



URGENCY OF REFORMULATION OF THE NATIONAL DEVELOPMENT PLANNING SYSTEM WITH THE GBHN MODEL

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Abstrak:

The discourse that has emerged in recent years regarding the importance of GBHN and plans to revive GBHN has surfaced. It is due to the less-than-optimal success of the national development planning system, which is a guideline for formulating long-term development plans (RPJP), medium-term development plans (RPJM) and annual development plans or Government Work Plans (RKP). However, the return of the GBHN concept has pros and cons; with the re-enactment of GBHN, it is feared that the authority of the MPR as the highest institution will re-emerge. Therefore, it is contrary to the presidential concept that has been agreed upon. Based on the above thinking, the main problem is how urgent the general boundaries of state policy are in the national development system. Second, How Compatible are the General Outlines of State Policy in the Indonesian Presidential System? In the context of formulation, discussion, and determination, the MPR must base it on the principle of the Democratic Directive Principle of State Policy Making, meaning that the formation of the basic policy must be carried out democratically, where the main feature of the democratic concept is public participation.

INTRODUCTION

Starting from the rollout of the reformation in Indonesia in 1997-1998, various fundamental changes occurred, especially in the constitutional field of the Republic of Indonesia, which experienced rapid development dynamics. The arrangement of the constitutional system of the Republic of Indonesia to all aspects of national and state life continued to experience changes and improvements.

The 1945 Constitution was amended 4 (four) times, namely in 1999, 2000, 2001, and 2002. Changes or amendments to the 1945 Constitution were made to meet the demands of constitutional reform.

One form of restructuring of state institutions is the change in the position of the MPR as an institution that embodies the sovereignty of the people before the Amendment to the 1945 Constitution of the Republic of Indonesia. Where in the 1945 Constitution of the Republic of Indonesia, Article 1, paragraph (2) of the 1945 Constitution of the Republic of Indonesia states that "Sovereignty is in the hands of the people and is implemented by the People's Consultative Assembly," which means that the sovereignty of the people is symbolized through an organ/institution called the MPR so that the consequence is that the MPR elects the President and Vice President. However, after the Amendment to the 1945 Constitution of the Republic of Indonesia, sovereignty was returned to its original holder, namely the people directly. Therefore, the provisions of Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia changed to "Sovereignty is in the hands of the people implemented based on the Constitution," so



that the consequence is that the President and Vice President are elected directly by the people through elections. The MPR is no longer positioned as the highest state institution, so the position of each state institution in the 1945 Constitution of the Republic of Indonesia is in a parallel or horizontal position with the strengthening of the principle of the checks and balances mechanism (Prayudi, 2012). As a consequence of the President and Vice President not being re-elected by the MPR, the implication is that the President and Vice President are no longer mandataries of the MPR. It is intended to purify the presidential system of government and the clear separation of powers in the 1945 Constitution of the Republic of Indonesia.

One of the essential changes in the Amendment to the 1945 Constitution is the absence of the General Guidelines of State Policy, from now on referred to as GBHN, as the direction of national development in the Indonesian state system. The current direction of national development, especially the direction of national development, needs more focus and direction, and its level of success is difficult to measure. It has triggered the idea to reintroduce GBHN. However, this desire has caused various controversies.

GBHN is the state's direction regarding the organization of the state in general terms as a comprehensive and integrated statement of the people's will. As the state's direction, it is certainly understandable that the existence of GBHN itself in implementing the wheels of government is very much needed. Through GBHN, the direction and purpose of the journey of the wheels of government can be more easily understood, making it easier to correct the success and achievements of a government in power.

During the New Order, GBHN was a guideline or reference for the President in running the wheels of government. If the President does not follow or violate what has been stipulated in the GBHN, the MPR can dismiss the President. However, since the reform era, the existence of GBHN has ceased due to the Amendment to the 1945 Constitution. The loss of GBHN has resulted in the loss of a means of guiding the implementation of national development that has proven to be able to guide the New Order government in carrying out development activities in succession from 1973-1998.

After the political and government system changes through the MPR Decree, which was continued with the Amendment to the 1945 Constitution of the Republic of Indonesia, national development planning refers to Law Number 25 of 2004 concerning the National Development Planning System (from now on abbreviated as SPPN). This SPPN document replaces GBHN as a national development plan. This document is then divided into the 2005-2025 national long-term development plan (RPJPN), which is stipulated by Law Number 7 of 2007, the medium-term development plan (RPJM), and the Annual Development Plan, often known as the Government Work Plan (RKP).

Based on this, opinions have developed rapidly, including saying that without providing GBHN to the elected President and Vice President, it is as if the democratic system only provides a way to organize a government system that runs on its own (autopilot). (Sri Soemantri) Likewise, the emergence of problems in the life of the nation and state today, which continue to occur, shows how the people's mandate in the democratic system has been eroded in vain, without clear parameters for other democratic institutions, including representative bodies, to carry out supervision of the implementation of regional government.

Based on the background explained above, the author is interested in examining this problem, which has several problems: First, How Urgent are the General Outlines of State Policy in the National Development System? Second, How Compatible are the General Outlines of State Policy in the Indonesian Presidential System?



METHODS

This study was conducted using a normative legal method (I Wayan Kartika Jaya Utama, 2022), namely legal research conducted through a literature study that examines mainly secondary data in the form of laws and regulations, court decisions, or other legal documents, as well as research results, study results, and other references relevant to the formulation of the problem. This normative legal approach includes research on legal systematics and the level of legal synchronization. Normative legal research is also called library legal research, which is research conducted by examining existing library materials, namely primary legal materials, secondary legal materials, and tertiary legal materials, so that these legal materials are then systematically arranged, studied and then a conclusion is drawn about the problem being studied. The literature study is based on the inventory of legal materials from various sources. (Soerjono Soekanto, 2008)

RESULT AND DISCUSSION

Urgency of GBHN in the National Development System. During the constitutional amendment period in 1999-2002, there was a fundamental change in the Indonesian Constitution. The authority of the People's Consultative Assembly to determine the General Outlines of State Policy (GBHN) was abolished. The consideration of the elimination of GBHN is closely related to the presidential election model, which the MPR previously chose, changed to a direct presidential election; the consequence of the choice of the direct presidential Election by the people is that the President is no longer responsible to the MPR, but is directly responsible to the people. After the Amendment, Indonesia adopted a presidential system, not a parliamentary one.

After the Amendment to the MPR institution, the MPR no longer has the authority to determine GBHN. However, efforts to ensure that development activities continue to run effectively, efficiently, and on target are still maintained by this nation by forming development planning through Law No. 25 of 2004 concerning the National Development Planning System (UU SPPN). The SPPN Law is the implementation of macro planning for all government functions covering all areas of life in an integrated manner within the country's territory, which produces the Long-Term Development Plan (RPJP), Medium-Term Development Plan (RPJM), and Annual Development Plan, which are made on a national and regional scale. The National RPJP and Regional RPJP are products of all elements of the nation, society, government, high state institutions, community organizations, and political organizations. Both are an elaboration of the mission, policy direction, and development strategy based on the ideals of the Indonesian nation as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia, namely the creation of a protected, prosperous, intelligent and just society. (Iriantoro & Utama, 2023)

However, in practice, the implementation of the RPJPMN and RPJPN did not match what had been planned. There are several weaknesses in the RPJPMN. The first is in terms of substance. The material of the National Long-Term Development Plan (RPJPN), as stated in Law Number 17 of 2007, is executive-heavy. According to Jimmy, the main actors are government officials in the development field. So when it was drafted, there was no picture of the dream of the courts in Indonesia for the next five to 25 years. Nor was there a picture of the dream of what the MPR, DPR, DPRD and DPD would be like in the long term. (Ardilafiza, 2016) This condition is explained in the implementation of the MPR Annual Session, where the President reports on the performance of other high-state institutions, namely the MPR, DPR, DPD, MA, MK, and KY. In addition, the National Long-Term Development Plan (RPJPN), as stated in Law Number 17 of 2007, is economically biased. According to Jimly, this happened because economists dominated the drafters,



so everything was devoted to economic interests, while long-term culture was not imagined in the RPJPN. This country is designed to be like an economic country; the law is also devoted to economic interests, and politics is devoted to economic interests. Like the economy is the country's commander, it is called an economic country, not a country of law.

The provisions contained therein are also likely inseparable from various forms of pragmatic political compromises that are too easy to change if only regulated at the level of laws, so it is feared that it will have an ineffective impact on the development plans that have been legalized. The existence of national development planning that is only stated in the form of laws will also have the potential to produce a government that needs more achievements and is even unable to make various efforts and breakthroughs to build a better government system. As per the applicable procedure, forming and changing laws is much easier than the MPR Decree, so it is strongly believed that the legal product called a law is more politically loaded than the MPR Decree. (Parsa, 2017)

Furthermore, the second weakness in the RPJPN can also be seen in terms of the institutional formation of the RPJPN. According to Article 10 of the SPPN Law, the one who prepares the draft RPJPN is the Minister of Bappenas (Government). Likewise, at the regional level, based on Article 65 of Law Number 23 of 2014, the Regional Head prepares the RPJPD. This provision cannot be reversed; for example, the DPR initiates the preparation of the RPJPN, or the Regional Head prepares the RPJPD. It is what causes the RPJPN/RPJPD to be very executive-heavy. In Harry Setia Nugraha's language, the actors who formed it are not representative. The essence of the RPJPN (GBHN), according to Yudi Latif, is the State Policy, which contains directive principles that will outline the abstract philosophical values of Pancasila and the articles of the Constitution, which (mostly) contain central norms that do not provide direction on how to institutionalize them. The existence of GBHN is an integral package of the concept of a family state desired by Pancasila and the 1945 Constitution. In a family state emphasizing consensus, basic political policies are not handed over to the President as an expression of majoritarian power. However, they must be formulated through the most complete assembly representing all elements of people's power, namely the MPR. (Yudi Latif, 2016)

The third weakness lies in its implementation. Planning and implementation of development could be more consistent and varied. The RPJMN, an elaboration of the President's vision, mission, and program for five years and expected to continue with the next presidential period, has yet to happen. It is because the legal basis for compiling the RPJMN is the Presidential Regulation (Perpres), which is made by the executive, implemented by the executive, and evaluated by the executive. As soon as the President changes, the new President's vision, mission and program also change. What was considered essential and strategic during the previous President's term is only sometimes considered important and strategic by the President who replaces him. Therefore, Ardilafiza calls the development planning system after the Amendment to the 1945 Constitution a pragmatic development planning system. There are no boundaries that direct or limit the vision and mission of the presidential candidate, the state constitution or the state philosophy, let alone the continuity of the vision and mission of the previous President. The needs of the voters, who are more emotional and based on momentary needs, cause the country's development to be increasingly uncertain because there is no scale of priorities that must be carried out. (Ardilafiza, 2016)

Likewise, between the national development planning system and the regional development planning system, there is a potential for development disharmony considering that the regional medium-term development planning system (RPJMD) is not bound to refer to the national medium-term development planning system (RPJMN) considering that the vision and mission of the Governor/Regent/Mayor may differ from the Vision and Mission of the President and Vice President-elect, as well as the Vision and Mission of the Governor/Regent/Mayor in other regions.



Thus, the authors believe it is necessary to revive the GBHN as the direction of the basic state policy formed by the MPR. In line with the paradigm built by Yudi Latif, it emphasizes that in a family state with a consensus democracy that is typical of Indonesia, basic development policies (plans) are not handed over to the President. Basic development plan policies must be formulated together through a consensus mechanism of all representations of the people's political power in a complete representative institution, namely the MPR. In other words, the President needs help developing politics and implementing the directive principles set by the MPR in a GBHN.

Compatibility of the Main Outlines of State Policy in the Indonesian Presidential System.

Current social conditions, when associated with the issue of state policy, give rise to pros and cons; for those who are in favor, restoring state policy is undoubtedly a constitutional effort to resolve various development and state administration issues. Those who are against state policy believe that reviving state policy will reposition the MPR as the highest state institution and have derivative impacts that will culminate in the President being dismissed with indicators or measures of the President's failure to implement state policy. In short, for those against it, state policy can reduce the constitutional spirit of strengthening the presidential system. (Meirina Fajarwati, 2018) The view that state policy is contrary to the presidential system of government, which, after the reform era, was intended to be strengthened and characterized by parliamentary government, needs to be corrected.

An important point that also needs to be discussed regarding the idea of reviving GBHN in the Indonesian constitutional system is how the formulation of the GBHN is to be formed. This statement is essential to submit because, if viewed from a historical approach to the existence of GBHN, the birth of GBHN cannot be separated from the true meaning of the MPR as the holder of people's sovereignty, this can be read from several MPR TAPs that have been in effect related to GBHN, namely starting with the Decree of the MPRS of the Republic of Indonesia Number I / MPRS / 1960 concerning the Political Manifesto of the Republic of Indonesia as the Main Outlines of State Policy issued during the Old Order era. During the New Order era in 1971, the first General Election was held, which resulted in the formation of the first MPR in Indonesia due to the Election. Since then, successively and periodically, the MPR has been formed through the Election, namely in 1977, 1982, 1987, 1992, and 1997. (Mexasai Indra, S. H. 2018)

According to Jimly, reviving the state policy does not mean being interpreted as 1) the MPR becomes higher in position than the President; 2) The President can no longer be directly elected by the people but must be re-elected by the MPR; 3) The President must be responsible to the MPR, no longer directly to the people; 4) The formulation of state policy is more detailed and operational so that the President can no longer be creative in compiling programs according to the vision and mission he carried in the presidential election campaign. (Imran & Apripari, 2022)

According to Jimly, this condition must be prevented so that the state policy is interpreted differently than that. However, the effort to prevent it is not to be allergic and resistant to the state policy currently being discussed to be revived. It means that the state policy is essential to direct the development and administration of the state, but with a note that it will not reduce the essence of strengthening the presidential system to look to the future to revive the state policy carried out by the People's Consultative Assembly as an expression of representative and comprehensive political power. The MPR is the center of power for formulating and determining the state policy. However, the MPR, in its formulation and discussion until its determination, must remain based on the choice of a democratic system. In the context of formulation and discussion until determination, the MPR must base it on the principle of the Democratic Directive Principle of State Policy Making, meaning that the formation of the primary policy must be carried out democratically, where the main feature





of the democratic concept is public participation. Although the MPR is the center of formulation, discussion, and determination of state policy, it must open up space for public participation from all elements of the nation. The concept of the MPR as a center still opens up space for all elements of the nation, such as the private sector, university sector, NGO sector, general public sector, executive sector, legislative sector, and judicial sector, to be able to propose the content of the state policy to be formed, in addition, the participation space also allows all elements of the nation to provide input and criticism in order to form the ideal state policy.

The importance of maximum public participation is intended so that the state policy successfully enshrined obtains strong legitimacy from all elements of the nation and becomes a reflection of how open it is for citizens to be involved in influencing public policy, which is exceptionally fundamental.

In addition, the state policy that will be formed in the future is not interpreted narrowly, namely, as temporary for five years, as was formed in the New Order era, but broadly, namely, as a state policy that provides direction and guidelines for development and long-term state planning for the next 20-25 years. (Meirina Fajarwati, 2018)

CONCLUSION

The urgency of determining the General Guidelines of State Policy in the preparation of the national development plan because the national development plan in the reform era has caused an inconsistent situation in sustainable development, where the results (output) and achievements (outcomes) of development do not match the expectations that have been mandated in the RPJPN. The government's movements and actions seem "wild" and out of control. It happens because (a) there are weaknesses in the substance of the RPPJN; (b) there are weaknesses in the institutional side of the RPJPN; and (c) there are weaknesses in the implementation aspect where development planning and implementation are inconsistent and disharmonious. Furthermore, the MPR becomes the center of power in formulating and determining state policy. However, the MPR's formulation and discussion up to its determination must remain based on the choice of a democratic system. In the context of formulation and discussion up to determination, the MPR must base it on the principle of the Democratic Directive Principle of state-making, meaning that the formation of the primary policy must be carried out democratically, where the main feature of the democratic concept is public participation. Although the MPR is the center for formulating, discussing, and determining state policy, it must open up space for public participation from all elements of the nation. The state policy is essential for directing development and the administration of the state, but with the note that it will keep the essence of strengthening the presidential system and the GBHN as a guideline in implementing National Development.

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