

Performance of the Regional People's Representative Council (DPRD) of North Kalimantan Province in Forming Regional Legal Products

**Mohammad Pandi¹, Muh. Akmal Ibrahim², Thahir Haning²,
Muhammad Yunus²**

¹*Doctoral Student of Public Administration, Department of Public Administration, Faculty of Social and Political Science, Hasanuddin University, Makassar, Indonesia.*

²*Department of Administrative Science, Faculty of Social and Political Science, Hasanuddin University, Makassar, Indonesia.*

Email: mohammadpandi2016@gmail.com

One of the provincial DPRD's duties and authorities is to carry out the legislative function, namely, to form a regional legal product. This study aims to analyze the performance of the North Kalimantan Provincial DPRD in forming regional legal products for the 2019-2024 period. This study uses a qualitative research method. Data collection methods include observation, interviews, and documentation. Data sources consist of primary and secondary data. The data analysis technique used is an interactive analysis model. Meanwhile, the informants in this study are the authorized parties and those directly involved in forming regional legal products in the North Kalimantan DPRD for the 2019-2024 period. The results of the study indicate that the performance of institutions in the Regional People's Representative Council (DPRD) of North Kalimantan Province in the formation of regional legal products has not been effective because by looking at the personality traits approach which has not shown facilitative leadership, DPRD initiatives are still lacking, the attitude of DPRD members sometimes ignores the agreed schedule and knowledge, education levels and capacities are still limited in the formation of regional legal products. The behavioral approach shows that DPRD members are still lacking and need to be improved in providing feedback on community aspirations and not all of these aspirations are followed up into regional legal products and not all DPRD members have presentation or speaking skills. The results approach shows that the number of regional regulations produced is not as many as the number of proposed draft regulations, some draft regulations cannot be completed on time and regional legal products made by the

DPRD have not increased significantly each year.

Keywords: Performance, Formation of Regional Legal Products.

1. Introduction

National government bodies can be grouped into two types, namely in a broad sense and a narrow sense. In a broad sense, the central government includes the MPR as a consultative institution, the DPR and DPD as legislative institutions, the president as an executive institution, and the MA and MK as judicial institutions, while in a narrow sense, the central government consists of the president and vice president assisted by ministers and heads of non-ministerial institutions. Meanwhile, at the regional level there are executive institutions, namely regional heads and regional apparatus organizations, and the DPRD is an element of the regional government organizer whose position is in the executive line as stated in Law Number 23 of 2014 concerning Regional Government Article (1) paragraph 4 that the Regional People's Representative Council hereinafter abbreviated as DPRD is a regional people's representative institution that is positioned as an element of the regional government organizer.

The legislature or House of Representatives is the basis of a democratic political system. David M. Olson in Riswandha Imawan (2000), formulated that the DPR/DPRD is a representative institution of the people. This means that the DPR/DPRD is a forum where people's representatives speak on behalf of and for the good of the people. Therefore, what the community expects most from members of the council is to feel the interests of the people as their interests, not the other way around, diverting their interests in the name of the people.

In the preparation of the regional regulation formation program by Home Affairs Ministerial Regulation Number 80 of 2015 Article 15 states that the preparation of the Regional Regulation Propemperda is based on: (1) Orders from higher laws and regulations; (2) Regional development plans; (3) Implementation of regional autonomy and assistance tasks; and (4) Aspirations of the regional community.

The process of drafting regional legal products requires planning that requires individuals who are competent in the field of legislation. Given that regional legal products are the legal framework for the implementation of regional autonomy. The formation of regional legal products is a complex and significant effort that shapes the legal landscape in a particular geographic area. Whether it involves the creation of a regional legal framework, the development of harmonized laws, or the formation of cooperation agreements, accountability is very important throughout the process.

North Kalimantan is a new province in Indonesia that was officially established based on the Law of the Republic of Indonesia Number 20 of 2012 concerning the Establishment of North Kalimantan Province as the 34th province in Indonesia and the gubernatorial election was held in December 2015. Regional legal products such as regional regulations (perda) and regional policies have a very important role for the new province. Overall, regional legal products are very important for North Kalimantan as a new province because they provide a legal basis for the implementation of regional autonomy, adjust policies to the local context, encourage economic growth, and regulate governance.

Based on data and initial observations at the North Kalimantan DPRD, it shows the number of draft regional regulations initiated by the DPRD and the North Kalimantan Provincial Government where there is a productivity imbalance between the two institutions. The DPRD institution which has a legislative function as the applicable rules produces fewer draft regional regulations than the North Kalimantan Provincial Government, so in general it is said that the performance of the North Kalimantan DPRD still needs improvement.

The performance of the DPRD institution is an important indicator that influences the progress of regional development. Therefore, the performance of the DPRD institution must be improved. The indicator of the success of the DPRD's performance in carrying out the people's mandate cannot be separated from human resources, integrity, and credibility of the DPRD leadership and members. Performance is an achievement or work result in activities or programs that have been planned to achieve the goals and targets that have been set by the public sector organization and implemented within a certain period. As a government organizer, a public organization is an implementer in public administration studies. Where the current trend is that the performance of public organizations is often a developing issue in public administration studies. Various approaches to the concept of organizational performance are currently continuing to develop.

Larry D. Stout in Hessel Nogi (2005: 174) stated that measurement or assessment of organizational performance is a process of recording and measuring the achievement of the implementation of activities in the direction of achieving the mission (mission accomplishment) through the results displayed in the form of products, services or a process. The importance of performance assessment for the sustainability of the organization in achieving its goals, so there needs to be performance measurement indicators that are used appropriately in certain organizations.

Related to performance measures and standards, David Devries et al (2009:27) stated that in measuring performance there are 3 (three) approaches, namely: personality traits approach, behavioral approach, and results approach. Based on this explanation, the focus of this study is to analyze the performance of the North Kalimantan Regional People's Representative Council (DPRD) institution, especially the North Kalimantan Provincial DPRD for the 2019-2024 period in the formation of regional legal products.

2. Methods

This study uses qualitative research methods. Qualitative research methods in this study are methods that aim to explain or describe problems systematically, factually, and accurately regarding the facts. (Moleong, 2017). The location of the research is at the DPRD of North Kalimantan Province, where the selection of this location is based on the problem, namely the performance of the DPRD of North Kalimantan in the formation of regional legal products and in data collection, the author obtained secondary data or information directly. The informants in this study are people who are authorized to provide information regarding performance in the formation of regional legal products in North Kalimantan Province, in this case, the North Kalimantan DPRD, especially for the 2019-2024 period. The data obtained includes primary data and secondary data. Primary data is data obtained directly from research

informants who are actively involved in the process of forming regional legal products in North Kalimantan Province, observations are made on the activities of forming regional legal products. Secondary data is data obtained in the form of publication data and documents related to the study of the formation of regional legal products. The primary data in this study are the results of interviews between researchers and informants directly and observations on the performance of the North Kalimantan DPRD for the 2019-2024 period in the formation of regional legal products, while secondary data consists of data related to performance and regional legal products from the internet, books, journals, and previous research. In this study, the main data collection techniques are interviews, observations, and documentation studies, namely studying documents or records of past events. As well as data analysis techniques in this study using interactive model data analysis techniques by Miles, et. al (2014).

3. Results and Discussion

The performance of the North Kalimantan DPRD in the formation of regional legal products was analyzed using a performance approach. put forward by David Devries, et. Al (2009) consists of 3 (three) approaches, namely the personality traits approach, behavioral approach, and outcome approach. As for description results study from every performance approach will be explained as follows.

Personality Traits Approach

Personality traits approach is an approach that measures leadership, initiative, attitude, and ability. Performance leadership proposed by David DeVries (2009) is considered an important component in measuring organizational performance in terms of personality traits of human resources in the organization. Organizational leadership is considered to be able to influence performance in terms of how leaders can influence their members to work to achieve organizational goals. Initiative in performance is a form of initiation carried out by the organization in achieving the expected goals. While attitude in performance is related to the attitude of organizational members in working to achieve organizational goals. The ability of organizational human resources is a key element in achieving organizational goals, where the ability of human resources will affect organizational performance (DeVries, 2009).

Personality traits approach to measuring the performance of the North Kalimantan Provincial DPRD for the 2019-2024 period, in this case, can be seen from the leadership, initiative, attitude, and ability of each member of the North Kalimantan Provincial DPRD in carrying out the legislative function, namely the formation of regional legal products.

The research findings show that the leadership of the members of the DPRD of North Kalimantan Province shows leadership that is not good enough. This can be seen in collecting the aspirations of the people of North Kalimantan Province for the formation of regional legal products, members of the DPRD of North Kalimantan Province only get aspirations from the community regarding physical development or infrastructure development so that it can be said that the DPRD of North Kalimantan Province has not been able to trigger the people of North Kalimantan Province to provide aspirations related to regional legal products. This is also indicated by the absence of regional regulations in North Kalimantan Province relating to the formation of regional legal products so North Kalimantan Province still refers to higher

laws and regulations in the formation of regional legal products. In other words, the DPRD of North Kalimantan Province has not shown facilitative leadership in the formation of regional legal products.

The initiative taken by the DPRD of North Kalimantan Province can be said to have shown determination and upheld the interests of the community when members of the DPRD of North Kalimantan Province conducted a recess to collect aspirations. However, the number of regional regulations originating from DPRD initiatives is less than from government initiatives whereas in the DPRD of North Kalimantan Province for the 2019-2024 Period, the DPRD initiative was 57 while the government initiative was 112. This shows that within 5 years, the DPRD initiative in forming regional regulations is still lacking.

The attitude of the members of the DPRD of North Kalimantan Province shows an attitude that prioritizes the interests of the people of North Kalimantan Province in the formation of regional legal products, but the discipline punctuality, and consistency of the presence of DPRD members in the formation of regional legal products, especially in the discussion process, are still lacking, thus hampering the process of completing the formation of regional regulations. The special committee formed by DPRD members as discussants of the draft regional regulation is still not optimal and sometimes ignores the agreed schedule in completing the discussion of the draft regional regulation in North Kalimantan Province.

Related to the ability of members of the DPRD of North Kalimantan Province, based on research findings, show that their knowledge, level of education, and capacity are still limited. Members of the DPRD of North Kalimantan Province have different backgrounds and come from different political parties, for example from practitioners, businessmen, educators, lawyers, and so on so not all members of the DPRD of North Kalimantan Province can understand the laws and regulations, especially the formation of regional legal products. Then not all members of the DPRD of North Kalimantan Province have a legal education background so in the process of forming regional legal products, mastery of legal drafting and substance of a draft regulation is still lacking which will reflect how the quality of the members of the DPRD of North Kalimantan Province views a regional legal product.

One of the efforts to improve the capabilities of members of the North Kalimantan Provincial DPRD is to conduct training and technical guidance. However, training and guidance efforts in the North Kalimantan Provincial DPRD for the 2019-2024 period can be said to be still lacking and limited. This is because, during the 5 years, training and technical guidance were only carried out at least once a year. The research findings show that training and technical guidance were only carried out 11 times in the North Kalimantan Provincial DPRD for the 2019-2024 period, so it can be said that efforts to improve the capabilities of members of the North Kalimantan Provincial DPRD are still lacking.

Behavioral Approach

The behavioral approach in question is measuring feedback, presentation skills, and responses to customer complaints. Feedback is measured through the response given by the organization or its members to customers or the public so that it becomes the basis for measuring and evaluating performance. Meanwhile, the presentation skills of organizational members are an important factor in the process of implementing organizational activities where the skills

possessed are considered to support organizational performance. The organization's response in dealing with customer complaints is one of the factors that assess the extent of the organization's performance. If the response to customer complaints is negative, then the organization is considered to have poor performance (DeVries, 2009).

The behavioral approach to measuring the performance of the North Kalimantan Provincial DPRD for the 2019-2024 period, in this case, can be seen from how the feedback, presentation skills, and responses to complaints and aspirations of the North Kalimantan Provincial community to the North Kalimantan Provincial DPRD institution in the formation of regional legal products.

Based on the research findings, show that members of the DPRD of North Kalimantan Province are still lacking and still need to be improved in providing feedback on the voices and aspirations of the people of North Kalimantan Province. This can be seen from the basic percentage of the formation of regional legal products in the DPRD of North Kalimantan Province for the 2019-2024 Period which comes from community aspirations of only 15%. Meanwhile, those originating from higher statutory regulations are 40%, the implementation of regional autonomy and assistance tasks are 30%, the RPJMD is 10% and the RPJPD is 5%. From these data, it shows that regional legal products originating from the aspirations of the people of North Kalimantan Province are still few and the more dominant are statutory orders which must be resolved immediately. However, all aspirations received from the people of North Kalimantan Province are still accepted, listened to, and recorded, only not all of these aspirations are followed up into regional legal products because they still see the priority scale and time in the formation of limited regional legal products. However, besides that, the DPRD of North Kalimantan Province in making regional legal products continues to make adjustments to local wisdom or local knowledge that exists in North Kalimantan Province.

Then not all members of the DPRD of North Kalimantan Province can present or speak in the process of forming regional legal products. This is due to the different educational backgrounds of DPRD members where not all DPRD members have knowledge and knowledge related to law and legal drafting. In addition, the number of members of the DPRD of North Kalimantan Province for the 2019-2024 Period is 35 people and only 1 person has a S3 (doctoral) education level while 9 people have a high school/equivalent education level, 17 people have S1 (bachelor's) and 8 people have S2 (master's) so that this educational background quite affects the presentation skills or speaking skills of members of the DPRD of North Kalimantan Province in the formation of regional legal products.

The number of public aspirations obtained by the North Kalimantan Provincial DPRD in the period 2019 to 2024 is 57 aspirations. The public aspirations that have succeeded in becoming regional regulations can be seen in the table below.

Table 1. Community Aspirations That Become Regional Regulations of the North Kalimantan Provincial DPRD for the 2019-2014 Period

No.	Name of Regional Regulation
1	Empowerment of Indigenous Communities
2	Ports, Safety, and Security of Shipping
3	Facilitation of Prevention and Handling of Abuse of Narcotics, Psychotropics and Other Addictive Substances
4	Implementation of Public Order and Security
5	Implementation of Customary Institutions

6	Youth Empowerment
7	Anniversary of North Kalimantan Province
8	Regional Symbol of North Kalimantan Province
9	Provision of Education
10	Animal Husbandry and Animal Health Management
11	Sustainable Food Crop Land Protection
12	Management of Marine and Fisheries Resources
13	Organizing Sports
14	Preservation and Management of Cultural Heritage
15	Implementation of Pancasila Education and National Insight

Source: DPRD of North Kalimantan Province, 2024

The table above shows that in the North Kalimantan Provincial DPRD for the 2019-2014 period, there were 15 community aspirations that succeeded in becoming regional regulations within a period of 5 years.

Result Approach

The outcome approach as proposed by DeVries (2009) is how to measure production capacity, the ability to complete products on schedule, and increase production or sales. The production capacity of an organization in the form of goods and services or products is one of the factors assessed in performance. The ability to complete products on time is important considering that delays can affect performance productivity. In addition, increasing production or organizational productivity is an important thing that must be measured if experiencing stagnation in productivity will have an impact on organizational performance. The results approach, in this case, can be seen from how the ability of the North Kalimantan Provincial DPRD for the 2019-2024 Period to complete all draft regional regulations (ranperda) appropriately based on the aspirations that are the will of the people of North Kalimantan Province and how the North Kalimantan Provincial DPRD completes the planning of legal products according to schedule and target. In addition, by seeing how the improvement of legal products or regional regulations produced.

The formation of regional legal products in the DPRD of North Kalimantan Province shows that the number of regional regulations produced is not as many as the number of proposed draft regional regulations. The total program for the formation of regional regulations (propemperda) from 2019 to 2024 contains 122 draft regional regulations in the propemperda. However, only 41 regional regulations, or around 30 percent of the propemperda have been completed as regional regulations.

This is because there are several obstacles experienced, especially during the session period. So, in a session period, 4 (four) special committees (pansus) will be formed where the members of the pansus are also members of other supporting bodies that have main tasks and functions according to their supporting bodies. Each pansus discusses at least 2 (two) draft regional regulations with a time limit or deadline for one session period of 4 (four) months. Meanwhile, in one session period, not all draft regional regulations discussed can be completed because they go through a fairly long administrative process. Consultation with the ministry is required first, the stages of discussion of draft regional regulations from article to article, the harmonization process, and the facilitation process so that it takes quite a long time. This is an obstacle so that several regional regulations fail and do not succeed in being plenary or completed on time. In addition, the regional legal products produced by the North Kalimantan

Provincial DPRD for the 2019-2024 Period can be said to be fluctuating in the sense that they have not increased significantly each year, as can be seen in the table below.

Table 2. DPRD Propemperda of North Kalimantan Province Based on DPRD Initiatives and Government Initiatives for the 2019-2024 Period

No.	Regional Regulation Propemperda Year	Amount	Origin		Information
			DPRD Initiative	Government Initiative	
1	Regional Regulation Formation Program 2019	47	18	29	The number of Draft Regional Regulations that have been jointly approved to become Regional Regulations is 18.
2	Regional Regulation Formation Program 2020	24	9	15	The number of Draft Regional Regulations that have been jointly approved to become Regional Regulations is 8.
3	2021 Regional Regulation Formation Program	21	8	13	The number of Draft Regional Regulations that have been jointly approved to become Regional Regulations is 7.
4	Regional Regulation Formation Program 2022	27	9	18	The number of Draft Regional Regulations that have been jointly approved to become Regional Regulations is 11.
5	Regional Regulation Formation Program 2023	23	5	18	The number of Draft Regional Regulations that have been jointly approved to become Regional Regulations is 7.
6	Regional Regulation Formation Program 2024	27	8	19	The number of Draft Regional Regulations that have been jointly approved to become Regional Regulations is 10.

Source: DPRD of North Kalimantan Province, 2024

Based on the table above, shows that the DPRD Propemperda of North Kalimantan Province for the 2019-2024 period that succeeded in becoming regional regulations (perda) the most were in 2019, namely 18 perda, while the fewest were in 2021 and 2023, namely 7 perda each.

4. Conclusion

Based on the results of the research and discussion above, the conclusion of this study shows that the performance of institutions in the Regional People's Representative Council (DPRD) of North Kalimantan Province in the formation of regional legal products has not been effective because looking at the personality traits approach which has not shown facilitative leadership, DPRD initiatives are still lacking, the attitude of DPRD members sometimes ignores the agreed schedule and knowledge, education levels and capacities are still limited in the formation of regional legal products. The behavioral approach shows that DPRD members are still lacking and need to be improved in providing feedback on community aspirations and not all of these aspirations are followed up into regional legal products and not all DPRD members have presentation or speaking skills. The results approach shows that the number of regional regulations produced is not as many as the number of proposed draft regulations,

some draft regulations cannot be completed on time and regional legal products produced by the DPRD have not increased significantly each year.

References

1. Devries, D. (2009). Performance appraisal on the line. Center for Creative Leadership.
2. Imawan, R. (2000). National Leadership and the Role of the Military in the Democratization Process. *Journal of Social and Political Sciences*, 4(1), 63-77.
3. Law Number 23 of 2014 concerning Regional Government
4. Law of the Republic of Indonesia Number 20 of 2012 concerning the Establishment of North Kalimantan Province
5. Miles, MB, Huberman, M., Saldana, J. (2014). *Qualitative Data Analysis. A Methods Sourcebook*, Edition 3. USA: Sage Publication. Translated by Tjetjep Rohini Rohidi, UI Press
6. Moleong, LJ (2017). *Qualitative Research Methods*. Bandung: PT. Remaja Rosdakarya
7. Regulation of the Minister of Home Affairs Number 80 of 2015 Concerning the Formation of Regional Legal Products
8. Saprudin, S. (2023). Performance of the Regional People's Representative Council Institution in Carrying Out Legislative Functions (Regional Regulation Formation Agency) in Southeast Sulawesi Province. Hasanuddin University
9. Tangkilisan, HNS (2005). *Public management*. Grasindo.