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A handwritten signature in black ink, appearing to read 'Julian Wilson'.

JULIAN WILSON
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DEMOCRACY OF PANCASILA: THE CONCEPT AND ITS IMPLEMENTATION IN INDONESIA

By:

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Abstract

Today democracy is regarded as the most ideal system of government. Many countries declare themselves to be democracies, albeit with different titles. Democracy in general is a system of government in which sovereignty is in the hands of the people, or is universally said to be government from, by and for the people. In Indonesia the democratic system used is the democracy of Pancasila. Democracy is based on the personality and philosophy of life of the Indonesian nation. Democracy based on Pancasila values, namely; based on the democracy led by the wisdom in the deliberations / representatives, having the concept of one god almighty upholding a just and civilized humanity, to unite Indonesia to bring about social justice for all Indonesians. The basic principle, prioritizing deliberation, with deliberations is expected to satisfy all those who differ, an expectation that is very difficult can be realized in the practice of nation and state.

Implementation of Democracy of Pancasila in the course of the nation's history, often experienced ups and downs. The applied democracy tends to deviate from the basic concept of the state, such as liberal, guided, parliamentary and authoritarian practices. The 1998 reform order became the cornerstone of the democratic movement in Indonesia. The transition to a democratic system of government. If the implementation of this Pancasila democracy system can be realized, then Indonesia can be a model in the application of democratic system in governance.

Keywords: democracy, tides of democracy of Pancasila and democracy of Pancasila as an alternative model of democracy

I. INTRODUCTION

1.1 Background

The nation of Indonesian has been present as an independent state entity, sovereign, united from Sabang to Merauke on 17 August 1945. The proclamation of Indonesian independence is a noble agreement of all Indonesians to form a united, sovereign, just and prosperous Indonesia state based on Pancasila, and the 1945 Constitution.

As an entity of the nation state, the noble treaty as outlined in the preamble of the 1945 Constitution has established Indonesia as a nation state based on four main pillars, namely: Pancasila as the basis of the state, the ideology of the nation, the view of life of all the people of Indonesia, The 1945 Constitution as a constitutional foundation, The Unitary State of the Republic of Indonesia (NKRI) as a form of state, and Bhineka Tunggal Ika as the factual condition and situation of multicultural diversity of Indonesia. It is this basic agreement that provides a shade for the form and system of Indonesian governance based on Pancasila democracy.

In the course of the history of nationality, Pancasila democracy experienced ups and downs. In the old order, events that led to the effort to replace the Pancasila democracy with liberal democracy, guided democracy and other ideologies, both extreme left and right extreme. The New Order, which was born as a total correction of the old order, was intended to implement the ideology of Pancasila and the 1945 Constitution in a pure and consistent manner. The efforts of indoctrination, the occurrence of regulatory, top down and unilateral ideological interpretations, as well as the efforts of justification for uncontrollable power, tend to reduce the meaning of Pancasila democracy toward authoritarianism.

The reform movement of 1998 brought fundamental changes to the democratic system in Indonesia. The amendment of the 1945 Constitution has opened up a democratic space for the Indonesian people to make constitutional corrections to previous democratic practices. The accelerated elections in 1999, the entrance to the transition to democracy. Change of representative democratic system (closed model), to model of direct election (open model). An open model, all eligible citizens have equal opportunity to fill political positions. The closed model of filling political office involves only a small group of elites (Prihatmoko, 2005; 71).

The closed electoral system used previously by Asri Harahap (2005: 5) has undergone many distortions, such as: colored political manipulation of "cattle trade" among the elite. Those who claim to represent the people allegedly have made various forms of irregularities in conducting the election. As a result, the quality of leaders produced does not match the expectations of society, making a regime of

centralistic-authoritarian government that castrate people's rights and sovereignty, thereby causing a very wide distance between the elected leaders and the people. Through the reform movement the people want a total change of the oligarchical political system with the return of long-stalled sovereignty of the people. Through the mechanism of direct election is expected to restore the sovereignty of the people, strengthen the political rights and obligations of the people choose leaders who have the capability, constituency, and legitimacy and integrity (Kleden, 2004).

The globalization and democratization of the world, encouraging every country to make democracy as an option in ordering their lives. Indonesia as a part of the world community, already has the ideology of Pancasila as the basis of the state, the nation's life view, should be able to explore and develop the ideology of Pancasila as an open ideology that comes from the noble values of the Indonesian nation.

The research of *Institute of Development Studies University of Sussex-Inggris* shows, "in the last 10 years (1992-2002) there have been at least 63 developing countries around the world showing a wave of change in power formation from forms of centralistic government to government involving the power of its citizens " (Nierres dalam Thamrin, 2004: 12). While the results of Freedom House Survey, *Freedom in the World : The Annual Survey of Political Right and Civil Liberties*, 1974–1995, says the number of countries implementing democracy is increasing, from 27.5% in 1974 to 61.3% in 1995 (Eko, 2003: 1).

The choice of Democracy of Pancasila by the founders of the nation, is a smart step in the midst of multicultural Indonesian condition with various ethnic, racial, religious, and intergroup. Indonesia as part of the world community, has a Pancasila democracy, which is based on noble values and lives in diversity.

1.2 Problems

Based on the above background, it is interesting to study about the concept and implementation of Democracy of Pancasila in Indonesia, by taking the following problems:

1. What is the concept of Democracy of Pancasila democracy in Indonesia?
2. How is the implementation of Democracy of Pancasila in the course of Indonesian history?

1.3 Method of Analysis

The analysis used in this study is an interactive qualitative data analysis (Miles and Huberman, 1992: 20), with data sources from documents and literature review.

II. THE CONCEPT OF PANCASILA DEMOCRACY

Regarding Democracy of Pancasila, can not be separated from the notion of democracy in general. Democracy is a form of political government whose power of government comes from the people, either directly (direct democracy) or through representation (representative democracy). The term is derived from the Greek (*dēmokratía*) "power of the people", which is formed from the word (*dêmos*) "people" and (*Kratos*) "power". The term democracy was first introduced by Aristotle as a form of government, namely the government which dictates that power is in the hands of the people.

Democracy is a State system in which authority is in the hands of the people, so that a government does not have full authority over government decisions. Democracy formed into a system of government as a response to the general public who want to voice their opinions. With a democratic system, absolute power of one party through tyranny, dictatorship and other authoritarian governments can be avoided.

At the conceptual level, the debate over the concept of democracy, takes place dichotomically between Schumpeterian democracies and their liberal critics (in Ari Dwipayana, 2004: 1). Schumpeterian democracy advocates formulate democracy as an institutional procedure for reaching decisions whereby individuals gain power deciding through competitive battles acquire popular voices. According to Ari Dwipayana, the principles of democracy are not only strongly believed among the

academic world, but have become the main reference in the practice of politics and government in Indonesia (2004: 2).

Schumpeterian's democratic approach, which emphasizes only the electoral dimension and representative institutions, finds its refutation from the main circles for liberals. For liberals, in addition to the electoral dimension, it is necessary to take seriously the non-electoral dimensions such as civil liberties as did by Robert Dahl. Instrumental democracy promotes freedom through three ways:

"The First, free and fair general elections which inherently require certain political rights to express opinions, organize, opposition, and basic political rights of this kind can not exist without recognition of wider civil liberties. Second, democracy maximizes the opportunity for self-determination, in which each individual lives under the rule of law he makes himself. Third, democracy promotes moral autonomy, ie the ability of every citizen to make normative choices, and therefore at the most profound level, democracy promotes self-governing "(Ari Dwipayana, 2004: 5).

Democracy is carried out not only procedurally, but substantively selecting and producing leaders with capabilities, constituencies, accountability, and integrity (Kleden, 2004). However, what is important for a democracy is not just who chooses the leader, but also the way he leads. For if the way of leading the State is incorrect, either because of the low quality and moral commitment of the leader itself, or because the culture of the local community is not conducive, then democracy is merely the polite means of tyranny by the nobility to tyranny by the lower society. (Munir fuady, 2010: 1)

Democracy of Pancasila certainly does not escape from the universal democratic grip, although in certain respects there are differences as a characteristic of values and values that grow and embrace in the culture of society. Pancasila democracy is a constitutional democracy, as stated in Article 1 paragraph (2) of the 1945 Constitution of the Indonesian State (Cholisin, 2013: 101)

Therefore, according to Prof. Dardji Darmodihardjo, S.H., said "Pancasila democracy is a democracy based on the personality and philosophy of life of the Indonesian nation which its manifestation as in the provisions as in the preamble of the 1945 Constitution". Meanwhile, according to Prof. dr. Drs. Notonagoro, S.H.,

"Democracy of Pancasila is populist led by the wisdom in deliberations / representatives of the Almighty God, the just and civilized humanity, which unites Indonesia and the social justice for all Indonesian people ".
(<https://tifiacerdikia.wordpress.com/lecture/lecture-1/ilmu-kewarganegaraan/perkembangan-demokrasi-di-indonesia/>).

The Democratic of Pancasila System is intended to be characterized; protection of human rights, decision-making on the basis of deliberation, independent judiciary irrespective of the influence of government power, the existence of political parties and socio-political organizations as channeling the aspirations of the people, the implementation of general elections that are public, free and confidential and fair and just, sovereignty is in the hands of the people and implemented according to the Constitution (Article 1 paragraph 2 of the 1945 Constitution), the balance between rights and duties, the exercise of morally responsible freedom to God Almighty, self, society, and country or others, upholding national goals and ideals. The Basic Principles of Democracy as well as in Pancasila Democracy include:

Constitutional government has the meaning that in;

1. The existence of elections that is free of pressure, honest, and fair will ensure that the democratic system runs well;
2. In the life of the human rights state every citizen is guaranteed full by the State. Such guarantees need to exist because human rights guarantees are a democratic form of government;
3. Every citizen has the same status in law. An impartial impartial judiciary, and regardless of government intervention or anyone else, will ensure the establishment of firm and fair law enforcement. Courts that is from any pressure will be able to bring about justice that is fair to all people. This condition should really be realized because every individual of the people wants justice can be felt by all layers of the people.
4. Freedom of Association / Organization and Issue of Opinion, Associating or organizing and issuing opinions is a citizen's right. Therefore, the government must guarantee the right as a form of democratic government.

5. Freedom of Press / Mass Media, through the freedom of the press, the people can voice their hearts and minds to the public through the mass media. Curbing press freedom means curbing people's rights to voice their aspirations. The assessment also applies to the workings of the government. The government that does not listen to and wishes people's aspirations is not a democratic government.

The dimension of Pancasila democracy is not only of electoral significance, more than it provides protection for civil rights, while maintaining the interests of the people, the nation and the state above individual interests, and the decision making is carried out in a spirit of deliberation. Pancasila democracy is compared with other democracies. Some of these uniqueness are: a. In its scope is not limited in the sense of political democracy, but also includes economic democracy and social democracy; b. In the spirit they contain that is religious, humanist, collectivism / kinship (Sutrisno, 2006: 12). Although the institutions of modern democracy are used but in decision-making use the mechanism of indigenous culture that is deliberation (Yudi Latif, 2011: 387)

III. THE IMPLEMENTATION OF DEMOCRACY OF PANCASILA IN INDONESIA

Juridically, the legal basis for the implementation of Pancasila democracy, among others; (1) The fourth principle of Pancasila, "People based on the wisdom of wisdom in deliberation / representation." (2) The Preamble of the 1945 Constitution of the fourth paragraph "... .. was composed of the Independence of Nationality of Indonesia in a Constitution of the State of Indonesia, which was formed in a composition of the Republic of Indonesia which sovereign people ..." (3) Article 1 Paragraph (2) of the 1945 Constitution, "Sovereignty is in the hands of the people and implemented according to the Constitution." (4) Article 2 Paragraph (1), "The People's Consultative Assembly shall consist of members of the People's Representative Council and members of the Regional Representative Council elected by general election and further stipulated by the Constitution."

However, in the history of the Indonesian nation's journey, the application of Pancasila democracy experienced ups and downs, over time. This is caused by many factors, including: Firstly, as a newly independent country, it is still looking for a form that remains in accordance with the needs and character of the Indonesian nation in implementing democracy. Secondly, it can not be denied, ideological struggles often occur in determining the direction of the nation. Third, we also understand that the diversity of the Indonesian nation, a challenge in building the national character of Indonesia.

The Implementation of democracy in Indonesia has evolved from the period. Periodically, it can be divided into: the period of the independence revolution (1945-1950), the period of parliamentary democracy (1950-1959), period of guided democracy (1959-1965). New Order Period (1965-1998) and the period of reform order (1998-present).

3.1 The Period of the Independence Revolution (1945-1950)

The implementation of democracy during the reign of the new independence revolution was limited to the political interactions of parliament and the functioning of the press in favor of the independence revolution. Although there are not many historical records concerning the development of democracy in this period, in that period have been laid down the basic things. Issued by the presidential decree No. X 3 November 1945, which advocated the formation of political parties, Political parties play a central role in political life and governance processes. Competition among political forces and interests experienced the greatest flexibility in the history of independent Indonesia.

3.2 Period of Parliamentary democracy (1950-1959)

The second period of Indonesian government was from 1950 to 1959, using the Provisional Constitution (UUDS) as the constitutional basis. At this time is the heyday of democracy in Indonesia, because almost all elements of democracy can be found in the realization of political life in Indonesia. People's representatives or

parliaments play a very high role in the ongoing political process. This manifestation of parliamentary power is demonstrated by the existence of a number of no-confidence motions to the government which resulted in the cabinet having to resign.

3.3 Guided Democracy Period (1959-1965)

Politics at this time was marked by a very strong benchmark between the three major political forces of the time: the presidents of Sukarno, the Indonesian Communist Party and the Army. The main characteristic of guided democracy is: combining the party system, with the DPR-GR forming the role of the legislative institution in the national political system becomes so weak, Basic Human Right becomes very weak, the guided democracy is the peak period of the spirit of anti-freedom of the press, the centralization of power is increasingly dominant in the process of relationship between the central government and local government. The big mistake in Soekarno's Guided Democracy is the denial of democratic values of absolutism and the centralization of power only on the leader. In addition, there is no social control room and the checks and balances of the legislature against the executive. (Sunarso, et al. 2008: 132-136).

3.4 The New Order Government Period (1965-1998)

The face of democracy has its ups and downs in line with the development of economic, political and, momentary or temporary ideology. The early years of the New Order government were marked by a great political freedom. President Soeharto who replaced Ir. Soekarno as the 2nd President of RI and apply a different model of Democracy again, that is called Democracy Pancasila (New Order), to affirm the claim that this model of democracy is in fact compatible with the ideology of the Pancasila state. In the period of not more than three years, the power as if to be distributed to the power of society. Therefore, among urban elites and socio-political organizations ready to welcome the 1971 election, there is a growing desire to participate in support of new government reform programs.

The visible development is the widening gap between state power and the alienated people of the power environment and the process of policy formulation. This situation is the effect of (1) Golkar's absolute victory in elections that give political legitimacy to the government; (2) enactment of bureaucratization, depoliticization and institutionalization policies; (3) The Government uses a security approach to implement development; (4) Government's role and intervention in the economy and markets by accumulating capital and economic power; (5) availability of sources of development costs derived from the exploitation of petroleum and gas, non-oil and gas commodities, domestic taxes, and overseas aid; and finally (6) the successful implementation of the policy of the fulfillment of people's basic needs so as to clog people's turmoil. Pancasila democracy which was implemented in the New Order period was more jargon and practice was done authoritatively. Characteristics of democracy in the New Order era include: First, the rotation of power or the succession of executive leadership almost never happened. Second, political recruitment is closed. Third, the General Election is procedural. Fourth, not guaranteed the implementation of the basic rights of citizens. (Rukiyati, et al. 2008: 114-117).

3.5 Period of the Reform Period (1998 To Now)

The reform movement of 1998 marked a new milestone in the transition from government to democracy. At this time the government took tactical and strategic steps by formulating the demands of the people with students by doing, among others: amendments to the 1945 Constitution, the implementation of elections accelerated. The amendment of the 1945 Constitution is aimed at state institutions, power sharing and the nature of relations among state institutions. This has an effect on the implementation of Pancasila democracy which is different from Pancasila democracy model in New Order era. During the reform period, the Indonesian democracy indicator received a space of appreciation. Namely; First, the freedom of the press as a public space to participate in nationality and statehood. Second, the introduction of a multi-party system in the 1999 elections. Pancasila democracy that is implemented has the following characteristics: First, Implementation of direct, free

and secret, honest and fair general elections with multi-party system; Second, the rotation of power is carried out from the start of the central government to the village level. Third, political recruitment is done openly. Fourth, most basic rights can be guaranteed as freedom of expression.

<https://tifiacerdikia.wordpress.com/lecture/lecture-1/ilmu-kewarganegaraan/perkembangan-demokrasi-di-indonesia/>

In the course of history from the time of independence until now it appears that Pancasila democracy is not spared from the influence of world ideology and even always exist in the vortex of world ideology. Just as in the early days of filling the independence of nationalist, socialist and religious debates often took place in determining the basis and form of the state. This debate continues post-independence. Then there is the application of democracy that varies from one period to another, as described above.

In Pancasila democracy, there are two ways of making decision: consensus and voting. Deliberation of consensus is a decision-making approved by all deliberations. The voting is the decision making by way of the most votes. Voting done when in deliberation do not meet the agreement. However, in deliberation must first be attempted to reach the agreement. If not achieved, then carried out voting.

A deliberation should be conducted democratically. That is, in a deliberation every person has the right to express his opinion. If the opinions are no longer possible to find the agreement, then voting can be done. Thus, the deliberations are completely overwhelmed by democratic values. Voting there are three kinds: First, the Most Competitive Votes (Simple Majority), That is, the decision taken is the decision that gets the most votes. Voting of votes Article 2 Paragraph (3), "All decisions of the People's Consultative Assembly shall be established by majority vote."

Second, the absolute majority (absolute majority), that is, the decision taken is a decision that gets half votes over (50% + 1) of the total number of voters. This

system is in conformity with the 1945 Constitution Article 6A Paragraph (3) "A couple of candidates for President and Vice President who get a vote of more than 50% of the number of votes in the general election, sworn in as President and Vice President. Third, the most conditional vote, that is, the decision taken is the decision that gets the votes required in the rules. For example in the 1945 Constitution Article 7B Paragraph (7). "The decision of the People's Consultative Assembly on the proposal of dismissal of the Presidents and or Vice-Presidents shall be taken at the plenary session of the People's Consultative Assembly attended by at least three-fourth of the total members and approved by at least two-thirds of the number of members present ..."

One form of application of democracy in the life of society, nation, and state is the holding of elections (election). Because the election is a form of democratic implementation, the form of the implementation of the people's sovereignty, the form of the implementation of the political rights of citizens, the participation of the people towards the life of the nation and the state, the election of a reasonable, democratic and safe leadership, ensuring the survival of the nation and state and the means of realizing the ideals nation and national goals.

<https://adamtokkk.wordpress.com/2013/01/17/demokrasi-di-indonesia/>

IV. CONCLUSION

Democracy in general is a system of government in which all people participate and govern with the intermediaries of its representatives. Pancasila democracy is a notion of democracy that comes from the personality and philosophy of life of the Indonesian nation that is deliberative with the principles: democracy led by the wisdom of wisdom in the deliberations / representatives, expressed the value of Godhead, humanity fair and civilized, to unite Indonesia to realize social justice for all the people of Indonesia.

In the development, democracy of Pancasila experiencing tidal dynamics is in the vortex of world ideology such as, liberalism, socialism, communism and religion. The dynamics are caused, among others, by seeking an ideal form in accordance with the personality of the Indonesian nation based on Pancasila, the 1945 Constitution,

the Unitary Republic of Indonesia and Bineka Tunggal Ika (unity in diversity), which is characterized by mutual cooperation.

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