

State Policy Direction and The Future of The Country

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Abstract The world is changing so fast. The conventional power such as country, government and other things are started to shift. The idea to bring back the State Policy Direction academically is also supported by the practical experience by several countries such as Tiongkok, India and Thailand. In Indonesia, the vision and the outline of the State Policy Direction is already there since the early independence. This research purpose to answer whether or not State Policy Direction is still relevant in determining the direction of development in Indonesia. How is the interest battle in the politization of this nation's direction? Who has the most power to decide the nation's direction at last? This research used descriptive-explanative qualitative research method by doing literature studies. Based on the research result, the State Policy Direction is still relevant and it still has to answer the big direction which will be pursued by this country even until a hundred years ahead. The formulation of the country's direction in politization of policy can be done in three scenarios. The first scenario, giving authority to People's Consultative Assembly to establish the State Policy Direction. The second scenario, State Policy Direction is established through Constitution. The third scenario, as a middle ground, State Policy Direction will be divided into two, which are as State Policy, established by People's Consultative Assembly, and the national development planning system in Constitution. The State Direction is covering the long period of time involving nation's life aspect, meanwhile the national development planning system with limited period of time and focus on the economy development.

Keywords: *state policy direction, policy, indonesian law*

I. INTRODUCTION

The book writer of "The Next 100 Years", George Friedman who also wrote "The Next Decade". In 2020-2030, Friedman predicts there are three strategic matters related to the future of United States of America.

"The first is tension between the American empire and the American republic. The second is the character of the president needed to manage the unintended and unwanted empire while preserving the republic. The third is forecast of the world in which we will be living during this decade"[1].

Based on his prediction, Friedman suggests that United State of America should prepare themselves including in terms of choosing their leader to manage the American republic empire which are not unintentionally aspired but it is the nature of the history. United States of America should maintain the chaos situation in Islamic countries, the new-born power in Russia,

the morose and riven Europe and the multi-complex problem of China.

"In addition it must find the path out of the current economic problems, not only for itself but for the world. We should also remember that while the American economy might be battered at the moment, it is still almost 25 percent of the world's economy, and US investments and borrowing swap the world"[2].

The desire to predict and anticipate the future well is also being processed in Indonesia nowadays. People Consultative Assembly of Indonesia is now preparing the Ad Hoc Committee who will examine the State Policy Direction. This preparation of the State Politic Direction is following up the "reformulation of the national development planning system with State Policy Direction" program, which comes from the recommendation of People Consultative Assembly of Indonesia during the period of 2009-2014 which accommodated with the decisions number VI in 2014. If the presents of future planning system of the states is needed, it can be done by doing amendment of UUD 1945 through addendum.

In theory, Ismatullah confirms the change of constitution should be seen as a compulsion of state administration to escalate the efficacy of the state enforcement. According to the recommendation of People Consultative Assembly of Indonesia 2009-2014, it is also already being reminded that the political situation among the issue of the amendment related constitution. First, the aspiration which assumes the constitution needs to be perfected to follow the dynamics of society development. Second, the aspiration that argues that it is less precise if right now the changes are made again. Third, the aspiration that disagree regarding the amendment that already being done and wanting back the previous version of UUD 1945 [3].

Mahfud assess that even if amendment which has been done already fix our administration system but the chance of the next amendment can be done in the future should be freely open to pursue the perfection as long as it is done with the right procedure according to the constitution and keep exercising the consequent of UUD which still prevails before there's further amendment [4].

The adjustment of constitution with the very fast development is also being reminded by Richard Falk who in

his book "Powers Shift on The New Global Order" mentions: *"New Constitutionalism is the complex framework that systemizes the norms, prevailing practices, and institutional procedure designed to produces order favored and generated by dominance economic and political elites, whether presiding over governmental structures and administering a range of non- state actors, especially those that are marked based."*[5].

This research is done to answer whether or not State Policy Direction is still relevant in determining the direction of development in Indonesia. How is the interest battle in the politization of this nation's direction? Who has the most power to decide the nation's direction at last?

II. RESEARCH METHOD

This research used descriptive-explanative qualitative research method by doing literature studies, in various relevant written material with this research.

III. RESULTS AND DISCUSSION

A. The Importance of State Policy Direction

The world is changing so fast. It is supported by the massive information technology which makes the world management is also changing. The conventional power such as country, government and other things are started to shift. The role of formal power is decreasing not because the changes of information technology like facebook, twitter and others because all of them are only the media. Moises Naim, in his book "The End of Power" wrote :

"First and foremost among the drivers of protest was the democratric reality of young people in countries like Tunisia, Egypt, dan Syria, people who are healthier and better educated than ever before but also unemployed an deeply frustrated"[6].

The spirit to contrive the future of a better country is initiated by Indonesian academic community which is Indonesia Chancellor Forum (FRI). Polically, this idea is also gaining support by the biggest political party in Indonesia, PDI Perjuangan.

FRI has done the academic text about State Policy Direction in Mei 2014. The leader of FRI, Ravik Karsidi said that without the State Policy Direction, which is given to the chosen president, it will feel like the administration system only give a blank paper which can be filled by the leaders who are chosen directly.

With the State Policy Direction, it can give the direction in terms of country enforcement and development to pursue the democratic life, social justice, human rights protection, establish the supremacy of law in the society and state order which is civilized, noble, independent, free, developed and prosperous.

The idea to bring back the State Policy Direction academically is also supported by the practical experience by several countries. Basis Susilo mentioned several countries which successful to rely on the vision and the outline of development and faithfully make it happen such as Tiongkok,

India and Thailand. Even since the People's Republic of China which born in 1949, Mao Tse-Tung was decided to beat United State of America in 2049. In 1953, Tiongkok has five-year development plan and now is the 12th development plant (2011-2015). The substitute of Mao, Deng Xiaoping until Xi Jinping also has a dream to beat United States in 2049. Even in 2005, there's target to proclaim Japan in 2025, in 2080 can be developed countries like United State of America and in 2100 can be the superpower country to replace United State of America [7].

Meanwhile India has five-year development plan since 1951 and now it is the 12th five-year development plan (2012-2017). The target is pretty clear which are multiply the farming products, provide the adequate energy and establish the electric power, abolition of illiteracy, social security and health for all the people, development of e-governance to promote education, growth of nuclear technology, aerospace technology and land technology.

In Indonesia, the vision and the outline of the State Policy Direction is already there since the early independence. Before the new order, there were ten-year plan, five-year plan and National Development Plan. In the new order, there were the State Policy Direction, National Development Program, Regional Development Program and five-year development plan.

The Chairman of PDI Perjuangan, Megawati Sukarnoputri supports the idea to bring back the authority of People Consultative Assembly of Indonesia to decide the long-term program such as the State Policy Direction. It is also supported by not only the President of Indonesia, Joko Widodo, Golongan Karya, Gerindra Political Party, Amanat National Political Party, Nasional Demokrat Political Party and even Regional Representative Council of Indonesia.

The idea to bring back the People Consultative Assembly of Indonesia as the highest institution in the country has ever been thrown when there's public lecture in National Resilience Institution in the late Mei 2015. Megawati affirms that People Consultative Assembly of Indonesia can't be equated with House of Representatives, Regional Representative Council and Presidential Institution. "Why we can't give their dignity back and what People Consultative Assembly is for? It can be seen clearly that it should be the highest institution." Said him [8].

According to the outline of Assessment Body of People Consultative Assembly maps the urgency of the model of national development planning as follows. First, the State Direction Policy is needed as the direction guide of sustainable national development. Second, the development planning of State Policy Direction model is needed as the integrated system of national and regional. Third, the development planning system which based on society sovereignty is needed. People Consultative Assembly is considered as the righteous institution to produce the State Policy Direction which contains planning in strategic level. Fourth, the State Policy Direction is seen as urgent matters to make sure that the

process of national development is the manifestation and the implementation of the state ideology and the Pancasila as the philosophy of the country.

Kaelan argues that the long-term and mid-term development which ever been termed with the State Policy Direction should be placed as the concrete realization of implementation of Pancasila [9].

The importance of GBHN is put forward by Latif which mentioned in order to pursue the national goal which listed in the opening of UUD 1945, it needs to be leaned on three fundamental consensus which are Pancasila as the basic philosophy, UUD as the law or the basic norm and the State Policy Direction as the basic policy.

Meanwhile the law product of the State Policy Direction which is mostly supported is the Provisions of People Consultative Assembly. Even though there's who proposed the State Policy Direction should be lifted in the constitution and also there are who proposed that it is enough to put in under the constitution. It is also proposed for the Provisions of People Consultative Assembly about the State Policy Direction should be made as the weighing matter for the lower status level of development planning documents, for instance to be made through the constitution.

B. State Policy Direction as a Politic Result

Seeing the consideration as procedural and substasial, people's aspiration to demand the State Policy Direction reformulation, as a politic result, it is worthy enough to be manifested. From the political law is pursued in a form product of law and a it is a big enough likelihood to lead to an authorization to People Consultative Assembly in order to establish the State Policy Direction, like the authority before the amendment of 1945 Constitution.

The Report from the Assesment Body that has been delivered in the joint meeting on August 22 2016 gives emphasis toward the reformulation of National System Development Planning on State Policy Direction model and the rearrangement of People Consultative Assembly authorities, also it also contained the result of authority rearrangement assesment of Regional Representative Council, rearrangement of judge authority, also revitalization dan reactualization of Pancasila. As the outline, the result of the assesment mentioned that State Direction Policy is needed as a guidance of the direction of implementation of a sustainable national development.

The national planning development with State Policy Direction model is needed as an integrated national and regional planning system. A sustainable system development planning based on sovereignty is needed, because of that People Consultative Assembly is the most appropriate to produce the State Policy Direction which consist of planning on strategic level. State Policy Direction is considered urgent to make sure that the national development process is an ideology manifestation and implementation of nation's ideology and Pancasila philosophy. Meanwhile the form of the

law product that is most supported is the decision of People Consultative Assembly.

There is a proposal to appoint State Direction Policy to be part in Constitution, there is also a proposal that say it is enough to be put in regulations only. It is also proposed that the decision of People Consultative Assembly about State Policy Direction should be as test aid for the documents of development plannin with lower status, for example it is form through regulations.

Regarding the law punishments, if State Policy Direction is not done by the government or other nation's body, varied. It is assumed that State Policy Direction as the product of law that should be guarded and if it is not executed or not well-executed, a law punishment can be given. However, there is a regard that assume State Policy Direction as a political document therefore the punishment would be political, for instance, the abolishment of right to be chosen in the upcoming election. Even though it is not dominant, there also doesn't agree about the product model of State Policy Direction because it contradicts with presidential governmental system.

The conclusion of the assesment about the rearrangement of People Consultative Assembly of Indonesia, even though it is colored by debates between returning it as the highest body in the country ot not, there is a strong aspiration to give the authority to the People Consultative Assembly to make a decision that is regulatory. With that authority, People Consultative Assembly can decide the State Policy Direction. Even though, there's an opinion, before the amendment, there was no regulations about People Consultative Assembly authority to make a decision, it can be done practically. The core recommendation about the arrangement of Regional Representative Council is to give an authority to legislative body, supervision and a full consideration, even though it is limited to only related department with regional autonomy reinforcement.

The People Consultative Assembly reinforcement by giving an authority to make a decision can go hand in hand with reinforcement of Regional Representative Council as an inseparable part from People Consultative Assembly, also compete the People Consultative Assembly position as a combination of House of Representatives, a representative body in politics, with Regional Representative Council which a representative from territorial aspects. Moreover, if we take a look at the recommended design of People Consultative Assembly Decision IV/2014, the priority of the state administration rearrangement system are in the two national body, which are People Consultative Assembly and Regional Representative Council.

Therefore, if the upcoming amendment agenda is focused to ease the deal, then at the very least, the reinforcement of People Consultative Assembly which is giving the authority to establish the State Policy Direction should be one package with Regional Representative Council reinforcement.

C. Depends on Political Party

To respond the aspiration which developing among the society and also considering the suggestion and insights from the professionals, academicians, public figures, Assessment Body of People Consultative Assembly in their reports which have been delivered in the joint meeting on August 22nd 2016, give emphasis on the reformulation national development planning system with the State Policy Direction of People Consultative Assembly model, tried to seek for the agreeable way to fulfill the need to administration system through the UUD and at once also answer the society who want to restore the UUD 1945 before the amendment. At the very least, bringing back the basic principal which have been eliminated during the amendment which is regarding the existence of the State Policy Direction and the authority of People Consultative Assembly of Indonesia who makes the provisions organized. The most agreeable way is to set the State Policy Direction which are the long-term future planning document, thorough and involve all state institutions. Meanwhile, the operational will be followed up with the State Policy Direction documents which can form as constitutions.

The bole has been set, the next step depends on the member who will be organized by each fractions or the groups of Regional Representative Council to follow up the recommendation which have been produced by the Assessment Body of People Consultative Assembly. Anything which are proposed by the groups of fractions and Regional Representative Council which can be considered as the agenda to achieve perfection of the country administration system. Because in the article 37 UUD 1945 after amendment requires the minimum support for proposal should be proposed by one-third of the members of People Consultative Assembly by clearly mentioning the reason why the article should be changed, the result of change and the reason behind the changing. There's no fraction or even groups in People Consultative Assembly who have more than 231 members. Therefore, it needs a cooperation to propose a change.

Finally, the political decisions to activate the State Policy Direction will depend on the deal between fractions and the groups of People Consultative Assembly. From the total member of People Consultative Assembly which are 629 people, there are 132 people who are consist of the groups of Regional Representative Council, PDI Perjuangan fraction 109 people, from Golongan Karya 91 people, from Gerindra 73 people, from Demokrat 61 people, from Amanat Nasional political party 49 people, Kebangkitan Bangsa political party 47 people, Keadilan Sejahtera political party 40 people, Persatuan Pembangunan political party 39 people, Nasional Demokrat political party 35 people and Hanura political party 16 people and there's no fraction or groups can give a single proposal.

If the political party wants to take a role in the state future planning, this is a good insight from Moises Naim to be pondered:

"Restoring trust, reiventing political parties, finding new ways in wich average citizens can meaningfully paticipate in

political process, creating new mechanisms of effective governance, limiting the wors impacts of checks and balances while averting exessive concentrations of unaccountable power, and enchancing the capacity of nation-states to work together should be the central political goals of our time" [10].

IV. CONCLUSION AND RECOMMENDATION

The strength political attitude in People Consultative Assembly regarding the position of law form of State Policy Direction, if it is finally decided, to back in the state administration as follows.

First, all fractions and Regional Representative Council declare an agreement on national system reformulation development planning with State Policy Direction model as the guidance of nation's execution. Second, PDIO, PAN, PKB, PPP, Nasem, Hanura and Regional Representative Council states that the form of law for the planning development system is in People Consultative Assembly Decision. Third, Demokrat Party states, the form of the law is the Constitutions. Fourth, Golkar and PKS Parties state, they can accept all forms of in People Consultative Assembly Decision or Constituion form. Fifth, Gerindra states, it can accept the in People Consultative Assembly Decision but in the mean time, the completion and harmonization several existing regulations can be done.

The fraction attitude and Regional Representative Council can be categorized into three scenarios. The first scenario, giving an authority to People Consultative Assembly to establish State Policy Direction. Of course by returning the position and People Consultative Assembly as how it was before the amendment or as a part of the fifth change of 1945 Constitution. The change will follow the regulation on Article 37 1945 Constitution and addendum system. The State Policy Direction can't be used as an instrumen to ask for President responsibility.

The second scenario, the State Policy Direction is established through Constituion. Remembering a limited amount of time, People Consultative Assembly of Indonesia can recommend it to President, Parliament and Regional Representative Council to prepare the State Policy Direction in a constitution form. The third scenario, is a middle ground, the State Policy Direction will be divided into two, the nation's direction is a macro-level guidance, or state policy, established by People Consultative Assembly, which in a form of National Development Planning System in a form of constitution. The naiton's direction involves a further period of time and all planning aspects of nation, meanwhile the National Development Planning System is with a more limited period of time and focus on economy development.

The country direction needs to answer a big direction that should be accomplished in the fifty ot hundred years ahead, for instance, to choose to become an agricultural country, maritime country or industrial country, the combination of all, or a step by step merging. Then, the detailing of short priod of

time program through a more flexible and practical development direction. Until right now, Indonesia hasn't succeed to maximally utilize its potential as archipelago country, so the long and short term strategy should be prepared well. A more clever long-term planning can affect controversy during defining the program for short-term development.

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