

To Build the Supervisory Capacity of the Regional Representative Council (DPRD) in Order to Realize the Implementation of Good Governance

H. M. Yasin ¹, Nurmi Sari ²

Lecturer of Master Program (S2) Law Science STIH Pengayoman Watampone
(my2445406@gmail.com)

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Abstract

The implementation of the supervisory function of the DPRD is mandated by law, supervision is intended to exercise control over the executive who is mandated to run the wheels of government in order to improve public welfare. But the supervisory function of the DPRD is a policy supervision rather than a technical one, the forms of supervision of the DPRD are in the form of hearings, work meetings, and monitoring and evaluation and field review, while absorbing the aspirations of the community related to government services and policies. It is not intended to create a good government.

Keywords: increase the capacity of District/City DPRD members

INTRODUCTION

That in accordance with the mandate of Law No.17 year 2014, has been regulated in Article 365 in affirmed that the District/City parliament has a function, namely the function of legislation, budget, and supervision and one of the functions that are very important for members of Parliament is the function of supervision, because the success or failure of Local Government is determined supervision or control of Parliament. The existence of the supervisory function is to maintain, direct, and ensure that the implementation of regional autonomy has a positive impact on the region in developing the potential of Natural Resources and human resources in order to realize the implementation of good governance.

Implementation of the supervisory function of parliament according to H.M.Yasin (2021:68) is a follow-up to the implementation of Law No. 22 of 2003, which has been replaced by law No.17 year 2014, on the composition, position of MPR, DPR and DPRD. In this case, the supervision of the DPRD is intended to control and supervise the executive over the entire process of government in the regions covering the fields of government, economy, monetary, politics, law and budget, as well as the implementation of APBD, regional regulations and APBD policies, regional regulations and policies of regional heads, and so on.

The supervision is expected to minimize irregularities, abuse of authority, and KKN practices, besides that, of course, it is also expected to correct the mistakes that have been made by the executive, as well as to encourage and motivate them to work executive in an effort to improve the welfare and income of the community. As for the forms of supervision of the DPRD, not done in the form of technical nature, but carried out in the form of political supervision, which includes recess activities to go down to the community to absorb aspirations, conduct work meetings that are invited by the executive to provide explanations or information on what is the input from the community, then the DPRD, and then a hearing is held to listen directly to the explanation from the executive to the report submitted by the public.

Implementation of the supervisory function of the parliament, according to the results of research H.M.Yasin, (2018 : 72) that there are still many things that are inhibiting factors including human resources, infrastructure facilities and operational budgets are still limited. Therefore, in

order to optimize the implementation of the supervisory function of the DPRD, the government needs to build the capacity of the DPRD, so that what the goals and objectives of local government can be realized as it should.

According to Aminudin, Graduate Student Of Law Tadulako dalam (Journal entitled supervision of DPRD in realizing the best governance. Supervision is one of the main functions attached to the DPRD. This monitoring function is expected to run effectively according to community expectations. Supervision of Parliament aims to ensure that local governments can run the program in accordance with the plan that has been set through SKPD – SKPD.

The supervisory function of the DPRD is more political and policy supervision, not functional technical supervision, therefore the supervision of the DPRD aims to develop democratic life, ensure the representation of the people and regions in carrying out their duties and authorities, and, develop a mechanism of checks and balances between the DPRD and the executive in order to realize the level of policy control.

METHOD

The research method used by the author in this study is the sociological juridical method, where research is carried out by reviewing the problem under study from a sociological juridical perspective, meaning that a study of the real situation of society or the community environment with the intent and purpose of finding facts, which then leads to the identification and ultimately leading to problem-solving

RESULT AND DISCUSSION

The term supervision is formed from the original word "caution" "in its position as a verb, the word" caution" means to observe and maintain good, (dictionary of the Indonesian language : 68). Thus in the sense of meaning, supervision is everything that is concerned with the process of surveillance, guarding, and direction that is carried out in earnest so that the object under supervision runs as it should, therefore the supervisor is basically helping to target the goals set can be achieved and early avoid irregularities in the implementation, abuse of authority, waste and leakage in government and development activities.

According to Sondang P Siagian (1970:19) that supervision is the process of observation of the implementation of all activities of basic government organizations to ensure that the work that has been done goes according to a predetermined plan.

While Manullang CV. M. Situmorang et al, (1994: 20). That supervision is a process to determine what work has been carried out, evaluate it and correct if necessary with the intention that the implementation of the work in accordance with the original plan.

In line with that, Henry Fayol (Situmorang, et al, 1994: 21) that supervision consists of testing whether everything goes according to a predetermined plan with instructions that have been outlined is aimed at to point out (determine) errors and weaknesses with a view to correcting them by preventing them from happening again.

Furthermore, according to the author as a former internal supervisor of Local Government stated that the supervision is an effort to prevent early development, so as not to occur deviations, it is increasingly clear that the purpose of the supervision function by the House of regional representatives to know and assess the actual reality of the policy that has been implemented by the, if not then the standard that applies to local governments is that local governments in implementing local policies have made deviations from local regulations and other legislation. Thus, the House of regional representatives in its supervisory function is obliged to take measures deemed necessary against local governments, with a view to preventing deviations from occurring a second time to run or implement policies in the regions.

According To Leonard. D. White (Sujanto, 1987: 23) that the purpose of supervision is :

1. To determine the implementation of kebijaksanaan made whether appropriate or not
2. To ensure that the violence is used for a good cause and has the support and approval of the DPR/DPRD as representatives of the people.
3. To protect human rights (HAM) that have been guaranteed by law from acts of abuse of authority.

Starting from the above information, the supervisory function of the DPRD plays a very important role for regional executives in running the wheels of Local Government, so that local governments do not arbitrarily issue and implement regional policies without the consent of the DPRD. This is as mandated in law No.32 of 2004 on Local Government in Article 42 letter C, namely :

The House of regional representatives :

1. Implementation on the basis of other laws and regulations.
2. Implementation Of The Decision Of The Governor Regent / Mayor
3. Implementation of opinion budget and regional expenditure (APDD)
4. Local Government Policy
5. Implementation of International Cooperation.

The five supervisory functions mentioned above are multak implemented by DPRD, as mandated by law.

Control or supervision is one of the efforts or actions to prevent deviations. According to S.P. Hasibuan (1984:223), the purpose of supervision so that the implementation process is carried out in accordance with the provisions of the plan and take corrective action/idea there are deviations (deviation). Contrary to some of the above opinions, the DPRD as the regional legislature and parallel partners of local governments have the right and obligation to control and supervise the implementation of government in the region, so that the implementation targets can run according to plan and applicable laws and regulations.

DPRD as a regional legislature is required to play its political role to control and supervise the running of Local Government, so that the direction and objectives of the implementation of regional autonomy can be realized as it should. Thus, if the implementation of the supervision is found the indication of irregularities, the DPRD has the right to call and ask for information for the Local Government to provide an explanation relating to the matter in question in accordance with the rights owned by the DPRD under the provisions of the legislation.

The supervisory function of the DPRD since the enactment of Law No. 5 of 1974, has not been well actualized. This is because the DPRD is not given a wide opportunity to carry out its functions, so that the DPRD is impressed only as a symbol and complement of Local Government. However, since the enactment of Law No. 22 of 1999 which has been amended in Law No. 32 of 2004 on local government and was last replaced by Law No. 23 of 2014, the DPRD has a strong and strategic process to perform assignment tasks in order to succeed in Democratic regional autonomy in accordance with applicable legislation.

B.N Marbun (1983 : 161) asserted that actually the DPRD can perform a very broad supervisory task in the form of preventive action (through approval) and repressive (through rejection).

The form of preventive and repressive supervision of the DPRD against local government mechanisms can be found in Law No. 22 of 2003 which provides opportunities for the DPRD to use the function of repressive supervision as well as preventive. The implementation of the rights and authority of the DPRD essentially reflects the supervisory function in other words, the supervisory function of the DPRD will not change if the members of the DPRD can exercise their rights and authority effectively.

The existence and essence of the supervisory function is very important to maintain, direct and ensure that the implementation of regional autonomy has a positive impact on the quantity

capacity of local governments. The regions develop the potential of Natural Resources and human resources and create a conducive atmosphere in maximizing the role of members of the Regional House of Representatives. Therefore, the Local Government politically demanded politikalwil to accept corrections from the parliament as its partners in implementing regional autonomy.

The procedure for implementing the implementation of the supervisory function of the DPRD seen from the formal juridical aspect can not be separated from the rules of the game that have been set in the decision of the DPRD, especially the implementation of the supervisory function of the DPRD is in the hands of the commissions and carried out according to their duties and in their respective fields such as commissions.

Commission A: in charge of law and government.

Commission B: in charge of Economics and Finance.

Commission C: in charge of development and welfare

The procedures for the implementation of supervision in accordance with the tradition of the mechanism of DPRD work is done in various ways, among others, namely :

a. Working visit

The working visit is one form of supervision of the DPRD by directly descending the spaciousness to check the state of the physical development project that has been agreed between the DPRD Local Government through the budget of each SKPD, and at the same time follow up on reports, information, and procurement from the community.

b. Working Meeting

Keja meeting is a meeting held by the DPRD to attend the executive, especially the relevant technical agencies, in connection with the findings of the DPRD during a working visit or report in masyratkat. The working meeting is the supervision of the DPRD on the performance of local governments and includes matters that still need to be improved and improved performance.

c. Hearning (With Opinions)

Hearing is a form of DPRD supervision through hearings attended by community leaders, social organizations, NGOs and others. The Hearing is intended to provide feedback communication (Feed Back) between the people and their representatives, especially things that become aspirations of the community that have not been realized by the local government.

d. Field review or clarification.

Field review is a task performed by the DPRD on the existence of reports from elements of society whose nature is divergent clarification is required by the parliament. Such a review is temporary and only focuses on certain areas, such as the election of village heads, and so forth.

Based on the implementation of the above supervision, the DPRD's supervisory action on the existence of evidence and facts found in the field can be broadly classified into two main substantions of legal action taken by the DPRD, namely, if the findings are indicated to be unlawful, the problem is forwarded to law enforcement authorities for processing and follow-up according to applicable laws and regulations, such as cases of land acquisition, harming state finances, robbery, theft, confiscation and so on.

Meanwhile, if the findings indicated irregularities procedures and admnistrasi, then the problem was submitted to the executive (regent/mayor) to take action or administrative sanctions such as periodic salary delays, delays in promotion, and so on.

Therefore, in order to optimize the implementation of the supervisory function of the parliament in order to realize the implementation of good government that must be done in various ways including holding orentasi and bendalan the members of the parliament, held a workshop with topics related to the duties and powers of the parliament, as well as publishing legislative journal

bulletin DPRD as a means of, who didn't lose the importance of each member of the DPRD must be supported by the completeness of work such as operational vehicles, laptops, cameras and representative meeting places, the point must be supported by adequate infrastructure, as well as an operating budget that is sufficient to support the duties and functions of the DPRD.

Improve capacity / ability to implement the supervisory function of Parliament. Based on the results of research and expert opinion states that the factors causing the implementation of the supervisory function of the DPRD can not be implemented optimally, according to H.M.Yasin (2020 : 84), because it is caused by several factors, including internal and external factors.

1. Internal Factors

- a. The quality of human resources of DPRD members is inadequate, both in terms of their experiences in politics and in government before officially becoming a member of DPRD, so it is one of the factors that can hinder them in carrying out their main duties and functions, especially the implementation of supervisory functions, because in general it can be said that the supervision of the Regency/City DPRD has not been able to keep up with the pace of development of Science and technology today that is all-sophisticated, which in general people in cities have used digital electronics. thus, the members of DPRD are highly demanded to increase their capacity through formal education (S1, S2, S3), as well as informal education by participating in education and training, organized by higher education institutions and government institutions. Both in the form of technical guidance, workshops, seminars scientific, as well as education and training organized by political parties, it is intended in an effort to improve the knowledge, skills and experience, as well as the professionalism of the members of Parliament in carrying out their duties and functions as representatives of the people in the regions.
- b. Educational background
Educational background should be relevant to the job job, if this is not adjusted then one of the inhibiting factors in the implementation of the task. If a board member is placed on a commission that is not in accordance with his expertise or educational background, it will certainly not be able to work optimally, for example, a religious scholar is placed on a commission in charge of finance, how to talk a lot while he is not an expert, so how to carry out supervision of the executive to the maximum.
- c. Facilities and infrastructure
Facilities and infrastructure is a supporting factor that is very supportive of members of Parliament in carrying out their duties, especially the duties of supervision of the executive in monitoring and controlling the administration of government, means of aspiration in parliament is still very limited, that the car used for operations is only limited each used by the chairman of the commission, while the area to be reached is very wide, while for the islands require sea transportation facilities in the form of transport ships and the like. Therefore, that the inhibiting factors that are felt during this is the limited means of sea and Land Transportation, causing frequent delays in the implementation of DPRD supervision tasks, especially in the island areas.

2. External Factors

The political Beach is the strong influence or interference of political parties, it can be proved that every plenary meeting for a decision-making DPRD is not always smooth but certainly among the factions there are those who protest because the decision is considered detrimental to the party, so it appears in the faction through its members fighting all out so that the decision of the DPRD is not forwarded in the sense of pending first. Thus, it means that in this case it is no longer the interests of the people that are fought for, but sometimes it is precisely the interests of the party that take precedence.

CONCLUSION

1. The implementation of the supervisory function of the DPRD in addition to preventing irregularities and errors that may occur in the implementation of executive activities (SKPD), also at the same time can direct the goals and objectives to be achieved in accordance with the vision and mission of the Regional Head.
2. That the supervision of the DPRD is a mandate of the law and the form of supervision carried out preventively is also carried out in a repressive manner.
3. Building the supervisory capacity of the DPRD, in order to realize the implementation of good government (Good Governance).

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