

# Implementation of the Election Regional Development Program in South Sulawesi Province

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**Abstract:** Program Fund of Election Regional Development or Aspiration Fund of House of Representatives is one of the policies stated in Article 80, letter j of Law Number 17 in 2014 about the People's Consultative Assembly, House of Representatives, the Regional Representatives Board, and the Regional House of Representatives. During the process, this policy reaped many pros and cons. In the perspective of public policy, the emergence of resistance to a policy can be caused by the implementation of inappropriate policies. In the case of the Aspiration Fund, the implementation of policies is assessed in the future. The policies made in the House of Representatives, even though they regulate the internal affairs of the House of Representatives, must still involve the community. Policy implementation is made with sufficient time to hear the parties objectively and find solutions for various problems presented to reach a mutual agreement according to regulations.

**Key Word:** Policy Implementation, Aspiration Fund, Budget Function.

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Date of Submission: 07-01-2022

Date of Acceptance: 21-01-2022

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## I. Introduction

Implementation is one of the stages in the public policy process. In essence, implementation is carried out after a policy is formulated with clear objectives. Implementation is a series of activities to deliver policies to the community to bring results as expected (Afan, 2009:295). This series of activities include preparing a set of further regulations, which are the interpretation of the policy. The form of policy in the form of a Law appears some Government Regulations, Presidential Decrees, and Regional Regulations prepares resources to drive implementation, including facilities and infrastructure, financial resources, and those responsible for implementing these policies and delivering policies directly to the public.

Policy implementation in principle thus a policy can achieve its goals. There are two steps to implement public policies: direct implementation in programs or through derivative policies (derivatives of these policies). Public policies in the form of Laws or Regional Regulations are types of policies that require public policies as implementing regulations. Public policies that can be directly operationalised include Presidential Decrees, Presidential Instructions, Ministerial Decrees, Regional Head Decrees, Service Head Decrees, etc. (Nugroho, 2004: 158 - 160).

Daniel A. Mazmanian and Paul A. Sabatier (1979) in Abdul Wahab (2003: 64-65), explain the meaning of policy implementation that: understanding what happens after a program is declared valid or formulated is the focus of attention on policy implementation, namely events and activities that arise after the adoption of state policy guidelines, which include both efforts to administer them and to cause real consequences/impacts on society or events.

According to Effendi (1989: 137), implementation associated with policy is formulated and then made into a form of legislation and implemented. The goal is to have the desired impact or purpose. Policy implementation is an effort to achieve specific goals with certain means and in a particular time sequence to meet expectations as it should.

According to Winarno (2002: 102), the process of implementing public policy begins when the objectives of the public policy have been established, programs have been created, and funds have been allocated to achieve the policy objectives. When viewed broadly, policy implementation is a legal administration tool in which various actors, organizations, procedures, and techniques work together to implement policies to achieve the desired impact.

A planned, comprehensive, integrated, directed, and sustainable national development is carried out to realise national goals. The aim of national development is none other than realising a just and prosperous society

based on Pancasila and the 1945 Constitution within the framework of the Unitary State of the Republic of Indonesia, which is independent, united, and has people's sovereignty.

Development is a series of development efforts and planned changes carried out consciously towards modernity in the context of developing the nation. Development also functions as a deliberate economic, social and cultural transformation through policies and strategies towards the desired direction. Therefore, according to Abdul Wahab (2017: 234), in general, development is a process to make changes for the better through a planned effort.

The quality of public services is not optimal due to the lack of a touch of the meaning of accountability. Various complex things trigger the problem of ineffective public services. They range from a bureaucratic culture that is still paternalistic, a work environment that is not conducive to changing times, the low "reward" system in the bureaucracy in Indonesia, weak "punishment" mechanisms for bureaucratic officials. The bureaucratic apparatus's inability to take discretionary action, the scarcity of leadership commitments to create responsive, accountable and transparent public services, the common community control over the implementation of public services, the low legal protection for the community.

The service system is no longer able to answer the current demands. Therefore, Law Number 25 of 2009 concerning Public Services was issued, the first Public Service Act. However, the journey of Law No. 25 of 2009 was not as expected. It is interesting to be criticized to find its strengths and weaknesses described by descriptive-analytical methods.

Based on the research background, the main problem of this research is "Why the implementation of the Electoral District Development Program in the House of Representatives of the Republic of Indonesia, especially those from South Sulawesi Province?"

## **II. Research Methods**

A qualitative research approach is used based on the characteristics of the research objectives to obtain complete, in-depth, and reliable information. The research data collection technique used is the data collection technique through observation, interviews and document analysis. The technique of checking the validity of the data uses credibility, transferability, dependability, and confirmability. The research data analysis technique uses four activity flows that coincide, namely: data collection, data condensation, data display, and conclusion drawing/verifying.

## **III. Result**

The Electoral District Development Program Fund, known as the People's Representative Council Aspiration Fund, has created a polemic. The Aspiration Fund is planned to be given in the amount of Rp. Twenty billion for each member of the House of Representatives per year. The total state expenditure to support this policy in one year is around Rp. 11.2 trillion. This policy is contained in Law Number 17 of 2014 concerning the People's Consultative Assembly, the People's Representative Council, the Regional Representatives Council, and the Regional People's Representative Council (MD3). Article 80 letter j states that members of the House of Representatives have the right to propose and fight for the electoral district development program.

The proponents of this policy put forward various reasons and considerations:

First, this Aspiration Fund is considered a tangible manifestation of following up on the people's aspirations from the electoral districts (electoral areas) of the members of the House of Representatives.

Second, the Aspiration Fund is also intended to restore public confidence in the House of Representatives. So far, the House of Representatives has been deemed unable to channel the aspirations of the people, especially aspirations for development needs in their constituencies.

Third, this program is designed to reduce the jealousy of aspiration funds that all members have not enjoyed moderately. So far, only members in strategic equipment, such as budget agencies and commissions that handle infrastructure, can enjoy aspiration funds.

Fourth, in many regions, the Aspiration Fund is generally in the form of social assistance or development programs that the House of Representatives can allocate to constituents in their electoral districts.

Fifth, with the Aspiration Fund, members of the House of Representatives can respond quickly to the concrete needs of their constituents in their constituencies.

Sixth, this program can cut the bureaucratic chain of budget planning, which often ignores the needs of the community and accelerate development and regional inequality.

Seventh, to prevent corrupt practices, the House of Representatives will establish a House of Representatives Regulation concerning the Mechanism for Submission of Rights to Propose Program for Development of Electoral Districts. The House of Representatives will also invite the Supreme Audit Agency

and the Corruption Eradication Commission to help oversee the implementation of the proposed development program from members of the House of Representatives.

Eighth, use the Aspiration Fund as needed. Thus, when the same amount is allocated to the members of the House of Representatives, the allocation must be following the needs of the region.

Various reasons were also put forward by parties who rejected this policy, either from among the members of the House of Representatives themselves and the community represented by the Non-Governmental Organization group with the reasons stated:

First, this aspiration fund is considered a fund that overlaps with government programs and can cause chaos in the administration of state finances.

Second, the program is not following the principles of justice and equity in development.

Third, the program is considered not in line with the principles, functions, and roles of the House of Representatives.

Fourth, the program can endanger the continuity of democracy because it will strengthen the oligarchic politics of political parties, collusion, and nepotism that lead to corruption.

Fifth, most countries that implement this practice are countries with a parliamentary system, which is thought to be related to the weak role of parliament in this system in changing the budget.

Sixth, it is feared that this program will eliminate the critical power of the House of Representatives against the budget proposals submitted by the government.

Seventh, this program can change the pattern of relations between the House of Representatives and its constituents from being democratic to being clientelist. The House of Representatives is judged by the number of development programs in its constituency.

Eighth, this program will not solve the problem of inter-regional disparity. The Aspiration Fund with an average model for each electoral district with the allocation decision in the hands of members of the House of Representatives will damage the balance fund system.

Based on a rough calculation, the Aspiration Fund for Sumatra Island reached Rp.2,400 billion; for Java Island Rp. 6,120 billion; The islands of Bali and Nusa Tenggara reached Rp. 640 billion; Kalimantan Island Rp.700 billion; Sulawesi Island Rp.940 billion; Maluku Rp.140 billion; and Papua only reached Rp.260 billion. It is well known that the price of goods, especially for infrastructure, is costly in Papua. However, ironically, Papua receives less than Java, which is far more advanced than other regions in terms of infrastructure and development. This paper does not intend to determine which party is correct but rather to explain the policy position of the Aspiration Fund from a public policy point of view.

The Aspiration Fund Policy is new. It is called a policy because the Aspiration Fund program is a plan that contains political goals that are mutually agreed upon between the House of Representatives and the Government, which will be implemented through administrative practice.

The forerunner of a strong desire from the House of Representatives to launch this policy has been around since 2010, led by the Golkar Party faction. At that time, the proposed Aspiration Fund was Rp. 15 billion for each member of the House of Representatives. However, this policy ultimately failed because the Government did not approve it. This policy proposal reappeared in the discussion of the Draft Law on the People's Consultative Assembly, the People's Representative Council, the Regional Representatives Council, and the Regional People's Representative Council, abbreviated as MD3 in 2014 and was approved for inclusion in the Law. In the discussion of the Draft Law, only the Government and the House of Representatives were involved.

The budget right is inherent in the budget function of the House of Representatives. Still, the question becomes whether the House of Representatives has the right to propose aspiration funds whose model is based on the electoral district for members of the House of Representatives. This issue can be answered at least through two constitutional answers: an understanding of Article 23 of the 1945 Constitution of the Republic of Indonesia and the Constitutional Court's Decision No. 35/PUU-XI/2013.

First, an understanding of Article 23 of the 1945 Constitution of the Republic of Indonesia, especially paragraphs (2) and (3). Three main things to obtain: (i) the President is the only party authorized to propose the

draft State Development and Expenditure Budget; (ii) The House of Representatives is a parliamentary institution that discusses the draft State Development and Expenditure Budget with the consideration of the Regional Representative Council; (iii) the draft of the State Development and Expenditure Budget may not be without the approval of the House of Representatives. If the House of Representatives disapproves, the Government will implement the State Development and Expenditure Budget last year. It can be seen here that the House of Representatives has excellent authority in approving the State Development and Expenditure Budget Plan, especially when compared to the Regional Representative Council. As for the meaning of "discussing together" carried out by the Government and the House of Representatives, it does not mean placing the House of Representatives as the party that determines the budget like the government, especially in the form of proposing aspiration funds or development funds based on the constituency. It was even emphasized that only the President has the right to submit a draft of the State Development and Expenditure Budget, which includes programs and activities to be funded, not by the House of Representatives. Suppose there is a correction or change in a joint discussion. In this case, the goal is to strengthen State Development and Expenditure Budget effectively for the prosperity of the people, not for the benefit of funding the constituents of the House of Representatives.

The authority of the House of Representatives in discussing the State Development and Expenditure Budget is in the context of supervision to ensure that the State Development and Expenditure Budget is used for the greatest prosperity of the people. It is in line with the opinion of Bagir Manan that substantively, the budget right of the House of Representatives is a control function, not a budget function (Manan, 2003:34). The budget function is an executive function; therefore, the budget's right is only interpreted as participating in setting the budget. Asshiddiqie incorporates the budgeting function into the supervisory function, namely the supervision of state budgeting and spending (control of budgeting) and supervision of the implementation of state budgets and expenditures (control of budget implementation) (Asshidiqie, 2008:160-163).

Second, through the Constitutional Court Decision No. 35/PUU-XI/2013 on 22 May 2014, the Constitutional Court decided to review the State Finance Act (Law No. 17 of 2003) and the MD3 Law (Law No. 27 of 2009) wherein the two laws giving too broad, detailed and technical authority to the House of Representatives in the discussion of the State Development and Expenditure Budget. In the State Finance Law Article 15 Paragraph (5) and the MD3 Law Article 107 Paragraph (1) letter c, Article 156 letter c number 2 letter (c), Article 157 paragraph (1) letter c, Article 159 paragraph (5). Those all mentioned the involvement of the House of Representatives in the State Development and Expenditure Budget Plan discussion starting from organizational units, functions, programs, activities, and types of spending. In its decision, the Constitutional Court stated that about the determination of the budget in the form of the State Development and Expenditure Budget, the budget function of the House of Representatives did not go too far in making budget planning but only gave approval to the plan proposed by the President. This is because of the principle of power-sharing and checks and balances, which results in the House of Representatives' authority being limited and emphasized in the function of supervising the running of the government.

In contrast, the planning function is included in the executive function, namely planning and implementing or executing the government course. According to the Constitutional Court, detailed discussions up to the level of activities and types of spending by ministries/institutions can cause constitutional problems when viewed from the constitutional authority of the House of Representatives in carrying out budgetary functions. The problem stems from the participation of the House of Representatives in discussing the detailed State Development and Expenditure Budget Plan as well as activities and types of spending. This is not under the function and authority of the House of Representatives as a representative institution that should not participate in determining very detailed planning, up to the level of activity and type of expenditure. The activities and types of spending are matters of state administration that the President carries out as the planner and implementer of the State Development and Expenditure Budget. Through this decision of the Constitutional Court, we can see that there is a limitation on the powers of discussing the State Development and Expenditure Budget Plan between the government and the House of Representatives, not too technical issues in terms of power-sharing and checks and balances. Thus, if an aspiration fund is proposed by a member of the House of Representatives, it will enter into a technical problem and damage the rules of checks and balances itself.

The Aspiration Fund is probably more suitable for investigating institutional and elite models. The institutional model is defined as a policy process made by the government or the institution that was given the authority to do so. This model deviates from traditional political science, which emphasizes structure rather than political process or behavior. The method presupposes that the task of policy is the task of government institutions that are carried out autonomously without interacting with their environment. Meanwhile, the Elite Model is based on the assumption that there must be two groups in every society, namely those who hold power or elites and those who do not have power. According to this model, top-down elites make public policies for public administrators to implement for many people. This model is an abstraction of the policy process where public policy is the perspective of the political elite.

The Aspiration Fund policy process, which was made by involving only the House of Representatives and the Government, implies that the people's interests are getting stronger as an excuse. As a result, environmental problems in which policies are implemented are neglected. This policy is an elite model because the perception of public policy that is made is only a top-down perspective of the political elite. The emergence of criticism from the public implies that the public is not involved in the policy process, which is considered conservative.

The many reasons put forward by policy supporters and the many reasons put forward by the opponents of the policy show that the approach is still problematic. The problem lies in the hidden orientation of public policy, the unfinished agenda-setting process for all stakeholders, especially community actors. Supposedly, the discussion between supporters and opponents of the policy should have been completed when the legislature discussed the policy, namely the House of Representatives and the Government.

When the discussion is completed, taking decisions follow the House of Representatives needs because this policy regulates the interests of the House of Representatives. And then, following the needs of the people as voters is because this policy also governs people aspirations. Administratively correct (because there is potential for overlapping activities with government programs and potential misuse of the budget that is feared), and fulfils the element of justice (because there are differences in the number of representatives in each province).

The right policy will lead to success at the level of policy implementation. Good reasons from the House of Representatives regarding the Aspiration Fund cannot achieve its objectives if it does not get support from the public. Therefore, the public's voice should be heard, and there is nothing wrong with improving the policy process to achieve goals.

#### **IV. Conclusion**

Until now, there is still a debate about whether or not the Aspiration Fund is necessary. Other discussions such as how the mechanism for implementing the policy will be, what impact it will have on the members of the House of Representatives themselves so that the ethical and justice dimensions show that there are problems in the policy of the House of Representatives Aspiration Fund. The model used in formulating Aspiration Fund policies is closer to operational in public policy theory. As a result, the policy faces various problems, so that the Aspiration Fund policy is difficult to implement.

For this reason, it is recommended that the House of Representatives reform the Aspiration Fund policy. There is nothing wrong with the House of Representatives discussing this policy again by inviting wider stakeholders, the Supreme Audit Agency and the KPK, and non-governmental organizations that have submitted their criticisms so that the policy can run well. Policy discussions are carried out at the stage of drafting a House of Representatives Regulation regarding the mechanism for implementing the right to propose and fight for electoral district development programs, which are discussed in the Legislative Body of the House of Representatives. It is expected that the noble ideals of the members of the House of Representatives can be realized for the benefit of the community.

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