



THE DIRECTION OF LEGAL DEVELOPMENT IN THE NATIONAL DEVELOPMENT PLAN, REFERENCING LAW NUMBER 17 OF 2007 CONCERNING THE NATIONAL LONG-TERM DEVELOPMENT PLAN 2005-2025

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ABSTRACT

Legal development in Indonesia is a strategic issue within the framework of the 2005–2025 National Long-Term Development Plan (RPJPN), as stipulated in Law Number 17 of 2007. The RPJPN replaces the General Guidelines for State Policy (GBHN) system after the amendment to the 1945 Constitution, by placing law as one of the pillars of development. This study aims to analyze the legal position of the RPJPN in the constitutional law system, evaluate its effectiveness as a guideline for national and regional legal development, and examine the harmonization between the RPJPN, the National RPJM, and regional development planning. Using Lawrence M. Friedman's legal system theory, this study examines three main elements, namely structure, substance, and legal culture in supporting the implementation of the RPJPN. The results of the study indicate that although the RPJPN has a strong legal basis, its implementation is often hampered by structural weaknesses, insynchronization of policies between levels of government, and low legal culture in society. Harmonization between the RPJPN, the National RPJM, and regional planning requires intensive coordination to ensure that the vision, mission, and objectives of the state in the Preamble to the 1945 Constitution are achieved. Periodic evaluation, transparency, and community participation are the keys to success. This study recommends an integrative approach that strengthens the capacity of local governments, increases community legal awareness, and ensures that national legal policies reflect the values of social justice. Thus, the RPJPN can be an effective instrument in the development of sustainable, fair, and responsive law to community needs.

Keywords: National Legal Development, National Long-Term Development Plan (RPJPN), Coordination of Central and Regional Governments.

1. Introduction

Throughout the history of Indonesia's state structure, the Indonesian Constitution has been amended several times. This has resulted in major shifts in the process of determining the direction of national legal development. This is based on the political transformations that have occurred in Indonesia's history, particularly the shift from an authoritarian political system to a

¹ **Submission:** 25 December 2024 | **Review-1:** 30 December 2024 | **Publish :** 3 January 2025

democratic one. As the political configuration changes, the model and nature of legal products also change. The political changes that lead to legal changes also impact changes in higher legislation, such as the Decrees of the People's Consultative Assembly and the 1945 Constitution.

The agenda or product of the reform is the Amendment to the 1945 Constitution. At the 1999 MPR General Session, the 1945 Constitution was amended with the First Amendment in 1999, the Second Amendment in 2000, the Third Amendment in 2001 and the Fourth Amendment in 2002. The form of the amendment used the same pattern as in the United States, namely by amendment.² The institutional system of the State was changed by this change, including the position of the MPR which resulted in the loss of the MPR's authority to create the General Outlines of State Policy (GBHN).

During the New Order, the MPR established the General Guidelines of State Policy known as GBHN, as a standard for the country's progress. In the form of an MPR Decree established every five years, GBHN is the state's policy on state administration as a statement of the people's will in a comprehensive and integrated manner. The position of the MPR Decree is a state decision which is a law in the field of state administration and has binding external force.³

With the Amendment to the 1945 Constitution which changed the role of the president and the MPR, the GBHN has been replaced by Law Number 25 of 2004 concerning the National Development Planning System (UU-SPPN), which will then regulate the National Long-Term Development Plan known as the RPJPN. With the issuance of Law Number 25 of 2004 concerning the National Development Planning System (SPPN), the legal form that regulates the development planning roadmap changed from MPR regulations to laws and its nomenclature also changed from GBHN to SPPN.

² Jimly Asshiddiqie, *Format Kelembagaan Negara dan Pergeseran Kekuasaan Dalam UUD 1945*, FH UII Press, Yogyakarta, 2004, page 6.

³ Jimly Asshiddiqie, *Konstitusi dan Konstitusionalisme Indonesia*, Sinar Grafika, Jakarta, 2010, page 265.

The function of these two laws is actually the same, namely to be a benchmark for the direction of Indonesia's development both at the central and regional levels. The RPJPN lasts for 20 years, from 2005 to 2025.

The dialectic of legal forms does not only discuss the legal forms stipulated through the MPR Decree or Law, there are also those who argue that the state policy should be included directly in the Indonesian constitution, namely the 1945 Constitution of the Republic of Indonesia. This is based on the idea that, if the regulation of state policy is regulated in the constitution, then of course the degree of regulation is certainly higher than if it is only regulated in the MPR Decree or Law, so that compliance from the executive, legislative, and judiciary is expected to be higher. When compared to countries such as Ireland and India, this opinion is even stronger, because these countries have state policies that are directly regulated by their constitutions.⁴

The National RPJP is an elaboration of the objectives of the establishment of the Indonesian State Government as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia, paragraph four, which has been stipulated by Law Number 17 of 2007 concerning the 2005-2025 RPJPN. These objectives are to protect all the people and all of Indonesia's territory, advance public welfare, educate the nation's life, and participate in implementing world order based on independence, eternal peace, and social justice which are then compiled in the form of a formulation of the vision, mission and direction of National Development.

Next, a derivative of the RPJPN known as the National Medium-Term Development Plan (RPJMN). According to Law Number 25 of 2004 concerning the National Development Planning System, the President and Vice President are authorized to formulate the direction and strategy of national development for a five-year period, which includes the National

⁴ Jimly Asshiddiqie, *Konstitusi Ekonomi*. Jakarta: Kompas Media Nusantara, 2010, hlm. 107.

Medium-Term Development Plan (RPJMN). Five years is the term of office of the President of the Republic of Indonesia which includes the vision, mission, and development programs of the elected president.

In the same way, regions that are required to create a Regional Long-Term Development Plan (RPJP Daerah) and a Regional Medium-Term Development Plan (RPJM Daerah) must refer to the RPJPN. The 2005-2025 Regional Long-Term Development Plan is a regional development planning document for a period of 20 (twenty) years from 2005 to 2025, while the Regional Medium-Term Development Plan is a regional development planning document for a period of 5 (five) years which is an elaboration of the vision, mission, and programs of the regional head guided by the RPJP.

In the 2005-2025 RPJPN Law there are several development areas, including: (a). Socio-Cultural and Religious Life (b). Economy (c). Science and Technology (d). Facilities and Infrastructure (e). Politics (f). Defense and Security (g). Law and Apparatus (h). Region and Spatial Planning (i). Natural Resources and Environment.

According to the 2005–2025 RPJPN Law, the national development program in the legal field is the government's legal policy. This is the government's policy to implement development in the legal field.

Based on the background above, the author thinks it is interesting to conduct research and specifically this research aims to answer three main problems: 1. What is the legal position of the RPJPN and RPJMN within the framework of constitutional law, and to what extent is its success as a guideline for national and regional development?, 2. How can Lawrence M. Friedman's theory of legal structure, substance, and culture be used to analyze the implementation and effectiveness of the RPJPN as part of the government's legal policy?, 3. How can the harmonization between the RPJPN, the National RPJM, and regional development planning be maintained in accordance with the vision, mission, and objectives of the state as stated in the Preamble to the 1945 Constitution of the Republic of

Indonesia? By discussing these three main problems, it is hoped that the objectives of this research can be answered, namely to analyze the legal position of the RPJPN and RPJMN within the framework of constitutional law, and to evaluate its effectiveness as a guideline for national and regional development. Second, to identify and apply Lawrence M. Friedman's theory of legal structure, substance, and culture to analyze the implementation and effectiveness of the RPJPN as part of the government's legal policy. The third is to examine the harmonization between the RPJPN, the National RPJM, and regional development planning to ensure alignment with the vision, mission, and objectives of the state as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia.

In this writing, the author will certainly analyze or dissect the RPJPN using Lawrence M. Friedman's theory on the influence of Substance, Structure, and Culture.

According to Lawrence M. Friedman, law as a system consists of three components: (a). Legal structure system which includes legislative institutions and law enforcement institutions (police, prosecutors, courts, and correctional institutions). (b). Legal substance system which includes all legal products in the form of laws and regulations. (c). Legal culture of society which includes values, norms, ideas, perceptions, opinions, beliefs/religion, behavior and also includes society's expectations of the law.

2. Reseach Method

In this study, the author uses a normative legal research method with a conceptual and legislative approach. This method is used to analyze legal aspects related to the direction of development in the legal field in the RPJPN based on Law Number 17 of 2007, and to compare it with relevant legal theories. Conceptual Approach, This approach is used to understand legal theories that support the analysis, such as Lawrence M. Friedman's legal system theory (structure, substance, and legal culture) which is the framework

for the analysis. The Legislative Approach, is used to examine the legal norms contained in Law Number 17 of 2007 concerning the 2005-2025 RPJPN and Law Number 25 of 2004 concerning the SPPN, as well as other related legal products.

Related to the legal materials in this study are divided into Primary legal materials, namely the 1945 Constitution of the Republic of Indonesia, Law Number 17 of 2007, Law Number 25 of 2004, and other regulations. Secondary legal materials, namely relevant literature, books, journals, and scientific articles and tertiary legal materials, namely legal encyclopedias and legal dictionaries. Data collection was carried out through literature studies by tracing legal documents, academic journals, and relevant literature sources to support the analysis. Data analysis was carried out using qualitative methods to interpret legal norms, theories used, and their suitability with the practice and implementation of the RPJPN in the legal field.

The normative legal methodology was chosen because this study focuses on the analysis of legal documents that regulate the direction of legal development in the RPJPN. The legislative approach provides a strong foundation for understanding legal norms, while the conceptual approach provides a theoretical framework for examining their implementation and effectiveness. The results of this analysis are expected to provide a comprehensive picture of the role of the RPJPN in national legal development.

3. Results and Discussion

3.1.1. The legal position of the RPJPN and RPJMN within the framework of constitutional law, and the extent of their success as guidelines for national and regional development.

The National Long-Term Development Plan (RPJPN) 2005-2025 is an important instrument in Indonesia's national development planning system. The RPJPN is prepared with a clear legal basis, namely Law Number 17 of 2007, which regulates the direction of the

country's long-term development. Within the framework of constitutional law, the RPJPN is not only a guideline for development planning, but also directs development policies that must be implemented by the government in each period. The RPJPN functions as a roadmap to achieve the national goals stated in the Preamble to the 1945 Constitution of the Republic of Indonesia, including advancing public welfare and improving the life of the nation. Its existence as a guideline for national development is expected to encourage the achievement of the country's long-term goals in various sectors, including law.

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Legally, the RPJPN has a very strategic position in the framework of national development, although it is not on the same level as the constitution or laws. However, the existence of the RPJPN is very important because it contains policies that serve as references

⁵ Budi Triyono, Ria Hardiyati, Aditya Wisnu Pradana, The Gap between Program Planning and Implementation: The Case of R&D Program in Indonesian RPJMN, *Journal of STI Policy and Management*, Vol.5 (2), December 2020: 137–146.

for other sectoral policies. The RPJPN must be the basis for formulating legal policies at the national level, which are then outlined in various laws and government regulations. Therefore, the alignment between the RPJPN and the Indonesian legal system, including its influence on laws and regulations, needs to be studied further. The 2005-2025 RPJPN acts as a document that regulates and aligns the long-term vision in terms of legal development and the Indonesian constitutional system.⁶

However, although the RPJPN has a fairly strong position, the biggest challenge in its implementation is how to ensure success in achieving development goals, especially in the legal field. The planning process in the RPJPN has indeed covered various sectors, including law and judicial system reform, but is often faced with obstacles in implementing policies. The relationship between the RPJPN and the RPJMN which must be in accordance with the basic principles of the state as stated in the Preamble to the 1945 Constitution must be considered more closely. As a guideline for development, the RPJPN also requires strong political and social support to ensure consistent implementation, regardless of the change of government that occurs every five years. Therefore, it is important to analyze the extent to which the RPJPN has succeeded in achieving national legal goals.

The RPJPN also has strong relevance in the context of decentralization and regional development. One of the main challenges faced is how regional development planning can be in line with the RPJPN, especially in the legal sector and government administration system. Law Number 25 of 2004 concerning the National Development Planning System provides a legal basis for

⁶ Muslimah, Abdul Razak, Achmad Ruslan, Zulkifli Aspan, Legal Politics of the National Legislation Program in the Establishment of the Law, *Journal of Law, Policy and Globalization*, Vol.78, 2018.

achieving more structured development goals, including the RPJPN and RPJMN. However, the implementation of the RPJPN at the regional level often encounters obstacles due to the lack of coordination between the central and regional governments, as well as problems in allocating resources. Harmonization between the RPJPN and regional planning is very important so that there are no gaps in the implementation of legal policies throughout Indonesia.

The success of the RPJPN as a guideline for national and regional legal development is highly dependent on the extent to which the policies contained in the RPJPN can be implemented effectively by state institutions. Therefore, effective supervision and evaluation of the implementation of the RPJPN in the legal sector need to be carried out continuously. As a more long-term guideline, the RPJPN provides a broad overview of the direction of legal development, but the challenge is to formulate appropriate legal policies to support this achievement. Community involvement in the planning and evaluation process is also an important factor in realizing the success of the RPJPN in advancing law and social justice.

Finally, to assess the extent to which the RPJPN has succeeded in achieving development goals in the legal field, a more in-depth analysis of the legal changes resulting from planned policies is needed. In this context, it is important to integrate the legal principles contained in the RPJPN with the real needs of society and the challenges faced by the state. Further research into the implementation of the RPJPN, especially in relation to legal policy and the judicial system, can provide clearer insights into the role and position of the RPJPN within the framework of Indonesian constitutional law.

In the context of implementation, RPJPN often faces major challenges in terms of coordination between the central and regional governments. While RPJPN as a strategic document regulates the

direction of national development, many regions have difficulty in adjusting their planning to the policies contained in RPJPN.⁷ This is often caused by differences in administrative capacity, understanding of the planning documents, and the existence of regional policies that are more contextual and pragmatic. Therefore, strengthening the role of the central government in ensuring that the RPJPN can be translated effectively at the regional level is very important. Without a common understanding, there is the potential for a gap between national goals and regional implementation which can ultimately reduce the success of the RPJPN in achieving its goals.

In addition, it is important to note that the success of the RPJPN in achieving national legal objectives is not only determined by the central government, but also by the active participation of the community. Communities that understand and support the RPJPN vision will be more proactive in participating in development, including the formation and enforcement of laws. Legal education that can increase public awareness of the objectives of the RPJPN is one aspect that needs more attention. The success of this long-term planning system is highly dependent on the state's ability to bridge planning policies and community interests, as well as how the community can participate in formulating and evaluating national and regional legal policies.⁸

The existence of the RPJPN is also closely related to the state's efforts to strengthen the legal and judicial system. One sector that is given great attention in the RPJPN is the legal sector, which requires reform to support sustainable development. Good legal development

⁷ Ali Asfar, Soesilo Zauhar, Siti Rochmah, Hermawan, Challenges and Problems of Decentralization in Infrastructure Development to Improve Public Welfare (Case Study at Rokan Hilir District, Indonesia), *Journal of Public Policy and Administration*, 5(2) May 2021: 44-52

⁸ Willya Achmad, The Role of Policies Made by the Government Towards Empowering Local Communities, *International Journal of Science and Society*, Volume 6, Issue 2, 2024: 158-165.

is not only reflected in improving the quality of laws and regulations, but also in a fair and effective judicial system. The RPJPN emphasizes the importance of improving this legal sector, and includes various legal policies aimed at improving legal institutions in Indonesia. The success of this legal reform is highly dependent on the extent to which the RPJPN can be implemented effectively by existing state institutions, both at the central and regional levels.

On the other hand, to ensure that the RPJPN can succeed as a guideline for legal development, periodic evaluation of its implementation is needed. This evaluation is important to see whether the RPJPN is still relevant to the developing social, economic, and political conditions. In addition, supervision of the implementation of the RPJPN will ensure that every policy stated in the document can be implemented properly in all sectors, including the legal sector. This evaluation process must be carried out objectively and transparently so that existing development planning can always be adjusted to changes in the times and the needs of the community.

One important aspect in the RPJPN is the achievement of objectives related to the legal system and protection of human rights. In this long-term planning, the state is expected to prioritize strengthening the basic rights of the community and providing social justice through a transparent and non-discriminatory legal system. The role of the RPJPN in this case is to provide clear direction in the development of laws that guarantee these rights, and to ensure that every policy taken by the state is always based on fair legal principles. Success in achieving this goal is highly dependent on the integration between the RPJPN and legal policies implemented by the government and judicial institutions.⁹

⁹ Fatkhul Muin, Legal Development Policy Direction in The Perspective of Social Justice, *Supremasi Hukum*, Volume 19 Nomor 1, Januari 2023: 55-62.

The legal development referred to in the RPJPN is not only limited to improving the formal legal system, but also includes strengthening the legal culture among the community. A good legal culture is very important to support the effective implementation of law in Indonesia. In the RPJPN, the development of a legal culture that is more responsive to changes in the times is one of the main priorities. Therefore, in addition to reforming the legal system and judicial institutions, efforts to increase public legal awareness through legal education and counseling also need to be considered as part of the implementation of the RPJPN.

In addition, the RPJPN needs to be strengthened by strengthening the capacity of local governments to plan and implement development in accordance with the guidelines in the RPJPN. Local governments have a very important role in ensuring that existing development policies can be adjusted to local conditions and the potential of each region. In this case, the RPJPN must be able to be a flexible guideline but still refer to the vision and mission of national development. With good coordination between the central and regional governments, as well as support from the community, the RPJPN can be an effective instrument in realizing sustainable legal development.¹⁰

Overall, although the RPJPN has been well designed as a guideline for long-term development, the biggest challenge lies in its implementation, which requires cooperation between various state institutions, both at the central and regional levels. Therefore, there needs to be synergy between national and regional development policies so that the RPJPN can succeed in achieving its goals, especially in the legal field. Community participation in supporting

¹⁰ Moris Yogia Adidi, Capacity Development in Realizing The Good Governance in The Era of Regional Autonomy, *Advances in Social Science, Education and Humanities Research (ASSEHR)*, volume 163, November 2017: 332-337.

the implementation of the RPJPN is also very important to ensure long-term success. With continuous evaluation and strict supervision, the RPJPN can be an effective guideline for creating a better legal system and a more advanced country.

The legal status of the RPJPN and RPJMN within the framework of Indonesian constitutional law shows that both are very important strategic documents for aligning the long-term and medium-term goals of national development. The RPJPN, which covers a 20-year development plan, provides a clear direction for legal, social, economic, and other sector development. Meanwhile, the RPJMN, with a five-year scope, reduces the grand vision of the RPJPN into more focused and applicable policies. In this context, the RPJPN and RPJMN play a central role in determining sustainable national development priorities, including in the legal field, with the aim of ensuring the achievement of social justice, general welfare, and protection of human rights throughout Indonesia.

However, although the RPJPN and RPJMN have been accepted as guidelines for national and regional development, the biggest challenge remains in their effective implementation. In many cases, constraints such as limited resources, differences in capacity between regions, and coordination problems between state institutions hinder the achievement of the set goals. Therefore, the success of the RPJPN and RPJMN is not only measured by how well the documents are formulated, but also by the extent to which the government can implement and monitor the policies that have been set. Periodic evaluation, as well as adaptation to developments in social, economic, and political conditions, are key to ensuring that the RPJPN and RPJMN remain relevant and effective in directing sustainable development in Indonesia.

Ultimately, the success of the RPJPN and RPJMN as guidelines for legal and state development is highly dependent on strong collaboration between the central government, local governments, legislative institutions, and the community. An inclusive planning process, transparency in implementation, and an objective evaluation mechanism are important elements that must be considered to ensure that national legal and development goals can be achieved optimally. If all these elements can be integrated well, then the RPJPN and RPJMN will be effective instruments to realize a more advanced, just, and sustainable Indonesia, with a strong legal system as the main foundation in the development process.

3.1.2. Lawrence M. Friedman's theory of legal structure, substance, and culture in the analysis of the implementation and effectiveness of the RPJPN as part of the government's legal policy.

a. Legal Substance

Activities or actions aimed at improving legal life are known as legal development. Legal development requires a continuous process and must be correlated with the development of other fields as part of national development. Legal development does not only refer to positive law, but also to law in a broad sense, which includes the system, material, enforcement, and legal awareness of society. Law must be built simultaneously, synchronously, and integrated because these elements influence each other.

Article 1 paragraph 3 of the 1945 Constitution stipulates that the State of Indonesia is a state of law, which makes the 1945 Constitution the basis for all implementation of laws and regulations in Indonesia. As a state of law, Indonesia builds its laws to protect the rights of its citizens and guarantee the supremacy of law and equality before the law. According to the fourth paragraph

of the preamble to the 1945 Constitution, the state of Indonesia was founded with the following objectives: (1). Protecting all Indonesian people and all Indonesian territory. (2). Advancing public welfare. (3). Enlightening the life of the nation. (4). Participating in implementing world order based on freedom, eternal peace and social justice.

Gradual and sustainable national development is needed to realize these goals. However, based on two reasons, the 2005–2025 RPJPN Law shows that legal development is not a top priority: (1). Development in the legal sector is placed seventh, after defense and security. This shows that law is not made the commander in national development even though Indonesia is a country of law. (2). The development of the legal sector combined with the development of the apparatus can be considered inappropriate. The development of the legal sector is broader than the development of the apparatus. The development of the legal sector does not only include law enforcement officers, but also includes the law that is aspired to (*ius constituendum*) and public awareness and compliance with the law. Meanwhile, the development of the apparatus is more focused on the state apparatus. Thus, the combination of the development of the legal sector combined with the development of the apparatus can be said to be inappropriate.

Changes in the legal field must be clearer and more precise. To build a modern national legal order, the planned legal development must be focused on the ideals of Pancasila law, which can provide an effective and responsive legal framework and rules for organizing life, both now and in the future.

Historically, the shift in the presidential and vice presidential election model that was previously elected by the MPR was directly correlated with the elimination of the GBHN. The

president elected by the people has the authority to determine the development plan.¹¹ There is no longer the possibility of the president being removed due to policy disagreements between the MPR and the President. Therefore, only violations that violate the law and the constitution can be imposed. In contrast, Law Number 25 of 2004 concerning the National Development Planning System (SPPN) is a reference for national development planning. The National Long-Term Development Plan (RPJPN) 2005–2025, which was stipulated by Law Number 17 of 2007, currently replaces the GBHN.¹² Due to constitutional changes, the GBHN and RPJPN are long-term national development plans. During the New Order, the GBHN was created and stipulated by the MPR Decree, while the RPJPN was made in the form of a Law, which is an elaboration of the vision and mission of the President who was directly elected by the people.

Whether RPJPN or GBHN is better or not, it depends on the clarity of its contents and its system. However, based on the current political reality, the possibility of problems arising because of this RPJPN system certainly exists, including: (1). The preparation and implementation of the RPJPN and RPJM can be said to be weak because they are Executive Perspective. (2). There is a high possibility of inconsistency in the implementation of the RPJPN because of the change of president every 5 years. (3). There is a possibility of a lack of synchronization between the RPJP of the Central Government, Provincial Government and Regency/City Government, because they have their own programs. So that the

¹¹ Boy Anugerah, *Strengthening Democracy in Indonesia: Comparison between Representative and Direct Presidential Election Policies*, *Jurnal Studi Sosial dan Politik*, Vol. 6 No. 1, June 2022: 1-16.

¹² Imam Subkhan, *GBHN dan Perubahan Perencanaan Pembangunan di Indonesia*, *Jurnal MPR DPR Aspirasi*, Vol. 5 No. 2, Desember 2014.

direction of development is not directed because it is in accordance with the conditions and ideas of each regional leader.

It is hoped that some of these weaknesses can be used as corrections to find the best way for the progress of legal development in Indonesia. With the weaknesses mentioned above, it is clear that power is currently everywhere, especially in the center and regions, and can easily be misused for the benefit of individuals or groups through criminal acts of corruption and other violations. It is very possible that the RPJM that has been made and implemented so far has not answered all the problems faced by Indonesia. Much must be learned legally, sociologically, and methodologically to ensure that the GBHN system can be reused. In addition, it should be noted that the way we think about the political structure in Indonesia has changed.

b. Legal Structure

According to Lawrence M. Friedman's second theory of Legal Structure, this system determines whether the law can be implemented properly. This legal structure consists of elements of the Police, Prosecutor's Office, Courts, and Criminal Execution Agencies (Lapas). If there are no credible, experienced and independent law enforcement officers, the law will not function or be upheld. No matter how good the laws and regulations are if they are not supported by effective law enforcement officers, justice will only be an idea. The importance of the mentality of law enforcement officers causes the law enforcement process to be hampered.¹³

But the author argues that policy makers are also part of the legal structure, because after all policy makers or legislators have a

¹³ Henny Saida Flora, Mac Thi Hoai Thuong, Ratna Deliana Erawati, The Orientation and Implications of New Criminal Code: An Analysis of Lawrence Friedman's Legal System, *Jurnal IUS Kajian Hukum dan Keadilan*, Vol. 11 Issue 1, April 2023: 114-125.

significant impact on how a law is implemented. As mentioned above, throughout Indonesian history, changes or amendments to the Constitution have resulted in major transformations in the process of determining the path towards the development of state law. This is due to political shifts in Indonesian history, including the transition from an authoritarian political system to a democratic political system. This shift brings changes to the model and nature of legal products, which also follow political shifts. This is what is commonly referred to as legal politics in the legal field.

According to Prof. Mahfud MD, giving a definition of legal politics is as difficult as giving a definition of law or legal system. It may be difficult to define legal politics as a whole.¹⁴ According to Teuku Mohammad Radhie, legal politics is a statement of the will of state authorities regarding the laws that apply in their territory and the direction of development of the laws that are made.¹⁵ Meanwhile, Sudarto is of the opinion that legal policy is a state policy made by authorized bodies to establish regulations that are expected to reveal what exists in society and to achieve state goals.¹⁶

Considering the above description, it can be concluded that, regardless of who serves as leader or ruler at that time, the power of his influence will not have a significant impact on the progress of the State's law. With the change of president from the era of President Soekarno to President Joko Widodo, the process of legal

¹⁴ Moh. Mahfud MD, *Pergulatan Politik dan Hukum di Indonesia*, Gama Media, Yogyakarta, 1999, page 29.

¹⁵ Teuku Mohammad Radhie, *Pembaharuan dan Politik Hukum dalam Rangka Pembangunan Nasional*, majalah Prisma No. 6 Tahun II Desember 1973, page 3 in Moh. Mahfud MD, *Membangun Politik Hukum, Menegakkan Konstitusi*, Rajawali Pers, Jakarta, 2010, page 13.

¹⁶ Sudarto, *Hukum Pidana dan Perkembangan Masyarakat: Kajian terhadap Pembaharuan Hukum Pidana*, Penerbit Sinar Baru, Bandung, 1983, h. 16 dalam M. Arief Amrullah, *Politik Hukum Pidana dalam Rangka Perlindungan Kejahatan Ekonomi di Bidang Perbankan*, Bayumedia Publishing, Malang, 2003, page 14.

development is certainly different in Indonesia. The universal development pattern was planned to be designed during President Soekarno's era, but the GBHN was only created during President Suharto's era.

The institutional system of the State has changed as one of the changes in the Indonesian political system since the reformation. Previously, the MPR functioned as the highest state institution and had the authority to determine the direction of state development through the GBHN (General Guidelines of State Policy). Now the MPR functions as a state institution that is on par with other executive, legislative, and judicial institutions.¹⁷ The MPR has two authorities as a Consultative Institution, a meeting place for two Legislative Institutions, namely the DPR RI and DPD RI. First, the authority over the Constitution (changing and establishing the Constitution), and second, the authority over the President (inaugurating and dismissing the President). Meanwhile, the MPR's authority to determine the general outline of state development has been removed. Building institutional democracy to eliminate institutional hierarchy is the goal of this system change.

National Development Planning is a continuous effort to achieve national goals to protect, educate, and prosper the people. This is done because the MPR as a deliberative institution no longer has the authority to interpret and explain the articles of the 1945 NRI Constitution in the form of GBHN. Thus, the state of legal politics, who holds power and how influential national leaders are affects the development of national law.

¹⁷ Elva Imeldatur Rohmah, *Perubahan Paradigma Politik di Indonesia Dari Demokrasi ke Oligarki: Telaah Pemikiran W.A. Bonger*, POLITEIA: Jurnal Ilmu Politik, Vol.16, No.01, 2024: 01–12.

National goals must be achieved and realized by all levels of the Indonesian nation without exception. As the organizer of the state, the government is the driving force and facilitator to help realize national goals. The government acts on behalf of the interests of the nation and state in implementing development. Development must be carried out in a breakthrough manner and followed nationally. The desire to develop national and social life produces unity and unity of principles, methods, and rules.¹⁸

c. Legal Culture

This legal culture can be defined as the state of mind and social forces that determine how law is used, avoided, or abused. Legal culture is the attitudes and values that influence behavior in relation to law. In the same way, the pleasure or displeasure of being involved in legal cases is a component of legal culture. Therefore, what is called "legal culture" is all the components that determine how the legal system gets its proper place in the culture of the society as a whole. In short, it can be said that "legal culture" is the general attitude of citizens and the value system that determines how the law should be applied in a particular society.

The development of the 2005–2025 RPJPN Law seems to assume that the development of the legal sector and the implementation of the law are the same. The development of legal substance after Law Number 10 of 2004, which was later replaced by Law Number 12 of 2011 concerning the Formation of Legislation, shows this. With the enactment of this law, it is hoped that the process of forming laws and regulations can be carried out in a definite, standardized and standardized manner and method that binds all institutions authorized to make regulations and improves coordination

¹⁸ Soetandyo Wignjosoebroto, *Hukum Paradigma, Metode dan Dinamika Masalahnya*, Lembaga Studi dan Advokasi Masyarakat (ELSAM), Jakarta, 2002, page 286.

and smoothness of the process of forming laws and regulations as well as their implementation. The development of the legal sector must pay attention to the customs, traditions, or legal culture that exist in society because the law can be applied and function well or not depending on it. If this is not considered, the goal of developing the legal sector will not be achieved.

Lawrence M. Friedman's theory of law, which includes three main components: structure, substance, and legal culture, is very relevant in analyzing the implementation and effectiveness of the 2005-2025 RPJPN, especially in understanding the influence of legal culture in Indonesian legal politics. Legal culture, according to Friedman, refers to the attitudes and values that apply in society regarding law. This culture shapes how individuals and society understand, respond to, and interact with the law. In the context of the RPJPN, legal culture plays an important role in ensuring that the objectives of legal development stated in the RPJPN can be achieved. If the legal culture does not support the implementation of regulations, then even though the regulations are in place, their implementation may be disrupted or ineffective.

One concrete example of the influence of legal culture in the implementation of the RPJPN is in the application of law in the field of national and regional development planning. Communities that have a tendency not to obey the law or tend to avoid legal obligations will face difficulties in implementing policies regulated in the RPJPN.¹⁹ For example, in some cases, infrastructure development planning that has been scheduled in the RPJPN is often hampered by the community who do not want to cooperate in terms of land acquisition or fulfilling other administrative obligations. This indicates

¹⁹ La Mani, Cultural Values In Policy Penetration: New Pattern of Communication in Creating Public Obedience, *DIA: Jurnal Administrasi Publik*, Vol. 18, No. 1, 2020: 19-38.

that a less supportive legal culture or low levels of compliance with the law are obstacles in achieving development goals. Therefore, changes are needed in the legal culture of the community to improve understanding and compliance with existing regulations.

In addition, in the field of legislation, the development of law formulated in the RPJPN does not only focus on the substance of the law itself, but also on the legal culture that exists in society. In this case, the RPJPN leads to the formulation of policies that pay attention to the social and cultural aspects that exist in society so that they can be well received. For example, regulations governing economic development in certain areas must consider existing local traditions, such as the habit of mutual cooperation or community participation in development. If the policies implemented are not in accordance with local culture, then the community tends not to support or even oppose the policy, which can hinder the objectives of the RPJPN itself.

The influence of legal culture is also seen in the relationship between government and society. In a democratic country like Indonesia, the success of development is highly dependent on the level of community participation in the planning and implementation process of development. A legal culture that encourages active community participation can strengthen the implementation of the RPJPN. For example, community-based development programs that directly involve citizens in development planning and supervision can increase the effectiveness of policies and legal implementation. Therefore, there needs to be an effort to build a legal culture that supports public participation, which in turn will accelerate the achievement of national development goals stated in the RPJPN.

In addition, legal culture also plays a role in strengthening the law enforcement system. One important factor in the implementation of the RPJPN is the effectiveness of the judicial system and law

enforcement agencies. If the legal culture in society does not support the supremacy of law, then even though the regulations in the RPJPN already exist, law enforcement will remain weak. For example, in the legal and state apparatus sectors, there are many cases of corruption and abuse of authority that hinder development. A legal culture that supports integrity and strict law enforcement can improve this condition and accelerate the implementation of the RPJPN.

Overall, Friedman's theory reminds us that legal culture does not only include people's attitudes towards law, but also how the legal system interacts with existing social norms. In Indonesia, where cultural diversity is very high, the biggest challenge in harmonizing the RPJPN is how to adjust policies and laws to the existing cultural diversity. Successful legal development in the RPJPN requires adaptation to local values that are respected by the community. Thus, although the RPJPN is designed by the central government, the implementation of policies in the regions must consider local values so that they can be accepted and implemented properly.

From this perspective, it can be said that the RPJPN is not just a policy document, but also a tool that must be able to reflect and take into account the social conditions and legal culture that exist in society. One way to achieve this goal is to involve the community in every stage of planning and implementation of the RPJPN. With an approach based on active community participation and adjustment to local legal culture, the RPJPN can be an effective instrument in achieving more inclusive and sustainable national development goals.

On the other hand, strengthening legal culture also requires long-term efforts. The government needs to educate the public about the importance of law in development and how law functions for the common good. One approach that can be used is to disseminate clear and transparent information about the objectives and benefits of the

RPJPN to the public through mass media and various other communication forums. This will help create a better understanding of the law and encourage the public to support the implementation of the RPJPN, as well as increase compliance with applicable regulations.²⁰

Thus, to ensure the successful implementation of the RPJPN, there needs to be collaboration between the legal structure, legal substance, and legal culture in creating an environment that supports development. Without changes in the legal culture of society that support the implementation of fair and consistent laws, even if the RPJPN is well designed, the final results will be hampered by cultural resistance and unsupportive attitudes of society. Therefore, harmonization between these three legal components is very important in achieving the development goals stated in the RPJPN.

3.1.3. Harmonization between the RPJPN, National RPJM, and regional development planning can be maintained to be in accordance with the vision, mission, and goals of the state as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia.

Harmonization between the National Long-Term Development Plan (RPJPN), the National Medium-Term Development Plan (RPJM Nasional), and regional development planning is an important element in ensuring that all elements of development in Indonesia run in accordance with the vision, mission, and objectives of the state as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia. The RPJPN as a long-term development planning document spanning 20 years, sets out national development goals that cover various sectors, including law, economy, social, culture, and infrastructure. The National RPJM, which serves as a five-year

²⁰ Jawardi, Strategi Pengembangan Budaya Hukum, Jurnal Penelitian Hukum DE JURE, Volume 16 No. 1, Maret 2016: 77 – 93.

elaboration of the RPJPN, is a more concrete tool for implementing the major goals in the RPJPN. Within this framework, the RPJPN and the National RPJM must serve as a strong foundation for development planning at the regional level, which in turn must be aligned with the state vision as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia, namely to protect the entire nation, advance public welfare, and improve the life of the nation.

One of the biggest challenges in this harmonization is ensuring that the RPJPN and National RPJM can be implemented effectively at the regional level, where each region has different social, economic, and cultural characteristics. Therefore, regional development planning must have the flexibility to adjust to local needs and conditions, but still adhere to the national goals that have been set out in the RPJPN and National RPJM. The central government has an important role in ensuring that development planning at the regional level does not only refer to local policies, but is also integrated with the national development vision. A structured monitoring and evaluation process is very important to ensure that regional development remains in line with the national and constitutional goals stated in the Preamble to the 1945 Constitution of the Republic of Indonesia.

It is important to note that in carrying out harmonization between the RPJPN, the National RPJM, and regional planning, the government needs to provide training and guidance to regional governments so that they can prepare and implement development plans that are not only relevant to regional conditions, but also in accordance with the national planning framework.²¹ This includes adjustments to the national development goals stated in the Preamble to the 1945 Constitution of the Republic of Indonesia, as well as in

²¹ Jaucha Habibah Widiyanti, Kesejangan antara Rencana dan Implementasi Rencana Pembangunan Jangka Menengah Daerah (RPJMD) Kabupaten Pasuruan Tahun 2013-2018, *Jurnal Ilmiah Administrasi Publik (JIAP)*, Vol 5, No 2, Desember 2019: 432-439.

efforts to realize general welfare, educate the nation's life, and implement world order based on independence, eternal peace, and social justice. Through an integrated and sustainable approach, it is hoped that the RPJPN, National RPJM, and regional planning can run hand in hand and support each other in achieving broader development goals for the Indonesian nation.

Community participation is also an important element in this harmonization. As part of the Indonesian legal and constitutional system, the community needs to be given an understanding of how national and regional development planning works and how they can contribute. By involving the community in the planning process, both at the national and regional levels, the state's goals in the Preamble to the 1945 Constitution of the Republic of Indonesia can be more easily achieved. One way to involve the community is by conducting public dialogues that can be a means to formulate development programs that are more relevant to the needs of the community, while ensuring that every policy taken remains based on the principles contained in the constitution.

In addition, periodic evaluation of the implementation of the RPJPN and National RPJM conducted by the central government is very important to maintain this alignment. This evaluation process must not only pay attention to technical aspects, but must also involve active participation from the community and other related parties. This evaluation aims to identify existing obstacles and provide recommendations for improvement so that development planning, both national and regional, can be more in line with the vision and objectives of the state as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia. With good evaluation, the RPJPN, National RPJM, and regional planning can continue to be

updated to remain relevant to the development of the times and the needs of the Indonesian nation.

In an effort to ensure that national and regional development remains in accordance with the vision, mission, and objectives contained in the Preamble to the 1945 Constitution of the Republic of Indonesia, the role of the legislature is also very important. As the lawmaker, the DPR has the authority to supervise and control the policies outlined in the RPJPN and National RPJM. Appropriate and proactive legislation will strengthen the implementation of the RPJPN and National RPJM in the field, ensuring that development planning is not merely a formality, but truly reflects the state's goal of creating general welfare and improving the life of the nation.²² Therefore, the active role of the legislature in ensuring this alignment cannot be underestimated.

In practice, harmonization between the National Long-Term Development Plan (RPJPN), the National Medium-Term Development Plan (RPJM Nasional), and regional development planning does require intensive efforts so that all elements can run in parallel. One concrete example of this harmonization is the infrastructure development program in Indonesia which is always aligned with national policies and the objectives of the opening of the 1945 Constitution of the Republic of Indonesia. For example, in the RPJPN, one of the major objectives is to advance public welfare through equitable development, including in underdeveloped regions. To realize this objective, the RPJPN emphasizes the importance of infrastructure development that can connect remote areas with the national economic center. Meanwhile, the National RPJM, which is a five-year derivative of the RPJPN, focuses on achieving more

²² M. Hatta Roma Tampubolon, A Socio-Legal Analysis of the Control Function of Parliament in the Regulation Implementation, *Journal of Law, Policy and Globalization*, Vol.59, 2017: 220-241.

measurable and realistic short-term targets, such as the construction of the Trans Sumatra toll road, which is also a priority for regional development that has been aligned in the Regional Long-Term Development Plan (RPJP Daerah).

In addition, the problem of development inequality between regions is one of the main challenges in maintaining this harmony. The success of national development is highly dependent on the extent to which the central and regional governments are able to formulate development plans that not only pay attention to local social and economic conditions, but are also in line with the direction of national development. For example, the regions of Papua and West Papua are often marginalized in the context of economic and social development. Therefore, regional development planning in these regions must refer to the RPJPN, but also pay attention to specific local characteristics and potentials. The central and regional governments need to work together in formulating policies that can improve connectivity, infrastructure, and access to education and health in these underdeveloped regions, while maintaining alignment with the vision and mission of the state as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia, namely to improve public welfare and educate the nation.

To maintain harmony between national and regional development planning, one aspect that needs to be considered is strengthening the capacity of regional governments in planning and implementing development in accordance with national policies. Although the central government has the RPJPN and National RPJM as guidelines, in practice, regional governments often face limitations in terms of both budget and quality human resources. For example, in recent years, many regions have had difficulty implementing the RPJMN optimally due to technical and administrative limitations. For

this reason, the central government needs to provide more concrete guidance and support to the regions so that development planning can be more effective, efficient, and in accordance with the national development goals stated in the Preamble to the 1945 Constitution of the Republic of Indonesia, including in the fields of infrastructure, education, health, and social welfare.²³

As part of the Indonesian constitutional legal system, the role of the legislature is also very important in maintaining harmony between the RPJPN, the National RPJM, and regional planning. The supervisory function of the House of Representatives (DPR) in overseeing the implementation of the RPJPN and the National RPJM is very important to ensure that policies taken by the central and regional governments remain consistent with the objectives stated in the Preamble to the 1945 Constitution of the Republic of Indonesia. One real example of the role of the legislature is through the preparation of the state budget that allocates development funds for strategic sectors, such as education, health, and infrastructure, which are priorities in the RPJPN. Without strict supervision from the DPR, the implementation of these policies can be hampered, either by slow bureaucracy or by misuse of the budget.

In addition to legislative oversight, community involvement is also very important in ensuring alignment between national and regional policies with state objectives. Communities that are actively involved in the development planning process can provide invaluable input to ensure that the policies taken truly reflect the needs and aspirations of the people. Therefore, in every stage of planning, be it the RPJPN, the National RPJM, or regional planning, there needs to be open communication forums between the government and the

²³ Petar Vujanovic, Decentralisation to Promote Regional Development in Indonesia, OECD Economics Department Working Papers No. 1380, April 2017. <https://dx.doi.org/d9cabd0a-en>

community. One concrete form of community participation is through development planning discussions carried out at every level of government, from the village to the provincial level. Community involvement can enrich the planning process with more diverse perspectives and enable more inclusive and equitable development.²⁴

The importance of evaluation and monitoring is also key in maintaining harmony between the RPJPN, the National RPJM, and regional planning. Without a structured evaluation, it will be difficult to know whether the development goals stated in the RPJPN and the National RPJM have been achieved or not. One concrete example of the importance of evaluation is the development program in the housing and settlement sector, which currently still faces many obstacles, such as limited land and funds. Through good evaluation, the central and regional governments can identify the obstacles faced in implementing these programs and formulate appropriate solutions to ensure that housing development can run well in accordance with the objectives of the RPJPN. Routine evaluation will strengthen policies and ensure that development planning can always be adapted to the needs of the community.

No less important is the strengthening of data and information systems that can be used by the central and regional governments to formulate more accurate and targeted development policies. In the context of harmonization between the RPJPN, the National RPJM, and regional planning, valid and up-to-date data is essential to ensure that every policy taken reflects real conditions on the ground. One example is the use of a geographic information system (GIS) that can help the government plan infrastructure development more effectively, such as spatial planning and road construction. By using more

²⁴ Ahmad Sururi, Rahmi Mulyasih, Penguatan Kapasitas Masyarakat Melalui Inovasi Formulasi Kebijakan Perencanaan Pembangunan Partisipatif di Kecamatan Wanasalam Kabupaten Lebak, *Jurnal Pengabdian Masyarakat Wikrama Parahita*, Volume 1 No. 1, 2017: 5 – 18.

sophisticated technology, development planning can be more accurate, efficient, and based on accountable data.²⁵

In addition to coordination and evaluation issues, transparency is also a very important factor in ensuring that the RPJPN, National RPJM, and regional planning remain in line with the vision and goals of the country. Every policy taken in development planning must be accessible and understandable to the public, so that they can participate in the development process.²⁶ This transparency can be realized through the publication of annual reports explaining the progress of the implementation of the RPJPN and the National RPJM, as well as how the results of the evaluation and monitoring are used to improve future policies. If this transparency is maintained, the public will be more confident that the government is working for their interests and the goals of the state in the Preamble to the 1945 Constitution of the Republic of Indonesia can be achieved more effectively.

Taking into account all aspects that have been discussed, harmonization between the RPJPN, the National RPJM, and regional development planning is very important to realize fair, equitable, and sustainable development. All of these elements, if managed well, will be able to bring Indonesia closer to the state goals stated in the Preamble to the 1945 Constitution of the Republic of Indonesia. Inclusive, equitable, and welfare-based development and the intellectual life of the nation can be achieved through synergy between the central government, regional governments, the legislature, and the community. Therefore, this harmonization effort must continue to be

²⁵ Garima Jain, Jessica Espey, Lessons from nine urban areas using data to drive local sustainable development, *npj Urban Sustainability*, Vol. 2 (7), 2022: 1-10.

²⁶ Nonce F. Tuati, Moni Siahaan, Selfesina Samadara, The Impact of Accountability and Transparency on the Management of the Regional Expenditure Budgets of the Kupang District Government, *Advances in Social Science, Education and Humanities Research*, volume 544, 2020: 515-518.

maintained and developed through better collaboration between various parties.

4. Conclusion

The legal position of the RPJPN and RPJMN within the framework of constitutional law has a strategic role as a guideline for sustainable national development. The RPJPN, with its long-term vision, and the RPJMN, as a five-year elaboration, serve as important instruments to align the direction of national development with the actual needs of the state, including in the legal field. However, the main challenge lies in the implementation which is often hampered by problems of coordination between levels of government, limited resources, and differences in regional capacity. Therefore, the success of the RPJPN and RPJMN is highly dependent on the synergy between the central government, regional governments, legislative institutions, and the community, as well as continuous evaluation to maintain the relevance and effectiveness of policies. By strengthening collaboration and good oversight mechanisms, the RPJPN and RPJMN can become a solid foundation in realizing fair, effective, and sustainable legal development in Indonesia.

The conclusion of this analysis shows that Lawrence M. Friedman's legal theory, which includes the structure, substance, and culture of law, offers a comprehensive framework for assessing the effectiveness of the implementation of the RPJPN as part of the government's legal policy. Although the RPJPN was designed as a strategic document to support legal development, its implementation is often hampered by factors of the legal culture of the community that do not fully support the supremacy of law and active participation in the development process. Harmonization between an effective legal structure, responsive legal substance, and a supportive legal culture is the main key to the success of the RPJPN in achieving the goals of inclusive and sustainable legal development. In this context, it is important for the government to not only prioritize formal regulations, but also actively

involve the community through education and strengthening a legal culture that supports integrity, compliance, and participation in the national legal development process.

Harmonization between the RPJPN, the National RPJM, and regional development planning is a vital element in achieving the vision, mission, and goals of the state as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia. The RPJPN and the National RPJM must act as strategic guidelines for development that is not only focused and sustainable, but also inclusive, by integrating local needs through regional planning. Challenges such as disparities in regional capacity, coordination between levels of government, and low community participation can be overcome by strengthening the capacity of local governments, involving the community in the planning process, and transparent and continuous evaluation and supervision. With synergy between the central government, regional governments, the legislature, and the community, this harmonization can be the basis for development that is equitable, just, and in accordance with the goals of the state, namely protecting the entire nation, improving the life of the nation, and advancing public welfare.

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