

## Reformulating The Concept of State Principles Based on Ideological and Technocratic Strategic as A Sustainable Development Direction

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### ABSTRACT

National development planning model with its long-term time dimension in Indonesia is carried out with the National Long-Term Development Plan (RPJPN) which replaces the Planned Overall National Development (PNSB) and the General Outlines of the Principles of the State (GBHN). Based on the analysis of the data obtained, it can be seen that since 2004 the use of the RPJN has turned out to cause fluctuating dynamics in the existing development outcomes. The occurred changes resulted in inconsistencies in the direction of development when there was a change of state development actors such as President, Governor, Regent/Mayor, and other state institutions. The reason for this is that there is no permanent structure that can be used as a reference for a long-term development program that will be carried out by the managing state institutions, particularly the government. Based on this, the aim of this study was to create a form of reformulation of the principles of the state. This research was a normative research with a statutory, historical and conceptual approaches. To answer this problem, the idea of the state principles was born which departed from combining the advantages of PNSB, GBHN, and RPJPN which were then packaged into a new state principle system, with ideological principle and technocratic strategy.

Keywords: GBHN; State Principles; PNSB; RPJPN.

### ABSTRAK

Model perencanaan pembangunan nasional yang berdimensi waktu jangka panjang di Indonesia, dilakukan dengan Rencana Pembangunan Jangka Panjang Nasional (RPJPN) yang menggantikan Pembangunan Nasional Semesta Berencana (PNSB) dan Garis-garis Besar Haluan Negara (GBHN). Berdasarkan analisis terhadap data yang diperoleh maka dapat diketahui bahwa sejak tahun 2004 penggunaan RPJN ternyata menyebabkan terjadinya dinamika fluktuatif pada hasil pembangunan yang ada. Perubahan-perubahan yang terjadi mengakibatkan inkonsistensi arah pembangunan ketika terjadi pergantian aktor pembangunan negara yaitu Presiden, Gubernur, Bupati/Walikota maupun lembaga negara lainnya. Alasan yang menjadi penyebabnya adalah tidak adanya suatu struktur yang tetap dan yang dapat dijadikan rujukan program pembangunan jangka panjang yang akan dilakukan oleh aktor pengelola lembaga negara khususnya pemerintah. Berdasarkan hal tersebut penelitian ini bertujuan untuk menciptakan bentuk reformulasi dari haluan negara. Penelitian ini adalah penelitian normatif, dengan pendekatan peraturan perundang-undangan, historis dan konseptual. Untuk menjawab permasalahan tersebut, maka lahirlah gagasan haluan negara yang berangkat dari penggabungan kelebihan-kelebihan PNSB, GBHN, dan RPJPN yang kemudian dikemas menjadi suatu sistem haluan negara yang baru, dimana memiliki prinsip ideologis dan strategis teknokratis.

Kata Kunci: GBHN; Haluan Negara; PNSB; RPJPN.

## A. INTRODUCTION

The development of constitutions in various countries shows a tendency to formulate the State Principle in the constitution, both directly and indirectly. The existence of State Principle does not depend on the system of government adopted by a country, but it is a constitutional requirement to realize the goals of the state (Ansori, 2019).

The basic ideals of the state of Indonesia have been contained in the preamble of the 1945 Constitution, which states "Indonesian State which shall be free, united, sovereign, just and prosperous". The central point of these basic ideals is a just and prosperous society materially and spiritually within a just and civilized framework of humanity based on the values of God, humanity, unity, and people. This main goal is the direction and goal of the state formulated in the preamble of the 1945 Constitution, which is the basis, soul, and source of enthusiasm in the administration of the state (Tongat, 2012).

Throughout the history of the modern state administration of the Republic of Indonesia, there are 3 (three) national development planning models with long-term dimensions, such as the Planned Overall National Development (PNSB), the General Outlines of the Principles of the State (GBHN) and the National Long-Term Development Plan (RPJPN). The RPJPN model considered as a substitute for GBHN is implemented in the constitutional system after the changes have been made to the 1945 Constitution in 1999 to 2002, in 4 (four) changes. The national development planning model throughout the

history of the Indonesian constitution, both the GBHN and RPJPN, contains development materials in all fields of national life, including national development in the fields of law and economics.

Ideally, the legal development carried out systematically, in a sense, is carried out with a planning and implementation work as well as an overall performance evaluation of the achievements of legal development. It is an essential elaboration of the mandate of the constitution so that the ideal goal of legal development is the goal desired by the 1945 Constitution as a constitution written by the Republic of Indonesia and is not a desire as a result of political compromises of a few groups or certain parties. Then, it tends to harm the substance of existing national interests as the values, rules and norms in the 1945 Constitution. This means that the direction of development principle in the legal sector in 6 (six) GBHNs in the New Order era and 1 (one) GBHN in the transition era of the New Order to Reformation era, and the direction of legal development principle in the RPJPN in the post-amendment era of the 1945 Constitution should be a manifestation of the mandate of the 1945 Constitution. Therefore, the consistency, relevance and synchronization are maintained between the values, rules and fundamental norms contained in the 1945 Constitution with the principle formulations made with the authority to be subject to the provisions higher than their position.

In legal developments in each era of national government from the Old Order, New Order and

Reformation eras, the direction of principle is an inseparable part of the demands of existing national conditions. In an era when a government system is too centralistic and tends to be authoritarian, the direction of its legal principles will certainly be different from the era when a government system prioritizes democratic life maximally in the decentralization paradigm (Ruslan, 2011). Thus, there has been a shift in the power paradigm from the tendency of the totalitarian system in the New Order era to the implementation of a more real democratic system in the Reformation era.

The RPJPN model which is considered as a substitute for GBHN and implemented in the government system until now is a concept of direction or principles of development that is different in its form when considered as a State Principle. In the RPJPN, like GBHN, it has systematically explained the direction and stages of development to be achieved in the long term or the next 20 years consisting of the National Mid-Term Development Plan (RPJMN) for five years and the Annual Work Plan (RKP) for a period of one year .

The existence of RPJPN as a substitute for GBHN has actually answered the notion that chaos and lack of direction in Indonesia's development. However, it cannot be denied that the implementation of the RPJPN is not as effective as the GBHN. This was motivated by a change in the political system in Indonesia that is increasingly democratic and decentralized. The concept of regional autonomy that currently takes place gives very broad powers to the

regions in managing their regions, such a pattern of government that sometimes makes the management process in the region not in line with what has been planned by the central government. Moreover, the policies taken by local governments often clash with the central government due to weak control (Subkhan, 2014).

The increasingly dominant parliamentary power currently causes the President as head of government which is a representation of the voice of the people can not do much about the sustainability of the development planning process in Indonesia. The hierarchy of leadership from the center to the regions which are not aligned due to the absence of a pattern of structured and sustainable development makes an imbalance viewed from the difference in vision and mission of each regional head that is different from the principle programs implemented at the center (Bratakusumah, & Riyadi, 2003).

That is why the urgency for a guiding principle that can guide state administrators in formulating development policies in a guided, planned, and integrated manner is needed to realize the sustainability of national development. It is considered that the formation of the national development direction is currently mandated by the constitution to the President who has more power in determining the direction of development by adjusting his vision and mission in the programs including party programs which will later become the outlines (Mahkamah Konstitusi, 2010).

These consequences affect the direction of development that is not consistent with the period of leadership of each President followed by a change of direction and direction of development. Thus, the position of a state's direction as a development planning guide must be maintained in a consistent, relevant and equal way in the values, norms and fundamental norms contained in the 1945 Constitution with the formulation of policies made by a state authority in a juridical format, in which the principle must comply on the provisions higher than its position (Muhtamar, Razak, & Wahid, 2016).

It is necessary to be emphasized even though nationally Law No. 25 of 2004 concerning the National Development Planning System (SPPN Law) and Law No. 17 of 2007 concerning the National Long-Term Development Plan (RPJPN Law) are the directions of development and the Indonesian State. However, the existing main problem right now is that there are no mandatory instruments for the President and Vice President to continue the RPJPN of the previous President and Vice President, which in fact are from different political parties and have different visions and missions, or use the new RPJPN. It is different when using GBHN; the President and Vice President can continue the program sourced from the GBHN without any clash of vision and mission, because they are given strong supervision by the People's Consultative Assembly (MPR) which can lead to an impeachment process, but the existence of the GBHN also has flaws in accommodating the existence of regional autonomy in Indonesia.

The novelty of the research when compared with previous research is that some studies were limited to the urgency of the revival of the GBHN. For example, Lutfil Ansori (Ansori, 2019) and Herry Setya Nugraha (Nugraha, 2019) conducted the research generally limited only to providing an explanation of the urgency of the need for reviving the GBHN, while Imam Subkhan (Subkhan, 2014) and Mei Susanto (Susanto, 2017) in their studies were more limited to providing an overview of the impact of the GBHN on the government system in Indonesia. Then, Pusterla's research (Pusterla, 2015) merely emphasized the orientation of people's sovereignty in national development planning. Furthermore, Linus Onyekeozurule Nwauzi and Grace Akolokwu (Nwauzi, & Akolokwu, 2019) in their research emphasized the development of the country's course in broad outline with case studies through comparative directions in the Indian and Nigerian states.

Unlike this research which tried to analyze and provide a new form of formula for the development system through a comparison of the strengths of the development system applied in Indonesia, it was then integrated using a development system scheme that had more capability to accommodate the needs of the community and to create a continuous development system. This is because the idea to revive the GBHN is not a solutive solution. Instead, it will lead to new problems regarding the position of each state institution to form its accountability,

therefore, the author was more interested in creating an idea for a new development system.

To strengthen the theoretical framework of this study, the author used the People's Sovereignty Theory stated by JJ. Rousseau to be used as a knife of analysis in understanding the State Principles because, according to JJ. Rousseau, people the executor of the public will. In a state of people sovereignty, individuals can still maintain their validity because the people are the source of sovereignty. That sovereignty cannot be shared between the government (executive) and parliament (Pusterla, 2015). That is how the formation of a development system must be based on the will of the people. However, it is different in the development system that has been built on the basis of the will of the President only.

Based on the description above, a number of issues can be identified in this study. The problems are: 1.) What is the description of the General Outlines of the Principles of the State (GBHN) and the National Long-Term Development Plan (RPJPN)? 2.) What are the ideological and technocratic strategic directions of the state based on the direction of sustainable development?

The aim of this paper was basically classified on two main points, i.e.: first, to understand the description of the adoption of the GBHN and RPJPN as State Principles that have been applied in Indonesia, and second, to understand and analyze the concept of the State Principles which is focused on the ideological and technocratic strategic

foundation as a form of the new and solutive reformulation of the State Principles.

## **B. RESEARCH METHOD**

This study was prepared using normative juridical research type, namely a legal research method conducted by examining literatures or secondary data. In normative legal research, written law is examined from various aspects, such as the aspects of theory, philosophy, comparison, consistency, general explanation and binding power of a law, and the language used is legal language (Sedarmayanti & Hidayat, 2002).

This study used the Legislation (Statute Approach), Historical (Historical Approach), and Conceptual Approaches (Conceptual Approach). By using these research approaches, in the future the researchers can produce the results of fundamental thinking in solving existing problems.

## **C. RESULTS AND DISCUSSION**

1. The Implementation of the State Principle System in the Form of the General Outline of the Principle of the State (GBHN) and the National Long-Term Development Plan (RPJPN)

The philosophical values contained in Pancasila as a legal ideal (*rechtsidee*) are basically still abstract, so the articles contained in the constitution also contain general norms which do not provide the direction on how to institutionalize (Latif, 2018). For this reason, the State Principles are

required as a basic guideline containing basic or directive principles on how to institutionalize the values of Pancasila and the constitution into public institutions.

The bow is the direction of the road or guidelines, so that the bow of the country means the principle or basic policies. State direction is a direction for state administrators. State direction can be in the form of a political direction in the economic, cultural or legal fields. Thus, the term state principle can be associated with the political understanding in a broad sense, as reflected in terms of economic politics, cultural politics, or even political politics (Asshiddiqie, 2010). The existence of state's direction becomes a form of foothold for the state to determine the inclusive and sustainable direction of its development.

The legal instruments of development planning in Indonesia have experienced several changes which are adjusted to the development and changes of the times. A very fundamental change had taken place before the reform period when national development planning was then carried out based on the GBHN with the issuance of MPR Decree No. IV / MPR / 1973 (Lubis, 2000). Initially, during the era of President Soekarno's administration, the national road map was not named the GBHN, but it was called the Political Manifesto (Manipol) as outlined in MPRS Decree No. II / MPRS / 1960 concerning the Outline of the First Stage of National Development Planning in 1961-1969 (GBPPNSB). Then, entering the era of national development reform, it is now no

longer based on the GBHN but through the National Development Planning System (SPPN) which is further translated into a Long-Term Development Plan (RPJP), Medium-Term Development Plan (RPJM) and Annual Development Plan (RPT) (Rahayu, 2007).

Although Article 3 of the 1945 Constitution (prior to the amendment) explains that there is a GBHN stipulated by the MPR, in reality up to 1960, the GBHN document had never been made and determined because the MPR had not been established. Until finally, President Soekarno on 5 July 1959 issued a Presidential Decree marked as the era of guided democracy. As a follow up to the Presidential Decree, a National Design Council (Depernas) was established, chaired by Mr. Muhammad Yamin. The task of this council was to develop a national development plan. Through Presidential Decree No. 12 of 1963 (Presidential Decree 12/1963), the National Planning Board was changed to the National Development Planning Agency (Bappenas). This was a milestone in the founding of Bappenas. In this era, almost all of the country's development policies referred to Soekarno's political views which were usually preached on August 17 on the anniversary of Independence Day (Subkhan, 2014).

As a whole, it can be concluded that the terminology of the direction of the state in Indonesia so far is still varied. Basically, this direction has become the basis of the course of development in the

country and serves as a parameter for the progress of the country in each period.

During the implementation of the GBHN, the New Order government consolidated the country through various development projects that were carried out, such as reservoirs and irrigation, road infrastructure development, structuring of social institutions, and media regulation. All of them were done in order to create political stability as a prerequisite for economic development. In addition, the GBHN of this era was a direction for higher state institutions and all the people of Indonesia. Higher state institutions are required to carry out the GBHN and to provide accountability to the MPR.

The implementation of the GBHN during the New Order was determined by the President as the mandate of the MPR and was obliged to give responsibility to the MPR for carrying out the GBHN at the end of his term of office. The stages of development compiled at this time had laid the foundation for a sustainable development process and been evidently successful in improving people's welfare and reducing the poverty rate of Indonesian society as the data released by the United Nations Department of Economic and Social Affairs (UN/DESA) as follows (UN) DESA, 2006):

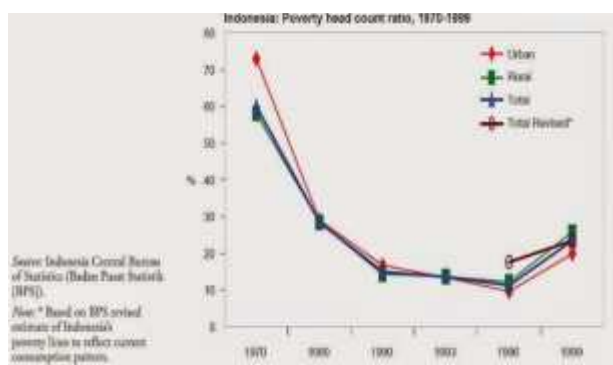


Figure 1. Poverty Rate Diagram in Indonesia, 1970 - 1999

Based on a long-term program that was focused and summarized in the REPELITA IV (Five-Year Development Plan), the stage of development implementation in Indonesia has been able to reduce the national poverty rate in the year of 1970-1999 marked by a reduction in the percentage of poverty in urban areas which was initially more than seventy percent but declined consistently to the lowest level of ten percent. This decrease also occurred in rural areas, from sixty-five percent to fifteen percent. In addition, it is undeniable that the monetary crisis that took place in 1997-1999 had a major impact on the economic and social life of the nation at that time (Sundaram, 2006).

Since 2004, there has been a change in national development planning from GBHN to RPJPN which has led to fluctuating dynamics in the existing development outcomes. The changes occurred resulted in inconsistencies in the direction of development when there was a change of state development officials, namely the President, Governor, Regent/ Mayor and other state institutions. The reason is that there is no permanent structure that can be used as a reference for long-term development programs that will be carried out by the officials managing state institutions, particularly the government. There is no clear mechanism for assessing whether planning documents are made as a follow-up to the RPJPN, such as, at the national

level; RPJMN, Ministry/ Agency of Strategic Plan, Government Work Plan, Ministry of Work Plan, and at the regional level; RPJMD, RENSTRA SKPD, RKPD, and Renja SKPD. They are indeed in accordance with and refers to the RPJP. The involvement of the mechanism for elaborating the vision and mission of the elected President / Regional Head further creates the potential for greater discordance with the RPJP. In the end, the development process seems to be running on its own, and it makes patternless and inconsistencies occur in all aspects of growth (Anggraini, & Ridwan, 2015).

PNSB, GBHN and RPJPN as the long-term national development planning models are the guidelines for national development in all fields of life of the Indonesian people. The difference between the three models lies in terms of the definitions and concepts, in which PNSB is a holistic development to achieve a just and prosperous society based on Pancasila established by the MPR every nine years to prepare development plans properly.

The GBHN is the state's direction regarding the direction and objectives of national development which serve as a guideline for the President in running the government and contains a statement of the will of the people determined by the MPR every five years in order to achieve the country's goals (Arbi, 2013). Whereas SPPN is an integrated development planning procedure for producing plans at the central and regional levels as outlined in the RPJP, RPJM and RKP (Salamm, 2007). Another difference is that the three national development

policies are made or arranged in different legal forms or formats, where PNSB and GBHN are compiled or stipulated in the form of MPR Decree (TAP MPR), while RPJPN in the era of reform government is formulated in legal provisions in the form of Law (Rahayu, 2007).

According to Niki Lukviarman, said the GBHN was different from the RPJPN, it was said that the GBHN was an ideological development strategy while the RPJP was a technocratic development strategy. The difference between the state's direction and the RPJP is very basic that if the state's direction is ideological while the RPJP is technocratic (Ratnaningsih, 2018).

The underdevelopment of development in the existing political, legal and social systems and institutions causes the development outcomes to become unequal in terms of justice which automatically threatens the sustainability of the development process itself. It can be seen that after the monetary crisis (1998) there was a drastic increase in poverty, which then during the RPJPN or SPPN (2005-2018) the decline in the number of poor people tended to fluctuate and did not experience a consistent decline. Percentage of poverty increased in 2006, which was originally 15.97% to 17.75% (BPS, 2017). Current development stagnation can only be overcome by reformulating the national development planning system to ensure that development programs are carried out appropriately and sustainably at national and regional levels.



## 2. Realizing the State Principle Concept Based on Ideological and Technocratic Strategic as the Directions for Sustainable Development

After the 1945 amendments, the Assembly no longer authorized to establish the guidelines and provisions that are set (Regeling) and bind to the public as before (Asshiddiqie, 2010). The only legal product made according to the scope of the MPR's authority and regulating nature today is the product of changes to the constitution carried out according to the provisions of Article 37 of the 1945 Constitution of the Republic of Indonesia. The post-reform MPR no longer has the authority to stipulate regulations outside the constitution, then there will be no more legal products that contain norms governing those stipulated by the MPR TAP other than those related to changes in the 1945 Constitution of the Republic of

Indonesia. This can be seen from how the Indonesian people must plan the construction of facilities, infrastructure and human resources (HR) five to ten years before the results can be utilized by the state. In REPELITA IV (Five-Year Development Plan) in the implementation of national development in 1970-1999, it was evidently successful in reducing poverty rates both at national and regional levels, namely reducing poverty from 70% to 15% (UN DESA, 2006), therefore with planning the direction of which enables the development of priorities for a focused and gradual development strategy, so that the Indonesian people are closer to their ideals and objectives in accordance with the opening of the

1945 Constitution. the reason used to conduct impeachment(impeachment)against the President. That way, the existence of the GBHN becomes a matter that is very mandatory to be carried out by the President.

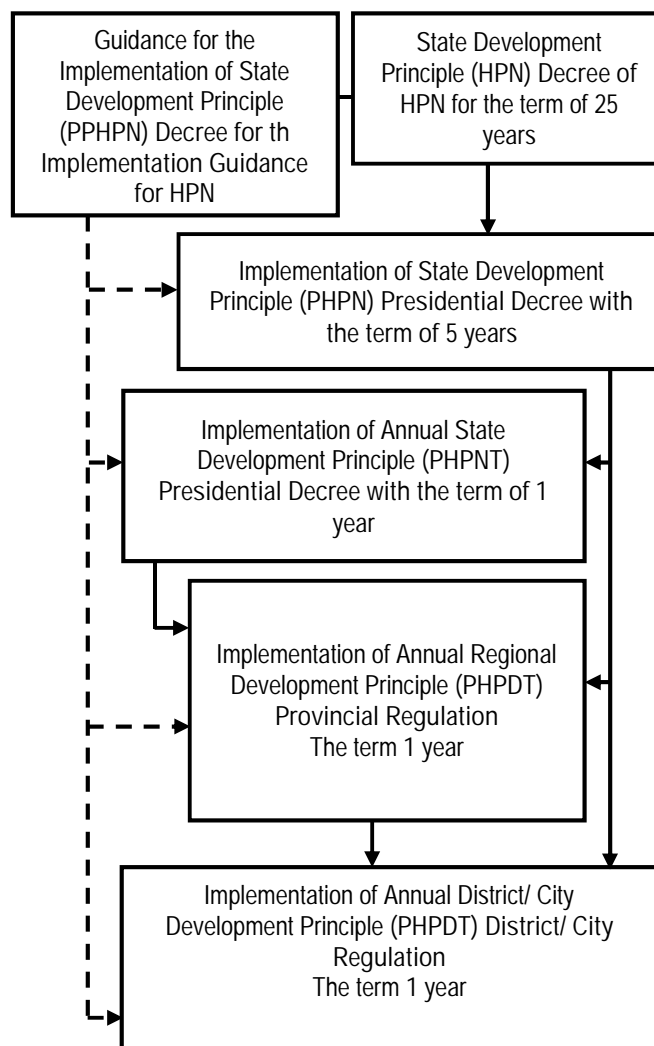
Unlike the RPJPN where in its implementation there is nothing that requires the President to run the RPJPN as formed by the previous President. Due to the fact, after the election of the new President, the programs and policies of the previous President were reluctant to continue, for example the Jokowi-JK government principle prioritizes the budget to finance infrastructure and social protection. Meanwhile, the SBY-Boediono administration was faced with oil price pressures so that the allocation of energy subsidies was quite large (Said Data, 2017). resulting in inconsistent development. This is what makes the existence of the RPJPN not comparable with the GBHN, but the special feature of the RPJPN is the existence of a good systematic in its planning, so that the existence of the RPJPN is not centralistic, but also helps to adopt regional interests. Then PNSB is considered to have more ideological value than other countries.

The existence of 3 (three) directions of the said country basically has their respective advantages. Therefore, in order to create a systematic state direction and have ideological, strategic and technocratic principles, a middle ground can be taken, which is to combine the advantages of the three state directions, which are then packaged into a new state principle system. The said state direction is

formulated with the term namely the State Development Principle (HPN). This term is used as a form of consistency of a legal product so that it is not easily changed in the future.

HPN contains two demands namely the ideological course and the technocratic strategic direction. First, the ideological direction contains fundamental principles as guiding principles in elaborating state philosophy and constitutional articles into various laws and development policies in all fields and layers. Second, the technocratic strategic direction contains a pattern of comprehensive, integrated and guided development planning in the long term in a gradual and continuous manner, taking into account regional and spatial priorities (Latif, 2018). Thus, the direction that must be used as a guideline in the administration of the state is the direction as stipulated in the form of certain laws, namely in the form of laws and regulations that apply to the public.

The basis for implementing HPN is determined by a hierarchical legal product (tiered from the center to the regions). So that national development planning is systematically arranged and ideologically and technocratic strategic principles, and can be adjusted to the dynamics that develop in the community which is expected to accommodate the principle of regional autonomy without neglecting the harmony of development at the central and regional levels. For more details, the position of HPN along with the implementation rules below can be explained in the following scheme:



Source: Processed by the Author.

Figure 2. Scheme of the Policy Implementation of National Development Principle

From the scheme illustrates a structured and systematic system from the central to the regional level. The scheme explains that HPN, which is the foundation of the national development system, is a source of principle making in the medium term, and annual term both at the central and regional levels. Its existence has also adopted the advantages of PNSB, GBHN, and RPJPN, so that it is expected to

create a systematic and sustainable development in its implementation. Provisions regarding the systematic of HPN can be elaborated as follows:

a. The State Development Principle (HPN)

Departing from the Research of Imam Sukhban entitled "GBHN and Changes in Development Planning in Indonesia", that there is a need for the latest ideas to replace the previous bow model. Therefore, HPN as a substitute for PNSB, GBHN, SPPN, or RPJP which has not been perfect in its implementation. Therefore, HPN will become a new form of state direction and is expected to provide a system that is in accordance with the times and is democratic in nature which reflects the involvement of all aspects of the state in the preparation of national development. HPN is a guideline in the national development planning process that contains the wishes of all the people of Indonesia.

The term of the HPN is as long as 25 years from the date of stipulation, so that it goes through five presidential periods. In other words, the formulation of HPN must reach between the periods of President's power. Therefore, in the preparation of HPN must be contained in a general formula that can be implemented by all elected Presidents. When in the period of the replacement of the President with another President in a different period, the HPN made in the previous era can be run by the next President.

In addition, HPN also forms the basis for all state institutions in Indonesia in all principle

formulations, because HPN contains two guiding meanings: a Ideological Guide and a Technocratic Strategic Direction. The Ideological Direction contains fundamental principles as guiding principles in elaborating State philosophy and constitutional articles into various laws and development policies in all fields and layers. While the technocratic strategic direction contains a comprehensive, integrated, and guided pattern of development planning in the long term in a gradual and sustainable manner, taking into account regional priorities and regional space. So that all state institutions can have a definite reference of what must be done and achieved by a government within a certain period.

Recently, the MPR is no longer able to issue the regulating decree of the MPR. After the amendment to the 1945 Constitution, the MPR no longer has the authority to determine the GBHN. Issuing a Decree (TAP) is a derivative authority to determine the GBHN. Therefore, the MPR no longer has the authority to issue the Decree with regelling nature but considering the urgency of the state's direction as a guide to national development both at the central and regional levels. Then, it is deemed necessary to re-present the authority of the MPR in establishing a state direction. However, what needs to be a joint note is that the presence of the MPR's authority again in forming a state Principle does not mean that the MPR also has the authority to make another decree that is regeling in nature because the formulation of implementation HPN is different from GBHN in the Old Order and New Order. Therefore,

the presence of HPN as a foundation for development is expected to be a direction for comprehensive development policies in all fields and can be a reference for sustainable development in all aspects of life.

b. Implementation of the State Development Principles (PHPN)

PHPN is a development plan derived from HPN and in its implementation and preparation it refers to HPN. The PHPN is compiled by the President and the DPR with the stipulation through a Presidential regulation and has a term of five years. It means that the PHPN describes the obligations and responsibilities of the elected President. In the preparation of PHPN, it must refer to HPN which in a hierarchical position is indeed higher. The PHPN is made in a Presidential regulation so that the President can be more easily accommodate his policies and in accordance with Presidential principles. The concern when the implementation is carried out in the form of Decree or Law is the involvement of legislative bodies which could potentially hinder the running of the government. In other hand, it does not mean that the President may be free in PHPN preparation, because it still must refer to the HPN. In addition, in the implementation of this PHPN, the House of Representatives (DPR) as a legislative body still has oversight control over every Principle implemented by the President. As a result, the principle of checks and balances is maintained.

c. Implementation of the Annual State Development Principles (PHPNT)

The PHPNT is made by the President as the head of government in the form of a Presidential regulation with a term of one year. PHPNT is a short-term implementation carried out to facilitate the President in implementing the targets set out in the PHPN. Aside from being a derivative implementer of PHPN, PHPDT is also a guide for the implementation of development at regional level.

In the implementation of national annual development, there will be an annual session held by the MPR, in which all state institutions including the President will submit annual reports in the form of development progress carried out in each field. In the case deviations or mismatches in development implementation with the provisions which has been stipulated, there is no direct legal sanction, but the DPR can provide memoranda to the President twice. Then, in the third memorandum, the DPR will carry out the impeachment process in accordance with the current procedure. The making of the contents of the "President's deviation from the State's Development Direction" in the impeachment charge is carried out as a tangible form so that the President in its implementation must be guided by HPN (this impeachment charge is not intended to weaken the President but to make the development can be measured properly).

d. Implementation of the Annual Regional Development Principles (PHPDT)

HPN, PHPN, and PHPNT are the basic foundations of development at the national level so that the development principles can be implemented comprehensively in Indonesia and in accordance with the principles of regional autonomy. Then, PHPDT is also formed with the content guided by PHPN and PHPNT.

Through the granting of authority to the MPR to form a State Principle, the State Principle must be obeyed by all state superstructures in making lower policies and regulations so that the State Principles will have political and legal implications. Politically, disobedience to the State Principles will make the President and other state institutions lose their legitimacy when the President and leaders of state institutions are proven unable to run the State Principle so that they are not eligible for re-election in the next election. Through this mechanism, a shame culture will be formed for the nation's leaders (Susanto, 2017).

### C. CONCLUSIONS

Based on the explanation that has been stated by the author before, some conclusions can be formulated, as follows: first, during the implementation of the GBHN, the New Order government consolidated the country through various executed development projects. It was done in order to create political stability as a prerequisite

for economic development. However, GBHN is considered to be less accommodating to the needs of the regions because it is centralized; unlike the RPJPN with its good systematic in its planning. Therefore, the existence of the RPJPN is not centralistic but adopts regional interests. However, the RPJPN does not have strong legal instruments to require the President and Vice President to implement the RPJPN programs.

Second, HPN is a form of refinement of PNSB, GBHN, SPPN, or RPJP which have not been perfect in their implementation. HPN contains two guiding meanings: Ideological and Technocratic Strategic Principles. The Ideological Principles contain fundamental principles as guiding principles in elaborating State philosophy and constitutional articles into various laws and development policies in all fields and layers. Then, the technocratic strategic principles contain comprehensive, integrated, and guided patterns of development planning in the long term in a gradual and sustainable manner and taking into account regional priorities and regional space. HPN is considered to be able to accommodate the interests of the regions because it gives authority to regional governments to make their own principles of development which must refer to HPN as the direction of national development.

### REFERENCES

#### BOOKS

Ruslan, A. (2011). *Teori dan Panduan Praktik Pembentukan Peraturan Perundang-undangan*

- di Indonesia. Yogyakarta: Rangkang Education PuKap Indonesia.
- Salamm, A. (2007). *Prospek dan Tantangan Implementasi Rencana Pembangunan Jangka Panjang Nasional 2005-2025*. Jakarta: Pusat Pengkajian Pengolahan Data dan Informasi Sekretariat Jendral DPR RI.
- Lubis, M. Solly. (2000). *Politik dan Hukum di Era Reformasi*. Jakarta: Mandar Maju.
- Rahayu, M. (2007). *Pendidikan Kewarganegaraan: Perjuangan Menghidupi Jati Diri Bangsa*. Jakarta: Grasindo.
- Asshiddiqie, J. (2010). *Konstitusi dan Konstitusionalisme di Indonesia*. Jakarta: Sinar Grafika.
- Sedarmayanti., & Hidayat, Syarifudin. (2002). *Metodologi Penelitian*. Bandung: CV Mandar Maju.
- Mahkamah Konstitusi. (2010). *Naskah Komperhensif Perubahan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945*, Jakarta: Sekretariat Jenderal dan Kepaniteraan Mahkamah Konstitusi Republik Indonesia.
- JOURNALS**
- Anggraini, Yasir., & Ridwan. (2015). *Perbandingan Perencanaan Pembangunan Nasional Sebelum Dan Sesudah Amandemen Undang-Undang Dasar 1945*. *Fiat Justisia*, Vol. 9, (No.1), pp. 74-88, p.79.
- Ansori, L. (2019). *Haluan Negara Sebagai Pedoman Kebijakan Dasar Negara Dalam Sistem Ketatanegaraan Indonesia: Sebuah Tinjauan Filsafat Kenegaraan.* *Justicia Islamica: Jurnal Kajian Hukum dan Sosial*. Vol. 16, (No.1, Juni), pp. 79-102, p. 81.
- Arbi, Muhammad H. (2013). *UUD-1945 dan GBHN Sebagai Kendali Yuridis Dalam Pembangunan Nasional*. *Variasi*. Vol. 4 (No.12), pp.1-10, p.1.
- Nugraha, Harry S. (2019) "Urgensi Garis Besar Haluan Negara Dalam Sistem Ketatanegaraan Indonesia." *Jurnal VeJ*, Vol. 5, (No.1, Juni), pp. 191-217, p. 200.
- Nwauzi, Linus Onyekeozurule., & Akolokwu, Grace. (2019). *Evolution of Directive Principles Of State Principle: A Review of The Indian And Nigerian Constitutional Perspectives*. *Humberside Julia Law Publiser of England and Social Sciences United Kingdom*, Vol.9, (No.1), pp. 11- 23, p. 12.
- Pusterla, Elia R.G. (2015). *The Credibility of Sovereignty – The Political Fiction of a Concept*. *Switzerland: Springer International Journal Publishing*, Vol.12, (No.2), pp. 98-115, p. 101.
- Ratnaningsih, E. (2018) *Perubahan Paradigma Pembangunan Hukum Nasional Pasca Amandemen Konstitusi*. *Pakuan Law Review*. Vol, 4, (No.1, Januari-Juni), pp. 49-57, p. 51.
- Subkhan, I. (2014). *GBHN dan Perubahan Perencanaan Pembangunan di Indonesia*. *Jurnal Aspirasi*, Vol.5, (No. 2), pp. 131-143, p. 135.

Susanto, M. (2017). Wacana Menghidupkan Kembali GBHN Dalam Sistem Presidensial Indonesia. *Jurnal Penelitian Hukum DE JURE*, Vol. 17, (No. 3), pp. 433-438, p. 439.

Tongat. (2012). Pancasila sebagai Dasar Falsafah Negara dan Makna Filosofisnya dalam Pembaharuan Hukum Pidana Nasional. *Jurnal Masalah-Masalah Hukum*, Jilid 41, (No. 3), pp. 399-406, p. 400.

#### ARTICLES

Latif, Yudi. (2018). "Rancang Bangun GBHN", artikel Koran Kompas, 30 Agustus 2016, Diskursus Perihal GBHN & Anotasi Terhadap Praktik Ketatanegaraan Ke Depan Proshiding Focus Group Discussion Ketatanegaraan: Reformulasi Sistem Perencanaan Pembangunan Nasional Model GBHN dan Tata Cara Perubahan UndangUndang Dasar Negara Republik Indonesia Tahun 1945. Kerjasama Badan Pengkajian MPR RI dengan Asosiasi Pengajar Hukum Tata Negara dan Hukum Administrasi Negara wilayah Yogyakarta, Yogyakarta, 8 September 2016.

Muhtamar, Syafrudin., Razak, Adulah., & Wahid, M.Yunus. (2016). Relevansi Perencanaan Pembangunan Nasional Dengan Amanat Konstitusi (Studi Tentang Perbandingan Arah Kebijakan Pembangunan Hukum Dalam GBHN dan RPJPN). Makasar: Universitas Hasanuddin, pp.1-12, p.8.

Sundaram, Jomo K. (2006). Growth with Equity in East Asia?. *UN DESA Working Paper*, Vol 1, (No. 33), pp.21-33, p.23.

#### ONLINE SOURCES

United Nations Department of Economic and Social Affairs (UN/DESA). (2006). Growth with Equity in East Asia?, DESA Working Paper No. 33. Retrieved from [https://www.un.org/esa/desa/papers/2006/wp\\_33\\_2006.pdf](https://www.un.org/esa/desa/papers/2006/wp_33_2006.pdf)