

## Strengthening Community Participation in Supporting the Oversight Function of the Regional Representatives Council of North Buton Regency in Legal Studies

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**ABSTRACT** Implementation of local government encourages community participation. In encouraging community participation, the Regional Government conveys information about the implementation of Regional Government to the public. The aim of this research is to find out and analyze Strengthening Community Participation in Supporting the Oversight Function of the Regional People's Legislative Assembly of North Buton Regency in Legal Studies. The research method uses empirical legal research with a legal research approach that analyzes and examines the workings of law in society. Conclusion Strengthening Community Participation in Supporting the Oversight Function of the Regional People's Legislative Assembly of North Buton Regency. Strengthening Through Means and Mechanisms for Monitoring Community Participation Submission. Strengthening of integrated Public Participation Supervision Management System. Community Courage is Required in Participating, Improvement of Community Political Culture The transactional political culture of society influences the level of community participation in North Buton.

**KEYWORDS** : *Participation, Supervision, North Buton*

### I. INTRODUCTION

The implementation of Regional Government encourages community participation. In encouraging community participation, the Regional Government: a. convey information on the administration of Regional Government to the public; b. encourage community groups and organizations to play an active role in the administration of Regional Government through community capacity building support; c. develop institutional and decision-making mechanisms that enable community groups and organizations to engage effectively; and/or

In accordance with the provisions of the regional autonomy law, the role of community participation includes: a. preparation of Regional Regulations and Regional policies that regulate and burden the community; b. planning, budgeting, implementing, monitoring and evaluating regional development; c. management of Regional assets and/or natural resources; and D. administration of public services. Besides that the role of community participation is carried out in the form of: a. public consultation; b. discussion; c. partnership; d. submission of aspirations; e. supervision; and/or f. other involvement in accordance with the provisions of the legislation.

Supervision as one aspect of people's sovereignty, is carried out by deliberative/representative institutions of the people (regions). In general, there are several factors causing the legislature to not optimally carry out its oversight function, including internal factors (work mechanism, quality of DPR members, facilities and budget) and external factors such as political advertisements, the general election system and recalls). Therefore, the legislative oversight function must be made effective, among others by providing greater flexibility to the legislature in every decision-making process. The position of the legislature as an element of governance in the regions states that: "Regency/City legislatures are regional people's representative institutions that are domiciled as elements of district and city regional government administration.

Regency/city regional people's representative councils have the following authorities and duties: a). establish district/city regional regulations together with the regent/mayor; b). discuss and give approval for the draft regional regulation regarding the district/city regional revenue and expenditure budget submitted by the regent/mayor; c). carry out supervision of the implementation of regional regulations and district/city regional revenue and expenditure budgets;

In addition, the oversight function carried out by the legislature is to evaluate the implementation of regional regulations, local government policies and implementation of performance-based budgets. The oversight function is operationalized differently from the functional oversight agency. This form of oversight is reflected in legislative rights, namely the right to ask questions, the right to ask for information and the right to conduct an investigation. Legislative oversight of regional governments in accordance with their duties, powers and rights through hearings, working visits, forming special committees and forming working committees regulated in the rules of procedure and/or in accordance with statutory regulations.

The provisions on the legislative oversight function are emphasized through Article 149 (1) district/city legislatures have the following functions: a. formation of Regency/Municipality regional regulations; b. budget; and c. supervision Function of the legislature (2) In carrying out supervision on the implementation of follow-up on the results of auditing financial reports by the Supreme Audit Board as referred to in (1), district/city legislatures are entitled to receive reports on the results of financial audits carried out by the Audit Board of the Republic of Indonesia. (3) district/city legislatures conduct discussions on reports on the results of auditing financial statements as referred to in paragraph (2). (4) district/city legislatures may ask for clarification on the findings of the financial report audit results to the Supreme Audit Board.

North Buton Regency Regional People's Representative Council is a district-level regional people's representative institution in North Buton Regency, Southeast Sulawesi. the North Buton legislature has 20 members spread across 8 political parties, with the majority of the votes won by the National Mandate Party.

North Buton Regency consists of 6 sub-districts divided into three electoral districts, first electoral district 1, Bonegunu District, West Kulisusu District, Kambowa District, Second Dapil II, North Kulisusu District, North Wakorumba District, third electoral area 3, Kulisusu District. The number of members of the North Buton Regional People's Representative Council is 20 ( twenty) people consisting of representatives of various political parties.

The control function carried out by the legislature of North Buton Regency, if it is not supported by the role of community participation in reporting various matters related to the use of the budget by the district government, of course, the hope of the mandate of the law on the legislature will not run optimally.

The function of the legislature in overseeing the budget is very necessary in order to prevent misuse of the budget managed by the Regional Apparatus Organization (OPD). An example of a case that occurred in North Buton was less than optimal legislative oversight which resulted in state losses in budget management as happened at the North Buton District Education Office in 2014 Based on the description above as well as the cases that have occurred and the applicable laws and regulations, the legislative function in overseeing the budget is very important in order to prevent state losses early with the active role of the Regional People's Representative Council in carrying out the oversight function of the regional revenue budget in North Buton Regency must be supported by community participation in conveying the performance of the local government which does not provide benefits to the local community. problems , 1. how to strengthen community participation in supporting the oversight function of the regional people's representative council of north buton district? 2. What are the factors for the lack of community participation in supporting the oversight function of the Regional People 's Legislative Council of North Buton Regency?

specific objectives 1) to find out, to analyze community participation in supporting the oversight function of the regional parliament of North Buton regency 2) to find out, analyze, the constraints of community participation in supporting the oversight function of the people's representative council of North Buton regency

## II. METHODS

This research uses library research and field research methods. This research was conducted in North Buton Regency. The sources of data types used in this study are primary data and secondary data. Primary data is data and information directly obtained from respondents and informants. Meanwhile, secondary data is data obtained from documents that are already available in accordance with research needs. Empirical legal research is a type of legal research that analyzes and examines the operation of law in society. (Salim HS, Erlies Septiana Nurbani, 2013)

This study wants to analyze and examine the enactment of law in society in the implementation of strengthening community participation in supporting the budget oversight function by the DPRD of North Buton Regency. The research approach used is the sociological approach. The sociological approach is an approach that analyzes the reactions and interactions that occur when the norm system works in society. (Salim HS, Erlies Septiana Nurbani, 2013) Considering that the analysis process is not directly carried out on the data, a storage process is carried out one day it is hoped that the data can be constructed properly according to the friends being analyzed (Muhammad , 2019). Data obtained through primary and secondary data collection will be collected and then analyzed to gain clarity on the issues to be discussed and draw a conclusion.

### III RESULTS AND DISCUSSION

#### Strengthening Community Participation in Supporting the Oversight Function of the Regional People's Representative Council of North Buton Regency in legal studies

##### a. Strengthening Through Information Disclosure on Budget Use

The right to information is a very important and strategic right for citizens to have access to other rights, because how is it possible to get the right to education, health, services and others. well if the information obtained regarding these rights is not obtained correctly and correctly ( Eko Noer Kristiyanto, 2016)Increasing the participation of the people of North Buton in supporting the legislature in carrying out its oversight function requires clear information disclosure to the public, both the process of discussing the regional expenditure budget and the implementation stage of regional regulations.

Community participation is one of the strategic issues to create transparency , accountability and fairness. Community participation is one of the necessary conditions for good governance to succeed. With increasing community involvement, various regional development policies will be able to represent the interests of the wider community. Community participation is also needed so that they can participate in supervising the running of regional government (Sopian Hadi, 2020 <https://ombudsman.go.id/pengumuman/r/artikel--menumbuhkembangkan-participation-Masyarakat-dalam-pengawasan-pelayanan-publi> ).

With the disclosure of information on the use of the budget, the public will know the local government programs that will be implemented in the future. The lack of community participation is not because the community doesn't care, but because they have difficulty accessing information related to local government agendas (perda, regulations and decisions of regional heads, regional development plans, draft and deliberation of regional policies, reports on local government administration, and other public information (Sopian , 2022)

In a government system, democratic representation necessitates a functional relationship that must be established between (members) of the people's representative council and the elected government, namely: the council voices the aspirations and interests of the people, the government fulfills the will and needs of the people which is reflected from the aspirations and interests voiced by political representatives, then the elected government accommodates the results of the council's oversight and corrections to improve the policy of meeting the needs of the community. ( Mushafi , 2021)

Disclosure of information is important because: first, information is a basic need for everyone for personal and environmental, social development and is an important part of national security; secondly, the right to obtain information is a human right and disclosure of public information is one of the important characteristics of a democratic state that upholds people's sovereignty to realize good state administration; third, public information disclosure is a means of optimizing public oversight of the administration of the state and other public bodies and anything that impacts the public interest; fourth, management of public information is one of the efforts to develop an information society. (Eko Noer Kristiyanto , ..... )<sup>1</sup>

Disclosure of information on the use of the regional expenditure revenue budget, which is an annual regional government financial plan that is discussed and agreed upon jointly by the regional government and the regional expenditure revenue budget, is also stipulated based on regional regulations concerning regional expenditure revenue budgets, as well as all regional expenditures and ties that burden the region in the context of implementing decentralization, it is carried out according to the amount and targets set in the APBD. Because the APBD is the basis for regional financial management, the budget is also the basis for controlling, auditing and supervising regional finances. The APBD has a structure which is a single unit consisting of regional revenues, regional expenditures, financing. As a regional expenditure revenue budget document, it is a series of all types of income, types of expenditure, and sources. (Mushaf , 2021). Increasing the participation of the people of North Buton in supporting the legislature in carrying out its oversight function requires clear information disclosure to the public, both the process of discussing the regional expenditure budget and the implementation stage of regional regulations.

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<sup>1</sup>Eko Noer Kristiyanto, Op, Cit, page 233

**b. Strengthening Through Means and Mechanisms for Monitoring Community Participation Submission**

The provision of a mechanism for conveying community participation greatly influences the level of community participation in supporting the oversight of the Regional People's Legislative Council of North Buton district. In the annex to the Presidential Instruction, it is mentioned about four types of supervision, namely: inherent supervision, functional supervision, legislative supervision, and community supervision. But unfortunately, the role of community oversight at that time did not work as expected, due to the closed government conditions. Community oversight is simply a complement, especially over functional oversight and inherent oversight. When it is related to the three elements of Community Participation mentioned earlier, it can be said that Wasmaw was not implemented as Community Participation, because effective Community Participation must at least fulfill three elements, namely the existence of a strategic partnership, there are techniques, and work mechanisms. (GunGun Gun Gunanjar, et al. 2019 )

To support this partnership, partnership advice is needed through a statutory information system which is very important in supporting the performance of the drafters of statutory regulations. . This is because more government agencies build information on laws and regulations that are oriented towards short-term (project) DIPA budgeting, so that if these activities are not financed, the system will no longer work and even die by itself, even though the investment to build the system is arguably not cheap.

This is related to the concept of good governance which places more emphasis on the realization of democracy, therefore the administration of a democratic state is an absolute requirement for the realization of good governance, which is based on responsibility, transparency and public participation. Ideally, these three things will exist in every government apparatus by paying attention to human values and moral values that animate every step of governance. (Aminudi, 2015) Provision of space for community participation has not been fully facilitated, institutionalized mechanisms and procedures, which allow the public to make complaints and control the performance of the government and its apparatus.

Normatively, the concept of community participation, as stated in Law Number 23 of 2014 concerning Regional Government which is regulated in article 1 point 41 and in article 354 Chapter XIV which specifically discusses community participation. Articles 1 and 354 state that arrangements regarding community participation are as follows:( EB Santos, 2018)

1) Community Participation is the participation of community members to channel their aspirations, thoughts and interests in the administration of Regional Government (according to Article 1, point 41); 2) In administering the Regional Government, the Regional Government encourages community participation; 3) In article 354 (4), it is stated that community participation is carried out in the form of: a. public consultation; b. discussion; c. partnership; d. submission of aspirations; e. supervision; and/or f. other involvement in accordance with the provisions of the legislation.

**c. Strengthening the Integrated Public Participation Supervision Management System (SP4T)**

Strengthening public participation can be realized by integrating regional budget management data, this is taken to provide convenience for the community. The management of environmental data and information for the regional government of North Buton Regency is currently still being carried out partially by each regional apparatus organization .

The preparation of the budget requires public participation because one of the positive effects is the effective exchange of information. To create accountability to the public, the participation of agency leaders and members of the public is required in the preparation and oversight of the budget. (Fajarsyah Putra, et al 2017 )Oversight of the budget carried out by the board is influenced by internal factors and external factors. Internal factors are factors owned by the board that directly influence the oversight carried out by the board, one of which is knowledge of the budget. While external factors are the influence of external parties on the oversight function which will strengthen or weaken the oversight function carried out by the council, including public accountability, community participation and transparency of public policies.

to support the integration of information data on the management of regional expenditure revenue budgets and to realize accountable data and information integration procedures, an information data integration mechanism is needed to serve as a reference for the community in increasing community

participation in supporting the oversight of the North Buton district people's representative council. Information on the use of the budget is an important thing that must be known by the people of North Buton with the existence of this integrated public participation monitoring management system so that its function is utilized by accessing to obtain information on the use of the budget which aims to increase public legal awareness”

**d. Community Courage is needed in participating**

Democracy as a system of Indonesian government has implications for equal rights, obligations and equal treatment for all its citizens. Freedom of opinion is basically a right that belongs to every individual that is guaranteed by the constitution, this is contained in Article 28E paragraph (3) of the 1945 Constitution. For this reason, the public does not need to be afraid of making a mistake in submitting a report to the DPRD of North Buton district regarding the implementation of government if it was found that there was a discrepancy with the provisions of the applicable laws and regulations or not in accordance with the laws that lived in the people of North Buton.

According to Achmadi , participation is the key to success in the implementation of regional autonomy because participation involves aspects of supervision and aspirations. Supervision referred to here includes supervision of the executive through the legislature. But the reality on the ground is not always that the community actively participates in the process of administering government, especially when preparing the budget ( Fajarsyah Putra ) ( APBD)<sup>2</sup>

With the spirit of courage to address the DPRD, this will strengthen community participation in overshadowing the DPRD's performance in carrying out its oversight function as has been secured by law. In the context of regional autonomy, community involvement is very important, because it relates to the community's right to be involved in the policy-making process and the task for the region is to provide space for its citizens. Participation is very important to ensure that the administration of regional government really serves the interests of the citizens, including guaranteeing the rights of the community as utility users, to submit complaints and a mechanism for resolving disputes between the community and the administration.( Sopian Hadi, 2020)

**c. Improvement of Community Political Culture**

The transactional political culture of society influences the level of community participation in North Buton. Transactional politics is also known as money politics. Money politics is interpreted as a process of buying and selling or exchanging in an assessment of the Vision, Mission and work programs offered to the public by prospective political leaders. (Viola , 2014.)

That for the existence of political culture towards political development there is a close relationship with the articulation of the inspiration of the people themselves, in other words that the aspirations of the people are nothing but the needs or desires that are being felt by the people, which are the motives that encourage them to participate in political development (Maxi Egeten, 2015 ) Results of previous research Community participation affects the relationship between DPRD members' knowledge of the budget and regional financial supervision (APBD). The more the community participates in regional financial management and is followed by the higher the knowledge of DPRD members about the budget, the supervision carried out by DPRD members will increase ( Shofia Yunus Manginte, 2015)

Budget oversight carried out by the board is influenced by internal factors and external factors . Internal factors are factors owned by the board that directly influence the oversight carried out by the board. One of them is knowledge about the budget, while the external factor is the influence of outsiders on the oversight function which will strengthen or weaken the oversight carried out by the council, including community participation and public policy transparency ` ( Sofia Yunus Manginte, 2015)

The active role of the community in the budgeting process will support the knowledge of DPRD members in terms of monitoring the APBD. Community participation in the administration of regional government is a public mechanism that can have access to information about the process of running regional government. Community participation in budget management will suppress the occurrence. practices of corruption, collusion and nepotism. Therefore the supervision carried out by the DPRD will be optimal with the involvement of the community. The public can provide information in the

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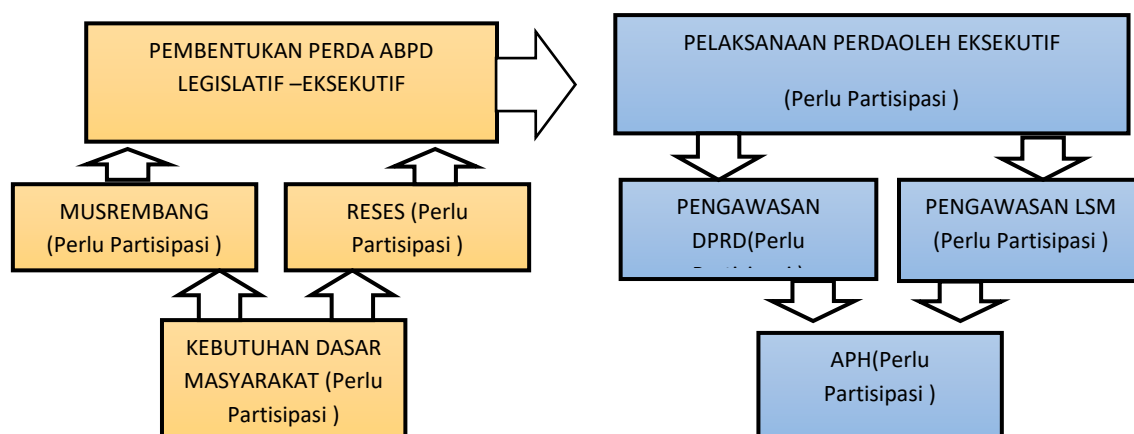
<sup>2</sup>Fajarsyah Putra, Op, Cit, Pg 50



form of suggestions or criticisms regarding the implementation of the APBD. The form of gathering community aspirations can be done through the Musrenbangda (Regional Development Planning Meeting).<sup>3</sup> (Sofia Yunus Manginte, et al, 2015)

Community participation is related to openness, so without openness or transparency from government it is impossible for the public to participate in government activities. The DPRD's oversight function is manifested in the form of oversight of: a) the implementation of regional regulations and regional head regulations; b) implementation of other laws and regulations related to the administration of regional government; and c) implementation of follow-up on the results of auditing financial statements by the Supreme Audit Board. ( Law of the House of Representatives )

The Supervision function as referred to in paragraph (1) can be carried out through: a. commission working meetings with Regional Governments; b. work visit activities; c. public hearing meeting; and D. public complaints . The following is a flowchart for the role of increasing community participation that can involve the community



Source: Processed by Research 2022

#### IV. CONCLUSION

Strengthening Community Participation in Supporting the Oversight Function of the Regional People's Representative Council of North Buton Regency. Strengthening Through the Means and Mechanisms for Oversight of Community Participation. The provision of means of mechanisms for conveying community participation greatly influences the level of community participation in supporting the oversight of the Regional People's Legislative Council of North Buton district. Strengthening the Integrated Public Participation Supervision Management System (SP4T). Strengthening community participation can be realized by integrating data on the management of the regional expenditure budget, this is taken to provide convenience for the community. Community courage is needed in participating. The community does not need to be afraid of being wrong in submitting a report to the district DPRD related to the implementation of government if it is found that there is a discrepancy with the provisions of the applicable laws and regulations or is not in accordance with the laws that live in the community. Improvement of Community Political Culture The transactional political culture of society influences the level of community participation in North Buton. Democracy as a system of Indonesian government has implications for equal rights, obligations and equal treatment for all its citizens. Freedom of opinion is basically a right owned by every individual that is guaranteed by the constitution

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