



ARTÍCULOS

UTOPIA Y PRAXIS LATINOAMERICANA. AÑO: 25, n° EXTRA 2, 2020, pp. 33-39
REVISTA INTERNACIONAL DE FILOSOFÍA Y TEORÍA SOCIAL
CESA-FCES-UNIVERSIDAD DEL ZULIA. MARACAIBO-VENEZUELA.
ISSN 1316-5216 / ISSN-e: 2477-9555

Disharmonization of executive and legislative relations in 2018 APBA determination

Desarmonización de las relaciones ejecutivas y legislativas en la determinación APBA 2018

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Este trabajo está depositado en Zenodo:

DOI: <http://doi.org/10.5281/zenodo.3808663>

ABSTRACT

This study aims to determine the factors that cause the conflict between the Executive and the Legislature in determining the fixation of Aceh Provincial Budget. The writer is using Power Relations Theory and the Behavior Approach Theory. The research approach is carried out using descriptive qualitative methods. Results showed that the factors that created conflict between the Executive and Legislative institution regarding the determination of APBA are: conflicts of interest between the Executive and Legislative parties, inconsistent political communication between the Executive and Legislative parties, differences in party ideology, and the absence of the governor in the budget discussion meeting.

Keywords: APBA determination, Executive, Legislative Power, Legislative Relations

RESUMEN

Este estudio tiene como objetivo determinar los factores que causan el conflicto entre el Ejecutivo y la Legislatura para determinar la fijación del presupuesto de la provincia Aceh. El escritor está utilizando La teoría del poder de las relaciones y la teoría del enfoque conductual. El enfoque de investigación se lleva a cabo utilizando métodos cualitativos descriptivos. Los resultados mostraron que los factores que crearon conflictos entre la institución Ejecutiva y Legislativa con respecto a la determinación de APBA son: conflictos de interés entre los partidos Ejecutivo y Legislativo, comunicación política inconsistente entre los partidos Ejecutivo y Legislativo, diferencias en la ideología del partido y la ausencia de el gobernador en la reunión de discusión del presupuesto.

Palabras clave: Determinación APBA, Legislativo, Poder ejecutivo, Relaciones legislativas

Recibido: 02-03-2020 • Aceptado: 10-04-2020



INTRODUCTION

The birth of Law Number 32 of 2004 concerning the Regional Government places the Regional Government and Provincial Parliament Of Aceh (DPRA) as the organizers of the regional government. Fellow elements of regional government are the position of the Regional Government (executive) and the Provincial Parliament Of Aceh (DPRA) are the same, the difference is the function, duties, and authority as well as their rights and obligations. In this connection, the relationship that must be built between the Regional Government and the DPRA should be a partnership relationship to realize good local governance. The executive with the legislature should be coherent, consistent and interrelated to one another so that a political system is formed that is not only democratic but also effective and synergistic in implementing government programs and policies (Haris: 2014; Asrinaldi: 2016, p. 15).

When viewed from the typology of Cox and Morgenstern (Hanan: 2014; Adebaniwi & Obadare: 2010, pp. 379-405), the Indonesian Legislative and Executive institutions are both proactive and reactive. The two institutions must work together to ensure effective governance. An institutional bridge has been built on this matter. The Constitution does not provide clear veto rights to the Executive. However, the Executive and the Legislature must both agree if a legislation process is to be continued or passed as law. Particularly in the area of legislation and budgeting, the interaction of the Executive with the Legislature in Indonesia runs in a structure that requires the two to always work together if they aim to launch Legislative and non-Legislative agendas.

The Legislative and Executive Institutions are indeed two different entities, but that does not mean alienating each other (Aspinall & Mietzner: 2014, pp. 347-369). In a democratic governance system, the Executive and Legislative have an equal position with their respective functions and authorities. However, in many cases, the implementation cannot be done individually but must be shared. For example, the authority to form a Qanun rests with the Legislature, but the discussion must be carried out with the Executive. Included in the determination of the APBA which is carried out annually (Sari: 2019).

However, if you look at the facts that occur in the Province of Aceh, the hopes and reality between the Executive and the Legislature are contradictory, because it does not show a good relationship between the Executive and the Legislative institutions. This is evidenced by the performance of the two government institutions during the 2018 RAPBA discussion, the RAPBA discussion which should be expected to run smoothly was hampered due to several problems that occurred between these two Aceh Province stakeholder institutions. One of them, the absence of the executive in the 2018 RAPBA discussion meeting was one of the causes of the delay in determining the Aceh Provincial Budget (APBA) in 2018. Based on the data, the executive had twice ignored the invitation of the Budget Board Team (Banggar) of the Aceh House of Representatives in the context of the discussion of the 2018 RAPBA (kba.one, 20 February 2018).

Also, the program's tug-of-war between the executive and the legislature appears to be the most dominant cause in the delays in establishing the RAPBA in 2018, as the data states that DPRA members want the aspiration funds to be accommodated grants without having to go through certain mechanisms. However, the aspirational fund program was rejected by the executive because it was considered that the nomenclature was not clear (Setiawan: 2019). Meanwhile, there were several programs proposed by the executive attached to the RKPA document that was rejected by the Banggar DPRA team because it was considered that many of the programs proposed were not by the draft RPJM document (Dialeksis.com, 21 February 2019).

Based on these data, shows that there is a disharmony of relations between the Executive and the Legislature so that the APBA is always late. The Aceh Transparency Society (Mata) states that related to the delay in the determination of APBA this has happened from 2005 to 2018, only once in 2014 which APBA determination was carried out promptly (Pikiran Merdeka, 16 December 2017).

Mata mentions data related to the determination of APBA as follows: 2005 was only approved 26 April 2005, APBA 2006 was validated 27 March 2006, APBA 2007 was validated 18 May 2007, APBA 2008 was validated 24 June 2008, APBA 2009 was validated 29 January 2009, APBA 2010 was validated 19 March 2010, APBA 2011 was ratified 15 April 2011, APBA 2012 was ratified 31 January 2012, then in 2016 the APBA was

ratified 30 January 2016, in 2017 APBA was delayed with ratified 8 February 2017 (National Tempo, 20 January 2013).

Based on the data above, the author sees the Executive and Legislative institutions mutually defending the sectoral egos of each institution to create a disharmony of partnership relations between the two institutions, one of which is in the determination of the APBA in 2018. So, it is necessary to do more in-depth research from the author to see factors the factors that caused the disharmonization of the relationship between the Executive and the Legislature to occur and the solution so that the Executive and the Legislature can maintain the relationship properly (Popović: 2019; Law of the Republic of Indonesia; Pakdel & Ashrafi: 2019).

METHODS

This research was conducted using descriptive research type methods using a qualitative approach. According to Hanan (Hanan: 2014; Carey: 2008, pp. 91-122), a qualitative approach is a research paradigm to describe the events, behavior of people or a situation at a particular place in detail and depth in the form of narration (Cordova et al.: 2019; Melnik et al.: 2019, pp. 189-218).

In this study, the authors take several informants who have insight and knowledge regarding this research problem, so that they can provide the most complete information to be able to answer the research that the author is doing, in addition to information that is subject to research and is justified. As for the informants in this study are as follows:

1. Head of Provincial Planning Board Of Aceh (BAPPEDA)
2. Member of Provincial Parliament Of Aceh (DPRA)
3. Political and Legal Observer namely Mawardi Ismail, S., H., M.Hum
4. Representatives from the Aceh Transparency Community NGO (Mata)
5. Representatives from the Anti-Corruption Movement NGO (GeRAK)

In terms of obtaining research data, the authors use several data collection techniques, as follows:

Interview

Interviews will be conducted in a way that questions and answers by face to face (face to face) between the interviewer and the respondent in detail or in-depth openly. This data collection technique was carried out to find out informants' responses about the causes of relations between the Executive and the Legislature in the determination of the 2018 APBA not going well.

Documentation

This technique is done by collecting written data both from books and online media news about the causes of the relationship between the Executive and the Legislature in the 2018 APBA determination that is not going well.

In this study, four stages must be carried out during data analysis including data collection stage, reduction stage, display stage, conclusion drawing stage or verification stage.

RESULTS

Disharmonization of Relationships between Executive and Legislative in Determining APBA 2018

Following the study of the theory of power relations discussed in chapter II shows that the usual study of Executive relations with the Legislature is only limited to the practice of institutional work directed at the constitution or what is contained in it. Meanwhile ignore the process of interaction in the field, whereas daily interaction is an important aspect in determining the relationship between the Executive and the Legislature. As

explained in the theory of power relations, the rules and procedures in preparing daily interactions between the Executive and the Legislature are very important in building harmony for the two institutions. Such is the case with the Executive and Legislative Provinces of Aceh where there is no daily interaction established by the Executive with the Legislature so that harmonious political communication is not created. In practice, during the discussion of the 2018 RAPBA, there was no communication space from the Executive to the Legislature in the absence of good faith from the Executive to negotiate about the Executive's efforts to accommodate the wishes of the Legislature.

Then, there is the need to understand certain political phenomena that occur in terms of individual political daily activities. As explained in the theory of the behavioral approach which confirms that although political institutions or institutions are an important aspect of politics, they are not the real material of politics. However, the activities within or around political institutions should be an important aspect. The portion of the power of behavioralism is not given to explaining the structure of representative institutions, or the legal obligations of the people's representatives, but rather to explain the behavior of the people's representatives and explain how they work. When we look at practices that occur in Aceh Province, the disharmony of executive and legislative relations in the establishment of the 2018 APBA that this behavioral approach is seen in every policy making between the two institutions. Each institution puts forward sectoral ego or institution's interest in every policymaking. This is due to being influenced by political activities around institutions that influence every policymaking. The practice addressed by the Executive and Legislative in the 2018 APBA discussion process is based on the interests of each sectoral. We can compare this when making a Qanun that is not politically charged so that the relations between the two parties run smoothly. However, when there is a disturbing interest from one of the parties in the making of a politically charged Qanun such as the APBA, it will be very clear that there is a gap between the two parties (Pereira & Melo: 2012, pp. 156-170.).

Furthermore, the relationship between the Executive and the Legislature is also determined by the level of fragmentation of the party system that exists on the Legislature. In the study of the theory of power relations, there is participant power which is the two institutional dimensions that determine the direction of the relationship between the executive and the legislature, namely the level of fragmentation of the party system and discipline among political parties. The degree of fragmentation of the party system refers to the effective number of political parties in the legislature. The more parties there are, the less likely a party is to hold majority control. Discipline among political parties is also important because it determines the executive's strategic relationship with the legislature. The more disciplined a political party is, the greater the possibility of members of one attitude or vote. If we look at the practices that occurred in the Aceh Provincial Legislature, the dominance of the Aceh Party as a local party that controlled the Provincial Parliament Of Aceh (DPRA) with the acquisition of 41% of the DPRA seats turned out to have an impact in every policy-making issued by the legislature. Moreover, after the defeat of the Aceh party in the 2018 elections, it turned out to have a long impact, one of which withdrew the Aceh Party into the opposition. Of course, this affects the policy taken by the legislature because it controls the parliamentary seats, so that support for the smooth running of the executive in producing legal products such as Qanun both political and non-political will be opposed.

Solutions to Executive and Legislative Relations Can Work

Following the theory of power relations that based on the results of the study, several solutions can be used as a basis for the Executive and the Legislative in changing the pattern of interaction in realizing harmonization of relations for the two institutions. One of them relinquishes personal interests, in principle, the budgetary principle of the two institutions runs in balance. It must be understood that legislative involvement is indispensable to be able to balance the running of the budgeting process smoothly both because of the authority and political approach to the APBA designation. The involvement of the Provincial Parliament Of Aceh (DPRA) in the APBA determination process is also reflected in the anticipated reaction interaction model in the study of the theory of power relations which is a form of interaction that is direct but formed due to the structure of power and control over resources in certain situations. This can happen if the Governor of Aceh seeks to accommodate

the wishes of the DPRA as long as it benefits the wider community. Even further, if the efforts of the Governor of Aceh are willing to accommodate the wishes of the DPRA then it is certain that coherent political communication will also occur continuously so that this can strengthen the relations between the Executive and the Legislature in making policies together. This is certainly balanced with political deals to achieve the interests of each party.

DISCUSSION

This is also related to the discipline among the Executive and the Legislature. In the study of the theory of power relations, the discipline among the Executive and the Legislature is also important because it determines the strategic relationship between the executive and the legislature. This does not appear in the Executive and Legislative relating to the discipline of both parties, including attending the APBA discussion meeting. The absence of the Governor in several discussion meetings held by the Banggar team slowed down and hampered the establishment of the APBA. Because if there are certain proposals from the DPRA, no decision can be made immediately due to the absence of the Governor in the APBA discussion meeting.

Then, besides involving the Legislature exclusively in the matter of APBA discussion. The Governor of Aceh can also make changes to the system in the APBA discussion to accommodate a more open planning process as a solution in the Executive and Legislative relations by involving other parties to capture aspirations, in addition to gathering aspirations through the musrenbang process. This relates to the nondecision making interaction model in the study of the theory of power relations which requires the involvement of a third or external party to be able to support one of the policy actors. The use of such interaction is to narrow the gap and gap in Executive and Legislative relations. So that the interaction model is closely related to the solutions needed by the Executive and Legislative to eliminate disharmony that occurs (Abrianto & Izzaty: 2019; pp. 519-533.).

CONCLUSION

In this concluding chapter, the researcher concludes problems or issues related to disharmony between executive and legislative relations in the establishment of the 2018 APBA as well as solutions to the disharmony of relations built by the executive and legislative in daily interactions so that they can become guidelines and improvements for the two main stakeholders in Aceh Province.

Dishamoralization of executive and legislative relations in the determination of APBA 2018 occurs based on several factors, namely: first, because of a conflict of interest, in this case, the political interests of each agency did not find a common ground in the discussion of the RAPBA; secondly, because of political communication that is not harmonious, the executive's unwillingness to negotiate the aspirations of the two agencies, there is an overreaction of the executive who wants to dominate the partnerships between the executive and legislative; third, differences in party ideology, the dominance of a party over an institution can influence the policies and decisions taken by that agency. This can be seen from the dominance of the local Aceh party in the Provincial Parliament Of Aceh (DPRA) over its political opponents who dominate the executive; fourth, the absence of the Governor in the budget discussion meeting, which represented the Governor in the discussion meeting did not have full power to be able to take policy to slow down the APBA ratification in 2018.

The solution to the disharmony of executive and legislative relations in the establishment of the 2018 APBA is as follows: first, political communications between these two institutions must be more intensely carried out with the same orientation, namely the welfare of the community; Second, the planning process must be open, this must be known by all parties not only limited to the executive and legislative discussion,

including planning documents that form the basis of budget discussions, it should have been made public from the start so that no other programs were included. outside of planning; Third, in terms of positions such as the executive and legislative branches, when they are appointed, they must leave the interests of their groups, leave the interests of their parties, because in truth both of them are responsible for the people of Aceh so that the interests of the people of Aceh are prioritized; Fourth, Hoping that the e-planning and e-budgeting that has been designed in 2020 can improve and accelerate the approval of APBA in the future.

BIBLIOGRAPHY

- ADEBANWI, W & OBADARE, E (2010). "Introducing Nigeria at fifty: the nation in narration". *Journal of Contemporary African Studies*, 28(4), pp. 379-405.
- ARIANTOB, BO, NUGRAHA, X & Izzaty, R (2019). "Hak Konstitusional Lembaga Kepresidenan Dalam Penolakan Pengesahan RUU APBN Oleh DPR". *Journal IUS Kajian Hukum dan Keadilan*, 7(3), pp. 519-533.
- ASPINALL, E & Mietzner, M (2014). "Indonesian politics in 2014: Democracy's close call". *Bulletin of Indonesian Economic Studies*, 50(3), pp. 347-369.
- ASRINALDI, A (2016). "Koalisi Model Parlementer dan Dampaknya pada Penguatan Kelembagaan Sistem Presidensial di Indonesia". *Journal Penelitian Politik*, 10(2), p. 15.
- CAREY, JM (2008). "Presidential versus parliamentary government". In *Handbook of new institutional economics*, pp. 91-122. Springer, Berlin, Heidelberg.
- CORDOVA, C. E., KIRSTEN, K. L., SCOTT, L., MEADOWS, M., & LÜCKE, A. (2019). "Multi-proxy evidence of late-Holocene paleoenvironmental change at Princessvlei, South Africa: The effects of fire, herbivores, and humans". *Quaternary Science Reviews*, 221, p. 105896.
- HANAN, D (2014). *Menakar presidensialisme multipartai di Indonesia*. Al-Mizan.
- HARIS, S (2014). *Partai, pemilu, dan parlemen era reformasi*. Yayasan Pustaka Obor Indonesia.
- LAW OF THE REPUBLIC OF INDONESIA NUMBER 11 of 2006 concerning the Government of Aceh.
- LAW OF THE REPUBLIC OF INDONESIA NUMBER 32 of 2004 concerning Regional Government.
- LAW OF THE REPUBLIC OF INDONESIA NUMBER 33 of 2004 concerning Financial Balance between the Central Government and Regional Governments.
- MELNIK, A. N., ERMOLAEV, K. A., & KUZMIN, M. S. (2019). "Mechanism for adjustment of the companies innovative activity control indicators to their strategic development goals". *Global Journal of Flexible Systems Management*, 20(3), pp. 189-218.
- PAKDEL, M, & ASHRAFI, M (2019). "Relationship between Working Capital Management and the Performance of Firm in Different Business Cycles". *Dutch Journal of Finance and Management*, 3(1).
- PEREIRA, C & MELO, MA (2012). "The surprising success of multiparty presidential". *Journal of Democracy*, 23(3), pp. 156-170.
- POPOVIC, D (2019). *Comparative Government*. Edward Elgar Publishing.

SARI, IF (2019). *ANALISIS FLYPAPER EFFECT TERHADAP BELANJA DAERAH DI KABUPATEN/KOTA PROVINSI ACEH TAHUN 2014-2017* (Doctoral dissertation, Fakultas Ekonomi).

SETIAWAN, AR (2019). Puan Maharani: A Women's Representative in the Politics of Indonesia.

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