THE SIGNIFICANCE OF MPR DECREES AS THE LEGAL BASIS FOR NATIONAL DEVELOPMENT IN THE CONTEXT OF INDUSTRY 5.0 AND GOLDEN INDONESIA 2045

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Abstract

The shift to Industry 5.0 and the aspiration for a Golden Indonesia by 2045 necessitate strong legal foundations to bolster national development planning and execution. However, the current legislative structures, primarily based on the National Long-Term Development Plan (Rencana Pembangunan Jangka Panjang Nasional, RPJPN), appear insufficient to address the complexities of Industry 5.0 and achieve the goals of Golden Indonesia 2045 (Pribadi & Chan, 2022). This study explores the potential significance of the People's Consultative Assembly (Majelis Permusyawaratan Rakyat, MPR) Decrees as a more robust and enduring legal foundation. This normative legal study employs a qualitative approach. The findings suggest MPR Decrees, embodying a long-term vision through a potential reintroduction of the Staple of State Policy (*Pokok-Pokok Haluan Negara*, PPHN) akin to the General Outlines of State Policy (*Garis-Garis* Besar Haluan Negara, GBHN), could provide a more stable and comprehensive legal basis for national development, transcending the limitations of the current five-year RPJMN cycles, and better reflecting the sovereignty of the people. Thus, establishing the Staple of State Policy (PPHN) through MPR Decrees is crucial for providing a strong and enduring legal foundation for sustainable national development, ensuring continuous progress towards Indonesia's objectives in the era of Industry 5.0 and the realization of Golden Indonesia 2045. Ultimately, this paper proposes a legal alternative for Indonesia's development planning, which is crucial for policymakers and stakeholders navigating a rapidly changing global landscape.

Keywords: Legal Frameworks, Sustainable Development, Industrial Revolution 5.0, Golden Indonesia 2045

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1. INTRODUCTION

As the world's fourth most populous nation, Indonesia is poised for a period of significant transformation. The concept of national development in Indonesia has evolved from centralized planning to a more decentralized and participatory model, emphasizing stakeholder

(Widianingsih, 2006; Widianingsih engagement et al., 2018). This shift necessitates a framework that can accommodate these changes while ensuring long-term strategic direction. amplified by Indonesia's The complexity is transition into Industry 5.0, characterized by human-machine collaboration (Rame et al., 2023). While this presents exciting possibilities for growth



and innovation, it also demands adjustments to the legal landscape to address issues like data privacy and intellectual property rights in this complex technological ecosystem.

In 2019, the Golden Indonesia 2045 vision was unveiled, outlining a roadmap for Indonesia's transformation into a global powerhouse by its centenary in 2045 (Andry et al., 2022). This ambitious goal goes beyond just economic prosperity. It envisions a nation that is not only 'maju" (advanced) but also "berdaulat" (sovereign), "adil" (just), and "makmur" (prosperous) (Bappenas, 2019). Recognizing the importance of social development and a strong foundation, the vision prioritizes infrastructure development for connectivity, a well-educated and skilled workforce, equitable distribution of wealth for a just society, and sustainable management of natural resources (Abdillah, 2018; Djunaedi et al., 2024; Masrom et al., 2023; Wirdayanti et al., 2024).

Indonesia's highest legislative body, the People's Consultative Assembly (Majelis Permusyawaratan Rakyat, MPR), stands as a cornerstone in shaping the nation's long-term trajectory. Unlike typical legislatures focused on enacting laws, the MPR holds a unique power to issue decrees outlining broad policy guidelines, also known as General Outlines of State Policy (*Garis-Garis Besar Haluan Negara*, GBHN) (Putri & Walintukan, 2023; Yusdiyanto, 2018). This capability transcends short-term political cycles, providing a long-term vision for national development that successive administrations can follow, ensuring continuity in vital areas like education, infrastructure, and economic policy (Martuli et al., 2024). In an era of rapid change, the MPR's role in establishing this long-term vision allows Indonesia to adapt strategies while adhering to its core objectives, fostering stability and prosperity.

However, Indonesia's current national development planning framework, centered on the five-year National Medium-Term Development Plans (Rencana Pembangunan Jangka Menengah Nasional, RPJMNs) has faced criticism (Pribadi & Chan, 2022; Saksono, 2011). A key limitation is its restricted scope, struggling to address long-term challenges requiring consistent effort over extended periods (Djajawinata et al., 2023). Additionally, its susceptibility to political shifts risks discontinuity in crucial development strategies, as governments nearing their term may prioritize short-term projects. These limitations necessitate exploring alternative legal instruments for a more robust and enduring foundation for national development. Revisiting the concept of GBHN, previously issued by the MPR, presents a potential avenue. GBHNs could offer a long-term vision that transcends political cycles, providing a guiding framework for successive RPJMNs.

The existing body of scholarship on Indonesia's national development planning predominantly adopts economic and political perspectives (Humphrey, 1962; Nasution, 2017; Saputra & Emovwodo, 2022; Talitha et al., 2020). Consequently, a significant gap remains in the in-depth legal analysis of the current framework's adequacy in addressing the long-term imperatives of Industry 5.0 and the Golden Indonesia 2045 vision. To address this gap, this study aims to investigate the potential significance of MPR Decrees in providing a more robust and enduring legal foundation for national development planning and execution.

In addition to this aim, this research seeks to answer the central question of whether a revitalized framework of MPR Decrees can offer a more effective and sustainable legal basis for Indonesia's long-term national development compared to the current reliance on the RPJPN, especially in the context of Industry 5.0 and Golden Indonesia 2045. Employing a normative legal research methodology with a qualitative approach, this study will conduct a thorough document study of primary and secondary legal sources. Additionally, this research is highly relevant for Indonesian policymakers seeking to strengthen the legal underpinnings of their long-term development strategy. By offering a critical legal analysis and proposing revitalized MPR Decrees, the study aims to enhance strategic direction, legal certainty, and continuity in national development planning. The findings will contribute to the broader academic discourse on law and development within Indonesia's evolving technological and societal landscape.

The rest of the paper is structured as follows. Section 2 provides a comprehensive review of the relevant literature. Section 3 details the research method employed in this study. Section 4 presents the results and discussion of the analysis. Section 5 concludes the paper by summarizing the key findings and offering concluding remarks on the significance of the proposed legal alternative.

2. LITERATURE REVIEW

2.1. State constitution law

Constitutional amendments, accompanied by changes in legislation, are essential to adapt to the current societal landscape. This serves the legal foundation for government policies in the Industry 5.0 era concerning industrial and economic stakeholders. A constitution embodies a social contract between the state and its citizens (Brousseau et al., 2010; Tushnet, 2023). Crafting or amending it intensifies tensions as it involves personal and legal considerations for the greater societal good. Adjustments can range from straightforward modifications to reverting to previous constitutional provisions (Albert, 2018; Bernstein, 2022). In contemporary philosophy, three justice theories prevail: the idea of distributive justice, the concept of legal justice, and the notion of integrating positive law with societal legal consciousness (De Micco & Scendoni, 2024; Samu, 2015).

A rigid constitution requires reevaluation to remain pertinent to evolving conditions (Jacobsohn & Roznai, 2020; Medushevsky, 2012). Hence, amendments become imperative to mitigate rigidity and align with societal changes, even though such endeavors are intricate. In Indonesia, the foundational legal frameworks governing the nation are Pancasila and the 1945 Constitution (Tarabar & Young, 2021). As highlighted by Shawoo et al. (2023), the Coherence Policy, viewed as an application of a global policy framework, aids the government in transparently and equitably integrating objectives into sustainable development.

For instance, the amendment of laws and regulations aims to enhance the quality of life for the public. Coherent and integrated policies are designed as efforts to achieve multiple goals through compromise (Shawoo et al., 2023). To realize these

objectives, the 1945 Constitution has undergone four amendments (1999–2002) (Christensen, 2022). These changes strengthened the legislative role in forming the State Budget, removed the GBHN as a national development plan guide, and bolstered regional autonomy and decentralization in Indonesia (Law No. 25 of 2004 on the National Development Planning System, 2004). Nevertheless, it is crucial to remember that any legislative changes should resonate with Indonesia's foundational principles, namely Pancasila and the 1945 Constitution (Butt & Lindsey, 2012; Carnegie, 2020).

Overly ambitious legal endeavors, as observed in Brazil in the 1990s, risk jeopardizing the government's credibility (Kingstone & Power, 2000). Brazil faced challenges when launching the world's most extensive privatization program in the mid-1990s. Those involved in amendments must be transparent, ensuring that their deliberations during legislative processes are genuine (Magliveras & Naldi, 2022). As Rodriguez (1992) pointed out that legislators are best positioned to understand the artificial products they create; however, there is no guarantee that the resulting laws genuinely reflect deliberations.

One notable amendment to the 1945 Constitution involved the removal of the MPR from its role in drafting the GBHN (Fahrizal & Dwayne, 2022; replaced by 1992). Rodriguez, This was the enactment of Law No. 25 of 2004 on the National Development Planning System. This encompasses the RPJMN and RPJPN, which together form the foundation for the President's Five-Year Development Plan. Due to the direct election of the President, additional regulations are deemed necessary for the implementation of the RPJMN and RPIPN (Law No. 25 of 2004 on the National Development Planning System, 2004).

The second notable change pertains to the Regional Government Law, which underscores the implementation of regional autonomy by granting extensive authority and responsibility to local governments. However, local administrations are required to coordinate with the central government to ensure that all regulations are in line with national, regional, and local development objectives (Law No. 25 of 2004 on the National Development Planning System, 2004, para. 2).

A protracted debate among constitutional law experts ensued regarding Indonesia's state system following the elimination of the GBHN (Wahyuningroem, 2019). From these deliberations, it was concluded that since the President is now directly elected, the President's accountability, previously held by the MPR, has shifted to the people. This aligns with the general provisions of Law No. 17 of 2007 on the National Long-Term Development Plan (2007) for the period 2005 to 2025. The legal basis for the formulation and enforcement of the RPJPN is as follows:

"With the absence of the GBHN as a guideline for national development planning and the strengthening of regional autonomy and decentralization in Indonesia, the establishment of the RPJPN is crucial. This is to ensure sustainable development in line with Law No. 25 of 2004 on the National Development Planning System with a visionary paradigm" (Zulfikar, 2019, p. 223).

Law No. 17 of 2007 elaborates on Law No. 25 of

Law No. 17 of 2007 elaborates on Law No. 25 of 2004, intending to realize governance as outlined in the Preamble of the 1945 Constitution. The content of the RPJPN serves as a guideline for formulating

the RPJMN. This includes elaborations on national development strategies, general regulations, crossministerial programs, and inter-regional initiatives. The RPJPN provides a macroeconomic legal framework and a comprehensive overview of the economy, detailing fiscal policy directions in the form of funding schemes within a regulatory and indicative work plan (Putri & Walintukan, 2023). As a result, economic development policies, following Article 33 of the 1945 Constitution, are implemented within the RPJPN as regulated by law (Zulfikar, 2019).

The enactment of the RPJPN reflects the spirit of the GBHN in aiming to provide a clear direction for national development within the governance system. However, there are proponents for the reinstatement of the GBHN, highlighting several weaknesses in the RPJPN framework. A key concern raised is the limited representativeness of those involved in its formulation. The RPJPN was primarily drafted by the President, with the House of Representatives (DPR) merely participating in discussions and endorsing it into law. Hence, its formulation appeared transactional hetween the President and the House of Representatives, seemingly favoring the President and his/her associates.

Another identified weakness the participation of stakeholders who appear indifferent to upholding the people's sovereignty, as outlined in the revised Article 1, para. 2 of the 1945 Constitution. Originally, this article stated that "sovereignty resides in the hands of the people and is fully implemented by the People's Consultative Assembly (MPR)". According to the Constitution, all state institutions, as authorized by the 1945 Constitution, are intended to execute the people's sovereignty. Moreover, the oversight mechanism by the public regarding the implementation of the RPJMN and the RPJPN seems insufficiently effective (Soesatyo, 2022). This assertion arises from the fact that public evaluations of the President's performance in executing the RPJMN and RPJPN only occur once every five years during general elections.

2.2. Challenges of the Industry 5.0 era and Golden Indonesia 2045

Every nation, regardless of its developmental stage, confronts the complex challenges of adapting to the rapid and multifaceted shifts of contemporary life. These shifts manifest across a wide spectrum of domains. As emphasized by Giddens (1999), globalization permeates various aspects of existence such as law, economics, politics, science, technology, culture, and education. It also impacts not only economic structures but also legal frameworks, landscapes, scientific advancements. political technological innovations, cultural norms, and educational systems. This interconnectedness necessitates a holistic approach to national development, one that recognizes the interplay between these domains and the need for adaptable legal and policy frameworks.

The transformative impact of technological advancement, particularly within the context of industrial revolutions, provides a compelling illustration of this need for adaptation. Germany, for instance, emerged as a vanguard in the implementation of the Fourth Industrial Revolution, a paradigm shift driven by the integration of

information and communication technology sectors (Park, 2018; Trauth-Goik, 2021). This strategic endeavor was meticulously structured around six foundational pillars: digital society, sustainable energy, smart mobility, healthy living, civil security, and technology (Ajayi et al., 2023). Each of these pillars represents a critical dimension of contemporary life, demanding innovative legal and policy solutions to maximize benefits and mitigate potential risks.

Expanding upon this trajectory, the notion of the Fifth Industrial Revolution emerged, initially introduced by Japanese Prime Minister Shinzo Abe in March 2017 at the CeBIT exhibition in Hannover, Germany (Deguchi et al., 2020). While the initial impetus was to counteract the pressing demographic challenge of a declining population within the productive age bracket in Japan, the underlying ambition quickly broadened. This initiative was formally launched on 21 January 2019, with the overarching goal of aligning technological advancements with demographic challenges and comprehensively addressing societal concerns.

The Fifth Industrial Revolution serves as a response to the Fourth Industrial Revolution, which heavily relies on high-tech machinery across various sectors (Ziatdinov et al., 2024). This reliance raises concerns about potential unemployment and economic disparities in the future (Adel, 2022). Subsequently, pivotal research by Fukuyama (2018) posits that the core goal is to strategically place human beings firmly at the center of economic development, ensuring that technological progress ultimately serves humanity and contributes to achieving a high quality of life for all members of society. This perspective is strongly echoed in the research conducted by Sá et al. (2021), who assert that Society 5.0 is a comprehensive concept fostering a responsible digital society and advancing the crucial relationship between communities and evolving technology.

Concurrently, Indonesia is embarking on an ambitious national project encapsulated by the vision of "Golden Indonesia 2045" (Belladonna et al., 2023). This initiative represents a concerted effort to cultivate a "golden generation", a highly skilled, technologically adept, and morally grounded cohort, to lead Indonesia as it reaches its centennial in 2045. To effectively realize this profound vision, the "Indonesia 2045 Development Vision" was strategically devised, built upon four key and interconnected pillars (Victoria & Maria, 2023). These pillars emphasize holistic human development and technological mastery, sustainable and inclusive economic growth, equitable development across regions, and strengthened national resilience and effective governance.

The convergence of the Industry 5.0 era and the aspirations of Golden Indonesia 2045 presents a complex interplay of opportunities and significant challenges that necessitate careful consideration within the legal and policy spheres. Industry 5.0, characterized by enhanced human-machine collaboration, customization, and a focus on sustainability and resilience, offers unprecedented potential for Indonesia to advance traditional development pathways (Rame et al., 2023). However, this technological shift also creates new legal and ethical challenges. Simultaneously, the Golden Indonesia 2045 vision requires a legal and regulatory environment that actively fosters innovation, attracts investment in key technological sectors, and

ensures that these advancements contribute to the overarching goals of national prosperity, social justice, and environmental sustainability (Soesatyo, 2022).

2.3. Theoretical background

This research is firmly grounded in and draws upon several key and interconnected theoretical frameworks meticulously developed within the established disciplines of legal and political science. Primarily, the central theoretical lens through which this research critically examines its subject matter is legal instrumentalism. This influential perspective views legal rules and institutions fundamentally as instruments designed to achieve specific, tangible societal goals, moving beyond a purely formalistic understanding of law (Godlow-Legiedz, 2024). In the particular context of this study, the overarching goal is the realization of effective and, crucially, sustainable national development. This development must dynamically navigate rapid technological complexities while aligning with Indonesia's long-term aspirations. By examining the potential of MPR Decrees, the research implicitly poses a critical question of whether this particular legal instrument can be more effective in achieving these developmental goals compared to the existing framework.

Moreover, this study engages deeply with established theories of constitutionalism and the fundamental principle of the separation of powers. The unique and historically significant role of the MPR within Indonesia's constitutional framework, particularly its distinct authority to issue broad policy guidelines like the former GBHN, is a central focus of this research. Theories of constitutionalism offer a crucial analytical framework for assessing the legitimacy and transformative potential of strategically enhancing the MPR's role in national development planning (Golia & Teubner, 2021). Additionally, the established concept of the separation of powers becomes particularly relevant in analyzing the intricate balance of influence and authority among the legislative (including the MPR), executive, and judicial branches during the critical stages of formulating and implementational development policy. implementing comprehensive

Beyond these core legal and political theories, the research also implicitly draws upon established bodies of knowledge concerning policy formulation and implementation. These sophisticated theories explore the complex processes of translating overarching national goals into concrete and actionable policies alongside the critical factors influencing their successful and implementation (Howlett et al., 2020). By rigorously examining the inherent potential of MPR Decrees to establish stable long-term strategic direction historically linked to the GBHN, this study carefully considers their influence on subsequent mediumterm and annual development plans and their critical impact on executive execution. Drawing upon this integrated theoretical framework, this research offers an insightful analysis of the potential significance of MPR Decrees as a foundational legal instrument for guiding Indonesia's national development trajectory within its aspirations and the intricate dynamics of the global landscape.

3. RESEARCH METHODOLOGY

The research adopted a normative legal approach to examine and understand legislative processes that transform unfamiliar concepts into a clear understanding. The research method employed in this study follows a qualitative approach to study legislative synchronization (Hartono, 1994). This method is particularly suitable for examining legal concepts, principles, and the consistency of legal norms within a given legal system (Negara, 2023). In this study, legislation relevant to national development planning, the role of MPR Decrees, Industry 5.0, and Golden Indonesia 2045 subjected to both vertical and horizontal analysis. Vertical analysis involves examining the hierarchy of legal norms, ensuring the consistency and validity of lower-level regulations with higher-level ones, such as the Constitution and MPR Decrees. Horizontal analysis involves assessing the strengths and weaknesses of various regulations at the same level and identifying potential overlaps, contradictions, or gaps. Based on this analysis, the researcher could provide recommendations for regulatory changes or the development of new legal instruments.

Moreover, the data and information for this secondary derived were and comprehensive literature reviews. This includes a wide range of legal materials such as statutory legislation, scholarly books, academic journal articles, and legal commentaries. The primary data collection technique was document study, involving systematically exploring and reviewing materials to extract relevant information and arguments. The gathered data were qualitatively analyzed using legal interpretation, logical reasoning, and comparative analysis to identify patterns, inconsistencies, and potential solutions. The findings from this analysis were then synthesized and concluded (Efendi & Ibrahim, 2018). To ensure focus and avoid multiple interpretations, this research specifically limits its scope to discussing the legal foundation for driving sustainable national development in the face of the Industry 5.0 revolution and the pursuit of Golden Indonesia 2045.

While a normative legal study is appropriate for this research question, alternative methodologies could include empirical legal research. This would involve collecting primary data through interviews with policymakers, legal experts, and stakeholders in national development planning. Quantitative methods could also be employed to analyze statistical data related to the implementation and effectiveness of existing legal frameworks. An interdisciplinary approach, combining legal analysis with insights from political science, economics, and technology studies, could also offer a broader perspective but falls outside the primary focus of this normative legal study. However, given the focus on the analysis of legal texts and potential the exploration of legal reforms, a normative approach provides the most direct and suitable method for addressing the research aims.

4. RESULTS AND DISCUSSION

A robust legal foundation is crucial for steering sustainable national development. This is crucial to ensure that national development progresses continuously in facing the Industry 5.0 era and Golden Indonesia 2045. Simultaneously, it guarantees

the optimal utilization of state resources. The developmental paradigm aims to realize the nation's aspirations of justice, prosperity, and well-being (Hosseini, 2023). These aspirations are firmly anchored in Pancasila, the 1945 Constitution, and the principles enshrined in the Preamble of the 1945 Constitution.

The current model of presidential implementation of the RPJPN and RPJMN, which relies on public scrutiny occurring only at five-year intervals during general elections, has been critiqued for its limited effectiveness (Soesatyo, 2022). While some propose that oversight by the DPR could offer a more systematic and sustainable measurement of development progress, this is deemed impractical in the context of direct presidential elections. A further limitation of the prevailing oversight mechanism for the President's execution of the RPJPN and RPJMN lies in the passive role of the MPR. MPR only listens to performance reports from each state institution presented by the President during the annual MPR session, without evaluation, making it merely

Hence, the proposal to reintroduce the GBHN carries profound and wide-ranging implications for the state's governance. The reintroduction of GBHN into the constitution raises three constitutional issues: 1) the system of governance, 2) the relationship between state institutions, and 3) significant changes in their roles and functions. Proponents of reintroducing the GBHN propose renaming it from "Garis-Garis Besar Haluan Negara" (State Policy Guidelines) to "Pokok-Pokok Kebijakan Negara" (Essential State Policies), to be established through a decree by the MPR.

As expressed by Kaelan (2016) regarding the need to revive GBHN: "RPIPN or National Long-Term Development Plan is planned to run for 20 years. For instance, from 2005 to 2025. It is divided into stages of national development planning, prepared in each RPJMN (National Medium-Term Development Plan) period, as stipulated the Presidential Regulation of the Republic Indonesia. For illustration, the President executed Presidential Regulation No. 5 of 2010 the National Medium-Term Development Plan for 2010-2014" (p. 87). This hierarchical structure underscores the intended cascading of long-term goals into medium-term strategies and their subsequent implementation through presidential directives, highlighting the executive's central role in the current national development planning system.

The RPJPN and RPJMN serve as general references for national development, established in and presidential regulations that implemented by the President (Kaelan, 2016; Pratama, 2025). This highlights a weakness in the constitutional system concerning the planning and execution of sustainable national development under the 1945 Constitution post-reform. Suppose the reform aims to establish checks and balances within the government's power structure. In that case, the planning and implementation of national development in RPJPN and RPJMN should be grounded in the GBHN mechanism. While RPJPN is said to be established by law, in reality, it is drafted by the President and approved by the President with the consent of the DPR (Humaidi Rahmadanti, 2023). Consequently, there is a mismatch and vulnerability to power deviations due to the lack of clear juridical sanctions.

In addition to Kaelan's (2016) work, several preliminary studies in Constitutional Law underscore the significance of revitalizing the GBHN. According to Latif (2016), three reasons highlight the necessity establishing GBHN as a framework national development. Firstly, Pancasila, the 1945 Constitution, and state policies are considered to encompass philosophical, normative, and directive principles. While the philosophical tenets of Pancasila provide the foundational ideology, their abstract nature necessitates more concrete directives for practical implementation (Setyawan, 2023). Many constitutional provisions also comprise broad norms that lack specific guidance on their institutionalization. In light of this, there is a necessity for guidelines that offer direction on how to embed these values into various public institutions, aiding state administrators in devising and executing development policies in a systematic and coordinated manner (Kaelan, 2016). Serving as a directive principle, the GBHN also provides a foundation for the formulation of legislation.

Secondly, the presence of GBHN embodies an integrated package of the concept of a familial state inherent in Pancasila and the 1945 Constitution. This concept emphasizes the principles of kinship, cooperation, and consensus in national life (Suhassatya, 2025). Following its consensus-driven approach, the basis of its political policies should not be solely entrusted to the President as the head of the executive branch. Instead, these overarching policy directions must be collectively formulated with the MPR as the embodiment and representation of all elements of the people's sovereignty and power. This collective formulation ensures broader legitimacy and reflects the diverse aspirations of the nation, aligning with the core tenets Pancasila's emphasis on deliberation representation.

Thirdly, revitalizing GBHN does not necessarily entail adopting the same format and content from earlier political periods. Instead, a crucial and more pertinent approach involves a thoughtful and strategic synthesis. This synthesis would integrate enduring guiding principles and valuable insights. These insights can be gleaned from the ideological foundations and strategic directives characterized the Old Order, New Order, and Reformation regimes. This selective integration aims to leverage positive attributes and lessons from Indonesia's diverse development history. These are judiciously adapted contemporary to challenges and future aspirations within the context of Industry 5.0 and Golden Indonesia 2045. This approach facilitates the creation of a dynamic and contextually relevant long-term vision strategically builds upon the nation's historical trajectory while proactively embracing the opportunities of the future.

Aligned with research by Latif (2016), Muhtadi and Ridlwan (2023) emphasize the importance of revitalizing the GBHN and the National Outline of GBNH. GBNH embodies a sustainable development concept aimed at enhancing the value of goods and human capital. The government achieves this by nurturing the human spirit with a forward-looking perspective. Moreover, Karsidi (2016) asserts that the objective of the GBHN is to regulate the enhancement of people's welfare.

Furthermore, there are four key reasons for implementing this policy in delineating the direction of national development. Firstly, from a historical

perspective, the endeavor to formulate the GBHN has been ongoing since the early days of independence as part of the economic planning model mandated by Article 33 of the 1945 Constitution (Karsidi, 2016; Soesatyo, However, during the reform era, it was deliberately omitted as it was perceived as a prerogative of direct presidential elections, wherein the president was authority to vested with the determine the development direction based on their vision and mission. In the initial establishment of the GBHN. President Soekarno instituted the Central Indonesian National Committee (KNIP) to aid in its formulation (Palguna & Bisariyadi, 2024). This was predicated on Declaration No. X, dated 16 October 1945. Throughout the revolutionary period, the implementation of GBHN encountered ineffectiveness owing to a lack of public support. These preparatory endeavors persisted under the Natsir Cabinet (from September 1950 to March 1951). During the Old Order era (1951-1953), Minister of Finance Soemitro Djojohadikusumo meticulously crafted economic and industrial plans within the framework of GBHN. This represented a continuation of the Old Order's economic planning model, which encapsulated the principles of people's/popular economic Pancasila and Article 33 of the 1945 Constitution.

Secondly, the juridical reason states that the replacement of GBHN with RPJPN and RPJMN has not been effectively implemented. The mandate of Law No. 25 of 2004 on the National Development Planning System tends to produce long-term, medium-term, and annual development plans implemented by both central and regional government entities. Meanwhile, Law No. 17 of 2007 on Long-Term Development Plans does not accommodate guiding principles and complicates sustainable government programs. National development directives based on the vision and mission of the President are then detailed as RPJMN. Moreover, the enforcement of Law No. 6 of 2014 on Villages and Law No. 23 of 2014 on Regional Governance in long-term development planning must be consistent.

Thirdly, the political reason suggests that addressing the challenges faced does not necessarily mean emulating everything from abroad (Karsidi, 2016). National progress is predicated on a nation's ability to recognize and cultivate its unique identity and inherent strengths (Margalit & Raz, 2022). Oversight of the current development process would be stronger if GBHN were reintroduced due to the heightened awareness of the population regarding national goals. Hence, the opinion suggesting a regression if GBHN is revived seems inappropriate. Fourth, socio-economic reasons state that every development must be sustainable, especially on a national scale. This was less evident during the Reformation era because, with every change in presidency, the direction of development could shift or change entirely (Humaidi & Rahmadanti, 2023; Ramadhan et al., 2024). This is exacerbated by corrupt behaviors among development stakeholders and the liberalization of laws.

Meanwhile, from a social order perspective, a nation is typically considered democratic to the extent that its populace enjoys the freedom to articulate their political and social aspirations (Diamond, 2008). However, current mechanisms in some contexts may not adequately facilitate this expression. Fortunately, through sovereignty and democracy, the people still have the opportunity to

express their political aspirations in other forms (Firdaus et al., 2024; Sudjito, 2016). This signifies a philosophical interrelation between people's sovereignty, democracy, and social aspects. In essence, the future of the people is designed and planned based on their aspirations and social dynamics. Furthermore, GBHN serves as a means to humanize the people in the context of the state's social responsibility (Humaidi & Rahmadanti, 2023). Sovereignty, democracy, and GBHN are manifested through social studies to ensure that aspirations and social dynamics are well accommodated.

In addition, Sudjito (2016) states the substance of formulating GBHN should originate from the people's thoughts, represented by intellectuals collaborating with politicians, not solely crafted by politicians. This aligns with legal theory and resonates with Von Savigny's Volksgeist theory (Aulia, 2020). Law and other social aspects merge and reflect the nation's or people's spirit (Volksgeist) through societal consciousness, Pancasila, and local wisdom. Ideally, achieving the state's objectives outlined in GBHN is based on the ideological foundation of Pancasila, which includes: "... forming a government that protects all Indonesian people and the homeland, and enhancing public welfare". "... educating the nation and participating in establishing a world order based on independence, eternal peace, and social justice" (Soesatyo, 2022, p. 543). The above statements represent a teleological dimension depicting the interconnection between ideology and positive law, with their mutually influential relationship. It is crucial to produce legal frameworks that reinforce the prevailing ideology.

Thus, GBHN *Ius constituendum¹* should reflect a constitutional system encompassing fundamental permanent principles, operational aspects, and legal norms as a manifestation of principles rooted in Pancasila ideology. Empirically, the vision and mission of the President and Vice President have yet to fulfill the hopes for the welfare of the Indonesian people. The people are still positioned as spectators, mere subjects in the development process. Various opinions bolster the view that GBHN, in the form of MPR Decrees, needs to be revitalized as a guiding principle for the nation's future.

The intent to reintroduce this policy into Indonesia's constitutional system is solely to address pertinent issues. Several critical rationales underpin the proposed reinstatement of GBHN into Indonesia's constitutional system. First, the RPJPN concept has numerous shortcomings. Second, GBHN serves as an appropriate guide to embed Pancasila values and the Constitution into public institutions. Third, it is an integral part of the familial concept. Revitalizing GBHN in the form of MPR Decrees is not aimed at resurrecting the trauma of the Indonesian people from the practices of corruption, collusion, and nepotism (KKN).

Besides, this initiative does not aim to reestablish the MPR as the highest state institution, as was the case during the New Order era. The nomenclature used does not necessarily have to be the GBHN. However, the essence and spirit it embodies should encompass the core principles of the national direction, where the administration and authority lie with the MPR. Its formation requires two reconstructions: involving all state institutions and restructuring the hierarchy system of

sources for constitutional legal products. The reconstructions needed for the future needs of the Indonesian nation are as follows:

- 1) Reconstruction of the MPR institution includes:
- Amending the laws governing the MPR authority. Making the MPR the sole state institution authorized to amend the 1945 Constitution, establish state policies, and receive performance reports from state institutions as a form of public accountability.
- Granting specific powers to the MPR beyond those mandated by the 1945 Constitution. This includes the authority to establish state policies on the basis that it is the institution with the most representative members compared to others, consisting of representatives of the people and regions. State politics are crucial to realizing integrated national and sustainable regional development planning systems. The formulation of national development involves all state institutions that derive their powers from the 1945 Constitution.
- The MPR's authority to establish policies is enshrined in legal products commonly referred to as MPR Decrees. These are not merely directive (beschikking) but also regulatory (regeling) in nature.
- 2) In reconstructing the PPHN within the hierarchy of Indonesia's legislative regulations, several options exist. It could be stipulated in a specific MPR Decree or incorporated directly into the Constitution of the Republic of Indonesia. Regardless of its placement, subsequent changes (*Ius Constituendem*) should serve as a foundational element. This foundational element should be a positive legal product designed to effectively achieve development planning goals. The development stages include short-term, medium-term, and long-term.

Furthermore, PPHN needs to pay attention to sectors that are primary agendas in the national development system (Yuhana, 2024). This is evidenced by the enhancement of sectors such as science and technology, industry, information, transportation, culture, religion and beliefs, defense and security, agriculture, cooperatives, health, tourism, energy development, lighting, forestry, and mass media. There are four primary elements that constitute the scope of national development to realize the country's goals as stated in the preamble of the 1945 Constitution, namely: protecting the entire Indonesian nation, public welfare, education, and health, and lastly, participating in the global (peace) order.

5. CONCLUSION

Based on the above discussion, it can be concluded that national development is essential to achieve the country's objectives, particularly in the face of inevitable globalization and dynamic societal shifts. Globalization and dynamics occurring within society are inevitable and must be addressed by prioritizing the needs and sovereignty of the people. In this context, MPR Decrees are deemed necessary as state policies serving as the legal foundation for planning and implementing development or as guiding instruments to ensure sustainable and continuous development in facing the Industrial Revolution 5.0 and Golden Indonesia 2045.

National development, to be effective and enduring, must be based on a strong and fixed

 $^{^{\}rm l}$ Ius constituendum is the law that is expected or aspired to be in effect in the future, but has not yet been established or enacted.

foundation. This foundation should be meticulously formulated by the most comprehensive representative body of the people accurately, involving community figures, and possessing a futuristic vision and mission. The necessary development strategy identified in this study is the establishment of the Staple of State Policy (PPHN) as a formal legal instrument enshrined within MPR Decrees. This approach leverages the MPR as the most comprehensively representative body, possessing significant subjective authority akin to the historical GBHN, to act as a guiding instrument for the state in its efforts to realize the welfare of the people.

However, this study also has its limitations. This study is primarily a normative legal analysis, relying on the interpretation of existing legal texts and scholarly literature. It does not involve empirical data collection on the perceptions or experiences of policymakers or other stakeholders. Furthermore, the study focuses specifically on the potential of MPR Decrees and PPHN without extensively exploring other alternative legal frameworks for long-term national development. The analysis is also limited by the existing legal and political context in Indonesia, which is subject to change. Future research could address these limitations by incorporating empirical data and broadening the scope of analysis to include a wider range of potential legal and policy solutions.

This study opens several avenues for future research. Firstly, empirical studies could investigate the practical and political feasibility of reintroducing PPHN through MPR Decrees, analyzing potential challenges, and proposing concrete implementation strategies. Secondly, comparative legal research could examine the experiences of other nations with similar long-term development planning frameworks guided by high-level legislative bodies. Thirdly, further research could delve into the specific content and scope of a potential PPHN in the context of Industry 5.0 and Golden Indonesia 2045, exploring key policy areas and their legal articulation within MPR Decrees. Finally, studies could analyze the potential impact of such a legal framework on democratic participation and the balance of power between state institutions.

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