



The Role of Legal Development in Supporting National Development in Indonesia

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Abstract

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National development in Indonesia is a constitutional mandate oriented towards the protection of citizens, the improvement of welfare, and the advancement of education to realize social justice and sustainability. Within this framework, legal development occupies a crucial position as it encompasses the formulation of legal materials, the strengthening of institutional structures, and the cultivation of legal culture within society. However, an excessive focus on regulation often creates a gap between the intent of the law and its practical implementation. This gap hinders the effectiveness of law enforcement and the achievement of equitable national development. Active public participation is required at every stage of development so that regulations are not merely normative texts but also living instruments in practice. Through public involvement, transparency, and enhanced oversight, legal development can align with societal needs and support the realization of sustainable development. Therefore, the integration of policy, law, and public participation is a key factor in strengthening the foundation of national development in Indonesia.



1. Introduction

National development in Indonesia is a constitutional mandate explicitly stated in the Preamble to the 1945 Constitution. The goal of this development is not limited solely to improving economic welfare but also includes efforts to protect the people, enhance the quality of national education and intelligence, and contribute to maintaining world peace. Within this framework, legal development plays a highly strategic role as the foundation for ensuring that all development agendas can be carried out with the principles of fair, transparent, and accountable governance. Regulations formed by the government should not only be normative on paper but must also be implemented in practice to provide a positive impact felt by the wider community.

However, a classic problem that often arises is the gap between the regulations that have been drafted and their implementation in the field. Many legal products merely remain formal documents without clear implementation strategies, preventing development goals from being achieved maximally. For example, in the context of sustainable development, even though various regulations have been drafted, weak law enforcement leads to widespread environmental damage and social injustice. Pelengkahu and Satria¹ emphasize that the paradigm of sustainable development demands synergy between government policy and legal instruments so that the exploitation of natural resources can be carried out while still considering the welfare of future generations.

¹ Muhammad Rahjay Pelengkahu and Najib Satria. "The role of environmental legal instruments and government policies in realizing sustainable development in Indonesia." *Administrative and Environmental Law Review* 4, no. 2 (2023): 119-128.

Furthermore, legal development is not only limited to the drafting of laws or statutory regulations but also includes the guidance of the legal structure and the formation of a legal culture within society. The legal structure includes institutions and law enforcement officials who must be able to perform their functions optimally, while legal culture relates to the level of public awareness regarding the importance of law in daily life. Kurylo et al.² stress that the formation of a strong legal culture is an essential prerequisite for supporting law enforcement, especially in environmental issues, where the active role of the community as government policy overseers is vital.

Public involvement in the national development process is also a factor that cannot be ignored. Community participation is a key element in bridging the gap between legal norms and existing social conditions. This form of participation can be realized through involvement in policy formulation, oversight mechanisms, and the use of legal instruments such as citizen law suits. Purwendah and Awaludin³ state that the citizen lawsuit mechanism provides an opportunity for the public to be directly involved in environmental oversight and to ensure that the government and corporations are accountable for potential damage.

On the other hand, major challenges facing legal development arise from corruption and weak coordination among law enforcement agencies. Fakhis et al.

² Liudmyla Kurylo, Inna Kurylo, Ievgenii Shulga, and Iryna Horodetska. "Environmental legal culture as a factor in ensuring sustainable development of society." *European Journal of Sustainable Development* 9, no. 1 (2020): 220-220.

³ E. K., A. Awaludin Purwendah, and I. D. S. Triana. "Public Participation in Environmental Protection: Citizen Law Suits in the Indonesian Civil Justice System." In *IOP Conference Series: Earth and Environmental Science*, vol. 1030, no. 1, p. 012022. IOP Publishing, 2022.

(2021)⁴ state that efforts to strengthen the rule of law while simultaneously preventing corruption are crucial aspects in creating sustainable legal development. Without clean and transparent governance, national development risks losing its direction, legitimacy, and social purpose. Therefore, a strong integration between the drafting of regulations, effective legal implementation, and active public participation is the main strategy to ensure that national development in Indonesia is not just a formal agenda, but also capable of addressing the real needs of the community. Thus, the urgency of legal development lies not only in drafting new rules but more in the effectiveness of execution, the quality of law enforcement, and active community involvement. National development based on law, justice, and sustainability will be a strategic instrument in realizing the welfare of the people and maintaining national sovereignty amidst global dynamics.

2. Literature Review

Studies on national development and legal development in Indonesia affirm a close connection between enacted regulations, their field implementation, and the role of public participation. Pelengkahu and Satria⁵ assert that environmental legal instruments and government policies form a vital foundation for realizing sustainable development. Without consistent law enforcement, development

⁴ Fakhis, Adinda Zeranica Putri, and AH As'ari Taufiqurrohman. "Strengthening Anti-Corruption Concept to Elevate Society 5.0." In *International Conference on Sustainable Innovation Track Humanities Education and Social Sciences (ICSIHES 2021)*, pp. 224-230. Atlantis Press, 2021.

⁵ Muhammad Rahjay Pelengkahu and Najib Satria. "The role of environmental legal instruments and government policies in realizing sustainable development in Indonesia." *Administrative and Environmental Law Review* 4, no. 2 (2023): 119-128.

programs risk causing ecological damage that harms future generations, thereby preventing the optimal achievement of sustainable development goals

Furthermore, other research highlights that community involvement in the legal process still faces various obstacles. Wardana et al.⁶ reveal that public participation in the formation of laws has the potential to enhance legal legitimacy while also strengthening policy sustainability. However, in practice, this involvement often remains a formality, thereby limiting the real impact on legal development. Consistent with these findings, Purwendah and Awaludin⁷ highlight the role of the citizen law suits (CLS) mechanism as a means allowing the public to demand accountability from both the government and corporations in preserving the environment. This mechanism shows that public participation is not merely a symbol but also a real instrument to ensure compliance with the law and the sustainability of development.

From the perspective of development governance, Lumbanraja (2023)⁸ emphasizes that Indonesia needs to strengthen legal mechanisms, increase investment, and expand the space for public participation so that the sustainable development agenda can run effectively and efficiently. On the other hand, Mohd-

⁶ Dodi Jaya Wardana, Sukardi Sukardi, and Radian Salman. "Public participation in the law-making process in indonesia." *Jurnal Media Hukum* 30, no. 1 (2023): 66-77.

⁷ E. K., A. Awaludin Purwendah, and I. D. S. Triana. "Public Participation in Environmental Protection: Citizen Law Suits in the Indonesian Civil Justice System." In *IOP Conference Series: Earth and Environmental Science*, vol. 1030, no. 1, p. 012022. IOP Publishing, 2022.

⁸ Anggita Doramia Lumbanraja. "New direction to the sustainable development goals in job creation bill in Indonesia." *International Journal of Criminology and Sociology* 10 (2021): 703-8.

Rashid et al.⁹ affirm that the eradication of corruption and good coordination among law enforcement agencies are crucial factors. The weak integrity of legal institutions can be a serious impediment to the achievement of national development as a whole. In other words, the success of national development depends not only on existing regulations but also on the quality of legal governance and the performance of law enforcement institutions.

The existing literature indicates that legal development in Indonesia faces both structural and cultural challenges. Merely improving regulations without ensuring effective implementation, and without involving the community, will result in “law on paper” that has no real impact on society. Therefore, law-based national development requires a holistic approach that integrates normative, institutional, and social dimensions. This approach ensures that legal development is not just an administrative formality but is truly capable of supporting national development goals, including social justice, environmental protection, and the overall welfare of the people. Thus, the sustainability of national development heavily depends on the synergy between the drafting of regulations, effective legal implementation, and active community participation, allowing the law to become a real instrument in shaping a just, prosperous, and sustainable society in Indonesia.

⁹ Rasidah Mohd-Rashid, Waqas Mehmood, Chai-Aun Ooi, Siti Zakiah Che Man, and Chui Zi Ong. "Strengthened rule of law to reduce corruption: evidence from Asia-Pacific countries." *Journal of Money Laundering Control* 26, no. 5 (2023): 989-1006.

3. Method

This research utilizes the normative juridical method, focusing on the study of positive legal norms, legal doctrines, and legal principles applicable in Indonesia. The normative juridical approach is chosen because the topic of national development and legal development is closely linked to statutory regulations, government policies, and law enforcement practices based on the national legal system. With this method, the research not only descriptively outlines legal texts but also analyzes the consistency, effectiveness, and relevance of legal norms with national development goals. The normative juridical method emphasizes the use of primary legal materials such as the 1945 Constitution, sectoral laws, and implementing regulations related to national development, environmental law, and sustainable development governance. In addition, secondary legal materials in the form of academic literature, research findings, and journal articles are used to provide conceptual and analytical perspectives.

Tertiary legal sources such as legal dictionaries and legal encyclopedias are also employed to strengthen the understanding of the terminology used. Within the framework of this research, analysis is conducted by identifying the laws and regulations governing national development and legal development, then comparing them with the results of literature studies related to the effectiveness of legal implementation in Indonesia. The analysis techniques used are legal interpretation, including grammatical, systematic, and teleological interpretation, to interpret the meaning of the existing legal rules. This approach also allows for assessing whether

the established legal norms are consistent with the goals of equitable and sustainable national development.

Furthermore, this method is also used to evaluate law enforcement practices and community participation in development. This is important because legal development is not only related to the formation of regulations but also the existence of law enforcement institutions and public legal awareness. By using the normative juridical approach, this research can highlight the gap between the legal text and the reality of implementation, and offer legal-based recommendations to strengthen national development. Thus, the normative juridical method in this research serves to examine existing regulations, critique shortcomings in their implementation, and provide an overview of the relationship between law, society, and national development. Through this approach, the research can explain the role of law not only as a normative instrument but also as a means of social engineering that supports the achievement of Indonesia's constitutional goals.

4. Results

4.1. Legal Development and Public Participation

Legal development in Indonesia has an inseparable connection with overall national development efforts. Law serves as the normative foundation that determines the direction of development, maintains justice, and creates social order. However, the effectiveness of legal application is highly dependent on the active role of the community as the subject of development, not merely the recipient of policies. Public participation in this context does not only function as a policy spectator but

becomes a key actor throughout the entire process, from formulation, implementation, to legal oversight. Wardana et al.¹⁰ affirm that community involvement in the process of drafting laws is one of the main prerequisites for legal legitimacy. Without meaningful participation, the resulting regulations will only be formal documents lacking adequate social support. This aligns with the principle of participatory democracy, where the community is not only positioned as the object of policy but also has the opportunity to actively determine the direction of public policy. Thus, legal development will be more responsive to community needs and capable of reflecting collective interests.

One tangible form of community participation is through the citizen law suits (CLS) mechanism. According to Purwendah and Awaludin¹¹ CLS provides space for citizens to file lawsuits against the government or corporations deemed detrimental to the public interest, particularly regarding environmental issues. This mechanism demonstrates that law is not merely an administrative control instrument but also a means of community empowerment, enabling citizens to play a direct role in maintaining the balance between development and the protection of public interests.

Nevertheless, there are still a number of obstacles limiting optimal public participation. Constraints such as limited access to information, low legal literacy, and the tendency of elitism in the legislative process often reduce the effectiveness

¹⁰ Dodi Jaya Wardana, Sukardi Sukardi, and Radian Salman. "Public participation in the law-making process in indonesia." *Jurnal Media Hukum* 30, no. 1 (2023): 66-77.

¹¹ E. K., A. Awaludin Purwendah, and I. D. S. Triana. "Public Participation in Environmental Protection: Citizen Law Suits in the Indonesian Civil Justice System." In *IOP Conference Series: Earth and Environmental Science*, vol. 1030, no. 1, p. 012022. IOP Publishing, 2022.

of community involvement. Lumbanraja et al.¹² emphasizes that the sustainable development agenda in Indonesia demands a more substantial public involvement, not just a formality in the form of public consultations. Therefore, legal reform that emphasizes the principles of transparency, accountability, and inclusivity is crucial so that the law can truly address the real needs of the community.

Furthermore, the formation of a legal culture at the community level is a crucial element in legal development. Kurylo et al.¹³ stress that without legal awareness in society, even well-drafted regulations will be ineffective in practice. Thus, legal education and enhanced legal literacy become fundamental strategies to build collective awareness regarding the importance of the supremacy of law. This not only strengthens compliance with rules but also fosters a community capable of independently monitoring the implementation of the law.

Legal development that involves genuine public participation will strengthen legal legitimacy, improve the quality of regulations, and ensure that the law functions as an instrument of social justice. The integration of active community participation, transparency in the legislative process, and the strengthening of legal culture is an absolute prerequisite for legal development in Indonesia to support national development goals comprehensively. Thus, the law is not merely a formal tool but a strategic instrument in creating a just, prosperous, and sustainable society in the future.

¹² Anggita Doramia Lumbanraja. "New direction to the sustainable development goals in job creation bill in Indonesia." *International Journal of Criminology and Sociology* 10 (2021): 703-8.

¹³ Liudmyla Kurylo, Inna Kurylo, Ievgenii Shulga, and Iryna Horodetska. "Environmental legal culture as a factor in ensuring sustainable development of society." *European Journal of Sustainable Development* 9, no. 1 (2020): 220-220.

4.2. Legal Implementation and the Challenges of Sustainable National Development

Apart from the focus on regulation formulation, the main challenge in legal development in Indonesia actually lies in the implementation stage. Many legal products are essentially well-drafted but cannot be carried out effectively due to a number of factors, including weak law enforcement, corruption practices, and minimal coordination among law enforcement agencies. This condition directly impacts the obstruction of achieving the goals of fair, equitable, and sustainable national development.

Salim and Palullungan¹⁴ emphasize that sustainable development not only requires normatively good regulations but must also be followed by effective legal implementation. Without consistent law enforcement, development activities risk causing serious environmental damage, which in turn can threaten the quality of life for future generations. Sipayung and Dwiprigitaningtias¹⁵ also add that the weak enforcement of environmental law in Indonesia is the main obstacle in balancing economic interests with environmental preservation, making sustainable development difficult to realize.

¹⁴ Agus Salim and Liberthin Palullungan. "The challenges of environmental law enforcement to implement SDGs in Indonesia." *International Journal of Criminology and Sociology* 10 (2021): 517-524.

¹⁵ Baren Sipayung Indah Dwiprigitaningtias, Rahmat Joko Nugroho, and Bartolomeus Bernard. "Environmental law enforcement in Indonesia in terms of the concept of sustainable development." *Jurnal Hukum Dan HAM Wara Sains* 2, no. 03 (2023): 197-203.

Another problem that further worsens the condition is the rampant practice of corruption among law enforcement institutions. Mohd-Rashid et al.¹⁶ highlight that corruption weakens the integrity of legal institutions, lowers public trust, and directly reduces the effectiveness of legal development. Without clean and transparent governance, the process of national development has the potential to lose legitimacy in the eyes of the public, making the goal of law as an instrument of social justice difficult to achieve. In addition, constraints on legal development also arise from weak coordination among law enforcement agencies. Pardede et al.¹⁷ emphasize that in the context of environmental management, overlapping authority often occurs between institutions, making issued policies ineffective in their implementation. This conflict of authority not only hinders the achievement of development goals but also creates confusion in the execution of regulations in the field.

Nevertheless, there are also positive developments indicating improvements in legal implementation practices. Ardiyanto and Saraswati¹⁸ provide an example of successful community empowerment in tackling illegal logging through collaboration between law enforcement and local community participation. This

¹⁶ Rasidah Mohd-Rashid, Waqas Mehmood, Chai-Aun Ooi, Siti Zakiah Che Man, and Chui Zi Ong. "Strengthened rule of law to reduce corruption: evidence from Asia-Pacific countries." *Journal of Money Laundering Control* 26, no. 5 (2023): 989-1006.

¹⁷ Marulak Pardede, Mosgan Situmorang, Syprianus Aristeus, Ismail Rumadan, Henry Donald Lumban Toruan, Diogenes, Djamilus, and Ellen Luty Putri Nugrahani. "Perspectives of sustainable development vs. law enforcement on damage, pollution and environmental conservation management in Indonesia." *Journal of Water and Climate Change* 14, no. 10 (2023): 3770-3790.

¹⁸ Syaifullah Yophi Ardiyanto, Retno Saraswati, and Eko Soponyono. "Law enforcement and community participation in combating illegal logging and deforestation in Indonesia." *Environment and Ecology Research* 10, no. 4 (2022): 450-460.

approach proves that the synergy between various actors, including the government, law enforcement officials, and the community, can increase the effectiveness of regulatory implementation while strengthening the sustainability of development programs.

Thus, the success of legal development in Indonesia is highly dependent on the effectiveness of implementation and the integrity of law enforcement institutions. Good regulations without consistent law enforcement and effective coordination among institutions will only be normative discourse, without producing real change for the community. Legal reform that emphasizes transparency, accountability, and multi-actor collaboration is crucial so that national development is not only formal but genuinely impacts the welfare of the people and environmental preservation. Legal development in Indonesia must be viewed as a holistic process, encompassing regulation drafting, effective legal implementation, corruption eradication, and synergy with public participation. Only with such an integrative approach can the law function as a strategic instrument supporting national development that is fair, sustainable, and legitimate in the eyes of the public.

5. Discussion

The research findings indicate that legal development in Indonesia still faces a number of fundamental problems. One of the main issues is the weak implementation of the law in the field, which often prevents drafted regulations from being effective. This results in a gap between the written legal norms and the social reality, known in academic terms as the difference between law in books and law in

action. This condition shows that even though regulations exist, without a mature implementation strategy, national development goals cannot be achieved optimally. Sipayung and Dwiprigitaningtias¹⁹ assert that environmental law enforcement in Indonesia is often merely symbolic or rhetorical, without concrete actions that can ensure environmental preservation and sustainable development

Another factor affecting the effectiveness of legal development is limited public participation. Community involvement in the legislative process is often considered merely a formality, weakening legal legitimacy. In fact, the level of public involvement significantly influences how effectively the law can be applied. Wardana et al.²⁰ emphasize that substantive community participation can increase public trust in the law while strengthening its implementation effectiveness. Without meaningful public involvement, regulations remain normative documents that do not provide a real impact on society. Therefore, successful legal development requires a strategy to encourage more active and genuine community participation, not just administrative formality.

Furthermore, practices of corruption and weak governance are serious challenges that cannot be ignored. Pane and Pudjiastuti²¹ emphasize that the eradication of corruption within the Indonesian legal system is an absolute prerequisite to ensure that the law can function as an instrument of sustainable

¹⁹ Baren Sipayung Indah Dwiprigitaningtias, Rahmat Joko Nugroho, and Bartolomeus Bernard. "Environmental law enforcement in Indonesia in terms of the concept of sustainable development." *Jurnal Hukum Dan HAM Wara Sains* 2, no. 03 (2023): 197-203.

²⁰ Dodi Jaya Wardana, Sukardi Sukardi, and Radian Salman. "Public participation in the law-making process in Indonesia." *Jurnal Media Hukum* 30, no. 1 (2023): 66-77.

²¹ Musa Darwin Pane and Diah Pudjiastuti. "The Legal Aspect of New Normal and the Corruption Eradication in Indonesia." *Padjadjaran Jurnal Ilmu Hukum (Journal of Law)* 7, no. 2 (2020): 6.

development. Without the integrity of law enforcement institutions, national development will lose legitimacy and potentially cause social injustice that harms the people. Corruption not only weakens the effectiveness of the law but also reduces public trust in state institutions, making the goal of sustainable development difficult to achieve. Considering these various challenges, it is clear that legal development in Indonesia requires a holistic approach. This approach should not only focus on regulation formation but must also involve efforts to strengthen the legal culture at the community level, improve the governance of law enforcement institutions, and ensure substantive public involvement.

Legal reform needs to shift from merely normative orientation toward consistent implementative practice, so that the law can truly become an instrument supporting the achievement of the constitutional goals of national development. Effective legal development requires the integration of good regulations, strong implementation, and active community participation. Only with the combination of these three elements can the law function optimally as the foundation for national development that is fair, sustainable, and legitimate in the eyes of the public.²² This holistic legal reform is expected not only to create formal compliance with rules but also to produce real change in society, bridge the gap between norms and practice, and ensure the sustainability of development for future generations.

²² Lawrence O Gostin, John T. Monahan, Jenny Kaldor, Mary DeBartolo, Eric A. Friedman, Katie Gottschalk, Susan C. Kim et al. "The legal determinants of health: harnessing the power of law for global health and sustainable development." *The lancet* 393, no. 10183 (2019): 1857-1910.

6. Conclusion

National development in Indonesia is a constitutional mandate aimed at realizing the welfare of the people, social justice, and environmental sustainability. The results of the study indicate that legal development is the main foundation supporting the achievement of these goals, as the law functions not only as a written norm but also as a means of regulating and controlling development. However, reality shows that there is still a gap between regulation formation and implementation in the field. Many legal products are ineffective due to weak enforcement, minimal inter-institutional coordination, and low public participation. This condition poses a risk of hindering national development goals and even reducing legal legitimacy in the eyes of the public.

Therefore, legal development must be directed toward strengthening consistent implementation, eradicating corruption, and increasing public legal awareness. Public participation also needs to be positioned as a central element, not merely a formality, so that regulations genuinely address the real needs of the people. By strengthening the integration between regulation, law enforcement, clean governance, and community participation, Indonesia's national development will be capable of realizing inclusive, fair, and sustainable welfare, in accordance with the constitutional mandate and the challenges of the global era.

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