

Moral Conduct Dimension In The Making Of The Manado DPRD Regional Regulations

1st Goinspeace Handerson Tumbel
Public Administration Department
Faculty of Social Science
Universitas Negeri Manado
 Manado Indonesia
 tgoinpeace@yahoo.com

2nd Rakhmat
Public Administration Department
Faculty of Social Science
Universitas Negeri Makassar
 Makassar Indonesia

3rd Recky H. E. Sendouw
Public Administration Department
Faculty of Social Science
Manado, Indonesia
 reckysendouw@unima.ac.id

4th Abdul Rahman Dilapanga
Public Administration
Universitas Negeri Manado
 Manado, Indonesia
 abdulrahmandilapanga@unima.ac.id

Abstract—This study aims to describe, analyze and interpret the implementation of political accountability related to moral quality that support the discussions process and determination of the making of Regional Regulations (PERDA) originating from the Manado Regional Representative Council. The approach selected in this study is a type of qualitative research with the type of study research case, because of this research has a specificity (particularity). The result of this study indicates that: moral quality is supportive in the process of discussion and determination of regional regulations originating from the DPRD it has not been implemented as expected, both in terms of regulations (procedures) as well as the community's expectations. Accountability as an obligation for the DPRD to act as the person who is responsible for all actions and policies set out in the formation Regional Regulations have not been carried out properly and optimally in both process dimensions as well as procedural, so that the product of regional regulations is produced less responding to community interests. This shows that it is not accountable with the Moral Quality of Manado City DPRD in the making of Regional Regulations.

Keywords—Public Accountability, Political Accountability, Moral Quality.

I. INTRODUCTION

DPRD in its position as one of the elements of regional government in the regions have a joint task with the executive in realizing a good governance, in accordance with the duties of authority and function. Especially in carrying out the legislative function or the making of regional regulations (Perda) together with the executive element. [1]. In the process of making regional regulations the application of the elements and principles of good governance is important and urgent as a guideline for its implementation in order to build community welfare. DPRD political accountability as a public organization that has ethical-political responsibility to the people, one of the indicators is located on moral quality is the extent to which the Manado City DPRD fights for interests the people who chose it through various policies in the form of regional regulations which discussed together with the executive (government) who will meet in programs supported by a technically

operational budget implemented by the executive ranks taken by the mayor's control as the regional head [2]. The aspect that needs to be accounted for by the DPRD to the public is related to how is Moral Quality in implementing the processes and procedures for planning, formulating and discussing various matters related to the interests of society which then gave birth to policy products in the form of Regional Regulations (Perda) [3]. Pointing to this reality, it appears that the implementation of the legislative function or discussion and drafting of Regional Regulations as one of the political authorities of the City DPRD Manado has not been consistently implemented in accordance with what has been set by the regional legislative body has not yet demonstrated the implementation of political accountability to the public goes well. This is related to the moral conduct that is necessary questioned. Even the planning process and discussion and procedures carried out by the DPRD does not involve elements of the community as it is has been regulated in the legislation. In [4] Chapter IX concerning Community Participation, Article 90, explains that society the right the right to provide input verbally and /or written in the formation of the Regional Regulation. The verbal and /or written input can be made through hearings public opinion, work visit, socialization, and /or through seminars, workshops, and /or discussion. From data obtained from CT political observers that this matter the DPRD has not yet been fully implemented to form a Draft Local Regulation as stipulated in the Regulation of the Minister of Home Affairs No. 53 of 2011 Article 90 regarding how to provide participation/input that can be done by the community in the formation of Regional Regulation.

Then political accountability in the process of submitting Ranperda originating from the DPRD normatively regulated in [5] Chapter IX concerning Procedures for Establishment of Regional Regulations, Article 86, states that the Draft Regional Regulation from the Manado City DPRD is submitted by member of Manado City DPRD, commission, joint commission, or Balegda. In fact, until now this has not been implemented properly because there is no data yet. The draft regulation was submitted by members of Manado City DPRD, commissions, and joints commissions expect those submitted by Balegda. So, from the background of the

problem, researchers are interested in researching related Political Accountability Regarding Moral Quality on the process of making a regional regulation originating from the Manado City DPRD.

II. RESEARCH METHODS

This research was carried out in Manado City, North Sulawesi Province aims to analyze and explain the implementation of political accountability through the legitimacy of the Manado Regional People's Legislative Assembly in the making of the Regional Regulation. The type of this research is qualitative with a case study approach. Research data sources includes primary and secondary data. Sources of data were obtained from informants in the study this was chosen by purposive sampling, including: the leader of DPRD, Tool Managers completeness of the Board, Faction Leaders, DPRD Members, Observers, Secretary of DPRD, Head of Division of Legal Affairs and Trial of DPRD, Head of City Government Legal Department, Staff of the Minutes and Trial Section, Observers, elements of NGO's, Journalists, and elements of figures other communities carried out through the interview and observation process and for Secondary data is obtained from documents in the form of written material such as local regulations, letters Decision on Prolegda relating to the focus of the research. Researcher is the main instrument therefore the data collection process is carried out with a triangulation process during the research also data analysis techniques were carried out from the beginning with using Milles and Huberman's interactive modal analysis[6].

Informant selection techniques are done purposively. For technique the validity of the data is checked by using the criteria: a) degree trust; b) transferability; c) dependability, and certainty (confirmability) [6]. While the data analysis technique uses analysis interactive model.

III. RESULTS AND DISCUSSION

Regional People's Representative Council (DPRD) as mandated by the law on regional government has a very strategic role in its position as one of the elements of the regional administration together with the regional head. In position as one of the elements of organizing the government in the regions of the DPRD has the function of one of the internal legislative functions this is forming regional regulations.

Moral conduct is a state of moral quality that supports in discussion process and determination of the Perda from the DPRD is not yet complete held. Accountability as an obligation for the DPRD to act as person in charge of all actions and policies determined. This accountability, often referred to as responsibility that is objective responsibility. This objective responsibility comes from the supervision (external control) which encourage, or motivate apparatus to work hard, so that the principle of economy, efficiency, and effectiveness of institutions can be said to be accountable, if they are can be assessed objectively by people (community or through their representatives) account for all actions, attitudes and actions to which party power, and the authority that it has comes from. Overall DPRD and the government must account for all its actions to

the community broad. To see the Moral Conduct in this study is determined by several indicators namely: (a) Society values, (b) Concept of social justice and public interest, (c) Professional value[3].

Society values, which in this case refers to the quality of the Regional Regulation should be linear with the values that are in the community. But the reality is not as expected decision making is a function of the DPRD in identifying and solving problem in order to achieve agreed mutual welfare. Whereas function third, the form legitimacy is the function of the DPRD, in the name of the people, in facing the executive is not in accordance with the procedures applied. In constitutionally, the DPRD functions to shape the image of the general government; where is the leader and or policies that are good and bad, or who can be accepted and supported by all people. The resulting regulation has not met the values needed by the community, local regulations must hear a lot about what the community's desire. Maybe the regulations issued are not what is needed by the community, because if the local regulation has involved many elements of society socialized, discussed with the campus, asked for opinions and responses observers or observers can be guaranteed that local regulations can represent desires and community needs, but so far it is ceremonial and already in the scenario in such a way, even in certain years it is not implemented.

The concept of social justice and public interest, this relates to how Perda is set in line with the desire for a sense of justice and the interests of the community itself. Political accountability refers to recognition of the authority of the holder political power of the legislative body to regulate (decision making/making regulations), set priorities and redistribute resources and guarantee compliance with orders. Political accountability if carried out normatively based on statutory regulations will be able to minimize decision making through regional regulations by the DPRD that contradict with the public desire. Therefore, if the regional regulations are discussed and determined by DPRD is oriented to desire, will and siding with the public, then legitimacy and /or public recognition of the DPRD's political authority will receive support from public. The stipulated regional regulation is not in line with the sense of justice and interests community, this is more because most DPRD members are lacking seriously participating in the discussion even though we all represent the people and the forum the discussion of the initiative's Perda actually is an opportunity to fight the interests of the people we represent but that fact is largely inactive contribute in the form of ideas.

Professional value, the process of submitting, discussing, and determining the regional regulation by the DPRD must prioritize the quality of its professional value as a public representation. Professional value, the process of submitting, discussing and determining the regional regulation by Manado City DPRD must prioritize the quality of his professional value as a public representation the findings of the data obtained have not prioritized professional quality in the process submission of discussion and determination of Regional Regulations because many members do not active and contributing to the discussion of initiative regulations and proposing prolegda the DPRD is not ready, and the local legislative proposals are from the DPRD (initiative ranperda) less so the local regulation initiative from the DPRD results is also lacking. That's a lot

of results less professional members of the DPRD carry out their duties and functions and use the right to submit a DPRD member regulation that is not used.

The process of submitting discussions and stipulating regional regulations by the Manado City DPRD has not prioritized professional quality as a public representation? Because the process of submitting proposals began with the proposal of prolegda from the DPRD, it was almost no proposal from the DPRD. Always only take proposals from the executive then used as a regional regulation of the DPRD in prolegda. Not to mention the process proposal Ranperda initiatives that should also be discussed first internally the DPRD trial but it was not implemented immediately went into the discussion level 1. talks continued like this, I attended many trials in the Manado City DPRD, it included special committee meetings to initiate initiatives. Part of it large members of the DPRD are not active, are less involved in active discussions, thought, the view of contributing to the ranperda material is lacking. In every trials included in the special committee meetings were controlled only by members certain DPRD members and not very few. From the data, many DPRD members those who are actually not suitable and deserve to be members of the DPRD, there are members who are do not know what the levers and functions of the data are revealed that many do not contain (less professional) and does not understand his position as a member of the DPRD, and not capable. From these findings, it is necessary to re-arrange the internal Political Party recruitment capture the Legislative Candidate.

The development of legislative tasks has been carried out by DPRD which financed by the State, but it seems that the resources are weak and the behavior is poorly responded well, but even though forms of training have been made. But sometimes it's the same because even though there has been training but some don't understand it tupoksi and local regulation. While the training was also conducted in Jakarta. So that in the framework of efficiency it is better to do it in Manado so that it can save on budget but the DPRD prefers to be done outside the region because the budget is high thus are some statements from informants in 2011, the Manado DPRD once held training in the form of deep technical guidance framework for developing the capacity of Board members, working with Kemekumham North Sulawesi. Participants in addition to members of the Manado DPRD are also staff secretariat and delegates of several Regional Work Units (SKPD). It is just many Manado DPRD members were less concerned and many did not participate, impressed ignorant and inactive most of the people who come from the Secretariat of the Council and the delegates from SKPD. In addition, members of the Manado DPRD also joined the Bimtek held in Jakarta by the Ministry of the Interior. Bimtek training exists for Manado DPRD members. The implementation of the technical guidance is carried out in order to empower capacity, competency of DPRD members in carrying out the Board's functions, namely functions legislation, budget functions and supervisory functions. So basically, the benefits of bimtek activity or the training is very important for DPRD members to the extent that members are serious and care about actively participating in all activities. In observation and my experience, if Bimtek activities are carried out outside the region, mostly Manado DPRD members depart, but not all of them actively follow the activity. Based on information,

many also only take absences and then leaving training activities or not participating in all activities actively. There were even reports, some did not join the Bimtek. The forms of training followed by DPRD members in the framework of developing the capacity of members has been carried out, but not all who play an active role want to learn and understand related to the execution if his duties.

Interpreting the actualization of the regulatory provisions, should be based on the basic idea and constitution of the 1945 Constitution. Then it will be realized along with the emergence of the 1998 reform era spirit that become awakening momentum for efforts to make changes in various dimensions community, national and state life which is realized through its birth policies in various forms of legislation are included as one of the legal products in the area is the Regional Regulation (Perda) which determined by the Regional People's Representative Council (DPRD) together with the head area. In this context, it is also necessary for government officials in the region prioritize the spirit to realize public accountability for every business the needs and interests of the public itself are no exception including that the challenge to the political accountability of the Regional Representative Council (DPRD) within carry out its duties and functions based on the authority and political legitimacy he owns, especially in terms of carrying out various legislative or manufacturing functions policies in the form of regional regulations (Perda). Accountability for everthing political authority to the public who have chosen it through efforts to fight public aspirations become one of the normative obligations.

DPRD's political accountability in fighting for public aspirations has a normative foundation as a manifestation of the political accountability if representative institutions representing the public. Political obligation to fight for aspirations, interests, public welfare is the task and function of the DPRD that it carries out through regulation of policies in the form of regional regulations whose implementation carried out by the executive. Normative foundation for the implementation of accountability DPRD politics is regulated in [7] concerning Government Region Article 42 Third Paragraph concerning the duties and authority of the DPRD in matters form a Regional Regulation [7]. Then also further regulated in [8], Chapter IX Article 81 and 82 concerning Procedures Establishment of Regional Regulations both the Regional Regulation Draft (Ranperda) comes from DPRD or Ranperda from the head of the region[8]. Besides that, it is also set in [4] Chapter II concerning Regional Legal Products, in Article 3 which regulates regional law products, one of which is Regulation Area [4]. And the latter is further regulated through the Manado City DPRD Regulation number 4 of 2010 Article 33 concerning the obligation to provide moral and political accountability to the public[5]. These are the various bases the implementation of DPRD's political accountability in carrying out its duties and functions especially in the formation or making of regional regulations.

IV. CONCLUSION

Based on the results of the research and the existing discussion, it can be concluded that the City of Manado DPRD is not accountable for the making of regional regulations. The incisions are seen from the moral quality that exists, where there is no awareness and moral which is

good to understand and where the rules are making local regulations can be implemented not in accordance with the existing procedures, this can be seen from: (a) Procedures for submitting and discussing the local regulations from the DPRD should be different from if the regulation comes from the executive, but the steps taken are exactly the same as the executive, and not through stages existing (b) step by step is not all passed, so the process of making local regulations an initiative by the Manado City DPRD that the process is not according to the rules that have been set. So, from this study it can be concluded that moral quality is supportive in the process of discussion and the stipulation of Regional Regulations originating from the DPRD is not yet appropriate existing expectations. (c) Lack of professionalism of members of the Manado City DPRD.

So, if to realize political accountability in the Manado City DPRD the discussion process and the stipulation of the Perda from the DPRD, it must be paid attention to the moral quality (Moral conduct) of the Manado City DPRD and understand procedures that exist in making decisions or regional regulations.

REFERENCES

- [1] S. Indradi, S, *Bureaucracy, Ethnicity and Public Sector Accountability*. Malang.: Indradi, S,S, 2007. BurCV. SOFA Mandiri and Indonesia Print Malang, 2007.
- [2] C. Reach, HS, *Accountability of Government Organizers*. Poor: UB, 2012.
- [3] M. Schacter, *When Accountability Fails: A Framework for Diagnosis and Action*. Canada: Institute on Governance, 2000.
- [4] S. of the M. of Interior, *Permendagri Number 53 of 2011 concerning Establishment of Legal Products Area*. Jakarta, 2011.
- [5] D. Manado, *Manado City DPRD Regulation Number 04 of 2010 concerning Rules of Procedure Manado City DPRD*. Manado, 2010.
- [6] A. Miles, Matthew, B & Huberman, Micahel, *Qualitative Data Analysis*. Jakarta: University of Indonesia Press, 1992.
- [7] M. of I. R. of Indonesia, *Law of the Republic of Indonesia Number 32 of 2004 concerning Local government*. Jakarta: Mandar Maju, 2004.
- [8] S. of the M. of Interior, *Government Regulation Number 16 of 2010 concerning Preparation Guidelines DPRD Rules of Conduct*. Jakarta: DPR RI, 2010.