

Formatting State Direction in the Context of Indonesia Presidential System

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Abstract: The State's direction as a guide to the development of the nation becomes a terminology that seems to be abandoned, and is sufficiently replaced by the Long Term Development Plan (RPJP) - and Medium (RPJMN). Empirically, the RPJP is considered to be very executive, conceptually in development so far has denied the existence of the People's Consultative Assembly as a symbol of people's representation. This article will answer the question: What is the ideal format of the state's direction in the context of the Indonesian presidential system? Research with qualitative methods has been conducted, and has conducted a series of interviews with constitutional law experts and focus group discussions. The results of this study indicate that the format that has the highest assessment is the format of state direction included in the Constitution, and that the country's direction will be embodied in the RPJMN by the president. This format is the most ideal because it is believed to be able to reflect the voice of the people in forming the direction of the state, contributing to strengthening the presidential system, and having a distinctive character.

1 INTRODUCTION

The purpose of the Republic of Indonesia as stated in the Preamble of the 1945 Constitution of the Republic of Indonesia (UUDNRI 1945) is to protect the entire Indonesian nation and all of Indonesia's bloodshed and to advance the general welfare, educate the life of the nation, and participate in carrying out world order based on independence eternal peace and social justice. These four goals are the spirit of the Indonesian people in stepping up, building and continuously improving the life of the nation. Every dynamics of the life of the Indonesian people must be able to reflect the efforts to embody these four goals.

The four objectives of the establishment of the Republic of Indonesia are still general and therefore must be translated in more detail by the government. Therefore Article 3 of the 1945 Constitution prior to the amendment states that "the People's Consultative Assembly establishes the Basic Law and outlines rather than the state direction". The state direction is a guide for citizens to know the direction of the derivation of the purpose of the establishment of the state, so that the people know the goals and long-term direction that the government wants to do. The

government, with its state direction documents, can convey its technocratic ideal which is complemented by input from the people which in this case is carried out by its representatives in the by the People's Consultative Assembly (MPR, referred to Majelis Permusyawaratan Rakyat).

Nowadays, the dynamics of nationality shows the importance of the state's direction for two main reasons: first, the direction of the state should be a document determining the direction and long-term objectives compiled by all elements of the nation. Therefore the document of the country's direction must be an arena for discussion between the Executive and Legislature; secondly, after the fourth amendment to the 1945 Constitution, the Indonesian people wanted the embodiment of a pure presidential system, which separated the president and parliament separately. This concept provides strong legitimacy to the president along with his staff to design long-term and medium-term development documents autonomously. Autonomy here means that parliament does not have the authority to intervene in the document. The development planning document, an important document as a substitute for the state direction, should be a joint product between the executive and the legislature.

The unification of the executive and legislature in the formulation of state directions (in any form) is a symbol that the direction and objectives of the nation's development are the will of the people and are prepared professionally by the government and its ranks.

Therefore, it is important to ask the question: how is the format of an ideal state direction in the context of the Indonesian presidential system?

2 METHOD

The research looked for the format of the state direction in the context of the Indonesian presidential system carried out using qualitative methods. This method is believed to be able to provide more precise data related to research problems. Data collection techniques were carried out by in-depth interviews, focussed group discussions (FGD), and documentation. In-depth interviews are conducted with experts who understand the concepts of constitutional law, public policy, philosophy and public economics. The FGD has also been conducted twice and has provided many perspectives related to empirical and conceptual experiences about Pancasila and State Policy. Documentation techniques have contributed data related to the implementation of the country's direction in Indonesia. Data analysis was carried out rigorously and thoroughly using interactive data analysis techniques (Miles and Huberman 1992).

3 RESULTS AND DISCUSSION

3.1 The State's Direction is More Than Development Planning

After 2004, the role of State Policy Outlines (GBHN, referred to *Garis-garis Besar Haluan Negara*) was replaced by Law No. 25 year 2004 concerning the National Development Planning System and Law No. 17 year 2007 concerning the 2005-2025 National Long-Term Development Plan. The GBHN seems to have been adequately replaced by a national planning system in the form of a Long Term Development Plan (RPJP, referred to *Rencana Pembangunan Jangka Panjang*) and Medium Term Development Plan (RPJM, referred to *Rencana Pembangunan Jangka Menengah*). This RPJP is an executive product and juridically legal. This study is

important because state institutions and policies greatly influence the level of citizen trust and satisfaction with the government (Bouckaert and Walle 2003; Kampen et al 2006; Aydin and Cenker 2011; Salim et al 2017; Chen 2017). Policy uncertainty also poses a threat to the economy, especially in the investment climate (Wahyuni and Kee Ng 2012).

There are three main reasons that the direction of the country is important to be upheld: first, to ensure that development reflects a comprehensive and sustainable development; Second is a development plan that is able to cover all of the nation's children, which reflects diversity, and cultural background; and Third, the direction of the state as a bond between the nation's children; develop national commitment. Learning from Malaysia, the Malaysian Government is very strong in its efforts to tackle inter-ethnic inequality, conflicts and tensions, as well as the challenges of global trade and economic relations that are realized through comprehensive and sustainable development planning (Akhir and Kim 2015). It is very important to consider the local context in which reform initiatives are adopted, interpreted, accepted, legitimized, and concretized for implementation (Kim and Han 2015). In the local context in America almost all state governments have adopted legislative or administrative mandates to manage results. This mandate requires agencies (executives) to be involved in strategic planning and performance measurement, with the hope that performance information will be used to change decision-making behavior and improve performance (Moynihan 2005). The direction of development reflects the coalition between the executive and the legislature.

3.2 Learning from Turkey

Turkey, which now has a population of around 80 million, has experienced an economic crisis as experienced by countries in Asia in 1999, with an average economic growth of only 3.7% per year. The economy has slumped so that the country in the Asia and Europe region has proposed assistance to the international monetary institution (IMF) to restore the economy, ensure the health and welfare of its people.

Recep Tayyip Erdogan's election as Prime Minister of Turkey in 2002 did not go smoothly because Erdogan came from an Islamist camp, replacing the secular faction that had been in power for almost 90 years. Erdogan launched Turkey Vision 2023, which in 2023 was Turkey's 100th

birthday. His declaration when the Turks were still in turmoil, both in politics and economics. The development of the elected government is able to lift the downturn of the crisis so as to increase public confidence. The government reformed the banking and financial sectors so that the ratio of public debt per gross domestic product (GDP) fell from 75 percent (2001) to 40.8 percent in 2011. Economic efficiency has increased along with the acceleration of the privatization process, fiscal consolidation and inflation control.

This success cannot be separated from the cooperation and mutual understanding between the executive and the legislature. Both institutions minimize differences so that the legislature fully supports the long, medium and short-term policies of the elected government. The formulation and ratification of the law takes place smoothly and in its implementation through a mechanism that has been arranged together with the government work program, Turkish Prime Minister Recep Tayyip Erdogan can run and achieve the optimal target.

Turkey Vision 2023 received full support from the legislature because this was an achievement target that returned Turkish fame to coincide with its 100th anniversary. The target of achieving Vision 2023 is to become one of 10 countries of world economic power, GDP of circa \$ 2 trillion, export value of circa \$ 500 billion, inflation and interest rates of only one digit, and per capita income of US \$ 25,076. Turkey Vision 2023 is a national direction from Turkey's national development, similar to Indonesia's RPJP. Until now, this vision still survives because the people and the legislature are still trusted as partners of the government (Saepudin, 2017; Sandikci et al, 2016).

3.3 Learning from Malaysia

Malaysia since 1971 has carried out an integrated development movement until now. The development strategy is carried out in stages, in 2016-2020 is the eleventh development plan. Development in the medium term is carried out as part of a long process of previous Malaysian development. While MyNDS is a development program launched in 2015 to obtain a high level of economic growth with low

costs. This development is based on people's economy and capital-based.

In the period 1971-1990 Malaysia laid the foundation of its development on poverty alleviation without discrimination. In 1991-2000 put pressure on a balanced development program between the main economic sectors and the region, and reduced the socioeconomic gap between citizens. The development of 2001-2010 was carried out to improve the country's competitiveness. In 2011-2020 the development of Malaysia was emphasized on efforts to encourage high-income economies and reach an established level of citizens. Malaysia's long-term development journey above is not in vain.

The picture above shows the remarkable achievements of Malaysian development. The poverty rate in 1970 was recorded at 49.3% in 2014 with only 0.6% remaining. Malaysia's life expectancy is currently very good at 75 years. If in 1970 the average household income was only RM 264 so in 2014 this figure moved 20 times larger to reach RM 6,141 (around 18 million rupiah). Even though revenues rose, what was even more amazing was that this figure was accompanied by a decrease in the income gap as indicated by the Gini index in 1970 at 0, 513 in 2014 to 0, 401. Malaysian citizens who could enjoy their own homes were 76, 1 percent. The population that has enjoyed clean water is 95, 1 percent, and 97, 6 percent of the residents have enjoyed electricity. These figures show Malaysia is successful in its development. Development that is planned, gradual and sustainable is the key to Malaysia's success in development (O'Donnell et al 2017; Dadzie 2013).

Affirmation of the people's sovereignty which was originally carried out by the People's Consultative Assembly (MPR, referred to Majelis Permusyawaratan Rakyat) through the distribution of power by various state institutions placed the MPR no longer as the highest state institution but parallel with other state institutions. The existing constitutional politics places the position of the GBHN as the basis of the politics of development policy as stipulated in Article 3 of the 1945 Constitution to end. Politics and the direction of national development subsequently changed through the 20-year National Long-Term.

Table 1: Assesment of state policy formation.

Total Value		12	12	14	12	12
Indikator	People Representation	1	1	1	3	5
	People Representation	5	5	5	3	1
	People Representation	1	1	3	3	5
	People Representation	5	5	5	5	5
Format name		State Direction entered in the 1945 Constitution of Republic Indonesia, The People's Consultative Assembly (MPR) as the supervisor	State Direction entered in the 1945 Constitution of Republic Indonesia, The People's Consultative Assembly (MPR) as the supervisor	State Direction entered in the 1945 Constitution of Republic Indonesia, The People's Consultative Assembly (MPR) as the supervisor	State Direction entered in the 1945 Constitution of Republic Indonesia, The People's Consultative Assembly (MPR) as the supervisor	State Direction entered in the 1945 Constitution of Republic Indonesia, The People's Consultative Assembly (MPR) as the supervisor

Development Plan (RPJPN) which was outlined in the form of a law. Existing constitutional politics then resulted in Law Number 25 year 2004 concerning the National Development Planning System (SPPN) and Law Number 17 year 2007 concerning the National Long Term Development Plan (RPJPN) of 2005-2025.

Regarding the above, to simplify the assessment of the best format that can be chosen as an ideal format for the direction of the country, indicators or assessment criteria are needed. The assessment criteria are people's representation, pure presidential strengthening, the construction of a typical system in accordance with the national identity, and the formation process. The representation of the people means that the direction of the state must be formed by the most representative institution representing the voice of the people, the higher the representation the higher the value and vice versa. Pure presidential strengthening means that in this decade, efforts have been made to uphold a purely presidential system in the Indonesian state system. Therefore, the bigger the format supports the presidential system, the higher the value, and vice versa. While the development of a typical system in accordance with the national identity is the format that is designed must have a distinctive character that is in accordance with the context and values adopted by the Indonesian people. So the more typical, the higher the value and vice versa.

The formation process is to assess the formation of the state direction as seen from the process of its

preparation, the faster the higher the value, and conversely the longer and complicated the process the lower the value.

There are at least five models that can be developed as a format for state direction, which is:

The first format, describing the direction of the state is the will of the people so that it must be determined by the institution that is closest to the sovereignty of the people. Integrated and sustainable planning and development strategies must have a clear boundary, driving force and monitoring mechanism. The state direction stipulated in the Constitution will provide a special position for the state direction. The direction of the state will be seen as a guide for development in all sectors and fields, to be the spirit of development and can be seen by other nations in an open and accountable manner. The MPR in this alternative was given the authority to determine the state direction, so that the format was almost the same as the GBHN format in the original 1945 Constitution. The state direction that will be determined is certainly different from the concept of the state direction on the previous GBHN which tends to be centralized in the central government.

The second format is almost similar to the first format, the difference is only on the supervision side. If in the first format direct supervision is carried out by the MPR, then in this second format, supervision is carried out by the DPR, as one of the functions that is inherent in the DPR, namely overseeing the executive's course.

The third format is the state direction as a form of the people's will must be produced by a representative state institution, namely the MPR. The country's direction was later made a direction by the president in drafting the National Medium Term Development Plan (RPJMN). The President in carrying out its development must refer to the direction of the state but can still color the RPJMN with the political vision and mission presented in the campaign, and position the DPR as a supervisor. This format is close to ideal, while maintaining a pure presidential system, but directing the president to follow the will of the people in the direction of the state.

The fourth format is a document that can be referred to together as a development plan and strategy and acknowledged as a manifestation of the will of the people so it does not have to be in the degree of having to change the Constitution and include a clause for the establishment of the state direction by the MPR. The document of the country's direction is quite in the form of a Law because all this time the formation of the law has been agreed "enough" to legitimize the will and sovereignty of the people. State direction will be a document that must be referred to in national and regional development. If the country's direction is agreed upon in the form of a law then Law Number 25 of 2004 concerning the National Development Planning System and Law Number 17 of 2007 concerning the National Long Term Development Plan for 2005-2025 must be reviewed.

The Fifth Format (Status Quo) is the development plan and strategy contained in Law Number 25 of 2004 concerning the National Development Planning System and Law Number 17 of 2007 concerning the 2005-2025 National Long Term Development Plan which is a maximum effort about integrated and sustainable development plans and strategies. The main problem so far about development in Indonesia is believed not to be in the level of the documents referred to but rather in the implementation. Both laws are considered to be sufficient to protect the will of the people and integrate development between regions, levels of government and the development sector.

Based on the assessment table 1., it can be seen that the highest assessment format is the format of state direction included in the Constitution, and that the country's direction will be embodied in the RPJMN by the president. This format is the most ideal because it is believed to be able to reflect the voice of the people in the formation of the GBHN,

also strengthens the presidential system, and has a distinctive character.

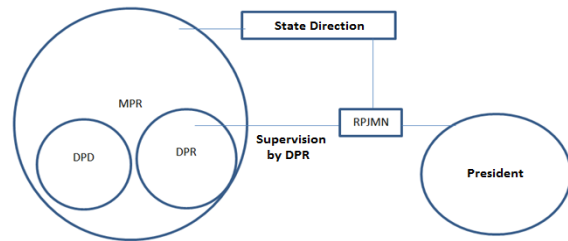


Figure 1: The state directions is regulated by MPR, the realized by the President through RPJMN and viewed by DPR.

Caption: DPR is The Legislative Assembly, DPD is The Regional Representative Council.

The history of a nation continues to run, efforts to improve existing weaknesses are reconstructed through four times amendments of the 1945 Constitution. The basic politics and direction of development and the system of state directions set by the MPR are shifted through a law-forming system that has now been running for more than a decade of governance. Following the reconstruction of the interpretation of the constitution after the amendment to the 1945 Constitution, the direction of development policy was actually downgraded into a legal system whose hierarchical position was under the MPR decree. Even the implementation and basis of national development are implemented in a lower level of presidential regulations and ministry strategic plans.

Based on the political history, many national states formulated about the state law of Pancasila. However, in many ways the idea of a Pancasila legal state tends to deny the position of the MPR as part of the Pancasila state law history idea as revealed by Soepomo who introduced the principle of kinship and realized it in an institution called the MPR and DPR. Early history which was later manifested in the 1945 Constitution prior to the amendment, the position of the MPR was placed in an honorable position as the basis for the five-year mechanism of the state direction. Therefore, the reconstruction of the Constitution which shifts the position of the MPR as a form of direction and state policy has actually shifted from the concept of the rule of law to Pancasila.

Empirical practices of translating Pancasila values as the foundation and direction of development through the establishment of laws, Presidential Regulations and Ministry Strategic Plans as if only the government (executive). Whereas the issue of state direction is more than a

matter of executive direction and policy, but also the direction of political development in the DPR and legal development in the judicial institutions and other state institutions. The translation of Pancasila values has historically practically shifted through the strengthening of a system of separation of powers which undermines the historical idea of the principle of kinship which was sparked by the founders of the state.

Both the National Development Planning System (SPPN) and the National Long-Term Development Plan (RPJPN) which are packaged in the form of legislation are seen as too stressful to the limited perspective of the elected President which is expressed through the vision and mission when nominating. This implies the emergence of disparities in the development process in various regions and the disappointment of many parties because the output and outcome of the development process are not in accordance with what the constitution mandates. The implication obtained is the potential for discontinuation of development results with the values of Pancasila as the nation's ideology. Development must reflect a combination of two types of policies, evidence-based policies and performance management (Heinrich 2007; Triantafillou 2015).

Based on empirical experience and historical understanding of the translation of the 1945 Constitution before the amendment. The issue of Pancasila values is not just how to translate 'five precepts' as the basic values of Pancasila. The values of Pancasila openly can be included in the basic values that have been expressed by the founders of the nation in the form of a written constitution, including the position of the institution and the functions that have been outlined. In this construction of thought, the position of the MPR as the highest institution and forming the direction of the country's policy direction does not need to shift its constitutional position. Political will to strengthen the presidential system, the need to expand the protection of human rights, or the desire to strengthen the independence of the judiciary can still be carried out.

In the ideal perspective of the above, the translation of Pancasila values is carried out by the MPR as the highest institution of the country for the direction and policy of all high state institutions, both the government, the DPR and judicial institutions. Construction of the separation of powers as one of the elements of the rule of law remains fulfilled. However, the direction of national development policy is not partial in character as the

direction of executive development policy alone. The main points in the development policy outlined in the MPR decree can be a joint reference between the government and the DPR. It does not matter whether the initiation of the law comes from the government or from the DPR.

The above thoughts have consequences on the need to reconstruct the amended Constitution. However, formally this is not an ahistorical idea in which the translation of Pancasila values in the direction of the state is only related to the formal form of state direction in the 1945 Constitution, or the development planning system in the formal form of the current law. Reconstruction as an ideal idea of translating Pancasila values in the direction of the state can instead accommodate the conflict between the two. In this case the Constitution as the basis for the implementation of state life is part of the meaning of the state direction in the broadest sense. Thus the provisions of Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia that "sovereignty is in the hands of the people and carried out according to the Constitution" can still work without denying the position of the MPR which historically is part of the translation of Pancasila values in the state system.

4 CONCLUSIONS

The values of Pancasila as the direction of many development policies are interpreted as the embodiment of the basic values of the 'five precepts' contained in the opening of the Constitution. Existing interpretations practically leave the constitutional values historically translated by the founders of the state as a manifestation of Pancasila values. Existing interpretations then bear fruit in the downgrade of the MPR's position as a high state institution and forming the direction of development policy as a state direction. This then continues to decrease the direction of development policy only in the unilateral position of the law, Perpres and ministry's strategic plan, and partially even opens up opportunities to distance the policy direction from the values of Pancasila itself. Before preparing the state direction that will be used in the future, a thorough study or evaluation of the implementation of the RPJP and RPJMN is needed that has been and is being carried out by the government. After obtaining the results of the study carefully and comprehensively, then prepared carefully and carefully the state direction that rests on the aspects of the people's will in building and aspects of

professional consideration of experts in the field of development planning. The ideal format to encourage the state's direction as a guide to national and regional development plans and strategies in a more integrated and sustainable manner must be carried out with care to the national and regional political aspirations and constellations. This is done so that the changes made get the support of the people consciously and responsibly.

Comprehensive studies on the evaluation of the implementation of the RPJP, RPJMN, and national and regional development needs must be carried out as a basis for the decision to form a state direction. The Indonesian government system must be structured according to the character and needs of the Indonesian nation itself, so that the formation of a state direction that is considered an effort to weaken the pure presidential system is not worthy of being accepted in its entirety. The ideal format in the formation of the state direction is that the state direction is included in the Constitution, and the country's direction will be embodied in the RPJMN by the president and supervised by the DPR (figure 1). This format is the most ideal because it is able to reflect the voice of the people in the formation of the GBHN, also strengthens the presidential system, and has a distinctive character.

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