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Harmonizing Migration Policy with Pancasila Educational Values

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Abstract

This research looks at how the teachings of Pancasila and the concept of Pancasila Law have helped to curb illegal migration in Indonesia. Methods include a philosophical and analytical review of normative legislation, a descriptive and analytical examination of applicable statutes and regulations, an examination of relevant legal theory, and the efficient application of rules pertaining to this matter. A key tenet of Indonesia's migration policy, according to the research, is Pancasila Law, which prioritizes justice, humanity, solidarity, and democracy. Teaching the future generation about the importance of a legal and ethical migration process and the perils of illegal migration is an essential part of Pancasila education. When Indonesians take part in developing migration policies that respect legal standards and national principles, the country's sovereignty and integrity are protected. These findings provide light on how Pancasila education has the potential to influence the development of a fair and caring migration policy in Indonesia.

Keywords: Pancasila, Education, Illegal Migration.

Introduction

A number of population migration challenges have arisen in a world that is becoming more and more diverse, and Indonesia is no exception. (Abdussamad et al., 2023). Economics, society, culture, and ideology all play a role in this conundrum. (Muhtar, Maranjaya, et al., 2023). Successful migration policies that embody Indonesian ideals are shaped by Pancasila, the philosophical foundation of the state. (Razak et al., 2023).

Adherence to all five principles is necessary for migration policy to be in line with Pancasila objectives. Migration policy in Indonesia must uphold religious freedom for all people and honor the religious diversity of the country within the framework of God Almighty (Arifin & Nurkumalawati, 2020). Respect for the many religious traditions that make up a nation's identity is on display here.

To treat migrants with fairness and civility, migration policy is guided by the second Pancasila principle, Just and Civilized Humanity. As part of this effort, we must acknowledge the rights of migrants, safeguard them against exploitation, and ensure that they have fair access to social justice and public resources. Migrants' contributions to Indonesian society and economy, as well as the importance of social integration, are recognized by this approach.

Promoting national unity amid ethnic and cultural variety is influenced by migration policy, which is part of Indonesian Unity, the third pillar. Tolerance and cross-cultural understanding should be encouraged and locals and migrants should be prohibited from discrimination by these rules.

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Assuming stakeholders must make migration policy democratically, the fourth premise states that democracy is led by wisdom in debate and representation. Policy discussions and choices involve civil society, migrant groups, and government entities. As a last point, migration policy should ensure social justice for both migrants and Indonesians, as stated in the fifth principle, Social Justice for All Indonesian People. Equal access to healthcare, education, economic opportunities, and other resources should be extended to both native-born and immigrant populations.

Our migration policies ought to be based on the ideals of Pancasila. Not merely legal enforcement, but principles like diversity, social justice, and unity should inform migration strategies. Important issues include migrant human rights, integrating into society, and preventing conflicts.

If the Indonesian government is serious about aligning its migration policy with Pancasila principles, it must adhere to legal requirements while embracing policies that promote humanism, equity, and togetherness. It is imperative that migration policies uphold human rights (Muhtar, Abdussamad, et al., 2023). Part of this is ensuring that migrant workers have the same access to healthcare, schools, and jobs as native-born Indonesians.

Migrant policy must prioritize social integration. The objective is to assist local residents in embracing diversity while also assimilating migrants into society. Intercultural understanding may be fostered through educational programs and public awareness drives (Muhlisa & Roisah, 2020). Countries with large migratory populations must prioritize conflict prevention. Ensure that migratory strategies do not encounter cultural and resource barriers. Conflict resolution, mediation, and community conversation are all capable of accomplishing this.

There needs to be collaboration between the government, NGOs, and migrants for a migration strategy to be in line with Pancasila. The interests and ambitions of various groups, as well as national ideals, can be better represented in policy through cross-sector collaboration (Jazuli, 2017). Last but not least, social, economic, and political variables are always evolving, therefore migration policies need constant review and revision. To maintain Pancasila as the ideology of the state, policies must be flexible enough to react to regional and global changes.

Indonesian migration policy must balance Pancasila principles with several challenges. The need to tighten border controls and state security while respecting human rights, especially migrants, is a significant problem (Nugroho, 2016). Pancasila stresses equitable and civilized humanity. However, migration policies frequently conflict with this ideal. Illegal migrants generally have poor incarceration conditions and restricted access to health and education.

Migrant social assimilation is also challenging. Despite Indonesia's warmth, newcomers face cultural and social integration challenges. This might be due to language, religion, or habit differences (Syahrin, 2018). Local bias and misunderstanding may cause social tensions and conflict. Migrants and local populations can clash, particularly in high-migration regions. Cultural differences and job and resource competitiveness may cause conflict. Pancasila promotes unity and oneness, but implementing these ideas in migration policy and practice takes time and effort.

Migration policymaking by many parties is equally tricky. Ineffective coordination exists between government, civic society, and migrant populations. It may only reflect field requirements and circumstances with active stakeholder engagement. Migration policy's adaptability to global and regional changes is a continuing issue. Policies that don't adapt to global changes might lead to a humanitarian disaster or increase illegal migration.

Indonesia has a strong ideological foundation in Pancasila for regulating migration, but enacting policies that reflect these ideals is challenging. A more organized and inclusive

effort is needed to design lawful and secure procedures that embody Pancasila's values of humanity, justice, and unity.

From the description above, this study asks: (1) What is Pancasila legislation in Indonesia? (2) How can Pancasila education curb illegal migration in Indonesia?

Research methods

This study is normative legal research based on its subjects. Philosophical and analytical research focuses on logical, critical, and philosophical ideas and finishes with a conclusion that provides fresh discoveries to solve the primary issue (Ishaq, 2017). Descriptive analytical approaches will be used to explain legal theory and positive law enforcement tactics relevant to the situation (Mahmud, 2016).

Analytical descriptive research is employed in this normative legal study to elucidate and assess the rules, statutes, and legal theories associated with Pancasila Law in Indonesia and its role in preventing unauthorized migration. This examination will focus on the philosophical application of Pancasila Law in Indonesian legal system. To do this, we must consider the Pancasila ideals of Godliness, Humanity, Unity, Democracy, and Social Justice, and determine how the law and the practice of justice conform to these. To find out how Pancasila principles are utilized in Indonesian law, this study will look at legal cases, government policy, and judicial interpretations.

Through the lens of illegal migration, this study will examine the ways in which migration policy is influenced by Pancasila values. This article takes a look at how Pancasila influences policies about social justice, human rights, and law enforcement. A key part of this process is evaluating the effectiveness of current migration laws in preventing illegal migration and safeguarding the rights of migrants in relation to Pancasila objectives. This research takes a descriptive and analytical approach to studying the ways in which the Pancasila Law and its principles are implemented in Indonesian policy and law, with a focus on the issue of illegal migration.

Literature Review

Existing research emphasizes many essential characteristics of the Pancasila-aligned migration policy. Sari and Najicha stressed that public knowledge of Pancasila ideals still needs to be improved, which might lead to lawbreaking. Migration policy requires law and regulatory compliance in keeping with Pancasila ideal (Sari & Najicha, 2022). Zukri's study reveals that Pancasila's ideals are linked to many elements of life, including overcoming science and technology's obstacles (Zukri et al., 2023). Global and local dynamics must be considered in migration regulations, according to Pancasila.

It is imperative that migration policy comprehend and respect Pancasila's principles. Policies regarding migration that are in line with Pancasila place an emphasis on regulations and social and cultural integration. The principles of Pancasila in migration policy enhance cultural variety and national identity, according to Setiawan and Wijaya (2023). In order to promote social justice in accordance with Pancasila, Hardianto and Rizki (2023) argue that Indonesia's migration policy should be more inclusive and address the needs of all community groups.

According to Nurafifah and Dewi, it is necessary to include Pancasila's principles into migration policy so that they can be effectively implemented in social, national, and state life (Nurafifah & Dewi, 2021). Human rights and social justice for migrants can be improved by incorporating Pancasila ideas into migration policy. The importance of Pancasila principles in environmental sustainability, as Anbarwati emphasized, has implications for migration as a whole and for the management of natural resources and the environment at final destinations (Anbarwati, 2018).

Even in the context of migration, Sulistiowati's research shows that Pancasila principles may help build an ethical and inclusive economic environment (Sulistiowati et al., 2016). Hugo (Hugo, 1982) and other research such as Rosiana and Wijayanti (Rosiana & Wijayanti, 2021) and Setijaningrum (Setijaningrum et al., 2023) provides a glimpse into the migratory patterns in Indonesia, including circular movement, highlighting the complexity of migration issues that need to be addressed in accordance with Pancasila principles.

Wajdi Research (Wajdi et al., 2015) and Anaf (Anaf et al., 2022) adds weight to the argument for flexible and responsive migration policies that uphold Pancasila principles by offering a new perspective on migratory trends in Indonesia and the vulnerability of migrant workers to COVID-19. The literature demonstrates that the legal, administrative, social, economic, and cultural aspects of Pancasila principles must be incorporated into Indonesia's migration policy. According to the referenced research, Indonesia should incorporate Pancasila principles into its migration strategy. Policies should be founded on what society knows about Pancasila, which includes topics like social and cultural integration, environmental sustainability, economic ethics, and migration trends and vulnerabilities.

Sari and Najicha (2022) suggest that the public's demand for Pancasila knowledge should be the starting point for a more inclusive and illuminating approach to policymaking. Zukri et al. (2023), Setiawan and Wijaya (2023), and Hardianto and Rizki (2023) stress the need of incorporating these principles throughout all aspects of migration policy, including but not limited to legal, social, and cultural interactions.

Nurafifah and Dewi (2021) and Anbarwati (2018) draw attention to the significance of the principles of Pancasila in promoting social justice, environmental sustainability, and the rights of migrants. Sulistiowati et al. (2016) discovered that Pancasila principles were applicable to migration and business.

Hugo (1982), Rosiana and Wijayanti (2021), Setijaningrum et al. (2023), Wajdi et al. (2015), and Anaf et al. (2022) shed light on the migration patterns of Indonesia, particularly in relation to the COVID-19 pandemic. This emphasizes how important it is for migration policies to be flexible in order to accommodate modern circumstances while yet maintaining Pancasila values.

Finally, migration policy in Indonesia must address legal, administrative, social, economic, and cultural considerations based on Pancasila ideals. This will make everyone's environment more equal, inclusive, and sustainable, including migratory populations. This comprehensive approach strengthens Indonesia's national character and integrity and helps the migration strategy succeed.

Discussion

1. The Concept of Pancasila Law in Indonesia

Pancasila implies state administration ideas in Sanskrit. Pancasila is the foundation of the state, hence all government management must follow its ideals and not contradict with Pancasila Education (Kaelan, 2004). Muhammad Yamin thinks Pancasila means "five" and "throwing five joints" in Sanskrit. Yamin discusses the 1945 Unitary State Constitution of Indonesia. President Soekarno announced Pancasila ideals in 1960 (Warsito, 2012).

Soekarno described Indonesian independence's key elements. Nationalism, humanity, social justice, consensus, divinity, and culture and religion were his five themes.

Pancasila, five basic principles, was the suggested worldview for an independent Indonesia.

Notonegoro thinks these principles are part of Indonesia's foundational concept, which should unify and embody Indonesian identity and preserve the nation. Pancasila comes from Indonesia's distinct culture and people's underlying ideas about mankind and reality. The values of each precept will be examined in the following sections.

Principle 1: "Belief in One Almighty God"

Pancasila emphasizes divinity, yet it's commonly misunderstood. Faith in the Supreme Godhead is monotheistic. In Sanskrit, "Maha" means noble and "Esa" means absolute. The Indonesian government respects everyone's religious views and ideals. Indonesian values are based on its core beliefs. According to Wahyuningsih, every state governance must reflect divine ideals (Hidayat & Azra, 2012). In Indonesian law and state administration, believing in the Almighty God is a basis of justice, tolerance, and social peace.

Culture is stressed in the Second Principle, which prioritizes justice and decency.

Notonegoro stressed that people are God's creations with cultural talents, thinking, feeling, volition, and innovation (Oesman, 1993). In legal philosophy and jurisprudence, Notonegoro's claim that people are God's creation with culture, thinking, emotion, volition, and inventiveness resonates (Puluhulawa et al., 2023). This approach supports the concept that rules should govern human conduct and promote human dignity and creativity. Human diversity requires rules to balance order and justice with individual liberty, creativity, and cultural and intellectual growth. The goal of this method of lawmaking and law enforcement is to create a system of justice that discourages evildoing while simultaneously encouraging the betterment of society and its citizens. To many, modern law is fluid, evolving in response to the changing needs and aspirations of human civilization.

No. 3: "Indonesian Unity" With a singular purpose, "Bhinneka Tunggal Ika" encapsulates the diverse aspirations of the Indonesian people. "Diverse but still one" is the national unity motto that should guide everyday actions if we want to realize it. Peace and coexistence among diverse cultures are actively promoted by it. The principles of "Bhinneka Tunggal Ika"—"different but still one"—conduct the legislative process in Indonesia. To implement this principle, the Indonesian legal system must respect individual differences while still ensuring that all citizens enjoy equal protection under the law. This calls for inclusive policies, rules, and legal processes that uphold cultural, religious, and ethnic diversity while also advancing equality, social justice, and tolerance. Therefore, laws are put in place to maintain peace and safety, foster national unity, and create an environment where diversity is valued instead of feared. By making a public statement that variety is essential to the formation of Indonesian identity and the nation, these events contribute to the country's prosperity.

The Fourth Precept: Reads "People's People Guided by the Wisdom of Deliberation and Representation"

People, meaning a collection of people in a given nation or territory, is the root of democracy (Suryani et al., 2023). In this fourth pillar, competent leadership in democracy in discussion and representation implies Indonesians support democracy. Adopted democracy might be direct or indirect. Democracy understands community life, how people live together. Democracy and freedom are linked because citizens may pick their country's leader. However, Indonesia needs wise leaders that are accountable, knowledgeable, and know how to lead. In Indonesia, the fourth Pancasila principle of democracy is vital to lawmaking and enforcement. The right to participate in decision-making, either directly or via representatives, is a direct and indirect democracy premise. To ensure people's perspectives are heard and respected, legal systems must establish

laws and policies via open, participatory, and accountable methods. In addition to following the law, good leaders must lead with justice, wisdom, and responsibility, focusing on the public interest.

Fifth Principle: Reads "Social Justice for All Indonesian People"

Social justice affects all aspects of society. Social justice in Indonesia is economic, political, legal, social, and cultural equality for everyone. Social justice as social justice in many sectors requires the Indonesian legal system to be designed and implemented to fairly distribute rights and obligations. This means legislation, public policy, and judicial practice must actively reduce inequalities and promote economic, political, social, and cultural equality. This includes equal justice, non-discriminatory laws, and programs that benefit marginalized groups. Social justice safeguards human rights and individual dignity by ensuring that all people, regardless of background or socioeconomic status, are treated equally under the law.

Pancasila underpins Indonesia's governance and law. Pancasila utilizes "pantja" and "sila". Pantja means fifth, sila principle, joint. Pancasila values divinity, humanity, unity, democracy, and social justice.

Pancasila Text The Jakarta Charter states: (1) God with the responsibility to implement Islamic law for its followers, (2) Just and civilized mankind, (3) Indonesian unity, (4) Wisdom in representative debates, and (5) Social justice for all Indonesians. The 1945 Constitution states: (1) Belief in one God, (2) Just and civilized mankind, (3) Indonesian unity, (4) Wisdom in representative deliberations, and (5) Social fairness for everyone.

To govern and conduct public life in different domains, a state needs a foundation, and that is what a basis provides. In addition to regulating constitutional life, which encompasses all social activity, the State Foundation serves as the fundamental principles and standards of the country. The foundation of the Indonesian state is Pancasila. In contrast, Ir. Soekarno's proposal on June 1, 1945, led to Pancasila. Every facet of society is affected by collective social justice. For Indonesians, social justice is making sure everyone has a fair shot at success in all spheres of society, including the economy, government, law, and culture. For the sake of social justice, which includes collective justice in many areas, it is imperative that the legal system in Indonesia be designed and implemented in a way that ensures everyone's rights and responsibilities are fairly distributed. As a result, there has to be an effort to reduce disparities and increase economic, political, social, and cultural equality via the rule of law, public policy, and the practice of the judiciary. This necessitates nondiscriminatory laws, programs that assist marginalized and disadvantaged communities, and fair access to justice. Equal protection under the law is a cornerstone of social justice, which also safeguards human rights and the dignity of every person.

The legal and governing framework of Indonesia is known as Pancasila. The words "pantja" and "sila" are used in Pancasila. In Sanskrit, pantja means five, sila principle, or joint. Pancasila stands for five principles: social justice, democracy, divinity, humanity, and togetherness.

Text of Pancasila It is stated in the Jakarta Charter that: First, God, who has sworn an oath to uphold Islamic law for his followers; second, a civilized and just human race; third, Indonesia's unity; fourth, a democratic government guided by wisdom in its representative debates; and fifth, social fairness for all Indonesians. The five tenets of Indonesian democracy as outlined in the 1945 constitution are as follows: (1) a belief in a supreme being; (2) a just and civilized human race; (3) Indonesian unity; (4) wise representation in democratic assemblies; and (5) equal social justice for all Indonesians. (Warsito, 2012). The basic concept of Pancasila has profound significance for the Indonesian people; it serves not only as the national goal but also as a unifying force and a manual for life in all spheres (Syarbaini, 2001). In a nutshell, a nation's foundation helps

with social life in many different ways, and that's the basis of the state. As the nation's fundamental principles and standards for governing constitutional life, which encompasses all social life, the foundation of the state is equally significant.

2. Function and Position of Pancasila

As the state's foundation, Pancasila guides Indonesians' social, national, and state lives. Each of Pancasila's five principles has significance and importance. Meanings and values define Indonesia's spirit and individuality. Pancasila principles became the centre of national culture, shaped by leaders' ideas as the foundation of the state and way of life.

All aspects of the Indonesian government are founded on Pancasila. All Indonesian laws must be Pancasila-based. The ideals of Pancasila must adapt to Indonesian society since it is dynamic and open. Pancasila is actual, adaptable, and meaning-updating. As a way of life and the foundation of the Indonesian state, Pancasila provides national living guidelines in every concept.

Wahyu believes W Pancasila's ideals are essential, absolute, universal, and timeless, originating from the great culture of civilization throughout the archipelago. (Subandi, 2001). The ideals of Pancasila before the state were fragmented cultures distributed over Indonesia, and Indonesians had the chance to be acculturated with different cultures in the second century and previously (Weni Almoravid Dungga et al., 2023).

In education, Pancasila values can be applied in various activities, such as student learning activities by using a nationalistic attitude on Mondays, called ceremonies, which help students learn about Pancasila and can be implemented at appropriate times. Students may participate in a tournament on Freedom Day to honour the heroes who fought for freedom and the Indonesian state's philosophy. Heroes' Day is another prominent holiday. This might motivate pupils to study hard to make their nation proud. Students may also learn to love their country and be proud to be Indonesian.

In conclusion, migration policies must be aligned with Pancasila educational principles to preserve Indonesia's uniqueness. As a symbol of the state and way of life, Pancasila lays the groundwork for equitable and inclusive policies. The principles of Pancasila—divinity, humanity, unity, people, and social justice—must be reflected in migration policy. Human dignity, diversity, and national unity are prioritized in migrant care and processing by policies that coincide with Pancasila. The youth of Indonesia will be better equipped to carry on a peaceful cultural legacy and set of policies if Pancasila principles are taught in the classroom. - The qualities of Indonesia.

3. The Role of Pancasila Education in Preventing Illegal Migration Activities in Indonesia

The importance of adhering to regulations, even when migrating, is emphasized in Pancasila education for Indonesians. The state's ideology, Pancasila, upholds the principles that lead individuals to act justly, in unity, and with compassion (Purnomo et al., 2021). Considering that illegal immigration has the potential to undermine national unity and social cohesiveness, this becomes even more crucial.

Pancasila education plays a key role in educating the public on the legal framework surrounding illegal migration, particularly with regard to the 1945 Constitution of the Unitary State of Indonesia. Among the Pancasila principles included in the Indonesian constitution, which dates back to 1945, are regulations regarding migration. The Constitution of the Unitary State of Indonesia from 1945 states that in order to solve migration concerns, particularly illegal migration, justice, unity, and human rights must be prioritized.

Pancasila education teaches people that all government actions, including migration policies, must be founded on these ideals. This shows that a fair and successful migration strategy must enforce the law against illegal migration tre, treat migrants humanely, and

defend their rights in line with just and civilized humanitarian values. (Prabowo & Syahuri, 2022).

The 1945 Constitution of the Unitary State of Indonesia similarly emphasizes national unity and integrity, as does Pancasila education. This implies migration policy must discourage illegal migration and promote national peace and harmony. This strategy promotes an inclusive, peaceful society where everyone, especially migrants, is valued and treated correctly.

Pancasila education can show that illegal migration generally violates human rights and exploits people. Through awareness of just and civilized humanity and social justice for all Indonesians, Pancasila education teaches that every action, including migration, must be legal and responsible and respect the rights and welfare of all parties.

Pancasila education helps Indonesians comprehend migration regulations. With its values of decent and civilized humanity and social justice, Pancasila supports migration regulations that respect human rights and the rule of law. This is particularly important when discussing illegal migration, which frequently involves human rights abuses and exploitation. Pancasila education encourages residents to absorb and apply these ideals in daily life, especially migration legislation. This ensures that government and community policies and activities follow legal requirements and safeguard and respect the dignity and well-being of all people, including migrants. By Indonesian ideals, Pancasila education helps develop a more compassionate and equitable legal system for migration.

Additionally, Pancasila education promotes nationalism and state allegiance. Strong national identification and pride inspire residents to avoid harmful activities like illegal migration (Basit, 2023). Indonesians are encouraged to regard migration as a shared obligation to protect the country's integrity and growth by internalizing Pancasila's ideals.

As the conceptual foundation of all state legislation and policies, Pancasila education, which is profound and extensive in Indonesia, is intimately tied to the Indonesian Immigration Law. In the Immigration Law, Pancasila principles like justice, unity, and fair and civilized humanity guide migration laws. This is crucial when dealing with illegal migration when law enforcement must respect human rights.

Pancasila education teaches that fair and compassionate immigration policies are part of the 1945 Constitution of the Unitary State of Indonesia and Pancasila. With this view, people may regard the Immigration Law as a set of laws to follow and a tangible expression of the state's humanitarian beliefs. This involves treating illegal migrants with decency and respect for the law to prevent exploitation and abuse.

Additionally, Pancasila education encourages residents to engage actively in migration discourse and policymaking. The people's principles in Pancasila and the 1945 Constitution of the Unitary State of the Republic of Indonesia state that every person has the right and obligation to participate in democracy. This engagement ensures that migration policies and legislation reflect society's needs, aspirations, and national values.

Pancasila education raises awareness of the harmful effects of illegal migration on people and the country to avoid it. This teaching emphasizes the significance of legal and safe movement, observing rules, and preventing dangerous pathways. This education helps people understand their responsibility to uphold national sovereignty and integrity while safeguarding the rights and welfare of fellow citizens and migrants.

In this setting, Pancasila education becomes a catalyst for better knowledge and more active engagement in the execution and evolution of the Indonesian Immigration Law. This ensures that Indonesia's migration strategy manages migratory flows effectively and aligns with national and state values.

Conclusion

Establishing a sustainable, fair, and compassionate migration system in Indonesia relies heavily on aligning migration policy with the educational principles of Pancasila. A solid ethical basis for the development and execution of migration policies may be found in Pancasila education, which emphasizes justice, humanity, unity, and democracy in line with the spirit of the 1945 Constitution of the Unitary State of the Republic of Indonesia. This serves many purposes: it promotes national unity and guarantees that human dignity is respected; it also ensures that Indonesia's migration policy matches the country's noble ideals. Young Indonesians learn about the consequences of unlawful migration and the significance of a lawful and ethical migration process via Pancasila education. It promotes public engagement in the policymaking process around migration, which helps guarantee that policies are both legal and in line with national values, protecting Indonesia's sovereignty and integrity.

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