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## Supervision of Regional Representative Council of Indonesia in The Implementation of Regional Autonomy

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**Abstract.** In a bicameral system, Regional Representative Council of Indonesia (Dewan Perwakilan Daerah Republik Indonesia/DPD RI) acts as a regional representative institution that fights for regional problems. The authority of DPD RI is to supervise implementation of the law. The supervisory functions of the DPD RI are to monitor and supervise the government and public institutions, including the implementation of laws, regulations and policies. In this study the authors used a qualitative approach. The purpose of this study is to see the extent of supervision carried out by DPD RI on the implementation of regional autonomy carried out by Committee I. The author used strategies, analysis and relevant and important sources related to the supervisory function of the DPD RI on the implementation of regional autonomy. The author found that the authority of supervision and follow-up of the results of DPD RI's supervision on the implementation of regional autonomy is still very limited, there are supervisory problems starting from the relationship between DPD RI and the central government and local governments, human resources and supporting resources are inadequate, and the level of public confidence in DPD RI decreases.

**Keywords:** Supervision of DPD RI; Regional Autonomy; System Bicameral

**Abstrak.** Dalam sistem bikameral, Dewan Perwakilan Daerah Republik Indonesia/DPD RI berperan sebagai lembaga perwakilan daerah yang memperjuangkan masalah daerah. Kewenangan DPD RI adalah mengawasi pelaksanaan undang-undang tersebut. Fungsi pengawasan DPD RI adalah memantau dan mengawasi pemerintah dan lembaga publik, termasuk pelaksanaan peraturan perundang-undangan dan kebijakan. Dalam penelitian ini penulis menggunakan pendekatan kualitatif. Tujuan penelitian ini untuk melihat sejauh mana pengawasan yang dilakukan oleh DPD RI terhadap pelaksanaan otonomi daerah yang dilakukan oleh Komite I. Penulis menggunakan strategi, analisis dan sumber-sumber yang relevan dan penting terkait fungsi pengawasan DPD RI pada pelaksanaan otonomi daerah. Penulis menemukan bahwa kewenangan pengawasan dan tindak lanjut hasil pengawasan DPD RI terhadap pelaksanaan otonomi daerah masih sangat terbatas, muncul permasalahan pengawasan dari mulai hubungan DPD RI dengan pemerintah pusat dan pemerintah daerah, sumber daya manusia dan sumber daya pendukung yang belum memadai, dan tingkat kepercayaan masyarakat terhadap DPD RI menurun.

**Kata Kunci:** Pengawasan DPD RI; Otonomi Daerah; Sistem Bikameral

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## PENDAHULUAN

Indonesia went through transitions in its democracy journey, one of which is a change in the aspect of statehood is a change in the Constitution of the Republic of Indonesia year 1945 (UUD 1945). Prior to the change the constitution, the representative institutions in Indonesia consisted of the People's Consultative Assembly of the Republic of Indonesia (Majelis Permusyawaratan Rakyat/MPR RI) and the House of Representatives of the Republic of Indonesia (Dewan Perwakilan Rakyat/DPR RI), but along with the change came a new representative institution, namely the Regional Representative Council of the Republic of Indonesia (Dewan Perwakilan Daerah/DPD RI) on amendment 3 of the 1945 Constitution. Consecutively, the representative system in Indonesia became a bicameral system. In the bicameral system, two legislature chambers represent political and regional aspirations.

Some countries have successfully implemented bicameral systems, including the United States (senate and house of representatives), the Netherlands (eerste kamer and tweede kamer) and The United Kingdom (house of lords and house of commons). In the bicameral system, the two legislative institutions have similarities in fighting for the aspirations and interests of the people on a national and regional scale. Where parliamentary institutions are directly responsible to the electorate and satisfaction with the performance of the main parliament (van Gruisen & Crombez, 2019).

The bicameral system in Indonesia is regarded as soft bicameral because the authority of the DPR RI and DPD RI is not equal, and the authority of the DPD RI has not been strategic in the Indonesian constitution (Diamantina, 2018). DPR RI have the authority to follow up on the results of supervision submitted by DPD RI. While DPD RI is only limited to conducting supervision and submitting the results to the DPR RI without being able to follow up on the results of its supervision. So these two representative institutions differ in authorities, duties and functions, and member recruitment processes. Hence, the debate on the bicameral system in the unitary state, its representative value, effectiveness as a legislative body, and its existence as a constitutional institution is non-exhaustive (Coakley, 2014).

In the bicameral system, the authority of DPD RI is to submit a draft law, participate in discussing and giving consideration to the draft law and conduct supervision on the implementation of the law is regulated in the article 22D paragraphs (1), (2), and (3) of the

1945 Constitution. The function of DPD RI is carried out by complementary tools, namely committees / Commissions, the fittings in the DPD RI called the committee of the Committee / Commission of parliament are considered as a necessary condition for the legislature to help compromise policy between parties in multiparty government (Martin & Whitaker, 2019). The complementary tools is Committee I, Committee II, Committee III and Committee IV. The work mechanisms of DPD RI are regulated in DPD RI Regulation No. 2 of 2019 on DPD RI Order.

Supervision includes a series of legislative activities, namely the evaluation of the formulation and implementation of government policies. For this reason, the legislature in conducting supervision of the government must be well organized (Ridlwan & Mochtar, 2019). So, the supervisory functions of the DPD RI are to monitor and supervise the government and public institutions, including the implementation of laws, regulations and policies. Committee I DPD RI has the task of monitoring the implementation of laws related to regional autonomy, central and regional relations, and the establishment, expansion and incorporation of regions, management of natural resources and other economic resources, implementation of state revenue and spending budgets, taxes, education and religion.

The legislature's constitutional structure that governs the legislature's role and power is essential to capture legislative institutions' role and supervisory power (Onyango, 2020). But the supervision role of DPD RI in the 1945 Constitution is low, so some DPD RI members propose to the MPR RI to make amendments to the 1945 Constitution in Article 22. This constitutional change aims to strengthen the role of the DPD RI as a regional representative institution that fights for regional problems (Nugroho, n.d.).

A function of DPD RI is to supervise the implementation of regional autonomy. The regional autonomy mandates local governments to organize and take care of their government affairs. Law No. 23 of 2014 stipulates that "Regional autonomy is the right, authority, and obligation of autonomous regions to regulate and take care of their own Government Affairs and the interests of local communities in the system of the Unitary State of the Republic of Indonesia". However, the supervisory authority towards regional autonomy between the DPD RI and DPRD overlap because the DPR RI also has the authority to oversee the autonomy of its regions.

In addition, the existence of regional autonomy has created numerous New Autonomous Regions (Daerah Otonom Baru/DOB), where each region can independently regulate its government activities in the development of the respected area. With an area of 1,913,578.68 km<sup>2</sup> and a population of 272,229,372 people, the expansion of post-political decentralization in Indonesia has increased. Previously, the growth of the regencies was from 234 to 415 regencies (77.3%). The expansion of the city increased from 59 to 93 cities. And there were ten new provinces. So that the total of New Autonomous Regions from 1999 to 2014 is 542 (Director General of Regional Autonomy of the Ministry of Home Affairs, 2014).

However, DOB has not been effective. According to the results of the Report of the Audit Board of the Republic of Indonesia (BPK RI) in 2019, DOB's revenue sources are mostly from the state budget; hence they have not been independent. The Regional Original Income (PAD) of DOB are well under the central transfer fund. While the central government has placed a moratorium on DOB proposal of new DOBs creations continues. According to data from the Ministry of Home Affairs, there are 314 DOB proposals.

In terms of the establishment of DOB, DPD RI has a supervisory role in the preparation area stated in Law No. 23 of 2014, namely "The Regional Representative Council of the Republic of Indonesia conducts supervision on the Preparatory regional" and "DPD RI is tasked with overseeing the preparation area until the area is able to become a DOB which will then be continued with the legislative process by the House of Representatives". But DPD RI does not have a full role to follow up the results of supervision until the formation of DOB. This is because does not regulate instructions in implementing supervision of preparatory areas by DPD RI.

Most of the DPD RI-related research is about DPD RI in the Indonesian State System and about Implementation of the Legislative Function of DPD RI. No one has discussed specifically related to the supervisory function of DPD RI on the implementation of regional autonomy. Where the supervisory function of DPD RI is considered important to monitor the ability of DOB in carrying out its autonomy.

The purpose of this study is to analyze DPD RI supervision of the implementation of regional autonomy amid the limited authority possessed by DPD RI constitutionally. This research is expected to add insight and knowledge for researchers in the field of

administration and public policy and become input to carry out the duties of the government both central and local governments.

## **METHODS**

In this study the authors used a qualitative approach. This approach is considered relevant to research because it has philosophical assumptions, research strategies, collection methods, analysis and interpretation of data that vary (Creswell, 2010). So this is considered appropriate to analyze the discussion systematically. For this reason, the author will use strategies, analysis and relevant sources and be considered importantly related to the supervisory function of the DPD RI on the implementation of regional autonomy.

The purpose of using a qualitative approach is to understand phenomena in- depth and in detail (Pamela Atieno, 2009). The qualitative approach is carried out intensively, actively participating in research by conducting interviews, recording activities, analyzing various supporting documents, and making detailed research results reports. Interviews were conducted to several internal and external sources of DPD RI. For internal speakers namely chairman of Committee I DPD RI, and members of DPD RI. As for external resources consisting of the Governor of Bengkulu, and members of DPRD.

The author performs data analysis by means of Data Reduction, Data Display, and Conclusion Drawing/verification. Analysis of data conducted by researchers with the aim of the data obtained is expected to find a theory or hypothesis that strengthens the research from the previous one is still dimly lit because the research is carried out qualitatively. This method is a reference to understanding the phenomenon related to DPD RI supervision of regional autonomy in-depth and in more detail.

## **RESULTS AND DISCUSSION**

### **The Role of DPD RI in Supervision of the Implementation of Regional Autonomy in Law No. 23 of 2014**

In Law No. 23 of 2014 on Local Government which regulates the basis of the establishment of DOB not only based on regional proposals (bottom-up) but also in consideration of national strategic interests for border areas, outer islands and certain areas to maintain the interests and sovereignty of the Republic of Indonesia (top down).

The initial stage of DOB is the area of preparation. The preparatory area is formed based on national strategic considerations in a maximum stage of 3 (three) years aiming at preparing the soon be expanding new area is really ready to take care and manage the interests of the region and not burden the parent area. The scope of the preparation area must be accompanied by clear boundaries and take into account the parameters of defense and security, economic potential, as well as other parameters that strengthen the sovereignty of the Republic of Indonesia.

Law No. 23 of 2014 Article 33 Paragraph 1 regulates two requirements that must be met by the preparatory area. First, basic requirements which are divided into basic territorial requirements that includes a minimum area, minimum population, territorial boundaries, regional coverage, minimum age limits of provincial areas, districts / cities, and sub-districts.

The second basic requirements that must be met are regional capacity requirements which include: 1) Geography, 2) Demographics, 3) Security, 4) Socio-politics, customs, and traditions, 5) Economic potential, 6) Regional finance, and 7) the ability to organize government.

Law No. 23 of 2014 It also states that the merger or elimination of a New Autonomous Region is carried out through the stages of preparation and a measurable process of construction, monitoring, and evaluation with an adequate period of time before it is decided to be merged or abolished.

With the mechanism of establishing a preparatory area 3 (three) years before it is decided to become DOB, the existence of DOB removal and incorporation policies, and the existence of national strategic interests as the basis for the formation of DOB (top down), needs to be a serious and careful concern of the government in preparing the new area to be formed.

With this mechanism, it is not impossible, areas that were technically ready but not ready to implementatively (preparatory areas) will be abolished or recombined back into the parent area. In addition, there is a national strategic need, becoming a specialty because the proposals and funding will be the full responsibility of the central government.

The procedure for expansion of the preparation of one area is listed in article 33 Paragraph (2) of Law No. 23 of 2014 "the preparatory area is proposed by the governor

to the central government, the DPR RI, and the DPRD RI". So the central government conducts an assessment of the fulfillment of the conditions mentioned earlier, and the results of the assessment are submitted by the central government to the DPR RI for approval.

The role of the DPD RI as a regional representative is listed in Law No. 23 of 2014 in Article 42 and Article 43, where the central government in conducting supervision made the DPR RI and DPD RI as an important role in conducting supervision. This is indicated by the explanation of the role of DPD RI supervision on the Preparatory Area in Article 42, namely "The Regional Representative Council of the Republic of Indonesia conducts supervision of the Preparatory Area".

Article 43 also states that "The Central Government conveys the development of development, supervision, and evaluation of the Preparatory Area as referred to in Paragraph (1) to the House of Representatives of the Republic of Indonesia and the Regional Representative Council of the Republic of Indonesia". In this case the Central Government, DPD RI and DPR RI are tasked to oversee the preparation area until the area is able to become a DOB which will then be continued with the legislative co-process by DPD RI and DPR RI.

Related to regional autonomy, In Law No. 23 of 2014 states that the Central Government, DPD RI and DPR RI are tasked to oversee the preparation area until the area is ready to become a DOB which will consequently be continued with the legislative process by DPD RI and DPR RI. In addition, DPD RI has a supervisory role in the preparation area in two subjects, namely internal supervision and external supervision.

Internal supervision of regional autonomy is carried out by Governors. Law No. 23 of 2014 states the Governor as a representative of the central government who has the authority to foster and supervision on the implementation of Co- Administration Tasks in Regencies / Cities, conduct monitoring and supervision, conduct Local Government Budget evaluation, cancel the regional regulation and approval to the draft regional regulation in the regency/city, and can sanction the Regent / Mayor. Thus, the Governor holds two roles, namely as head of the autonomous region of the province and as a representative of the Central Government in the region. For this reason, the Governor plays an internal role in overseeing local government.

On the other hand, external supervision is carried out by DPD RI as a representation

of local governments in the central government; DPD RI's role has become important in helping regional heads oversee internal problems of local governments to be submitted to the national discussion at the central level. From the external side, DPD RI can help socialize national affairs to the regional head to follow the national development trajectory.

Regarding the implementation of regional autonomy supervision, DPD RI operates according to certain standards to build planned relationships and provide productive and effective results in the relation between DPD RI members and local governments. For this reason, a meeting was held with the DPD RI and the local government to accommodate aspirations and to seek the facts of supervision of autonomous regions.

In principle, DPD RI, especially Committee I, stated that the mechanism of the formation of new autonomous regions must be amended to improve weak mechanisms that occurred in the process. Committee I DPD RI is entitled to the establishment of regions to create effective and efficient local governments by shortening the range of control, bringing closer and providing complete public services in order to achieve prosperity in the region, not because of political impulses.

The form of supervision of DPD RI on the preparation area is to provide inputs and considerations to the formation and adjustment of the region based on considerations of national strategic interests. As a representation of the region, DPD RI roles in communicating the interests, aspirations and conditions of the region based on inputs from the community and local government. Therefore, DPD RI is obliged to accommodate DOB proposals through Committee I as far as it meets the requirements and conditions specified in the laws and regulations.

Through Committee I, DPD RI encourages the government and the House of Representatives (Commission II) to have the Grand Design of Regional Arrangements as a blueprint in forming, incorporating, and eliminating regions. Regional Structuring is very important to design and develop an area so that it is well planned and organized to achieve the ultimate goal of the formation, connectivity and elimination of areas is for the welfare and progress of the region.

Against the importance of the role of DPD RI on the implementation of regional autonomy, we also need to review the mechanism of supervision carried out by the DPD RI

on autonomous regions. For that, we need to look at the readiness of DPD RI from aspects of its strategic role, the availability of its budget, and the readiness of its resources. These three aspects are supporting factors to the effectiveness of DPD RI supervision in the implementation of regional autonomy.

From the aspect of the strategic role of DPD RI in making sure that Regional Structuring is associated with Article 22D of the 1945 Constitution, then DPD RI is authorized in submitting a Regional Formation Bill (legislation) and is authorized to conduct supervision on the implementation of the Law on regional formation. Therefore, the Chairman of Committee I stated that the supervision carried out by the DPD RI supports in formulating and compiling matters that become points of strategic issues that arise in the community and regions related to the formation of regions. In the field of oversight, DPD RI can control the process of establishing regulations implementing Law No. 23 of 2014 on Local Government, especially Government Regulation on the Grand Design of Regional Structuring (Desain Besar Penataan Daerah/Desertada) and Government Regulation on Regional Structuring as a revision of Government Regulation (Peraturan Pemerintah/PP) No. 78 of 2007 on Procedures for The Establishment, Elimination and Incorporation of Regions. It submits bills regarding the establishment of a New Autonomous Region as a proposal for the DPDRI initiative to be discussed with the DPR RI and the Government.

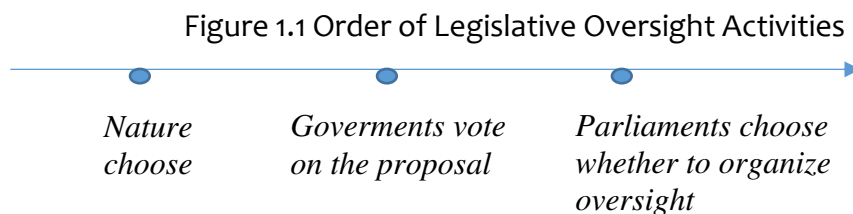
From the aspect of the Budget DPD RI, sufficient is certainly support for the implementation of supervision. The source of the budget for supervision is stated in the State Budget. The Head of Finance of DPD RI in an interview stated that the amount of realization of the use of the DPD RI budget ceiling in the implementation of supervision between 2020-2021, which mostly reached more than 90%, it can be said that the absorption of the financial budget is in accordance with the forecasting budget in Committee I but has not been maximized (100%), this supervisory budget is used by DPD RI for supervision activities. Supervision activities are work visits according to the needs of each member, and they will be held accountable with the budget by providing recapitulating the use of the budget at the end of the year Supervision of DPD RI is held during the implementation of recess and work visits according to a predetermined schedule. During the implementation of recess or work visits, all DPDRI Members return to the elected regions to conduct supervision of problems that occur in the area and

supervision of preparatory areas and established autonomous areas.

From the aspect of resource availability, DPD RI can form an evaluation team to conduct running DOB's evaluations and assess the results of the final evaluation of the preparation area that has been carried out by an independent review team. It also needs to establish a joint consultation team to select and assess the work performance of the Independent Review Team on reviews of the basic requirements of regional capacity. On the other hand, supervision on the progress of construction, supervision and evaluation of preparatory areas carried out by the Central Government represented by the Regional Head and DPD RI.

### Mechanism of Supervision and Preparation of The Results of DPD RI Supervision of Regional Autonomy

The mechanism of the legislative body's supervision activities starts from investigations and investigations, holding hearings, forcing witness testimony, conducting policy analysis, launching public consultations, and publishing / promoting findings and conclusions (Bevan et al., 2019). For that we can see the order of the supervision activities of the legislature in figure 1.1



Source: (van Gruisen & Crombez, 2019)

In finding problems, the legislature first listens to the opinions of the government, then they will decide whether or not to conduct supervision. So the implementation of supervision, DPD RI certainly is implementing similar supervision mechanisms that are structured and procedural starting from finding the problems to the preparation of surveillance results.

The supervision mechanism carried out by DPD RI is listed in DPD RI Regulation No. 1 of 2014 on DPD RI Order. Based on these provisions, Committee I DPD RI has carried out the following activities: Recess of DPD RI members; Working Meeting with the Minister

of Home Affairs; Expert Meeting; working visits to several provinces; consignment; Preparation of supervision results in the form of Oral report and Written report.

According to Manullang (2006: 176) the supervision mechanism consists of: Personal observation (personal inspection), (2) Oral report (oral report), (3) Written report (written report), and (4) Control by exception. In the supervision mechanism carried out by DPD RI in Personal Observation, DPD RI conducts work visits or recess to their respective representatives to control all problems in the area and accommodate aspirations of the community. For example, during the Working Visit of Members of Committee I DPD RI found several problems of regional autonomy, namely:

1. The implications of good governance that are not properly managed, in regards to the capacity of regional organizers in financial management and budget that must be recognized is still very weak.
2. Border disputes between regencies / cities that can disrupt both the economic and security sectors.
3. Suboptimal implementation of labor supervision aspects in the era of regional autonomy by regencies / cities, because it is often influenced by practical interests, and in attracting investment and interests to maximize local original income.

Oral report mechanism conducted by DPD RI is in the form of a report submitted in the Plenary Session. Where representatives of DPD RI Members from each Province conveyed the results of evaluations found in the respective areas. The results of the submission are discussed to determine the priority affairs in the discussion in the Joint Assembly. The implementation of the Plenary Session is regulated in Law No. 17 of 2014.

On the other hand, the written report mechanism in the form of documents resulting from the implementation of Work Visits conducted by each member of DPD RI in their respective representative provinces. Such document describes existing regulations, problems and proposals found by DPD RI Members. Attached also in the document is the budget in the implementation and documentation of implementation as an accountability measure for the realization of the implementation of the Work Visit.

According to the results of an interview with the Chairman of Committee I DPD RI stated "if talking about DOB supervision, then DPD RI has formed an Evaluation Team in charge of conducting DOB evaluations that have been running and assessing the results

of the final evaluation of the preparation area that has been carried out by an independent review team. Forming a joint consultation team to select, assess the performance and work of the Independent Review Team in charge of conducting a review of the basic requirements of regional capacity. Supervise the development assistance of the Preparatory Area sourced from the State Budget".

In control by exception, DPD RI conducts supervision on several matters related to regional autonomy that are not scheduled but become a necessity to be discussed nationally. Until now all exceptions in supervision are still vaguely presented yet still a consideration to be further supervised and regulated in supervision by DPD RI.

### **Constraints of DPD RI in Supervising in the Implementation of Regional Autonomy**

DPD RI constraints in the implementation of regional autonomy are in the bicameral system, DPD RI as the second room. Conservatives say the enactment of the bicameral system is a step towards the formation of a federal state so that if the DPD RI is given more authority, it is feared that in the future, the state order of Indonesia as a Unitary State of the Republic of Indonesia (NKRI) will be jeopardized. This would be a very large obstacle despite the minuscule possibility for the change of the NKRI order because the role of the DPD RI becomes limited.

In addition, there is also a problem with the purpose of supervision. That supervision activities aim to integrate tasks of different parts of an organization (Flamholtz, 1996). But DPD RI and other related agencies have not blended well. The formal relationship between the legislature and other systems of government determines the scope of the act and the legislative power for supervision (Onyango, 2020). The DPD RI only establishes a diagonal relationship with the provincial government and a horizontal relationship with the President.

The communication relationship between DPD RI and the President has not been carried out properly, this was conveyed by DPD Committee I Member Dr. Agustin Teras Narang, SH, for this reason, there is a need for a form of communication and consultation carried out by the DPD RI leadership to the president to discuss together regarding the results of supervision and problems faced by the preparation area. In addition, DPD RI also establishes communication relations with local governments and DPRD, Dr. Halilul

Khairi, M.Si stated that DPD RI needs smooth communication with local governments so that they can obtain accurate information. This expert owned by DPD RI can make it easier for DPD RI to carry out its duties and functions in prioritizing regional aspirations to be fought for in a center that is on target. In addition, DPD RI must understand about national policies that have an impact on the regions.

Secretary of the Bengkulu Provincial DPRD Council who stated that the relationship between the DPD RI and the DPRD is considered synergistic, where these two legislative institutions both fight for regional aspirations in the form of going directly to the field to see, hear, accommodate and provide solutions if there are problems that arise in the region. However, opinions differ according to the Governor of Central Java who stated that so far the relationship between DPD RI and the Regional Government is still not fully synergized properly because it has not been felt by the Central Java Regional Government. Therefore, DPD RI needs to maximize the supervision procedures carried out by DPD RI Members with DPD must be close to regional heads, so as to have good information about the condition of their regions so that they can become an agenda setting in meetings at the center.

The establishment of DPD RI in the implementation of regional autonomy was intended to create central and regional relations in an institutional structure that can capture all aspirations and needs of all regions in the NKRI region. However, the analysis of some experts shows that the relationship between DPD RI and the central government is weak due to the limitations of DPD RI authority in the laws and regulations related to the follow-up of supervision results. Hence, the authority of the DPD RI becomes blunted upwards. According to the results of an interview with DPD RI Member Hj. Denty Eka Widi Pratiwi, SE., MH who stated "if we talk about the vertical role above DPD RI, it is actually still blunt and above. This is due to the limitations of DPD RI in terms of the constitution, so DPD RI cannot act to follow up on the next results".

While effective legislative supervision, the balance of power between the president and parliament can be weakened and the democratic process threatened (Khmelko & Beers, 2011). So in (Parliment, 2009) state the capacity of the legislature to supervise the executive activities of the government is very important to ensure the conformity of accountability and compliance of the government with policy.

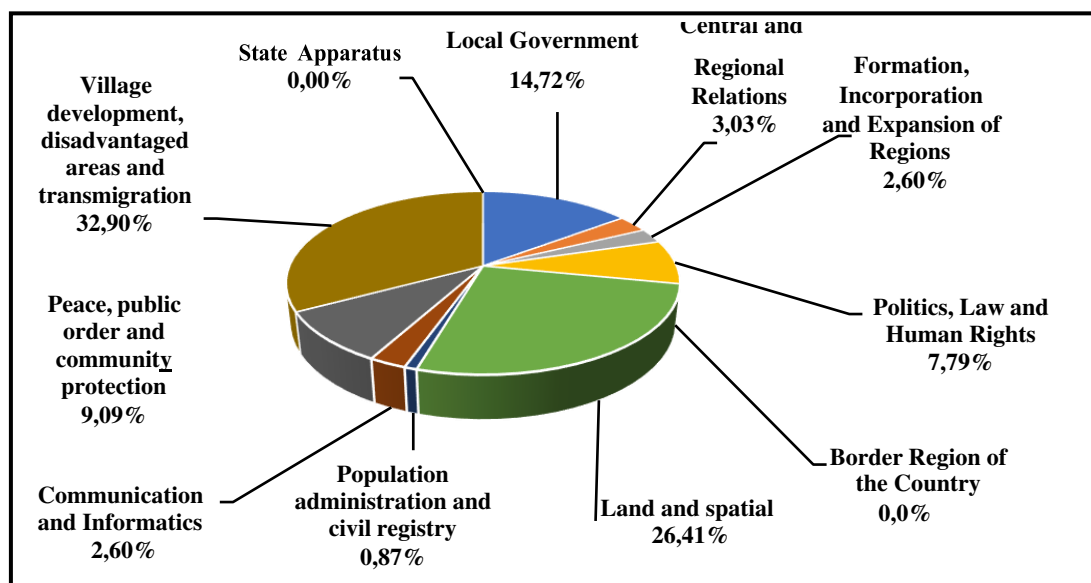
But other conditions, the DPD RI's relationship with the Province, Regency / City is better. DPD RI has a good relationship with the people when compared to the DPR RI. This was conveyed by Yazid as a Member of the Bengkulu Provincial DPRD who stated "I think the role of DPD RI in regional autonomy efforts, especially coordination with the region is very good, especially when making work visits to the DPD RI area is more dominant in directly to the region. While the DPR is very rarely socializing to the regions but more to the supporting party".

There are also problems from environmental perspective. The legislature as a political institution, whose main agenda remains politically representative, advancing, and projecting the political interests of the group as well as the orientation of community involvement in legislative institutions (Onyango, 2020). However, the phenomenon related to participation and representation in the two provinces of East Kalimantan and DIY Yogyakarta stated that the participation rate of the two provinces was high but the level of community representation to DPD RI was low. The majority of the community feels unrepresented by DPD RI which means that public trust in DPD RI in solving regional problems on a national scale are still low. (Abdur Rozaki, 2014).

This is supported by the results of the IRE (Institute for Research and Empowerment, 2013) survey which states that the people of East Kalimantan and DIY Yogyakarta have not made DPD RI as an option to solve their regional problems on a national scale. So that the level of public confidence in the legislature is low because of the tendency to put more trust on the executive.

While in terms of the orientation of community involvement seen from one of the sources of information that became the basis of supervision of DPD RI members to the area is community complaints. Incoming community complaints will be managed by regional offices to be inventoried in accordance to local and national problems to be followed up by DPD RI members accordingly. Hence, it is necessary to efficiently and effectively support the performance of DPD RI, which can be done through Asmasda (Aspirasi Masyarakat Daerah) application. Asmasda application has now been used by DPD RI as a form of e-government which bridges the information gap between the center and the region as for the percentage of aspirations of Committee I based on the field of duties of the 2021-2022 session period 17 July-12 August 2021 in graph 1.1.

Graph 1.1 Percentage of Aspirations of Committee I Based on The Field of Duties of Session V Of The Session Year 2021-2022 Period 17 July-12 August 2021



Source: Committee I DPD RI

When viewed from the percentage of the number of aspirations, it can be said that the application of Asmasda can be a container of regional community aspiration representation as a liaison for the community and political regime. But this application have not fully run effectively and used because it is still newly applied, this is seen from the amount of data obtained by the author only in the period July to August 2021. Where previously the aspirations of the community were accommodated manually managed by representatives of DPD RI in the Province or accommodated during the implementation of recess by DPD RI members.

There are also problems from the results of DPD RI supervision on the implementation of laws and regulations. From 2010 to 2019, as many as 34 results of DPD RI supervision have still not been discussed and followed up by the DPR RI because the DPR RI is not obliged in any law to follow up on the results of the DPD RI. Hence, the results of DPD RI supervision are futile.

However, in Law No. 23 of 2014, the role of DPD RI is currently beginning to be strengthened, this is indicated by the explanation of the role of supervision. The important role of DPD RI in supervision becomes a benchmark and contributes fully in supporting the resolution of problems to changes in legislation on local government. But the obstacle is that there is no Government Regulation that regulates the implementation

of the supervision mechanism.

This can be seen in DPD RI supervision of the implementation of regional autonomy. The role of DPD RI is very limited because it only supervises the acquisition area, there is no government regulation that regulates the supervision of DOB that has bloomed. According to the results of the interview submitted by Hj. Denty Eka Widi Pratiwi, SE. "DPD supervision does not improve and only focused on DOB without conducting more supervision to areas that have become autonomous or newly bloomed. This cannot be blamed either given the higher level of expansion in each region. So that the performance of Committee I is divided and more focused on DOB".

Committee I member Dr. Ahmad Kanedi in the interview also stated "So far the issue of autonomy is not far from the boundaries of the region that is not yet clear, there are more managerial problems of weak local governments and the placement of employees is political. This is the highlight of us as Committee I supervision regarding regional autonomy".

There is also a problem in the internal DPD RI, namely the recruitment of DPD RI members. There are two human resource problems that often arise in organizations, namely recruitment, retention, management, and training (Hall et al., 2003). In DPD RI in the recruitment of DPD RI members is still a problem. DPD RI should be a regional representative whose members should not be involved with political parties. In accordance with Article 22 E paragraph (4) of the 1945 Constitution states that "Election participants to elect members of the Regional Representative Council are individuals". In contrast to the election provisions of the House of Representatives and DPRD in Article 22 E paragraph (3) of the 1945 Constitution states "Election participants to elect members of the House of Representatives and the Regional House of Representatives are political parties".

But there are some members of DPD RI who are involved in political parties. Here are the data of several members of DPD RI involved with political parties, namely: Oesman Saptad Adang as chairman of Hanura party, I Gede Pasek Suardika as a member of Hanura party, and Jeffrie Geovani as a member of the Indonesian Solidarity Party (PSI). This condition illustrates the gait of DPD RI as a regional representative in the central government to fade. So that the realization of the position of DPD RI as regional

representation. (www.bbc.com). The election of members of the DPD RI and the House of Representatives is shrouded by power, where unelected members of the DPR nominate to become members of the DPD RI because they do not want to be out of power (Rahman et al., 2018).

In addition, another obstacle is the supervision carried out by the DPD RI is that it does the refractive supervision. DPD RI conducts supervision to projected regions to be expanded in accordance with the standards of autonomous regions, but not to established autonomous regions. Therefore, considerable autonomous regions have not been able to fulfil the community's welfare as a whole or considered failed in conducting their autonomy rights.

All this is a constraint for the DPD RI in conducting its role. Problems are more likely to occur in established autonomous regions as opposed to DOBs. This means that DPD RI needs to figure out how to balance its supervision activities to have problems in regional autonomy that could be resolved properly. The Governor of Bengkulu also said in an interview that "DPD as a bureaucratic institution that supports expansion must be able to see whether regional autonomy ends up for welfare, so that the Regional Government, DPD, and DPRD must review not to let the region be bloomed but not appropriate and does not end up in the welfare of the people.

The explanation illustrates that DPD RI has an important role in ensuring the implementation of regional autonomy in order to meet the achievement of community welfare. Then it is necessary to optimize the Role of DPD RI in Supervision of Regional Autonomy.

### **Efforts to Optimize the Role of DPD RI in Supervision of Regional Autonomy**

In accordance to the high expectations of the community to initiate the implementation of regional autonomy and improvement of our state system in order to strengthen democracy in Indonesia, DPD RI has and will continue to make legal-constitutional efforts to optimize its role and function both through material tests (judicial review) of laws related to DPD RI to the Constitutional Court and through the Amendment of the 1945 Constitution.

According to an interview with the Chairman of Committee I DPD RI stated

"Currently the efforts that continue to be made by DPD RI is to make Amendments to strengthen DPD RI. This amendment will have a positive effect on the region. Where regional aspirations can be accepted, followed up and the best decision for the region. Because the purpose of the formation of DPD RI is for the welfare of the region and fight for it".

Submissions of judicial review have been conducted several times by DPD RI related to the legislative function and supervision function of DPD RI regulated by the Law on MPR, DPR, DPD and DPRD (MD3 Law) as well as the Law on the Establishment of Laws and Regulations (PPP Law). In this regard, the Constitutional Court has granted the application of DPD RI as stated in the Constitutional Court decision No. 92 / PUU-X / 2012 which essentially states that:

1. DPD RI is involved in the creation of a national legislation program (proglesnas). In this involvement, researchers assess that DPD RI is needed in proglesnas, because it becomes a weapon for the region in fighting for its area at the central level or in the establishment of the Law;
2. DPD RI has the right to submit a bill just like the DPR RI and the President. This situation researchers analyzed that the bill was formed after the problems found by DPD RI in the area, of course the involvement of DPD RI must be considered so that all the results of DPD RI supervision of the region are not in vain but can be acted upon in the form of draft law recommendations;
3. DPD RI has the right to discuss in full the bill related to its field of duty because the analysis owned by DPD RI is more sensitive than the DPR RI;
4. The discussion of the bill is three parties (tripartite) namely the DPR, the Government, and DPD RI. As a form of a pattern of cooperation of representatives of the people for the benefit of the people;
5. Declaring provisions in the MD3 Act and PP law that are not in accordance with the interpretation of the Constitutional Court on the authority of the DPD RI by itself is contrary to the 1945 Constitution, whether requested or not.

Another effort, through the Amendment of the 1945 Constitution, has also been carried out by all members of DPD RI since 2006 by submitting a letter to the Chairman of the MPR RI, but has not received the support of the MPR RI Leadership. In the

formulation of the proposed amendment of the 1945 Constitution, DPD RI has a position equivalent to the DPR RI. DPD RI has the authority to decide the Draft Law discussed with the DPR RI. The equalization of the legislative function between the DPR RI and DPD RI is intended to restore the function of forming the Law to the legislative branch of power, while the executive (President) no longer has the authority for it. As a balance, the President has the right to veto over the bill resulting from the discussion of the DPR RI and DPD RI.

In an effort to increase the role of DPD RI oversight on the implementation of local autonomy, the government also optimizes by making DPD RI as a supervisor of the Preparatory Area listed in Law No. 23 of 2014 on Local Government, although there is currently no government regulation that regulates the implementation of DPD RI supervision duties.

## CONCLUSIONS

DPD RI as a regional representative, has a compelling role in overseeing the implementation of regional autonomy after Law No. 23 of 2014. Where in article 42 and article 43, DPD RI is mandated to supervise the preparatory area towards the New Autonomous Region conducted by Committee I.

DPD RI operates according to certain standards to build planned relationships and provide productive and effective results in the relation between DPD RI members and local governments. Supervision activities of DPD RI on the preparation area are to provide input and consideration to the formation and adjustment of the region based on considerations of national strategic interests.

The author found that the authority of supervision and follow-up of the results of DPD RI's supervision on the implementation of regional autonomy is still very limited, there are supervisory problems starting from the relationship between DPD RI and the central government and local governments, human resources and supporting resources are inadequate, and the level of public confidence in DPD RI decreases.

The efforts made by DPD RI to optimize its supervisory role are through judicial reviews of laws related to DPD RI to the Constitutional Court and through the Amendment of the 1945 Constitution.

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