

## **Authority of the House of Regional Representatives of the Republic Of Indonesia (DPD RI) In Digitalization Policy to Realize the Effectiveness of Central and Regional Relations**

Rianda Dirkareshza<sup>1</sup>, Satino<sup>2</sup>, Yuliana Yuli Wahyuningsih<sup>3</sup>, Sulastri<sup>4</sup>, Rosalia Dika Agustanti<sup>5</sup>

<sup>12345</sup>*Universitas Pembangunan Nasional Veteran Jakarta, Indonesia*

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### **Abstract:**

**Abstract:** Human civilization has now arrived at the industrial era 4.0 which is marked by the presence of artificial intelligence and the internet of things. Almost all aspects of human life cannot escape the exposure of industry 4.0, this also has an impact on the public's need for digital-based public services. This research method is a juridical normative supported by the Statue Approach and the Conceptual Approach. The result of this research is that digitalization of local governments can actually improve the welfare of the community directly, population administration services are made easier and more efficient by using a one roof system, all the distribution needs from the government to the community will be more efficient and make the bureaucratic system less complicated. So, this is where the role of the DPD RI as the guardian of regional autonomy can propose the right to initiate changes in laws or the making of new laws to the DPR and the President. Once again, regulatory initiatives regarding the digitization of local governments are fundamental for now in strengthening regional autonomy and regional accountability.

**Keyword:** Authority of DPD, Public Services, Information Technology 4.0.

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### **I. INTRODUCTION**

The Regional Representative Council (DPD) is a Faction of regional envoys of the People's Consultative Assembly (MPR) who metamorphosed into a new state institution. Article 2 paragraph (1) of the 1945 Constitution before the amendment reads: "The People's Consultative Assembly consists of members of the House of Representatives, coupled with envoys from regions and groups, according to the rules established by law." After the amendment becomes: "The People's Consultative Assembly consists of members of the House of Representatives and members of the House of Regional Representatives elected by election and further regulated by law." (Dirkareshza, 2020, p. 2) The discourse on the institutional formation of DPD began to surface during the discussion of the composition and position of the MPR as well as the composition of representative institutions in CHAPTER VII, in the 2nd meeting of PAH III BP MPR on October 6, 1999. (Law Center, 2017, p. 17) This institution is intended as an amplifier of regional ties within the unitary state of the Republic of Indonesia; encourages the acceleration of regional development and aggregates regional aspirations and interests in the formulation of national policies. (PPUU DPD RI, 2016, p. 23)

Nowadays, it has entered the era of fundamental technological revolution that became the third processing point, can be called Industrial Revolution 4.0 which is a development of automation trend or the latest data exchange that includes physical fiber system, internet. Industrial Revolution 4.0 has the potential to empower individuals and communities, because Industrial Revolution 4.0 can create a softening in economic, social, and personal aspects. (Yusnaini & Slamet, 2019, p. 1074) The development of this technology is running so fast and cannot be stuck anymore, then digitalization has entered our daily lives. (Nugraha, 2018, p. 33)

Industrial Revolution 4.0 has entered Indonesia, many technological developments created in Indonesia ranging from online transportation applications, online payments, and other developments. Industrial Revolution 4.0 was also needed by the public in public services, in order for the rapid delivery of information and transparency. (Burhan, 2018) Regarding public services, it has been stipulated in Law No. 25 of 2009 concerning Public Service Article 1 states that public services are "activities or series of activities in order to fulfill the needs of services in accordance with the laws and regulations for every citizen and resident of goods, services, and/or administrative services provided by public service providers." (Undang-Undang RI No. 25 Tahun 2009 Tentang Pelayanan Publik, 2009, sec. Article 1) However, in this law it is not yet clear whether

there is a link between public services and the era of industrial revolution 4.0, in Law No. 25/2009 in Article 23 paragraph (4) regulates:

*"The Organizer is obliged to manage the information system consisting of electronic or nonelectronic information systems, at least including:*

1. *organizer's profile;*
2. *implementing profile;*
3. *service standards;*
4. *service information;*
5. *complaint management; Dan*
6. *assessment"*(Undang-Undang RI No. 25 Tahun 2009 Tentang Pelayanan Publik, 2009, sec. Article 23

paragraph (4))

Based on the Law, it should be a concern of the government to provide a national information system based on Digital, because with technology makes public services easy. DPD as one of the representative institutions other than the House of Representatives (hereinafter referred to as DPR) can not be released and is a demand from the implementation of the system of local government implementation that prioritizes the principle of autonomy and auxiliary duties. As the Vanguard to maintain Regional Autonomy, the House of Regional Representatives of the Republic of Indonesia (DPD RI) should be the main actor to provide strategic policies at the central level, for the welfare and livelihood of decent people in the region by improving the quality of Technology / Digital based.

Therefor, based on the background that has been described, the paper with the title **"AUTHORITY OF THE HOUSE OF REGIONAL REPRESENTATIVES (DPD RI) IN DIGITALIZATION POLICY TO REALIZE THE EFFECTIVENESS OF CENTRAL AND REGIONAL RELATIONS"** is important to do. Which is to know how the authority of DRD on digitalization conducted by local governments in realizing the welfare of the region.

## **II. MATERIAL AND METHODS**

The method used in this scientific work is to use normative juridical law research methods, normative juridical law research is research that uses literature sources or secondary materials collected for research and analysis. The type of approach used in this study is through *the Statue Approach*(Soemitro, 1985, p. 93) which in doing the writing is done by studying some laws related to this writing, then using the Conceptual Approach (*Copceptual Approach*) which in this study departs from the theories of science from legal science that clarify ideas about understanding, concepts or principles related to problems in this study.

## **III. RESULT**

As the Vanguard to maintain Regional Autonomy, the House of Regional Representatives of the Republic of Indonesia (DPD RI) should be the main actor to provide strategic policies at the central level, for the welfare and livelihood of decent people in the region. If analogous as a system of performance of private companies, that each company has several leaders / directors with a variety of strong authority, as well as the DPD RI. This group of regional senatorial representatives is incorporated in the legislature that moves based on strong regulations called the mandate of the constitution.

In this system of Indonesian stateregulation, DPD has an unclear position. Moreover, the regulation in the 1945 Constitution relating to dpd is not regulated comprehensively and very sumir as stated in Article 22C, Article 22D, Article 23E paragraph (1), and Article 22F paragraph (2) or based on Law No. 27 of 2009. DPD has absolutely no power whatsoever, other than only giving consideration, proposal, or advice to the DPR as a deciding institution, both in the legislative and supervisory fields. The authority of DPD relates to the implementation of regional autonomy that is limited to giving consideration to the weakness of the function of DPD becauseit cannot fight for regional interests and as a bargaining institution against the possibility of team that isnot continued by the DPR. Moreover, the draft lawthat is not in accordance with the interests of the region cannot be canceled by the DPD by using veto rights, as practiced inthe bicameral representation system. This is what resulted in dpd has no uasaankekaan at all in the current system of state regulation that makes the kedudukan DPD very weak even just as an institution that only gives consideration to the DPR.(Nirahua, 2011, p. 35)

The legislative function of the House of Regional Representatives is very weak compared to the House of Representatives. DPD is only given authority in the field of legislation related to certain matters (regional), it is only limited to be able to propose and participate in discussing but not participate at the time of final decision making in the second level of talks. The preparation of regional legislation program without involving DPD is an ironic thing, where the presence of DPD is nothing but to fight for the aspirations of regional communities. (Akbarudin, 2013, p. 54) It was above discourse that surfaced in this republic, one which underlies an urgent necessity of forming house of the regional council. It strengthens the position of the DPD establishment was

inevitable. Therefore, the role and function of the House of Regional Representatives (DPD) as a local board to accommodate people's aspirations must be optimized. (Abustan & Mustomi, 2020, p. 7)

The impact weakening of DPD RI because the addition of the system soft bicameral again from bicameral so that DPD RI is not optimal in the stipulation of legislation because only DPR RI has the authority it. The product of laws produced DPR RI did not absorb the full aspirations because there was an amputation of the authority of duties and legislative functions in DPD RI. The products of legislation that have been established by DPR RI have experienced judicial review in a short time because the legislative process is less intact, and can be prevented if it empowers DPD RI more. (Riwukore et al., 2019, p. 492) If DPD RI is difficult to move in the political aspect, especially has been limited in its authority, it is better for DPD RI to focus more on the new program, namely by focusing on building bridges with the local government to the center as well as the authority listed in Law No. 13 of 2019 the third amendment to Law No. 17 of 2014 concerning MPR DPR DPD and DPRD.

DPD RI should be an actor of regional management that must be able to prepare a strategic plan to realize regional welfare. In its authority DPD RI must make policies so that the implementation of the optimal local government system, especially in regional autonomy. Based on articles 18, 18A and 18B of the 1945 NRI Constitution stated that the implementation of local government and central and regional relations are implemented with a system of broad autonomy. DPD RI serves as the custodian of the balance of relations between the center and the region with a focus on attention to the region in the structure and process of national policy making that impacts the region. DPD is considered to be given new powers regarding the digitization of local government because all data and the needs of the community at the lowest level should start from their respective regional policies and be an example for the establishment of central policies. Because the real task of the local government itself is: *first*, provide basic needs; *second*, develop the leading sectors; *third*, issue regulations for the common good (*public regulation*). (Noor, 2012, p. 85) Thus, local governments should have the authority that allows them to produce *public goods* and *public regulation* in accordance with the needs of the community in line with the development of technology.

With an electronic-based government system, it means that coordination between central and local governments will be easier and more open because all elements of either the community or the government can actively monitor what is happening. This is in line with the Presidential Instruction of the Republic of Indonesia Number 6 of 2001 on Telematics (Telecommunications, Media and Informatics) which is the first step of the Indonesian government towards a Good Governance system that states that the government should use telematics technology for Good Governance. (Aprilia et al., 2014, p. 20) Electronic-based extortion is also supported by the Presidential Instruction of the Republic of Indonesia Number 3 of 2003 concerning The National Policy and Strategy of Electronic Government Development. It can be said that the system of government, especially in local government should start to make changes to the electronic-based public service system.

Discourse digitalization of local government in an effort to improve the quality of technology in the industrial era (4.0) becomes an interesting issue related to the performance system of local government. According to IPDN Professor, Djohermansyah Djohan stated that the local government is given authority in carrying out its autonomy by simplifying the types and procedures of services in order to speed up and facilitate services to the community. Local governments are required to utilize information and communication technology in the implementation of public services and pour information and communication services into digital form. Peluang application of policies digitalisasi local government has clearly contained in article 23 paragraph (1) Law No. 25 of 2009 on Public Service which states that "*In order to provide information support to the implementation of information systems of a national nature*" (Undang-Undang RI No. 25 Tahun 2009 Tentang Pelayanan Publik, 2009, sec. Article 23 paragraph (1)), meaning that efforts to implement the policy of digitization of local governments will play a big role in order to realize electronic-based governance nationally.

However, in the midst of the onslaught of central government implementing electronic-based government systems, there are still many local governments that do not have a high interest in the use of digital technology as a means of service to the community. This is due to the difficulty of accessing technology in areas that are constrained due to aspects of geography and human resources in the face of the development of digital technology. According to the General of Regional Autonomy of the Ministry of Home Affairs, Sonny Sumarsono explained that the difficulty of applying digital technology is inland areas such as Papua even to the border areas of Indonesia because it is still difficult communication infrastructure, especially because of the signal. The central government and local government in making policies to run effectively must be strengthened implementation by dpd ri by including a new policy that is regulation that strengthens the digitization of local government through legislation. Simply put, DPD RI will encourage the central government, president, and DPR to make joint policies, especially in carrying out regional autonomy to be more effective and responsible in each policy for the region by making digitalization policies in the implementation of government in the region, not only public services that have been massively running, but the digitization of local governments demanding

the realisation of local governments with the speed of technology that is currently growing rapidly. Thus DPD RI serves as a guardian of regional autonomy as well as a bodyguard and liaison as well as a facilitator in every policy issued by the central government for local government, when in making regulations that require the use of high *technology* or digitization of local government.

Referring to the efforts to strengthen the authority of DPD through the interpretation of the law decided by the Court with the Decision of MK No. 92/PUU-X/2012 and No. 79/PUUXII/2014, has given new hope for DPD in the implementation of its authority according to the Constitution. Where DPD can follow every national legislation program together with the DPR and the government from the initial stage to the end. With the two rulings also, the position of DPD in the discussion of a legal regulation is the same and equal. (Ulya, 2016, p. 185) The regulation of local government digitization will encourage local government management to be responsive, responsible, and transparent, through the creation of a progressive local government digitalization law from the initiative of DPD RI, the initial goal is to realize a harmonious relationship between the central government and local government. The implementation of regional autonomy will also be more effective because with the utilization of digitalization the local government will be able to support services in accordance with the principles of public services, which are stipulated in the Decree of the Minister of State for Empowerment of State Apparatus No. 63/KEP/M.PAN/7/2003 concerning General Guidelines for The Implementation of Public Services. (*Keputusan Menteri Pendayagunaan Aparatur Negara No 63/KEP/M.PAN/7/2003*, 2003) In the industrial era (4.0) it is time to make digital-based government so that the ease of public services can be realized for the community.

Digitalization of local government can actually prosper the community directly (*direct*), a variety of activities can be done ranging from financing transformation into electronics such as local taxes, regional levy, DAK, DAU to regional loans. In addition, population administration services become easier and efficient by using *one roof system* all the needs of distribution from the government to the community such as Social Assistance (Bansos) from the impact of the Covid-19 Pandemic, natural disasters that occur in some areas, especially isolated or unaffordable areas, tuition assistance, health assistance and others make the bureaucracy no longer long and convoluted. Therefore, in order for the digitization of this local government to be implemented, it needs a strong legal basis to support the policy. This is where the role of DPD RI as the guardian of regional autonomy can propose an insiatif right about the change of law or the creation of new laws to the DPR and the President. Once again, regulatory initiatives regarding the digitization of local governments are fundamental to this time in strengthening regional autonomy and regional accountability.

The realization of strong regulation for the digitization of local government is the establishment of the need for digitalization of local governments into Law No. 12 of 2008 on the Second Amendment to Law No. 32 of 2004 on Local Government. (*Tentang Perubahan Kedua Atas Undang-Undang 32 Tahun 2004 Tentang Pemerintah Daerah*, 2008) That is, DPD RI can implement this proposal through the initial stage, namely by proposing the right of initiative of DPD RI to the DPR and the President to make changes. On the basis of the proposal, and the enactment of the digitization of local government, the stronger the existence of DPD RI in the system of strictness to uphold the interests of the region in accordance with the mandate of the constitution. This goal is to encourage digital transformation in the region in an effort to simplify and reform the bureaucracy of public services by implementing a *one roof system* amidst the increasing role in providing public services in order to improve efficiency, optimization and encourage the effectiveness of local governments in coordination with the central government.

#### IV. CONCLUSION

The author concluded that the realization of strong regulation in making the policy of digitalization of local government needs to strengthen the authority given by dpd in carrying out its regional autonomy, namely by pouring the need for digitalization of local government into Law No. 12 of 2008 on the Second Amendment to Law No. 32 of 2004 on Local Government as an effort to run electronic-based local government that can actually prosper the community directly (*direct*), various activities can be done starting from financing transformation into electronic. In addition, population administration services become easier and efficient by using *one roof system* all the needs of distribution from the government to the community will be more efficient and make the bureaucratic system no longer convoluted. Thus, this is where the role of DPD RI as the guardian of regional autonomy can propose an insiatif right about the amendment of the Law or the creation of new laws to the DPR and the President. Once again, regulatory initiatives regarding the digitization of local governments are fundamental to this time in strengthening regional autonomy and regional accountability.

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