

# THE URGENCY OF THE STAPLES OF STATE POLICY AS A LEGAL UMBRELLA FOR THE SUSTAINABLE DEVELOPMENT IMPLEMENTATION TO FACE THE INDUSTRIAL REVOLUTION 5.0

Bambang Soesatyo

DOI: <https://doi.org/10.37178/ca-c.23.1.048>

-----  
**Bambang Soesatyo**, Faculty of Law, Padjadjaran University, Bandung, Indonesia  
Email: [bamsuet@ecampus.ut.ac.id](mailto:bamsuet@ecampus.ut.ac.id)  
-----

## **Abstract**

This study discusses the urgency of the staples of state policy as a legal umbrella for sustainable development implementation to face the industrial revolution 5.0. It is based on the staples that state policy need to be considered due to the weaknesses of the National Medium Term Development Plan (RPJM), such as unrepresentative forming and implementing actors not relating to the nature of implementing people's sovereignty. With the amendment to the formulation of Article 1 paragraph (2) in the Constitution of Indonesia, the mechanism for community control over the RPJPN or RPJMN implementation is ineffective. Therefore, a legal instrument is needed in the form of the main principles as a legal umbrella that refers to the re-establishment of the Broad Outline of State Policy (GBHN) and as a supervision indicator of the government's commitments the President and Vice President as executive institutions.

**Keywords:** Staples of State Policy, Sustainable Development, Industrial Revolution 5.0

## **Introduction**

Almost every state has a constitution that regulates its welfare and protects human rights because a country's establishment is inseparable from the existence of underlying legislation. It functions as a basic rule as well as limits the power to prevent arbitrary actions by the government. The Constitution of Indonesia (UUD NRI 1945), which is the basis for the state administration, has been changed 4 times within a relatively short time (1999 to 2002). However, with the enactment of the amendments, several changes were recorded in the management of development, such as (1) strengthening the legislative position in preparation of the State Revenue and Expenditure Budget (APBN), (2) the abolition of the Broad Outline of State Policy (GBHN) as a guideline for the implementation of the National development plan, and (3) enhancing the Regional Autonomy and decentralization of the Indonesian government[1].

The GBHN established by the People's Consultative Assembly of Indonesia (MPR RI) serves as the basis for national development planning as previously implemented in state administration practices. This MPR RI Decree becomes the legal basis for the President to provide elaborative plans in the form of a Five-Year Development Plan as well as pay serious attention to the suggestions made by Indonesia's House of Representatives (DPR RI) and the government in terms of preparing the State Budget. The amended Constitution of Indonesia stipulates that the people directly elect the President. Furthermore, there is no GBHN as a guide for the President to formulate plans. Therefore subsequent regulation is needed for the National development planning process.[2]

This amendment has re-emerged the thoughts of various national figures concerning legal arrangements or forms needed for the development planning process. In accordance with the enactment of the Regional Government Law, the implementation of autonomy is carried out by assigning absolute and accountable authority to the region. However, this requires coordination and regulation to harmonize national, regional, and inter-regional development further<sup>[3]</sup>.

Meanwhile, a long debate was conducted after abolishing the GBHN from the Indonesian constitutional system. However, based on the 2 debated views, it was agreed that when the people directly elect the President, the MPR is stripped of its responsibility of drafting the GBHN. Practically, the MPR no longer has the authority to monitor the President's performance in realizing the promises (program offers) made during the campaign. Consequently, supervision is directly conducted by the people. Not long ago, after the GBHN elimination, the National Development Planning System in Law No. 25 of 2004 was implemented, followed by the Long Term Development Plan (RPJP). Referring to the General Provisions explanation of Law Number 17 of 2007 concerning the National Long-Term Development Plan of 2005 to 2025, which is the legal basis for forming the RPJP, it was reported that "In the absence of GBHN as guidelines for the preparation of national development plans as well as the strengthening of regional autonomy and decentralization of the Indonesian government, the formation of an RPJP is indispensable, in terms of maintaining sustainable development. This is in line with Law No. 25 of 2004 concerning the National Development Planning System (SPPN) which mandates the preparation of the National RPJP that adheres to a visionary planning paradigm".<sup>[4]</sup>

The development policy is regulated in Law No. 17 of 2007 concerning the National Long-Term Development Plan of 2005 to 2025, hereinafter called the "National RPJP Law"<sup>[5]</sup>. Apart from being drafted as an elaboration of Law No. 25 of 2004, it also implements the government establishment's objective as stated in the Constitution Preamble of Indonesia. The National RPJP only contains an outline directive and is used as a guideline for preparing the National Medium Term Development Plan (RPJM). Subsequently, further elaboration includes a national development strategy, general regulations, programs from and across ministries or agencies, and regional and cross-regional. It is also a macroeconomic framework constituting a comprehensive image of the economy involving the direction of fiscal policy in a work plan in the form of a regulatory and an indicative funding scheme that needs to be executed.<sup>[5]</sup> Therefore, it is evident that development policies in the economic sector are based on Article 33 of the Constitution<sup>1</sup> which is implemented in the National RPJP as stipulated by the law.

The brief description of the SPPN and RPJPN depicts that the spirit of enacting the National RPJP is in line with the GBHN formation both want the country to have a clear national development directive in its government system. However, many people tend to see several weaknesses in the RPJP or RPJPN concept and believe that it is necessary to revive the GBHN as the basic directive of the state established by the MPR.

The weaknesses of the RPJPN include: *First*, the forming actors are not regarded as representatives. One of the directives of the national development is that the President formulated the RPJPN, with further discussion and approval as a law by the DPR. After ratifying the RPJPN, the President is solely responsible for its implementation. Subsequent problems associated with the peoples' will are represented by the RPJPN, which becomes an ideal embodiment of sovereignty since, it is only formulated by the President. Although, in principle, the current President is elected by the people, it does not mean that all promises made during the campaign are expected to benefit them in the future. Even after its enactment, a discussion of the RPJPN is held and ratified together with the DPR Besides, both are political

representation that leads to transactions capable of affecting people during deliberations.

*Second*, some actors are not interested in implementing the people's sovereignty in accordance with the change in Article 1 paragraph (2) of the Constitution of Indonesia. This article originally stated that "*sovereignty is in the hands of the people and is carried out entirely by the People's Consultative Assembly*" and according to the constitution," which stipulates that presently all state institutions especially those, whose authority is granted by the Constitution of Indonesia are the executor of people's sovereignty. Practically, all state institutions are responsible for executing the people's will as a basic direction of the national development, assuming the people are consistent and all state institutions act as executors. Hence, it is crucial to enact adequate interconnectivity between them.

*Third*, the ineffectiveness of community control mechanisms over the RPJPN or RPJMN implementation. Presently, the President's function is only carried out through general elections. In addition, people are given the right to assess the effectiveness of the President's performance by implementing the RPJPN or RPJMN through re-elections. On the contrary, the community also has the right not to re-elect the incumbent President, supposing the work performance is implemented ineffectively.

Therefore, this RPJMN is not an ideal supervisory model or indicator used to measure the state's administration. Meanwhile, current developments and globalization have penetrated almost all areas of people's life including law, economy, politics, science, technology, culture, education, [6]. This is also reinforced by Giddens' research stating that globalization is not only real rather, it is a revolutionary process involving various dimensions of life[7] Furthermore, it is marked by the implementation of the Industrial Revolution 4.0, which started with the industrial concept of the information and communication technology era in Germany with 6 main pillars, namely digital society, sustainable energy, smart mobility, healthy living, civil security, and technology in the workplace[8]. Meanwhile, the Industrial Revolution 5.0 (Society 5.0) was formulated by the Japanese Prime Minister Shinzo Abe in March 2017 at the CeBIT exhibition, Hannover, Germany, to deal with problems that occur in Japan regularly. It was inaugurated on January 21, 2019 when Japan was experiencing a population reduction challenge that led to a decline in the productive age. It was trying to improve their condition by implementing Society 5.0[9]. The goal is to balance technological progress with integrated social problem-solving. This is necessary to anticipate the development of industry 4.0 with a lot of artificial intelligence being created[10].

Society 5.0 is a "solution" of the Industrial Revolution 4.0, where many people assumed that it uses high-tech machines that reduce the amount of work carried out by human labor. However, this is expected to create new values through advanced technology that reduces the gap between humans and economic problems in the future[11]. This is similar to Mayumi Fukuyama's research, stating that "it is the goal of Society 5.0 to create a human-centric society in which both economic development and the resolution of challenges are achieved, and people can enjoy quality comfortable life[12]

The industrial revolution 4.0, which is considered to have the potential to degrade human roles, led to the birth of a concept called Society 5.0. Interestingly, it is hoped that the opening up of artificial intelligence tends to transform massive data collected through the internet into new opportunities for humans. Subsequently, it is presumed that Society 5.0 shapes this digital reality by "proposing to advance the potential of the individual-technological relationship." This is strengthened by Maria José Sá's research stating that "Society 5.0 is one of the notions that seek to foster and account for this digitally shaped society although to some extent it further enhances the quality of life through a super-smart society[13]. Moreover, scientific results reinforce this, stating that "daily problems are resolved with various technologies, such as artificial

intelligence. Presently, robots and sensors are used to carry out certain tasks that are only feasible through digital technology-driven processes based on big sophisticated data and the Internet[14]". Therefore, the digitalization era involves all areas of life in a global society. To anticipate or prepare for challenges in Society 5.0 era, it is necessary to implement economic law which serves as a solid legal basis and an umbrella thereby enabling executive institutions as actors responsible for running the government or indicators of the main state' policies to be consistent and systematic, with the long-term national development plan.

Some other variables such as illegal out-migration is one of them emphasized that how skilled illegal out-migration can affect the state policy toward the urgency prevalent in a society [15].

Industrial revolution 5.0 was designed in accordance with the current development and globalization, which affected the life pattern of the nation and state. Moreover, the GBHN, also known as *ius constituendum* and relevant authorities, is needed to continue developing the nation to face the challenges associated with the Society 5.0 era. This implies that the urgency of the main state's policies as a legal umbrella for implementing sustainable development in the context of embarrassing Society 5.0 is unavoidable. Interestingly, this study discusses the relevance of the existence of the main state's policies.

### **Methodology**

This is a normative study that analyzes using the explorative-analytical method. Secondary data were collected from primary and secondary legal materials[16]. Meanwhile, the execution of a scientific study involves a means of seeking information in a planned and systematic way. The steps taken have to be clear with firm boundaries to avoid overly broad interpretations. This study applied a doctrinal juridical approach to examine the existing problems, which views law as a doctrine or a set of normative rules. This is carried out through an effort to analyze legal literature, principles, experts, norms, and opinions of scholars.

Secondary data in the form of documents, books, scientific works, papers, journals, etc, were used in this research. Afterward, it was further analyzed qualitatively to determine the solution to the problem.

### ***The Urgency of the Main State's Policies as a Legal Umbrella for the Sustainable Development Implementation in Facing the Industrial Revolution 5.0.***

Law as a tool for renewal and to maintain order in the society[17] is important in terms of supporting national development, thereby enabling the effective function. In respect to carrying out legal development, there is a need to understand its importance and formulate a unified system comprising of institutional, legitimate materials, and cultural elements[18]. This is also inseparable from the adage *Ubi societas ibi us*, which means that there is a law where there is a society. It is also a symptom of a pluralistic society with many aspects, dimensions, and facets. Moreover, the law is rooted and formed from various interactive processes, such as political, economic, social, cultural, etc. It is enacted as well as contributes to restoring social order determined by the people, although at the same time, it boosts character formation. Therefore, the dynamics of the law are conditioned by the citizens[18].

National Law is a legal entity enacted to achieve State goals sourced from its philosophy and constitution, both of which are contained in the foundations and ideals of these policies. All discourses need to refer to both, therefore efforts to amend the law greatly depend on constitutional reform. Meanwhile, assuming it provides an opportunity for authoritarianism the birth of authoritarianism, and then a democratic national law should not be enacted.

One of the national goals is stated in the 4th paragraph of the Constitution Preamble [19], "...to improve public welfare..." Besides, to achieve this, the

government as a state apparatus is obliged to carry out national development and ensure it is actively implemented in various fields. This positive activity takes place consistently, and it is aimed at improving the people's welfare both materially and spiritually. Furthermore, the constitution stated that the citizens need to participate in Indonesia's development. This is stated in Article 33 paragraph (4) the Constitution of Indonesia as follows[20]

*"The organization of the national economy shall be conducted based on economic democracy by upholding the principles of togetherness, efficiency with justice, continuity environmental perspective, self-sufficiency, and maintaining a balance between progress and unity of the nation."*

[21] stated that the constitution is the main way of regulating, and reforming society by means of amending the law, especially through the legislation. Therefore, at this level, which involves the implementation of the constitution, the zeal to carry out national development with all the funds and resources is described more clearly.

In essence, national development is executed in all fields and is expected to be carried out continuously. Based on this reason, [22] stated that sustainable economic development "...development is not a piecemeal change. Even though, for example, industrialization is viewed as the essence of the change, it is ultimately not just a case of quantitatively increasing the number of industries. Its association with the structure of people's lives also led to the invitation of qualitative changes".

The vision and direction of Long-Term Development lead to the birth of healthy, intelligent, productive, and noble humans as well as a more prosperous society in terms of sustainability-driven by a more advanced, independent, and equitable economy in all regions and supported by the provision of adequate infrastructure. Moreover, boosting the unity and integrity of the nation, which is imbued with a strong character and carried out democratically. It is also based on the values of Pancasila as a guide for the society, nation, and state that upholds the rule of law[23].

The national development needs to be able to harmonize and prepare the nation to adopt Society 5.0, which is currently being implemented without leaving the Indonesian characteristics of the Pancasila ideology. According to Tjandrawinata, the rapid development of information technology led to the existence of automation in all fields, including new technologies and approaches that combine real, digital, and fundamental approaches[24]. Of course, technology has positive implications depending on how individuals minimize risks and opportunities that arise due to the transformation of industrial revolution 4.0 to Society 5.0 that is human-centered. This global era has an impact on all aspects, including economic development. Indonesia has benefited the most from Society 5.0 through the digital economy in the Southeast Asia region. "Based on data from Google and Temasek in the economy SEA 2020 report, the country's digital economy is the largest in the entire Southeast Asia region. In 2020, its valuation reached US\$44bn, while that of Thailand, Vietnam, Malaysia, Singapore, and the Philippines was approximately US\$18bn, US\$14bn, US\$11.4bn, US\$9bn, and US\$7.5bn, respectively"[24].

Moreover, regarding the digital economy, [25] stated that "with its rapid development, there is need to create coherent, global, and comprehensive legal safeguards. This includes using reliable guarantees to regulate the use of digital technologies to minimize risks and legitimize new assets, both tangible and intangible. International organizations and states are actively developing strategies to adopt laws on the use of modern digital technologies. The main problems are the proposed strategies are sectoral and address only certain aspects of digitalization. On the other, the solutions are often aimed at pursuing a political agenda at the expense of a coherent, forward-looking global legal strategy. Fundamentally, 2 main approaches related to the future law in the context of digitalization tends to be identified".

Based on this, the emergence of the digital economy in the era of society 5.0 requires the efforts of a long-term national development plan strengthened by qualified

legal instruments through the "Staples of State Policy," which is constitutionally equivalent to the past (historical) term, and the Broad Outline of State Policy (GBHN). Sustainability in economic development is important, and capital adequacy needs to involve people through investors' participation to create an independent economic society. Therefore, the Indonesia Law No. 25 of 2004 concerning the National Development Planning System, which then gave birth to the 20 annual development program plan (RPJPN), has to be carried out consistently by the government, where the RPJMN and the Presidential Program needs to align with the formulated RPJPN based on Law no. 17 of 2007[1]. Meanwhile, Law No. 17 of 2007 is a Government product enacted by the President, DPR, and the appropriate authority based on Article 5 paragraph (1), Article 20 paragraphs (1), and (2) of the constitution. There is a possibility that the elected President makes changes to the development plan that the previous government implemented. The situation is different, supposing the long-term national development plan is determined by the MPR, such as that of the GBHN based on the constitution before the amendment, the President is unable to make changes to the Staples of State Policy, although is obliged to make a Five Years Development Plan (REPELITA). Its form at that time was similar to the National Medium-Term Development Plan, which was amended every 5 years and determined by the government based on the Presidential Regulation. Concerns about the risk of changing, the RPJPN tend to exist, assuming there is a replacement and the vision and mission of the elected President's Program are different from the previous government[26].

Therefore, to harmonize and prepare the nation and state to protect the welfare of Indonesians and all developments in Society 5.0 without eluding the characteristics of the Pancasila ideology, a developmental strategy is needed. Moreover, it is also necessary to pay attention to the concept of sustainable economic development, which is carried out not only by 'unpacking' lawful articles or making new ones, instead to empower the carrying capacity of other aspects. These include 1) legal education, 2) reform of legal substance, 3) dispute resolution mechanisms, which are authoritative and efficient, 4) empowerment of business ethics, 5) fostering a nationalist spirit in Legislative members, 6) the commitment of the President and vice president, whose activities are linked, and continuously need the support of each other[27]. The surveillance model associated with the implementation of the RPJPN or RPJMN is not implemented effectively. It is only appropriate to enact a control mechanism to ensure that both policies continue to run effectively. This is something that has not yet been formulated, except through the DPR's oversight mechanism, however, this model is a necessity. Therefore, the development of economic law is more measurable and planned systematically and sustainably. As stated earlier, there is a need for regulations that have a more extensive scope and are supported by the President and Vice President, whose activities are linked and continuously need the support of each other and other institutions such as the MPR.

Weaknesses of the performance monitoring model in implementing the RPJPN or RPJMN led to the authorization of the MPR to form the Staples of State Policy. Therefore, the national development planning in this reform era is formulated in the form of MPR Decree-law. This is certainly inseparable from the need to amend the constitution. After the abolition of the MPR in setting the GBHN, the President drafted the vision and mission statement, including the development program, during the reform era.

On the contrary, some legal experts presume that the idea of re-enacting the GBHN tends to have serious and broad implications on the state administration. This leads to 3 constitutional problems supposing it is re-enacted in the constitution, namely (1) the system of government, (2) relations between state institutions, and (3) the significant change in their duties and functions[28]. Several experts support the establishment of the State Policy as was the case when the New Order came to power in Indonesia.

Some want the GBHN term (terminology) to be changed to other State Policies, in the form of TAP MPR RI or products presently contained in the legal source hierarchy that needs to be maintained.

Kaelan explained some opinions concerning the need to revive the GBHN as follows[29]:

“The National RPJP is aimed to run for 20 years, for instance, from 2005 to 2025, divided into stages of national development planning, which are arranged in each period of the RPJMN, as stipulated by the Presidential Regulation of Indonesia. For example, the President carried out the Presidential Regulation of Indonesia Number 5 of 2010, Regarding the National Medium-Term Development Plan from 2010 to 2014.”

The National RPJP and RPJM as the general reference for national development are stipulated by law and the Presidential Regulation in which the implementer is the President. It comprises of the weakness of the development planning and implementation system according to the Constitution of Indonesia after the reformation. Meanwhile, supposing the reform of state government power is primarily to create checks and balances, and then the planning and implementation of national development do not realize its mechanism. Furthermore, supposing the RPJP is stipulated by law, in reality, it is actively drafted and determined by the President and approved by the DPR. Moreover, the concrete implementation of national development in the RPJM is prepared and planned by the President and stipulated by Presidential Regulation. Consequently, assuming there is any discrepancy or even deviations that does not experience significant progress, then there is no control of power or clear juridical sanctions because it is determined by the President.

Besides Kaelan, several preliminary studies on Constitutional Law also stated the importance of the GBHN to be revived. [30], for example, stated that there were 3 reasons it needs to be enacted as a guideline for national development as follows[30]:

*First*, “it is presumed that the Pancasila, Constitution, and State Policy contain philosophical, normative, and directive principles, respectively. In addition, the philosophical values of the Pancasila are abstract, and the constitutional articles mostly contain large norms that do not provide directives on ways to be institutionalized. Based on this reason, a guiding principle that contains directives on ways to incorporate these values into some public institutions is required to aid state administrators in formulating and implementing development policies in a properly planned and integrated manner. As a directive principle, the State Policy is also a guide for making legislation.”

*Second*, the existence of the GBHN is an integrated package of a familial state concept desired by the Pancasila and the Constitution of Indonesia. In accordance with a concept that emphasizes consensus, basic political policies are not left to the President as an expression of *majoritarian* power rather, it needs to be formulated with the most comprehensive assembly representing all elements of the people's power.

*Third*, reviving the State Policy does not mean that its format and content need to be congruent with the previous version of GBHN. Most importantly, it needs to contain guiding principles, which include ideological and strategic directive principles. In the context of restoring the GBHN, the positive legacies of the various government regimes are combined, Old, New, and Reformation Orders.”

The paradigm built by Yudi Latif emphasizes that in a familial state also called an integralistic state with a consensus democracy that is unique to Indonesia, the basic development policies (plans) are not left to the President as an expression of majoritarian power. It needs to be formulated through a consensus mechanism that represents the people's political power in an institution, such as the MPR. In other words, the President is not authorized to formulate certain policies alone rather needs to carry out the directive principles set by the MPR in a GBHN[31].

This is in line with [29]noted that the GBHN and the Broad Outline of State and National Policy (GBHNB) needed to be restored.

This GBHNB is a concept of sustainable development aimed at adding plus-value-of-things (income) and increasing human value (self-improvement, humanized/*diuwongke*). This is also carried out by the government through its function as a tutor, by developing the soul far ahead of the body as narrated in the national hymn *Indonesia Raya*. In other words, there is a need to master skills associated with the soul of nation-statecraft, "To govern is to foresee."

Furthermore, Ravik Karsidi stated that the purpose of the GBHN was to regulate the people's welfare. Ravik Karsidi stated that there are 4 reasons this policy is considered important in terms of mapping the national development directive. These include historical, juridical, political, and socio-economic factors[32].

The *first* is historical reasons, "efforts to draft the GBHN have been carried out since the beginning of independence as part of the economic planning model mandated by Article 33 of the Constitution of Indonesia. However, it was deliberately omitted during the reformation period because it was considered a direct presidential election mandate which has the authority to enact the development directives according to the vision and mission of their leadership. In the early days of the GBHN formation, President Soekarno implemented the Central Indonesian National Committee (KNIP), which is based on Declaration Number X, October 16, 1945, to assist in its drafting. During a state of emergency due to the revolution, the GBHN implementation does not run effectively because the preparation and realization of a systematic economic plan require the cooperation of all elements of the nation. The preparatory efforts were further continued by the Natsir Cabinet (September 1950 to March 1951) in the Economic or Industrial Urgency Plans 1951 to 1953, which Soemitro Djojohadikusumo designed. Along with the realm of power, the GBHN is detailed and arranged in the New Order era. Besides continuing the Old Order era, it is an embodiment of the Pancasila people's economic planning model and appropriates with Article 33 of the Indonesian constitution which has never changed."

The *second* is juridical reasons, "the National Development Planning System created to replace the GBHN seems to be running ineffectively. The mandated Law No. 25 of 2004 tends to produce long, medium, and annual term development plans implemented by elements of the state and people at the central and regional levels. Meanwhile, Law No. 17 of 2007 concerning Long-Term Development Plans does not accommodate a guideline principle and has made it difficult for government programs to run sustainably. The national development directive refers to the President's vision and mission, further compiled in detail as the Medium-Term Development Plan. However, this is later translated into the RPJM and RPJP implemented by the government through the DPR represented by the parties. Furthermore, the enactment of Laws Nos. 6 and 23 of 2014 on Villages and Regional Government requires consistency in long-term development planning from the central to regional levels."

*Third*, it is political reasons, "solutions to all problems experienced by Indonesia is not sought from outside. The nation is only able to move forward after it is able to recognize itself. In accordance with the GBHN, the supervision of the development process also needs to be stronger because the people are now aware of the state's goals. There is an assumption that reviving the GBHN is a setback in democracy. However, taking the good from the past, as far as it does not affect the progress of the nation, and state, is a much better step."

The fourth is socio-economic reasons "every development needs to be sustainable, especially regarding infrastructure on a national scale. This is realized not mutually or in the same direction as was executed during the reform era. The lack of achievement and purpose of economic development as mandated by the constitution is mainly due to deviations from the spirit and soul of the constitution. These are carried out in the form of liberalization of laws, fiscal policy, and monetary functions independent of the constitutional mandate. Since the reformation era, several laws



related to the economic sector were implemented, although after being reviewed by the Constitutional Court was proven unconstitutional.”

Meanwhile, in the perspective of social order, Sudjito stated that in general, the requirement for establishing a democratic state is based on the fact that the people can freely express their aspirations in political and social policies. Fortunately, through sovereignty and democracy, they have the opportunity to express their will both systematically and sporadically. It constitutes a systemic philosophical linkage between sovereignty, democracy, and social basis. It simply means that the future of the people, both as individuals and a nation, is planned, designed, and achieved through their aspirations as well as social dynamics. Furthermore, the GBHN is a means of humanizing (*nguwongke*) the people in the context of social responsibility as state administrators. Sovereignty, democracy, and GBHN are realized through social analysis. This is important, therefore the aspirations and social dynamics are properly accommodated[33].

Also, Sudjito stated that the GBHN needs to substantively emanate from the people's ideas in the form of intellectual-academic morals and statement, not just politicians' work. Moreover, when analyzed with legal theory, Sudjito's statement is consistent with Von Savigny's *volksgeist*. Law and other social aspects are united and appear to reflect the soul of the people or nation (*volksgeist*) in the form of public awareness, Pancasila, and Indonesia's local wisdom. Therefore, ideally, the GBHN is prepared based on the Pancasila ideological platform to achieve the state's goals, including "... to form a government that shall protect all Indonesians and the land that has been struggled for, as well as to improve public welfare, educate the people and participate in establishing a world order based on freedom, perpetual peace, and social justice ...." This is a teleological dimension and there is a link between ideology and positive law, while the relationship between both is reciprocal. Law is an ideology that is supported, articulated, and strengthened by institutionalized social forces. In other words, it determines legal products which strengthen the prevailing ideology[34]. Therefore, the GBHN *Ius Constituendum* needs to reflect the state system, contain the main points of permanent institutions, and operational, legal norms as the translation of principles based on the Pancasila ideology. Empirically, the visions and missions of the President and Vice President have been unable to bring Indonesia closer to its expectation. People are positioned only as spectators, objects, and never subjects in the state[35].

These various opinions reinforced the view that it is necessary to revive the GBHN as a directive of state life in the future. There is no other purpose or effort to restore this policy in the Indonesian constitutional system than straighten out relevant issues. The amendment of the GBHN (or by another name) in the Indonesian constitutional system is important for several reasons. *First*, the RPJPN concept has numerous weaknesses. *Second*, it is a guiding principle that contains directives on ways to incorporate the values of Pancasila and the Constitution into public institutions. *Third*, it is an integral package of a familial state concept.

It needs to be noted that the revival of the GBHN term is certainly not a reminder of the trauma passed by Indonesians during the New Order era with the practice of KKN and considerable power. The Staples of State Policy is in accordance with other terminologies whose operations and powers are owned by the MPR RI, formed by decree. Therefore, its establishment requires 2 reconstructions, namely state institutions and the hierarchical system or product of constitutional law sources. However, the following attributes tend to be required in the future.

1. The reconstruction of the MPR institution includes[36]:

- a. The authority of the MPR RI is exercised by amending the laws regulating the MPR and the Constitution of Indonesia. Based on upcoming events, the MPR as the main state institution is authorized to amend the constitution, enact the state policy, and receive reports on the performance of state institutions as a form of public

accountability. Although in the amendment of the constitution, the MPR is not given the position as the highest state institution, rather it is the main authority.

b. The MPR needs to be assigned certain powers besides those granted by the Constitution of Indonesia. These include the authority to implement policies because it is an institution whose members are the most representative compared to the others. Membership of the MPR consists of the people's and regional representatives. The state policy is essential to realize the unity and integration of the national and regional development planning system that is sustainable. Moreover, nothing is wasted or stalled in development.

c. The MPR's authority in implementing policies is stated in their legal product, commonly called MPR Decree. This term gives rise to the connotation that the material content is *beschikking*, not *regeling*. Therefore, the use of State Regulation is considered to replace the MPR Decree.

2. In reconstructing the Staples of State Policy in the hierarchy of Indonesian legal sources, either regulated in a special chapter on the national development regulation or later used as an attachment to the Constitution of Indonesia, the subsequent amendments (*Ius Constituendum*) also contained in the MPR Decree as a positive legal product is needed to achieve development planning goal. However, it is divided into 3, including the short, medium, and long-term development stages as contained in the RAPELITA in the TAP MPR RI during the New Order era. Therefore, with such a legal product, it is not easy to amend the Constitution of Indonesia.

Furthermore, the Main Products of State Policy needs to pay attention to related sectors that serve as the main agenda in the national development system. Moreover, it needs to be proven by improving various sectors, such as science and technology, industry, information, transportation, culture, religion and belief, defense and security, agriculture, cooperatives, health, tourism, energy development, lighting, forestry, mass media, etc.

The scope formulation recommended by the drafting team is classified based on state objectives as contained in the Constitution preamble of Indonesia, which are

1. Protecting the entire Indonesians,
2. Improve the General Welfare,
3. Educating the people,
4. Participate in World Order.

### **Conclusion**

Based on the discussion, it was concluded that the urgency of the staples of state policy as a legal umbrella for the sustainable development implementation in the context of facing the 5.0 industrial revolution should be postponed. Considering the social developments and the influence of the current globalization, Indonesia needs to embrace the industrial revolution 5.0 and the subsequent version. Therefore, all fields need to be developed, especially in terms of developing sustainable economic law. The development strategy needed involves establishing the Staples of State Policy as a legal instrument stipulated in the form of MPR Decrees, such as the implementation of the GBHN in the past, which was regarded as an effort by the state to protect the people's welfare. This is dependent on the RPJPN instrument that currently exists, irrespective of the fact that it is not an indicator mechanism for monitoring the government's commitment to carrying out their vision and mission in national development.

## References

1. Nasution, A.I., *The Changes Impact on State Ministries Nomenclature Toward National Development Progress*. Veteran Law Review, 2021. 4(2): p. 94-108. DOI: <https://doi.org/10.35586/velrev.v4i2.3159>.
2. Abrianto, B.O., F. Ibrahim, and X. Nugraha, *Reformulating the Concept of State Principles Based on Ideological and Technocratic Strategic as A Sustainable Development Direction*. Law Reform. 16.
3. Zhang, M., *Developments in Inter-Regional Conflict of Laws within China*. Hong Kong LJ, 2018. 48: p. 1097.
4. Fahmi, S. and A. Faridhi, *Limited Amendment Of 1945 Basic Constitution and The Return Of Main State Guidelines*. MIMBAR: Jurnal Sosial dan Pembangunan, 2020. 36(1): p. 84-96. DOI: <https://doi.org/10.29313/mimbar.v36i1.5322>.
5. Sarna, K., *The Existence of Subak in The Legal Politics of Development Program in Bali*. Jurnal Kertha Patrika, 2021. 43(3). DOI: <https://doi.org/10.24843/KP.2021.v43.i03.p02>.
6. Dor, D., *From Englishization to imposed multilingualism: Globalization, the Internet, and the political economy of the linguistic code*. Public culture, 2004. 16(1): p. 97-118. DOI: <https://doi.org/10.1215/08992363-16-1-97>.
7. Giddens, A., *Affluence, poverty and the idea of a post-scarcity society*. Development and change, 1996. 27(2): p. 365-377. DOI: <https://doi.org/10.1111/j.1467-7660.1996.tb00595.x>.
8. Doost Mohammadian, H. and F. Rezaie, *Blue-Green Smart Mobility Technologies as Readiness for Facing Tomorrow's Urban Shock toward the World as a Better Place for Living (Case Studies: Songdo and Copenhagen)*. Technologies, 2020. 8(3): p. 39. DOI: <https://doi.org/10.3390/technologies8030039>.
9. Zinovyeva, T., et al. *Study of The Teacher's Readiness Condition to Implement the Idea of Managing the Personal Trajectory of Professional Development Within the Framework of Digitalization of Education*. EDP Sciences.
10. Javaid, M., et al., *Industry 4.0 technologies and their applications in fighting COVID-19 pandemic*. Diabetes & Metabolic Syndrome: Clinical Research & Reviews, 2020. 14(4): p. 419-422. DOI: <https://doi.org/10.1016/j.dsx.2020.04.032>.
11. Ernst, E., R. Merola, and D. Samaan, *Economics of artificial intelligence: Implications for the future of work*. IZA Journal of Labor Policy, 2019. 9(1). DOI: <https://doi.org/10.2478/izajolp-2019-0004>.
12. Fukuyama, M., *Society 5.0: Aiming for a new human-centered society*. Japan Spotlight, 2018. 27(Society 5.0): p. 47-50.
13. Yamada, A., *Japanese Higher Education: The Need for STEAM in Society 5.0, an Era of Societal and Technological Fusion*. Journal of Comparative and International Higher Education, 2021. 13(1): p. 44-65. DOI: <https://doi.org/10.32674/jcihe.v13i1.1980>.
14. Saiz-Rubio, V. and F. Rovira-Más, *From smart farming towards agriculture 5.0: A review on crop data management*. Agronomy, 2020. 10(2): p. 207. DOI: <https://doi.org/10.3390/agronomy10020207>.
15. Ryo, E., *Deciding to cross: norms and economics of unauthorized migration*. American Sociological Review, 2013. 78(4): p. 574-603. DOI: <https://doi.org/10.1177/0003122413487904>.
16. Davis, J.W., et al., *Motor vehicle restraints: primary versus secondary enforcement and ethnicity*. Journal of Trauma and Acute Care Surgery, 2002. 52(2): p. 225-228. DOI: <https://doi.org/10.1097/00005373-200202000-00004>.
17. Soomro, A., *Dismantling Mid-Century Urban Renewal: A Community-Based Approach for the Future of New York City*. Brooklyn Law Review, 2019. 84(3): p. 6.
18. Allaire, Y. and M.E. Firsirotu, *Theories of organizational culture*. Organization studies, 1984. 5(3): p. 193-226. DOI: <https://doi.org/10.1177/017084068400500301>.
19. Ristyawati, A., *The Effectiveness of Large-Scale Social Restriction Policies During the 2019 Corona Virus Pandemic by the Government in accordance with the Mandate of the 1945 Constitution of the Republic of Indonesia*. Administrative Law & Governance Journal, 2020. 3(2): p. 240-249. DOI: <https://doi.org/10.14710/alj.v3i2.240-249>.
20. Butt, S. and T. Lindsey, *Economic reform when the constitution matters: Indonesia's Constitutional Court and Article 33*. Bulletin of Indonesian Economic Studies, 2008. 44(2): p. 239-262. DOI: <https://doi.org/10.1080/00074910802169004>.
21. Carothers, T., *The rule of law revival*. Foreign Aff., 1998. 77: p. 95. DOI: <https://doi.org/10.2307/20048791>.
22. Barbier, E.B., *The concept of sustainable economic development*. Environmental conservation, 1987. 14(2): p. 101-110. DOI: <https://doi.org/10.1017/S0376892900011449>.

23. Indriati, E.D. *Storage of Functions and Values from Pancasila in Law Enforcement as a Guideline of Life in Community*. Atlantis Press.
24. Jorgenson, D.W., *Information technology and the US economy*. American Economic Review, 2001. **91**(1): p. 1-32.DOI: <https://doi.org/10.1257/aer.91.1.1>.
25. Sidorenko, E.L. and P. von Arx, *Transformation of law in the context of digitalization: Defining the correct priorities*. Digital Law Journal, 2020. **1**(1): p. 24-38.DOI: <https://doi.org/10.38044/DLJ-2020-1-1-24-38>.
26. Tsebelis, G., *Decision making in political systems: Veto players in presidentialism, parliamentarism, multicameralism and multipartyism*. British journal of political science, 1995. **25**(3): p. 289-325.DOI: <https://doi.org/10.1017/S0007123400007225>.
27. Sundar, N., *Unpacking the 'joint' in joint forest management*. Development and change, 2000. **31**(1): p. 255-279.DOI: <https://doi.org/10.1111/1467-7660.00154>.
28. Ginsberg, A. and E. Abrahamson, *Champions of change and strategic shifts: The role of internal and external change advocates*. Journal of Management Studies, 1991. **28**(2): p. 173-190.DOI: <https://doi.org/10.1111/j.1467-6486.1991.tb00276.x>.
29. Yusdiyanto, Y., *Reviving the Broad Guidelines of State Policy (GBHN) as the Product of People's Consultative Assembly (MPR) in the Presidential Government System in Indonesia*. Fiat Justisia: Jurnal Ilmu Hukum, 2018. **12**(4): p. 307-328.DOI: <https://doi.org/10.25041/fiatjustisia.v12no4.1328>.
30. Hespanhol, I. and A.M.E. Prost, *WHO guidelines and national standards for reuse and water quality*. Water Research, 1994. **28**(1): p. 119-124.DOI: [https://doi.org/10.1016/0043-1354\(94\)90125-2](https://doi.org/10.1016/0043-1354(94)90125-2).
31. Ellis, A., *The Indonesian constitutional transition: Conservatism or fundamental change*. Sing. J. Int'l & Comp. L., 2002. **6**: p. 116.
32. Wiles, E., *Aspirational principles or enforceable rights-the future for socio-economic rights in national law*. Am. U. Int'l L. Rev., 2006. **22**: p. 35.
33. Grudin, J., *Groupware and social dynamics: Eight challenges for developers*. Communications of the ACM, 1994. **37**(1): p. 92-105.DOI: <https://doi.org/10.1145/175222.175230>.
34. Pearce, R.G., *The professionalism paradigm shift: Why discarding professional ideology will improve the conduct and reputation of the bar*. NYUL Rev., 1995. **70**: p. 1229.
35. Bitzer, L.F., *The rhetorical situation*. Philosophy & rhetoric, 1968: p. 1-14.
36. Ding, J., et al., *Developing and validating a deep learning and radiomic model for glioma grading using multiplanar reconstructed magnetic resonance contrast-enhanced T1-weighted imaging: a robust, multi-institutional study*. Quantitative Imaging in Medicine and Surgery, 2022. **12**(2): p. 1517.DOI: <https://doi.org/10.21037/qims-21-722>.