

THE AUTHORITY AND ROLE OF THE REGIONAL HOUSE OF REPRESENTATIVES IN REALIZING CLEAN GOVERNMENT OFFICIALS IN THE ERA OF REGIONAL AUTONOMY

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Abstract

The Constitution of the Republic of Indonesia Year 1945 regulates the House of Representatives (DPR) and regional autonomous government. Articles 18 to 18B of the 1945 Constitution discuss the division of regions and the regional government system, and Articles 19 and 20 of the 1945 Constitution regulate the DPR. In Indonesia, the House of Representatives is a state institution representing the people tasked with carrying out legislative, budgeting, and oversight functions over the performance of the government. In relation to local governments, the Regional House of Representatives (DPRD) and the local government are equal partners in administering regional governance, where the DPRD has the primary functions of legislation (enacting regional regulations), budgeting (preparing and approving the regional budget), and supervision (overseeing the implementation of regional regulations and local government policies), while the local government (led by the Head of the Region) has the function of executing regional regulations and local policies. They work together synergistically, with open communication, to ensure that development policies and programs meet the needs of the community and are implemented effectively and accountably. With the problem formulation being what are the inhibiting factors faced by the Regional House of Representatives (DPRD) in realizing a clean government apparatus in the era of regional autonomy. The purpose of this research is to identify the inhibiting factors faced by the DPRD in realizing a clean government apparatus in the era of regional autonomy. The benefits of the research include academic benefits, theoretical benefits, and practical benefits. The research methods consist of: type of research, nature of research, approach method, data sources (primary legal materials and secondary legal materials), data collection techniques, and data analysis methods. That based on the research results, the Regional House of Representatives (DPRD) is not performing its duties optimally due to limitations in human resource quality, lack of knowledge about regulations, procedures, and policies, as well as insufficient DPRD studies and a lack of intention to realize a clean government.

Keywords: *Regional House of Representatives, obstacles, clean government apparatus, and regional autonomy.*

INTRODUCTION

The Constitution of the Republic of Indonesia Year 1945 regulates the House of Representatives (DPR) and regional autonomous government. Articles 18 to 18B of the 1945 Constitution discuss the division of regions and the regional government system, and Articles 19 and 20 of the 1945 Constitution regulate the DPR. In Indonesia, the House of Representatives is a state institution representing the people tasked with carrying out legislative, budgeting, and oversight functions over the performance of the government. In relation to local government, the Regional People's Representative Council (DPRD) and the local government are equal partners in the administration of regional governance, where the DPRD has the main functions of legislation (enacting regional regulations), budgeting (preparing and approving the regional budget), and supervision (monitoring the implementation of regional regulations and local government policies), while the local government (led by the Head of the Region) has the function of executing regional regulations and local policies. Both work together synergistically, with open communication, to ensure that policies and development programs meet the needs of the community and are implemented effectively and accountably.

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In this research, the author will examine the factors that hinder the Regional House of Representatives (DPRD) in creating a clean government apparatus in the era of regional autonomy. The paper concludes with a "closing" that emphasizes the main ideas and important suggestions proposed.

LITERATURE REVIEW

- a. What are the general provisions in regulating the authority and role of the Regional House of Representatives (DPRD) in realizing a clean government apparatus in the era of regional autonomy?
- b. What are the inhibiting factors faced by the DPRD in realizing a clean government apparatus in the era of regional autonomy?

METHOD

a. Research specifications

In conducting scientific research, it is clear that methods must be used as a characteristic of scholarly work. Normative legal research methods are focused on activities involving the analysis of legal documents and applying a library research approach to the 1945 Constitution of the Republic of Indonesia and the MPR RI Decree Number XV/MPR/1998 concerning the Implementation of Regional Autonomy, Decree of the People's Consultative Assembly of the Republic of Indonesia Number IV/MPR/2000 concerning Policy Recommendations in implementing Regional Autonomy, Law Number 28 of 1999 on State Administrators who are Clean and Free from Corruption, Collusion, and Nepotism, Law Number 32 of 2004 concerning Regional Government, Law Number 33 of 2004 on Fiscal Balance between Regional and Central Government, Law Number 23 of 2014 on Regional Government, and other legislation related to the discussion in this study.

b. Data Collection Techniques and Data Collection Tools

This study only involves library research based on books, seminar results, articles, and journals related to the 1945 Constitution of the Republic of Indonesia, MPR RI Decree Number XV/MPR/1998 concerning the Implementation of Regional Autonomy, MPR RI Decree Number IV/MPR/2000 regarding Policy Recommendations in implementing Regional Autonomy, Law Number 28 of 1999 concerning a State Organizer that is Clean and Free from Corruption, Collusion, and Nepotism, Law Number 32 of 2004 concerning Regional Government, Law Number 33 of 2004 concerning the Financial Balance Between Regional and Central Government, and Law Number 23 of 2014 concerning Regional Government.

c. Data Analysis

Data analysis activities, as a key element of data processing, are carried out by applying descriptive qualitative methods using the statutory approach, the analytical approach, and the normative-comparative approach. Conclusions are drawn through the application of a systematic interpretation method, namely by interpreting a legal product and then establishing correlations with other legal products relevant to the research object. In this way, the collected data can be analyzed and conclusions can be drawn.

d. Research Schedule

The research will be conducted from March 2025 to September 2025

RESULTS AND DISCUSSION

REGULATION OF AUTHORITY AND THE ROLE OF THE REGIONAL HOUSE OF REPRESENTATIVES (DPRD) IN REALIZING A CLEAN GOVERNMENT APPARATUS IN THE ERA OF REGIONAL AUTONOMY ACCORDING TO LAWS AND REGULATIONS.

Normatively, the authority and role of the Regional House of Representatives (DPRD) in realizing a clean government apparatus in the era of regional autonomy are governed by several laws and regulations in force in Indonesia as follows:

1. The 1945 Constitution of the Republic of Indonesia. According to the 1945 Constitution of the Republic of Indonesia, the Regional People's Representative Council (DPRD) is a representative body at the regional level whose members are elected through general elections. Its existence and position are regulated in Article 18 Paragraph (3) of the 1945 Constitution, which states

"The provincial, regency, and city local governments have Regional People's Representative Councils whose members are elected through general elections." As an element of local government administration, the DPRD has important roles and responsibilities in the system of governance at both the provincial and regency/city levels.

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- a. Functions and Position of the Regional People's Representative Council (DPRD) Regional People's Representative Institution:
The DPRD represents the people living in a particular region.
- b. Element of Local Government Administration:
The DPRD is part of the governmental structure at the regional level.
- c. Implementation of Legislative, Budgetary, and Supervisory Functions:
The DPRD plays a role in forming regional regulations, determining the regional revenue and expenditure budget (APBD), and overseeing the administration of local government.

2. MPR RI Decree No. IV/MPR/2000 on Policy Recommendations in the Implementation of Regional Autonomy. According to MPR RI Decree No. IV/MPR/2000 concerning Policy Recommendations in the Implementation of Regional Autonomy, the Regional House of Representatives (DPRD) is a legislative body in the regions that plays an important role in promoting the implementation of regional autonomy based on the principles of decentralization, democracy, and equality. This decree aims to improve public services, foster community creativity, create regional independence, and ensure the enhancement of national identity and welfare in the regions through the implementation of regional autonomy. The Role of DPRD in Regional Autonomy (According to MPR Decree IV/2000):

- a. Encouraging the Implementation of Regional Autonomy:
The Regional House of Representatives (DPRD) plays a role in encouraging and ensuring that the implementation of regional autonomy runs in accordance with the mandates of the constitution and laws.
- b. Ensuring the Principle of Decentralization:
As a regional legislative body, the DPRD also ensures that the principle of decentralization is properly realized in its region.
- c. Improving Public Services and Enhancing Community Creativity:
The DPRD is expected to create space and promote policies that improve public services as well as the creativity of government officials and the community in the region.
- d. Creating Space for Regional Independence:
Through its legislative function, the DPRD plays a role in creating policies that provide broader space for regions to achieve independence.
- e. Ensuring Equality in Relations between Central and Regional Governments:
The DPRD, together with other regional governments, must ensure equality in authority and finances between the central and regional governments, as well as between regions.

The Objectives of Regional Autonomy in TAP MPR IV/2000:

- a. To improve public services and foster the creativity of the community as well as local government officials.
- b. To realize equality in the relationship between the central government and regional governments, and among regional governments, in terms of authority and finances.
- c. To ensure the enhancement of national spirit, democracy, and community welfare in the regions.
- d. To create broader opportunities for regional independence.

3. Law Number 28 of 1999 on the Implementation of a Clean and Corruption, Collusion, and Nepotism-Free State. According to Law Number 28 of 1999, the Regional People's Representative Council (DPRD) is not specifically mentioned as a definition; however, the DPRD is an institution that falls under the category of State Administrators, similar to legislative bodies. State Administrators are State Officials who perform legislative functions and other officials whose duties are related to the administration of the state.

4. Law Number 23 of 2014 Concerning Regional Government. According to Law Number 23 of 2014 concerning Regional Government, the Regional House of Representatives (DPRD) is a regional people's representative body that functions as an element of regional government administration. The DPRD has the duties and authorities in the establishment of regional regulations together with the regional head, discussing and approving the draft Regional Budget (APBD), as well as supervising the implementation of regional regulations and the APBD. From the explanation of the articles of the aforementioned legislation, the DPRD has authorities and roles, among others:

- a. Authority of the Regional People's Representative Council (DPRD)

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1. Legislative Function: The DPRD creates regional regulations that serve as the legal basis for the administration of regional government to ensure it operates in accordance with the principles of good governance.
2. Budgetary Function: The DPRD determines and supervises the use of regional budgets to ensure that public funds are used effectively and appropriately.
3. Supervisory Function: The DPRD exercises control and evaluation over the implementation of regional government policies and the performance of officials to ensure compliance with regulations and freedom from corruption, collusion, and nepotism (KKN).

1. The role of the DPRD in realizing a clean government
 - a. The DPRD oversees the implementation of local government in accordance with the principles of transparency and accountability, including rejecting executive policies that are detrimental to the public.
 - b. The DPRD closely monitors the use of the regional budget to prevent corruption and waste.
 - c. The DPRD encourages the creation of regulations related to accountability and transparency management in local governments.
 - d. The DPRD becomes a mediator of the community's aspirations and ensures that local government officials work according to the public mandate.
 - e. The DPRD provides sanctions or recommendations for improvements to irregularities that occur in the local government.

By carrying out these authorities and roles optimally, the DPRD contributes significantly to realizing a clean, effective, and authoritative local government apparatus in the era of regional autonomy

FACTORS INHIBITING THE DPRD IN REALIZING A CLEAN GOVERNMENT APPARATUS IN THE ERA OF REGIONAL AUTONOMY

A. Limited Quality of Human Resources (HR).

Human Resources (HR) is a vital asset that includes all human beings which includes the potential of thinking, physical power and various skills and knowledge used to achieve the goals of each individual or organization. Human resources are just as important inputs as capital, machinery, or technology, and good management of their quality and quantity greatly determines the success of an organization. Human resources are the main pillar of support as well as the driving force of the organization in an effort to realize very important organizational elements, therefore it must be ensured that these human resources must be managed as best as possible and will be able to contribute optimally in efforts to achieve organizational goals. The existence of council members more or less has an influence in carrying out their functions and duties. Members of the DPRD who are elected and appointed from the parties that win the election have different individuals/personalities and occupations before becoming members of the DPRD. The limited quality of human resources (HR) in the Regional House of Representatives (DPRD) is a problem that is often raised. These limitations include both board members and secretariat staff, and may affect their performance in carrying out legislation, budgeting, and oversight functions.

B. Lack of DPRD Knowledge of Regulations, Procedures and Policies.

The DPRD's knowledge of regulations, procedures, and policies is an important foundation for the implementation of its three main functions, namely: legislation, budget, and supervision, to ensure that the implementation of local government runs effectively and in accordance with the law. The DPRD's knowledge of regulations, procedures, and policies allows DPRD members to draft quality Regional Regulations (Perda), discuss and approve the right regional revenue and expenditure budget (APBD), and carry out optimal supervision of the implementation of executive policies and budgets, so that community welfare can be realized. The existence of regulations, procedures and policies is shown to assist DPRD members in carrying out their authority and role in carrying out legislation, budget, and supervision functions in the regions. These regulations, procedures and policies serve as guidelines to ensure whether the implementation of the authority and role of the DPRD is in accordance with the objectives and laws and regulations set. The existence of laws also affects organizational behavior because of the large existence of the organization and it is related to daily activities within the framework of regulations that

will affect central regulations and regional regulations. This means that in carrying out supervision of the APBD, the DPRD must refer to the applicable regulations. It also indicates that board members must have sufficient knowledge of applicable regulations, policies and procedures.

C. Lack of Study by the DPRD, and Lack of Intention in Realizing a Clean Government

Lack of in-depth study by the District People's Representative Council (DPRD) and not having the intention to exercise their authority and role is a complex problem caused by various factors. This problem affects the three main functions of the DPRD, namely legislation, budget, and supervision.

There are several things that are the main causes of the lack of DPRD studies, including:

1. Limited competence and knowledge of members

- Minimal mastery of issues: Many council members lack in-depth knowledge of the important issues being discussed, so the study conducted is not optimal.

- Focus on procedural aspects: Supervision is often limited to procedural aspects in the absence of concrete follow-up, due to a lack of substantive understanding.

2. Inadequate instruments and work procedures

- Limited supervision instruments: The DPRD often lacks adequate instruments or devices to carry out effective supervision.

- Limited authority to impose sanctions: Although it has the right to supervise, the DPRD does not have the authority to impose strict sanctions on executives who commit irregularities, so that the results of supervision cannot be followed up optimally.

- Limited secretariat support: The performance of the DPRD can also be hampered by the lack of optimal support from the council secretariat, which plays a role in facilitating the implementation of tasks.

3. Executive pressure and dominance

- Dominance of local governments: In making regional regulations (Perda), local governments (regional heads) have a more dominant role, so the right of initiative of the DPRD is often not fully effective.

- Budget as a bargaining tool: Studies that are supposed to be objective are often affected by budget allocation, where the results of studies or working visits cannot be followed up due to constraints on budget plans prepared by local governments

CONCLUSION

a. That the DPRD has a central and strategic role that has been regulated by laws and regulations, especially through the functions of supervision, legislation, and budget. However, the effectiveness of this role relies heavily on a robust mechanism and the commitment of board members in carrying it out. Although the DPRD has all the legal tools and authority necessary to create a clean government, its realization still depends heavily on the integrity, commitment, and quality of the council members themselves to carry out their functions optimally. Without strict supervision and effective follow-up, the goal of realizing a clean apparatus in the era of regional autonomy will be difficult to achieve.

b. Factors that are obstacles/obstacles for the DPRD in

realizing a clean government in the era of regional autonomy are: the factors of limited quality of human resources (HR), the factor of the DPRD's knowledge of regulations, procedures and policies, and the lack of study of the DPRD, and the lack of commitment to realize a clean government. These factors can affect the performance of council members in realizing a clean government in the era of regional autonomy.

SUGGESTION

a. It is hoped that the DPRD can carry out its duties in accordance with the provisions of laws and regulations, and strengthen the supervisory function, as well as increase transparency and accountability.

b. It is hoped that the DPRD can improve the quality of human resources (HR), strengthen the supervisory function, and increase transparency and accountability. This is very important to realize a clean government in the era of regional autonomy

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