests, and intelligence optimally. In the history of the Indonesian nation, the goals of national education have undergone several changes. This is due to many things; one of the reasons is the fulfillment of needs at that time. For example, in 1945, the goal of national education was the formation of true citizens who were able to contribute their energy and thoughts to the state and nation of Indonesia. The current goal of national education is the goal of national education that has been stipulated in Law No. 20 of 2003 article 3 that national education functions to develop abilities and shape the character and civilization of a dignified nation to educate the nation, aiming to develop students to become people who believe in and fear God Almighty, have noble character, are healthy, knowledgeable, capable, creative, independent and become democratic and responsible citizens.

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