



# IMPLEMENTATION OF PANCASILA PHILOSOPHY ON CONSTRUCTION SERVICES IN REALIZING A FAIR AND PROSPEROUS SOCIETY

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## ABSTRACT

This research aims to comprehensively discuss the implementation of the philosophical value of Pancasila in the implementation of construction services in realizing a just and prosperous society, as well as to examine in depth Pancasila as a grand norm in the implementation of national development to realize community welfare. This type of research is juridical normative with a descriptive-analytical approach discussing existing legal symptoms and problems, and testing them aware of laws and legal norms. The results of this study show that the implementation of construction services implements the values of Pancasila as the source of all laws in Indonesia, which contain the concepts of social justice and welfare, including the provisions of Chapter II on principles and objectives, Articles 46-57, work contract arrangements based on equal rights and obligations and consensus deliberation in dispute resolution, Chapter X community participation in providing input and supervision of service delivery construction. That the role of Pancasila as a grand norm in the implementation of national development is as a reference for basic norms supporting socio-economic activities, realizing the health of a just and prosperous society through the practice of Pancasila and the 1945 Constitution as a paradigm of development in all fields.

**Keywords:** *Pancasila, Construction Services, Society, Fair, Prosperous.*

## 1. INTRODUCTION

That as the basic ideology of the State of Indonesia, Pancasila has a major influence in the legal system and order of life.<sup>1</sup> The founding fathers have designed and Pancasila as the main pillar in it contained the concepts of humanism, rationalism, universalism, socialism, democracy and nationalism.<sup>2</sup> In addition, Pancasila is also an original Indonesian philosophy taken from culture, tradition and cultural acculturation (Hindu, Western and Islamic). Pancasila as a system contains universal values that develop in the human person according to their nature both as individuals and social beings.<sup>3</sup> In accordance with the meaning of values, namely ideals that become motivation in all attitudes, behaviors and actions of humans who support them, Pancasila contains an attraction for humans to be realized and must be implemented.

That as the basic ideology of the State of Indonesia, Pancasila has a major influence in the legal system and order of life.<sup>4</sup> Pancasila and the 1945 Constitution of the Republic of Indonesia as the

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<sup>1</sup> Andi Tenri Famauri, 'The Values of Pancasila in Electronic Banking Agreement', *Hasanuddin Law Review*, 2019, 289–98 <<https://doi.org/10.20956/halrev.v5i3.2150>>.

<sup>2</sup> M. A. Muqsith and others, 'Revolutionizing Pancasila as the Ideology of Indonesians', *RUDN Journal of Sociology*, 22.4 (2022), 860–71 <<https://doi.org/10.22363/2313-2272-2022-22-4-860-871>>.

<sup>3</sup> Firdaus Syam and others, 'Narrative and the Politics of Identity: Patterns of the Spread and Acceptance of Radicalism and Terrorism in Indonesia', *Religions*, 11.6 (2020), 1–27 <<https://doi.org/10.3390/rel11060290>>.

<sup>4</sup> Famauri. *Ibid.*,



grand norm, become a reference in carrying out the life of the nation, especially the implementation of national development aimed at realizing a just and prosperous society.<sup>5</sup> Realizing the ideals of advancing general welfare, one of which is implemented in national development programs in the form of physical natural resource management and the procurement of supporting infrastructure<sup>6</sup> through construction services. That as a legal umbrella for the implementation of construction, Law Number: 2 of 2017 must implement the values of the Pancasila philosophy, especially in creating justice and prosperity of the community.<sup>7</sup> Construction service providers must comply with various regulations, and applicable rules to carry out construction work.<sup>8</sup>

The concept of a prosperous society according to Pancasila<sup>9</sup> It is the fulfillment of primary needs and skunder needs. In realizing the noble ideals of the State of Indonesia, it is applied through various supporting programs, one of which is the national long-term development program as outlined in Law Number 17 of 2007 concerning the National Long-Term Development Plan (RPJPN) for 2005-2025. Based on the long-term development plan, the Indonesian nation is determined to realize the vision of an independent, advanced, just and prosperous Indonesia.

The process and results of socio-cultural development can be measured by Pancasila, because Pancasila is the basis for state administration and system implementation, the highest position as the source of all laws.<sup>10</sup> Implementation and deviations in law enforcement will hinder the creation of the aspired economic and legal structures (*lus constituendum*). Pancasila as a grand norm must be the foundation and guideline in every policy and legal provision, to be in accordance with the principles of state objectives. Construction Services Law Number 2 of 2017 as a legal umbrella for the implementation of national construction services must be able to accommodate interests and provide guarantees of justice, legal certainty for the community.<sup>11</sup>

The implementation of construction services is carried out based on the principles of honesty, fairness, benefits, equality, harmony, balance, professionalism, independence, openness, partnership, security and safety, freedom, sustainable development, and environmental insight. Construction Services Law Number: 2 of 2017 regulates the implementation of construction services to provide direction for growth and development of construction services in realizing a strong, reliable, highly competitive business structure and quality construction work, realizing orderly construction implementation that ensures equal position between Users and Service Providers in carrying out their rights and obligations.<sup>12</sup> In addition, aspects of security, safety, health and sustainability (K4) are very important in supporting the success of construction service work which is largely determined by the quality of human resources and technology.<sup>13</sup>

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<sup>5</sup> Famauri.

<sup>6</sup> Per Angelstam and others, 'Meeting Places and Social Capital Supporting Rural Landscape Stewardship: A Pan-European Horizon Scanning', *Ecology and Society*, 26.1 (2021) <<https://doi.org/10.5751/ES-12110-260111>>.

<sup>7</sup> Suci Flambonita and Abdul Rachmad Budiono, *The Paradigm of Proper Wage for Home Base Worker in Indonesian Labor System Based on Fair Wage Theory*, *International Journal of Recent Technology and Engineering*, 2019, VIII <<https://doi.org/10.35940/ijrte.B1079.0982S919>>.

<sup>8</sup> Mu-Chun Liao and Ting-Ya Hsieh, 'Violations of Professional Technical Standards: Causes and Lessons Learned', *Journal of Legal Affairs and Dispute Resolution in Engineering and Construction*, 14.1 (2022) <[https://doi.org/10.1061/\(asce\)la.1943-4170.0000482](https://doi.org/10.1061/(asce)la.1943-4170.0000482)>.

<sup>9</sup> Flambonita and Budiono, VIII.

<sup>10</sup> Muqsith and others.

<sup>11</sup> Sukiman Sugita, Abdul Gani Abdullah, and Gunawan Djajaputra, 'Limitation Legal Certainty of Long-Term Flat Unit Ownership Related to Flat Building Ownership', *Journal of Environmental Treatment Techniques*, 8.3 (2020), 1196–99 <[https://doi.org/10.47277/jett/8\(3\)1199](https://doi.org/10.47277/jett/8(3)1199)>.

<sup>12</sup> Debby Willar and others, 'Sustainable Construction Practices in the Execution of Infrastructure Projects: The Extent of Implementation', *Smart and Sustainable Built Environment*, 10.1 (2021), 106–24 <<https://doi.org/10.1108/SASBE-07-2019-0086>>.

<sup>13</sup> Samuel Ikechukwu Egwunatum and others, 'Total Quality Management (TQM) Implementation in the Nigerian Construction Industry', *Engineering, Construction and Architectural Management*, 29.1 (2022), 354–82 <<https://doi.org/10.1108/ECAM-08-2020-0639>>.



That the formulation of legal policies is needed in an effort to ensure justice, certainty and legal expediency, and the government must be able to organize equitable distribution of national infrastructure development in order to encourage regional progress and economic growth. Implementation of Pancasila values in the implementation of construction services and services is not only limited to economic activities, but to the greater goal of creating a just and prosperous society externally and inwardly.

## 2. RESEARCH METHOD

This type of research is juridical normative with a descriptive-analytical approach that discusses existing legal symptoms and problems, and tests them aware of laws and legal norms.<sup>14</sup> The approach is descriptive analytical which aims to take systematic, factual and accurate data on a problem based on laws and regulations and applicable legal norms.<sup>15</sup> Data collection techniques are carried out by means of literature studies to obtain secondary data including primary legal materials, in the form of laws and regulations, books and other scientific works as well as tertiary legal materials in the form of dictionaries, magazines, newspapers and scientific journals.<sup>16</sup>

## 3. RESULTS AND DISCUSSION

### A. Implementation of Pancasila Values in the Construction Services

The Pancasila value system is unique because it has a fixed and related status, each of which cannot be separated from one another. The uniqueness of the Pancasila value system is an identity for the Indonesian nation that distinguishes it from other nations, this is referred to as the personality or identity of the nation. The conclusion is that the Pancasila value system is a rounding of a number of interconnected elements according to a regulatory order in order to achieve a certain purpose or fulfill a certain role. Pancasila as a legal ideal means that it is positioned as a *staatsfundamentalnorm* in the State of Indonesia which has constitutive and regulatory functions. Pancasila as a constitutive function determines the basis of a legal system, while the regulative function is to determine whether positive law is fair or not, in accordance with the purpose of law.<sup>17</sup>

The implementation of development is not only based on economic activities, but also related to civilization and national culture and community welfare.<sup>18</sup> The management arrangement of the construction sector has a much higher reach than the service business dimension, because it is part of realizing the noble ideals of the Indonesian nation. In addition to economic development, socio-cultural development is carried out on the basis of national interests, namely the realization of a democratic, safe, peaceful, and peaceful society.<sup>19</sup> This consideration is very important when faced with the cultural reality of Indonesian society with various interests and cultural diversity of the Indonesian nation.

Law Number 17 of 2007 concerning the National Long-Term Development Plan (RPJPN) for 2005-2025, based on the long-term development plan, the Indonesian nation is determined to realize the vision

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<sup>14</sup> N Ationally A Ccredited and J Ournal Sinta, 'JILS ( Journal Of I Ndonesian L Egal S Tudies ) Controversial Issues On The Making Of Notarial Deed Containing Chained Promise ( Beding Berantai ) With The Freedom Of Contract Principle', 4.2 (2019).

<sup>15</sup> Herry Ludiro Wahyono, Jati Utomo Dwi Hatmoko, and Rizal Z. Tamin, 'State Financial Losses in Public Procurement Construction Projects in Indonesia', *Buildings*, 9.5 (2019), 1–8 <<https://doi.org/10.3390/buildings9050129>>.

<sup>16</sup> Alexander P. Sukhodolov, Artur V. Bychkov, and Anna M. Bychkova, 'Criminal Policy for Crimes Committed Using Artificial Intelligence Technologies: State, Problems, Prospects', *Journal of Siberian Federal University - Humanities and Social Sciences*, 13.1 (2020), 116–22 <<https://doi.org/10.17516/1997-1370-0542>>.

<sup>17</sup> Muqsith and others.

<sup>18</sup> Joanna Wróbel, Maciej Sołtysik, and Radomir Rogus, 'Selected Elements of the Neighborly Exchange of Energy - Profitability Evaluation of the Functional Model', *Polityka Energetyczna*, 22.4 (2019), 53–64 <<https://doi.org/10.33223/epj/112508>>.

<sup>19</sup> Willar and others.



of an independent, advanced, just and prosperous Indonesia. In order to achieve this program/vision, Indonesia has 8 (eight) missions, namely:

- a) Creating a society of noble character, moral, ethical, cultured and civilized based on the philosophy of Pancasila;
- b) Creating a competitive nation;
- c) Realizing a democratic society based on law;
- d) Realizing a safe, peaceful and united Indonesia;
- e) Realizing equitable development and justice;
- f) Realizing a beautiful and sustainable Indonesia;
- g) Realizing Indonesia to become an independent, developed, strong archipelagic country based on national interests;
- h) Realizing Indonesia plays an important role in international relations.

Development activities (construction services) will tow economic activity. <sup>20</sup> Feedback from the movement will create construction products in the form of infrastructure or infrastructure that can help improve the nation's competitiveness. If construction service activities are carried out appropriately and correctly, it will also create a *built environment* in an ecosystem that will directly reflect the realization of beautiful and sustainable Indonesia, through the concept of sustainable construction. <sup>21</sup>

The application of the concept of sustainable construction creates buildings based on designs that pay attention to the environment, are efficient in the use of natural resources, and are environmentally friendly during building operations. Sustainable construction is green construction which is a holistic process that aims to restore and maintain a balance between natural and built environments. Green construction aims to reduce the negative impact of the construction process on the environment so that there is a balance between environmental capabilities and human life needs for present and future generations. The concept of <sup>22</sup>green construction in Law Number: 2 of 2009 concerning Environmental Protection and Management is known as environmentally sound development.

The implementation of aspects of security, safety, health and sustainability, is very important in supporting the success of construction service work which is largely determined by the quality of human resources and technology. <sup>23</sup> That the implementation of the philosophical values of Pancasila in the form of the concept of social justice, equality of rights and obligations and consensus deliberation in Law Number: 2 of 2017 concerning Construction Services include:

- 1) Chapter II (Article 2 and Article 3) concerning the principles and objectives of the implementation of construction services based on honesty, justice, benefit, equality, sustainable development and environmental insight, to realize a reliable, competitive business structure and quality construction product results, and able to realize public safety and environmental comfort;
- 2) Article 46-57 which is an arrangement of the Construction Work Contract as a reference / guideline in the implementation of work containing the rights and obligations of the parties related and Chapter XI (Article 88), concerning dispute resolution. The preparation of construction work contracts is made based on mutual agreement of the parties who bind themselves to the agreement, and the settlement of construction disputes is carried out on the principle of deliberation to reach consensus. That this provision is an implementation of the value of deliberation to reach consensus

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<sup>20</sup>Chengying Yang and Tajul Ariffin Masron, 'Impact of Digital Finance on Energy Efficiency in the Context of Green Sustainable Development', *Sustainability (Switzerland)*, 14.18 (2022)  
<<https://doi.org/10.3390/su141811250>>.

<sup>21</sup> Leonardo Nicoletti, Mikhail Sirenko, and Trivik Verma, 'Disadvantaged Communities Have Lower Access to Urban Infrastructure', *Environment and Planning B: Urban Analytics and City Science*, 50.3 (2022), 831–49  
<<https://doi.org/10.1177/23998083221131044>>.

<sup>22</sup> Willar and others.

<sup>23</sup> Adi Sulistyono And Edi Sukmoro, 'Reconstruction Of The Track Access Charge Policy In The Indonesian Railway Regulations As A Public Service Based On The Principle Of', 17.4 (2018), 50–53.



based on the spirit of kinship, as well as good faith and a sense of responsibility to accept and implement the results;<sup>24</sup>

3) The provisions of Chapter VI (Article 59) concerning security, safety, health and sustainability of construction (building failure, expert assessment, duration and liability), as standardization in the implementation of construction work as well as a form of legal protection provided by the state to the public for construction service products;

4) Provisions of Chapter X (Article 84-Article 87) concerning Community Participation, which provides opportunities for the community to provide input and supervise the implementation of construction services through access to information on construction work that has an impact on the public interest, make complaints, lawsuits and efforts to obtain compensation for the impacts caused by construction service activities.<sup>25</sup>

#### **B. The Role of Pancasila as a *Grand Norm* in the Implementation of National Development to Realize a Just and Prosperous Society**

As a basis for state philosophy, the precepts in Pancasila are a value system, therefore the precepts in Pancasila are essentially a unity that in practice cannot be separated. Although each precept contains values that have differences from one another, but as a whole it is a systematic unity.<sup>26</sup> Here are the five precepts of Pancasila and their details that are the source of all laws in Indonesia :

First, the one and only Godhead, with the following points: a) the Indonesian people express their belief and piety to the one and only God; b) Indonesians believe in and fear God Almighty, in accordance with their respective religions and beliefs based on the basis of just and civilized humanity; c) develop an attitude of respect and cooperation between religious believers and adherents of different beliefs in God Almighty; d) fostering harmony among fellow religious people and belief in the one and only God; e) develop mutual respect for the freedom to worship in accordance with their respective religions and beliefs; f) religion and belief in God are matters concerning man's personal relationship with the one and only God; g) not to impose a religion and belief in the one true God on others.

Second, just and civilized humanity, with the following points: a) recognizing and treating man in accordance with his worth and dignity as a creature of God almighty; b) recognize the equality, human rights or duties of every human being, without distinction of ethnicity, descent, religion, belief, social position, sex, skin color, or anything else; c) promote non-arbitrary attitudes towards others; d) develop mutual tolerance and tolerance; e) develop mutual love for fellow human beings; f) be courageous in defending truth and justice; g) enjoy carrying out an activity of a humanitarian nature; h) uphold human values; i) develop an attitude of respect and cooperation towards other nations; j) the Indonesian nation feels itself as part of all mankind.

Third, the unity of Indonesia, with the following points: a) able to place unity, unity and the interests and safety of the nation and state as common interests above personal interests or groups; b) willing and willing to sacrifice for the benefit of the state and nation if necessary; c) develop Indonesian unity on the basis of Bhineka Tunggal Ika; d) develop a sense of pride in nationality and homeland of Indonesia; e) uphold love for the homeland and nation; f) promote association for the sake of national unity and unity; g) maintain a world order based on freedom, lasting peace and social justice.

Fourth, Citizenship led by wisdom in consultation and representation, with the following points: a) as citizens and citizens of society, every Indonesian has the same position, rights and obligations; b) must not impose our will on others; c) prioritizing deliberation in making decisions in the common

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<sup>24</sup> D. Safnul and others, 'Civil Liability of Construction Service Providers Against Building Failures in the Taxiway Construction Agreement of Kuala Namu International Airport', *IOP Conference Series: Earth and Environmental Science*, 452.1 (2020), 012080 <<https://doi.org/10.1088/1755-1315/452/1/012080>>.

<sup>25</sup> Sothun Nop and Alec Thornton, 'Urban Resilience Building in Modern Development: A Case of Phnom Penh City, Cambodia', *Ecology and Society*, 24.2 (2019) <<https://doi.org/10.5751/ES-10860-240223>>.

<sup>26</sup> Seto Harianto, *Implementasi Dan Aktualisasi Pancasila*, Univ. Musamus-Papua (Pusat Pendidikan Pancasila Dan Konstitusi Mahkamah Konstitusi, 2015) <<https://doi.org/10.18592/ittihad.v14i25.860>>.



interest; d) deliberation in order to reach consensus includes the spirit of kinship; e) deliberations are carried out sensibly and in accordance with a noble conscience; f) give confidence to trusted representatives in carrying out consultations; g) respect and uphold every decision reached as a result of deliberation; h) in deliberation the common interest is prioritized over personal and group interests; i) in good faith and a sense of responsibility to accept and implement the results of deliberative decisions; j) The decisions taken must be morally accountable to God Almighty, uphold human dignity and dignity, the values of truth and justice in prioritizing unity and unity in order to achieve common interests.

Fifth, social justice for all Indonesian people, with points a) developing noble deeds, reflecting the attitude and atmosphere of kinship and cooperation; b) develop a fair attitude towards fellow human beings; c) maintain a balance between rights and obligations; d) respect the rights of others; e) likes to give help to others so that they can stand alone; f) not to use property rights for attempts to extort others; g) not to use property rights for extravagant things and luxurious lifestyles; h) not to use property rights to contradict or harm the public interest; i) likes to work hard; j) like to appreciate the work of others that is beneficial to the progress and common welfare; k) like to carry out activities in order to realize equitable progress and social justice.<sup>27</sup>

That Pancasila as a basic norm in aspects of economic life includes:

- a) Believing that the wealth of the archipelago, both potential and effective, is capital and common property of the nation;
- b) Believe that the national economy should be structured as a joint effort based on the principle of kinship;
- c) Believe in the right of every citizen to decent work and livelihood in accordance with humanity.<sup>28</sup>

The implementation of the Pancasila economy can be seen from Article 33 of the 1945 Constitution whose implementation is directed to three forms of business entities, namely:

- a) Cooperatives as Indonesian economics teachers are businesses based on family principles;
- b) BUMN or BUMD as a business entity whose whole or majority is owned by the state;
- c) Private business entities as individually owned profit business entities or private groups that manage the economic sector.

That if these three business entities can carry out their duties as mandated, then the economy of the Indonesian nation will experience very rapid progress. But in fact, it still shows that cooperatives have not been able to develop optimally, BUMN and BUMD, lose a lot and become a land for enriching themselves. While private business actually experienced very rapid development, it turned towards a capitalist system that actually caused social inequality.<sup>29</sup>

In addition to economic development, socio-cultural development is carried out on the basis of national interests, namely the realization of a democratic, safe, peaceful, and peaceful society. This consideration is very strategic when faced with the fact that Indonesian society has diverse interests according to ethnic, religious, racial diversity. Pancasila as the main pillar of development in the socio-cultural field of Indonesia is a logical consequence of the nation's agreement that Pancasila is the crystallization of people's life values.<sup>30</sup>

Both the planning, process and results of socio-cultural development can be measured by Pancasila, because Pancasila is the basis for state administration and the implementation of the government

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<sup>27</sup> Sarkadi and others, 'The Application of Mobile Learning for University Students in the Pancasila Education Modul in Developing Character of Students' Empathy', *Universal Journal of Educational Research*, 8.9 (2020), 3825–33 <<https://doi.org/10.13189/ujer.2020.080905>>.

<sup>28</sup> G. Seto Harianto, *Philosophische Grondslag* (Bogor: Pusat Pendidikan Pancasila dan Konstitusi – Mahkamah Konstitusi, 2015) <[https://pusdik.mkri.id/materi/materi\\_190\\_\(449846598\)\\_Seto\\_Harianto\\_Implementasi\\_Dan\\_Aktualisasi\\_\(1\).pdf](https://pusdik.mkri.id/materi/materi_190_(449846598)_Seto_Harianto_Implementasi_Dan_Aktualisasi_(1).pdf)>.

<sup>29</sup> Mas Putra Zenno Januarsyah and others, 'The Implementation of the Deferred Prosecution Agreement Concept to Corruption by Corporations with the Anti-Bribery Management System (SNI ISO 37001: 2016)', *Padjadjaran Jurnal Ilmu Hukum*, 8.2 (2021), 232–54 <<https://doi.org/10.22304/pjih.v8n2.a4>>.

<sup>30</sup> Muqsith and others.



system that has the highest position and as the source of all sources of law in the constitution.<sup>31</sup> Pancasila as a paradigm of socio-cultural development is not the only guarantee of optimal success. Many factors can affect its success, such as the belief of the Indonesian people in the truth of Pancasila values, the consistency of the Indonesian nation to implement Pancasila, the influence of foreign values that continue to enter along with the globalization process.

The values of Pancasila must be lived and practiced again to be the basis for economic, social and cultural development. In the order of philosophical system, Pancasila is essentially humanistic, meaning that the values contained in Pancasila originate from the dignity and dignity of humans as cultured / civilized beings. This is in accordance with the formulation of the second precept of Pancasila, namely just and civilized humanity. Pancasila is a normative source for increasing humanization in the field of cultural eosial. Pancasila as a paradigm has characteristics, namely:

- a) Universal is therefore able to detach symbols from the attachment of structure;
- b) Transcendental because it is able to increase the degree of human freedom and spiritual freedom.

The process of universal humanization will actualize values for the benefit of certain social groups so as to create a socio-cultural system that does not uphold moral values. The new paradigm in national development is in the form of a sustainable development paradigm, which in its planning and implementation needs to be carried out by respecting the cultural rights of the communities involved, in addition to the state's right to regulate national life and individual human rights in a balanced manner.<sup>32</sup>

That because of these arguments, all elements of society can participate rationally, proportionately and realistically in building economic, social and cultural order. The success of this development is the main capital towards a safe, peaceful, just and prosperous society, while still upholding the values of truth in accordance with the dignity of human dignity. Every citizen must respect the rights of others and prioritize the public interest over personal interests and certain groups.<sup>33</sup>

Sunaryati Hartono stated that the close relationship and mutual influence with legal development, because the renewal of the basics of thinking in the economic field changes and determines the basics of legal development concerned, while the enforcement of appropriate legal principles will also facilitate the formation of the desired economic structure. On the contrary, inappropriate implementation of law enforcement will actually hinder the creation of the aspired legal and economic structure.<sup>34</sup> That is why, in order to strive towards the economic structure of Pancasila, the legal rules that underlie it are also really high by Pancasila. The national legal system should be a Pancasila legal system and Indonesia's national economic law should be part of Pancasila law.

The implementation of national development (construction services) is not only related to economic activities alone, but also closely related to the nation's civilization and culture and the welfare of a just prosperous society, thus, the regulation of the management of the construction sector has a much higher reach than the dimension of service business, but is an effort to realize the noble ideals of the Indonesian nation.<sup>35</sup> That the management of the construction sector must be able to ensure the integration of all parties involved in the entire structure of the supply chain chain in order to provide added value in a sustainable manner through good governance of the construction business

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<sup>31</sup> Leni Yulia and Dinie Anggraenie Dewi, 'Pengamalan Butir Pancasila: Perwujudan Implementasi Pancasila Sebagai Etika Dalam Hidup Bermasyarakat', *Jurnal Kewarganegaraan*, 5.1 (2021), 201–11 <<https://doi.org/10.31316/jk.v5i1.1449>>.

<sup>32</sup> Famauri.

<sup>33</sup> Isabel Lifante-Vidal, 'Is Legal Certainty a Formal Value?', *Jurisprudence*, 0.0 (2020), 456–67 <<https://doi.org/10.1080/20403313.2020.1778289>>.

<sup>34</sup> Sunaryati Hartono, *Hukum Ekonomi Pembangunan Indonesia, Bina Cipta* (Jakarta: Binacipta, 1982). 6.

<sup>35</sup> Anat Anaqie Zahidy, Shahryar Sorooshian, and Zahidy Abd Hamid, 'Critical Success Factors for Corporate Social Responsibility Adoption in the Construction Industry in Malaysia', *Sustainability (Switzerland)*, 11.22 (2019), 1–24 <<https://doi.org/10.3390/su11226411>>.



process efficiently, effectively and cost-effectively<sup>36</sup> and equitably to continue to be productive in producing construction products quality, competitive, useful and sustainable.

Construction services become a driver of the nation's socio-economic development (construction driven socio-economic development). These principles and values are the soul or spirit that the outcome of the construction sector is the comfort of the built environment both physically, socially, culturally, psychologically, and spiritually for the wider community. The spirit of management of the construction sector must be based on the principles of honesty and justice, benefits, equality, harmony, balance, independence, openness, partnership, security and safety, freedom, sustainable development, and environmental sustainability.<sup>37</sup>

That the concept of sustainable development contains important principles, namely first, development must meet the needs of the present without sacrificing the rights of future generations. Second, development must continue to pay attention to the existing ecosystem, in accordance with the carrying capacity, so that it is maintained and sustainable. Third, every development activity must realize the interests of groups or communities wherever they are, and pay attention to the existence of present and future life. Fourth, sustainable development aims to improve the quality of human life in all aspects, both physical, spiritual, social and cultural in the long term, by not damaging existing natural resources, and not exceeding the carrying capacity.<sup>38</sup>

That in order to carry out sustainable construction, a paradigm shift is needed to transform to cultivate sustainable principles from top management to implementers. Sustainable culture is the driving force of sustainability among construction industry stakeholders.<sup>39</sup> The culture of sustainable construction is a component of attitudes and behaviors and is categorized under awareness, attention, motivation and implementation of sustainable principles.<sup>40</sup> There are several things that are done as an effort to build a sustainable construction culture in the implementation of construction in Indonesia including:

- a) Commitment and knowledge of sustainable concepts adopted in new ways of working, thinking and learning to improve performance and stakeholder motivation;
- b) Intra-organizational leadership in promoting sustainable construction practices throughout the organization by formulating policies, implementing procedures and implementing best practices;
- c) Incentives to business actors who implement sustainable construction in the form of providing green-based financing (*green bonds*) and reducing corporate income tax (*tax holiday*);
- d) Awarding the title of sustainable construction.<sup>41</sup>

Furthermore, the benefits of sustainable construction can not only be felt in the scope of the project, but at a broader level including:

- 1) Sustainable issues implemented in construction projects will change the overall construction business process which leads to the sustainability of human life and various types of living things;<sup>42</sup>

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<sup>36</sup> Sanna Kuoppamäki, 'The Application and Deployment of Welfare Technology in Swedish Municipal Care: A Qualitative Study of Procurement Practices among Municipal Actors', *BMC Health Services Research*, 21.1 (2021), 1–12 <<https://doi.org/10.1186/s12913-021-06944-w>>.

<sup>37</sup> Lieselot Bisschop, Yogi Hendlin, and Jelle Jaspers, 'Designed to Break: Planned Obsolescence as Corporate Environmental Crime', *Crime, Law and Social Change*, 78.3 (2022), 271–93 <<https://doi.org/10.1007/s10611-022-10023-4>>.

<sup>38</sup> Sriyanti, 'Pengendalian Dan Pengelolaan Lingkungan Hidup', *Jurnal Bintang Pendidikan Indonesia (JUBPI)*, 1.2 (2023) <<https://doi.org/https://doi.org/10.55606/jubpi.v1i2.1327>>.

<sup>39</sup> J. G. Hering and others, 'Moving Targets, Long-Lived Infrastructure, and Increasing Needs for Integration and Adaptation in Water Management: An Illustration from Switzerland', *Environmental Science and Technology*, 46.1 (2012), 112–18 <<https://doi.org/10.1021/es202189s>>.

<sup>40</sup> Mukhtar A Kassem, Muhamad Azry Khoiry, and Noraini Hamzah, 'Theoretical Review on Critical Risk Factors in Oil and Gas Construction Projects in Yemen', *Engineering, Construction and Architectural Management*, 28.4 (2020), 934–68 <<https://doi.org/10.1108/ECAM-03-2019-0123>>.

<sup>41</sup> Kementerian Pekerjaan Umum dan Perumahan Rakyat Republik Indonesia, 'Buku I Konstruksi Indonesia 2021: Era Baru Konstruksi Berkarya Menuju Indonesia Maju', [https://binakonstruksi.pu.go.id/storage/Buku\\_Konstruksi\\_2021\\_1-Compress.Pdf](https://binakonstruksi.pu.go.id/storage/Buku_Konstruksi_2021_1-Compress.Pdf), 2021, 342.

<sup>42</sup> Angelstam and others.





- 2) The sustainable approach is oriented towards reducing the volume of waste generated due to the construction of various types of infrastructure through the right approach;
- 3) A sustainable approach learns to appreciate the lives of various types of living things so that their survival is more guaranteed;
- 4) Sustainable approaches cost more than conventional approaches, but in the end, will save life on earth.<sup>43</sup>

That in a practical context, a grand design sustainable dynamic capability for public building is proposed as a driver of more competitive building construction.<sup>44</sup> The building must have a minimum performance (minimum capability) that is in accordance with construction standards and does not damage the environment, and there must be a reasonable profit. In terms of the role of local authorities, this idea accommodates the influence of the role fundamentally or enforces control functions.<sup>45</sup>

Meanwhile, the code of conduct was changed to a code of ethics in carrying out public building activities. In addition, the role of construction service business actors has two dominant factors, namely: skills and expertise and capital investment. The mechanism of sustainable practice of public building projects must be achieved by three principles: accountability, transparency, efficiency and effectiveness.<sup>46</sup> The ultimate goal of dynamic sustainable capability must be to realize in the basic need for business profit and product building performance, sustainable development must still put forward the concept of eco-friendly.<sup>47</sup>

#### 4. CONCLUSION

Law Number: 2 of 2017 implements the values of Pancasila in the form of the concept of social justice, equal rights and obligations and consensus deliberation which can be found in the provisions (Chapter II Article 2-3) concerning the principles of providing construction services, (Article 46-Article 57) concerning the regulation of work contracts, (Chapter XI Article 88) consensus deliberation in the settlement of construction disputes, (Chapter VI Article 59) concerning the implementation of safety standards, safety, health, sustainability and (Chapter X Articles 84-87) concerning community participation in supervising the implementation of construction services.

That Pancasila as a basic norm in the implementation of national development in order to realize a just and prosperous society can be realized through physical and non-physical development programs in order to improve community welfare by meeting primary and skunder needs. The implementation of development is not only related to economic activities alone, but also related to the civilization and culture of the nation and a justly prosperous society. Construction sector management has a much higher reach than the service business dimension, but as an effort to realize the noble ideals of the Indonesian nation and sustainable development.

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<sup>43</sup> Indonesia.

<sup>44</sup> Ferry Hermawan, 'A Strategic Approach for Sustainable Public Buildings : A Case Study of Revitalisation of Public Market Buildings in Jakarta', in *1st International Conference of Integrated Intellectual Community ICONIC 2014*, 2014, pp. 1–7 <<https://doi.org/10.13140/2.1.4384.6723>>.

<sup>45</sup> Mario Ferreras-Listán and others, 'The Relevance of Citizenship, Sustainability and Heritage Education in Early Childhood and Primary Education in Spain', *Pedagogika*, 134.2 (2019), 61–81 <<https://doi.org/10.15823/p.2019.134.4>>.


<sup>46</sup> Lauren Bradley Robichaud and Vittal S. Anantatmula, 'Greening Project Management Practices for Sustainable Construction', *Journal of Management in Engineering*, 27.1 (2011), 48–57 <[https://doi.org/10.1061/\(asce\)me.1943-5479.0000030](https://doi.org/10.1061/(asce)me.1943-5479.0000030)>.

<sup>47</sup> Hermawan.



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