

Does the Democratization Process Bring Better House of Representatives? A Lesson from Indonesia Post 1998 Reform Movement

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The dramatical democratisation process in Indonesia in 1998 brought exhaustive changes to the authority and role of the House of Representatives (HoR); with extensive authority and it effected all aspects of state life. Budgeting is the most widely used loopholes by HoR members in committing corruption. The use of influence, existing legal basis and weak accountability are factors that are considered in playing a role in corruption by HoR members. This paper reveals how the authority possessed by the HoR is misused and has an impact on increasing the disclosure of corruption cases; it will outright explain why fraud committed by HoR members can be recurring.

Key words: *Democratisation, House of Representatives, Corruption, Accountability.*

Introduction

As the result of the Indonesia democratisation process in 1998, the Indonesian House of Representative (HoR) as the instrument of democracy, sought its own form, and this was marked by the implementation of the 1945 constitutional amendments that gave enormous democratic power. The HoR was encouraged to launch a drive in building the democratisation process in Indonesia as a negation of the role of parliament in the New Order period.

Through the real role of parliament, Indonesia was expected to become a stable democratic country by spearhead instruments of democracy such as parliaments will to realise the ideals of reform. Aware that placing a strong position of the HoR will make it easier to determine political policies and strengthen the joint development of democratisation in Indonesia, which would in turn accelerate the process of developing the political economy, as part of the acceleration of nation and state development. Legislative terminology became popular as a place for political discourse, which during New Order rule led to the government being a heavy executive, Asshiddiqie (1996) argued that the fall of the New Order regime brought a shift in executive power to the legislative power.

The mismanagement of this representative institution will potentially have the potential to save itself, by the strong interest of the political elite and the spirit of pragmatism and the dominance of the oligarchy. The 1945 constitutional amendment gave a strategic position to the Indonesian parliament because of its great authority, take place as a central position to build democratisation in Indonesia. The strategic function played by the HoR related to the state's decision to involve it, such as forming laws, overseeing the government, discussing joint government budget and electing leaders of state institutions. In the process, the Indonesian parliament indicated to prioritise the interests of the party and its ruling class rather than fighting for the fate of the people who are their constituents (Romli, et.al., 2010, Sriboonyaponrat, 2016, Saahar, Sualman, Hashim, & Mohamed, 2017, Yazici, 2016).

The main factor that causes representative institutions to be very optimal in achieving performance is the distortion of the HoR authority implementation and specifically refers to the HoR performance outside of the budgetary authority related to the targets set by the national legislation program. The HoR fails to achieve legislative products and is of very doubtful quality (Azhar, 2015, Nursyamsi, et.al., 2012, Prasad, 2017, Siwach, & Singh, 2018).

Interest in the discussion of the budget in the HoR Budget Board between political elites originating from the legislature and government bureaucrats representing the executive order to secure each party's interests in resources is very thick budgeted with strong scents of political corruption (Ayuningrat, Noermijati & Hadiwidjojo, 2016, Johnson, 1994, Kim, 2016, Kurniawati & MeilianaIntani, 2016).

Caiden and Wildavsky (1974) remanding the strategic issue in the management of the public budget, and this could potentially raise the opportunity for fraud by public officials to safeguard their personal political interests and class. The tug-of-war between the executive and congressional domination also occurred in the United States regarding budget interventions, which often caused clashes between the two. It did not rule out the possibility

of government shutdowns when the parliament did not approve the budget proposed by the government.

The phenomenon that happened was very contrary to expectations; in fact, the legislature received a red notice regarding the number of corruption cases. The spread of corruption in the Budget Agency is one of the root causes of the burden of substantial political costs borne by each member of the board, which has an impact on the rampant acts of corruption and the practice of budget mafia in the HoR Budget Agency.

Moreover, most of the members of the council are actually from political parties that are very thick with the smell of bribery to secure their chair as political actors/board members.

The Indonesia Corruption Eradication Commission (KPK) has succeeded in uncovering a high number of cases of corruption with various modes. The corruption cases has subsequently caused significant leakage of state money in the HoR Budget Agency in such an extended period.

The phenomenon of money politics and bribery is something that often happens, so Gomez (2000) illustrates that money politics as, "the use of money and material benefits in the pursuit of political influence". Corruption at the government level can be traced from the side of revenue, extortion of bribery, providing protection, theft of public goods for personal gain, classified as corruption caused by political constellation (Susanto, 2002, Nair, 2017). Furthermore, De Asis (2000) gives a further picture of political corruption such as fraudulent behaviour (money politics) in the election of legislators or executive officials, illegal funds for financing campaigns, resolving parliamentary conflicts through illegal means and deviant lobbying techniques.

Anderson (2009), offers a function of transparency and accountability in the process of budget discussions between the executive and the legislature to avoid unilateral information monopolies. Several offers submitted by Anderson are through simplifying complexity, promoting transparency, enhancing credibility, improving the budget process, serving both the majority and the minority, and providing rapid responses.

The budget function carried out by the HoR should be aimed at implementing an effective Indonesian budget policy to finance the operations of government activities in order to prosper (Asshiddiqie, 2010). One form of misuse of authority in the House of Representatives is the authority of the HoR 's budget rights, which is in the Budget Body established by the HoR and is a permanent HoR instrument. The Budget Agency plays a very strategic role in bridging budget discussions with the government but is also a fertile field for growth. This has led to the development of mega corruption cases in Indonesia. The mode of corruption

occurs in the form of budget brokering, budget mafia, budget bondage and others. This prone point is very vulnerable to corruption in the congregation in the form of budget manipulation, namely government bureaucrats with rulers (parliamentarians) and entrepreneurs in pushing the State Budget.

Some cases have shown irregularities in the process of establishing the budget by HoR members; the biggest case is the corruption in the procurement on National Identity Cards, which involved a fantastic amount of money, and involving former HoR chairman Seyta Novanto, undermined public trust on this representative institution at the lowest level. Similarly, the Regional Infrastructure Assistance Fund Program, whose value is also involving a fantastic amount of money become a HoR member corruption area; this case dragged a number of council members to court and led to sentencing to prison. Based on the background, this study will focus on the following research question:

What extent the HoR authority deviate of the budget process in the Indonesia HoR?

Literature Review

The concept of political representation, generally refers to the people are in the position of sovereignty, powerful and have desires, as Rousseau argues what is said to be "general desire" (*volonte generate* or general will). He further argued that the task of the parliament was to formulate a public policy that would later produce a binding law for all the people. While Lijphart (1984) agrees with Budiardjo, in one democratic country there is a representative body of the people because the people forbid to govern and fight for their own interests, it needs to be represented. It seems clear that Budiardjo's (2008: 315) view emphasises that sovereignty is absolutely in the hands of the people. It means that the position of council members where the authority given by the law has become a weapon for them to fight for their voters, voicing public opinion to executive stakeholders.

In carrying out the duties and functions of the legislative body, in carrying out its duties according to Rüländ, Jürgenmeyer, Nelson, & Ziegenhain (2005), the legislature has a different function, namely.

1. The function of legislation is the authority of the legislature, namely making laws through step procedures, namely: proposing a draft law; discuss the draft law; approve the draft law, and to ratify the law;
2. The budget function (budgeting), has the authority to hold discussions and stipulate the State Revenue and Expenditure Budget;
3. The function of supervision (control), the legislature is given the authority to supervise several things such as: supervision of public policy; oversight of the implementation of

the law; oversight of the implementation of the state budget and expenditure, supervision of government performance and supervision of the way the government or executive institutions operate;

4. The function of the representative (representative), to serve as a representative of the people who becomes the extension of the hand he represents in order to fight for his interests in the country. There are two types of representative systems, namely political representation and functional representation;
5. The function of deliberation, the decision-making process for every public policy that will be carried out in the community as well as the ability to manage conflict management to achieve mutual benefit in the community;
6. Amendment function to amend amendments to the law.

All the main functions of the legislation are presented in the three main activities of parliamentary functions as Asshidieqie (2010: 153) states that in Indonesia, the functions of representative or parliamentary institutions are usually divided into three functions; (i) The function of legislation (legislative), (ii) Function of supervision (control); and (iii) Budget functions.

If examined further by Rüländ's explanation regarding legislative functions, then the common thread that can be drawn from the side of the main aspects of the task performance/function of the parliament is that it relies on aspects of accountability control, both supervision of government programs, budgets and legislation. Such as in the supervision side of every government policy by being critical of government programs that, have a direct impact on the people. Supervision of the budget for each rupiah spent used for the benefit of the community. Thus, the mandate of the Constitution given to the people's representative institutions, so that is expected to demand their obligation to carry out the constitutional mandate optimally because the people have carried out their obligations as taxpayer's allowances and other facilities for the honourable council members. The mandate given should not be misused, namely where the supervisory function is not manipulated in order to bring down political opponents, raise bargaining positions, carry out cattle trade politics to pursue the interests/benefits of themselves and their support groups.

HoR Authority

According to Marbun (as cited by Hidjaz, 2010: 35), the authority is the ability to carry out executions given by law to carry out legal relations. In other words, every government authority, which indirectly is the power that is in the government to carry out its functions and duties based on legislation.

Surbakti (2010) and Djuyandi (2018) believe that authority is power. However, on the one hand, power is not directly proportional to authority. Both can be seen from their nationality. Authority must be based on power that has actual legitimate power, while power does not automatically have validity. Politics requires a device of authority (authority), that is, with the authority it has to be able to make people consciously carry out something based on law or the mandate obtained. Meanwhile Hadjon, et.al. (1997: 1) related to the constitutional law of authority described as legal power, this means authority is very close to power, based on the concept of public law.

Maarseveen (1978) views authority in the framework of the concept of political law can be divided into three dimensions, namely: influence; legal basis; and legal conformity. It means, by the dimension of influence that the authority user functions as controlling the behaviour of legal subjects. The basic legal component dimensions that each authority must have a legal basis reference, and the dimensions of legal conformity contain the intention of the existence of an authority standard, namely a general standard (for all types of authority) and special standards (for a more specific type of authority).

The deviation of authority based on the supporting theory used to compile this frame of mind, with the concept of authority moving from the formulation of Maarseveen (1978) and Kelsen theory which, divides views authority in the framework of the concept of political law to be divided into four dimensions, namely: influence; legal basis; legal conformity; and legal liability.

Based on the above framework, this study will focus on abuse occurrence of budget rights in the HoR determined by the basis of influence, legal basis, legal conformity and accountability.

Research Method

This case study examines the role that the Indonesian Parliament has by corruption cases. The design of this study uses qualitative methods considered more appropriate due to the goals to see and look deeper into emerging political phenomena. The use of qualitative methods carried out based on the problems by exploring a proposition or explaining the meaning behind reality. The explanation of this study uses descriptive research with qualitative research methods; rely on the analysis of certain social phenomena as a characteristic of the descriptive, explanatory level.

This data source divided into two types of data sources, namely primary and secondary data sources. Primary data is data obtained directly through observation. Secondary data captured

obtained through documentation relevant to this research. The primary data collected through observations based on activities and events in the field, in-depth interviews.

Secondary data collected through documenting the implementation of state defense programs, meeting minutes between agencies, data from media, general guidelines, results of studies from various literature and previous relevant studies to sharpen the credibility of research.

Results and Discussion

Influence

With the capture of Abdul Hadi Djamal, a member of the House of Representatives, along with billions of billions of money lost to bribery, it was easy to conclude that there were members of the HoR who traded their authority and influence—selling authority at the expense from state money; trade-in authority that leads to a robbery of public money.

This further shows the HoR's corrupt behaviour. Many HoR members have been arrested with the same cases. The list may be increased considering the cases are cases carried out by members of the HoR who are trading their authority. In terms of selling authority, it is difficult to believe this only done by individuals. This kind of sale only can be done by syndication, a mafia that involves many members of the HoR.

Of course, it is interesting to analyse why the HoR, which should have been continually excellent, shows corrupt behaviour by selling its authority. It is difficult to say that there is nothing wrong with the constitutional mechanism regarding the HoR. In theory, the basic formulation of corruption is the existence of a large authority without adequate supervision. That is what became the forerunner of corrupt actions. In Indonesia, the HoR has become one of the most authoritative, unattended institutions and devoid of a meaningful model of checks and balances. The HoR then becomes a hotbed of possible corruption actions.

In the House of Representatives today, there is a large amount of authority, ranging from the authority of legislation, budget, supervision, recruitment of public office, and "rain" of other authorities granted by law. Most done by the HoR itself, without adequate mechanisms of checks and balances. One of the great ideals when it carried out four times the amendments to the 1945 Constitution was to reduce the considerable authority, which was piled up on the executive, which was then submitted to the legislature. Unfortunately, when a lot of authority is stacked in the HoR, the constitution fails to regulate its control and supervision.

In the case of detention, Taufik Kurniawan, the second leader of HoR was named a suspect by the Corruption Eradication Commission (KPK), after a year earlier, the KPK appointed

the Speaker of the House of Representatives Setya Novanto as a suspect in a corruption case for the procurement of e-KTP. Although both served as leaders of the Council, there were several similarities and differences in corruption cases involving politicians from the National Mandate Party (PAN) and the Golkar Party. The buying and selling influence of the Corruption Eradication Commission (KPK) detained Deputy Speaker of the House Taufik Kurniawan Taufik was a suspected case of alleged bribery related to the management of the Special Allocation Fund (DAK) budget for Kebumen District in the 2016 Amended State Budget. Management of the DAK. In ratifying the 2016 Amendment State Budget, the DAK for Kebumen Regency amounted to Rp. 93.37 billion. According to the KPK, the bribe was given by the Kebumen Regent, M Yahya Fuad. When he just installed as regent, Yahya allegedly approached several parties in the HoR, including Taufik. Taufik was indeed a member of the HoR from the Central Java VII electoral district representing the Kebumen, Banjarnegara and Purbalingga Districts.

The KPK suspects that in this case, Taufik also used his influence as a high-ranking position in parliament. Taufik allegedly did not just use his position as state administrator in accepting bribes but also used his influence in the position of chair of the House. KPK applies Article 12 letter (a) or letter (b) of the Corruption Law because the person concerned has received something due to doing something. Moving something is certain, because there is the ability or the same position (position). Taufik is the Deputy Chairperson of the HoR in the financial economy who oversees the scope of the Commission XI and the House Budget Committee. In contrast to Taufik, when he committed a crime, Setya Novanto had not yet served as a HOR leader. However, in the decision of the panel of judges, Novanto was proven to use his influence as the Chair of the Golkar Party Faction. Suspects in the Setya Novanto Electronic KTP corruption case left the KPK building, after being questioned by investigators of the Corruption Eradication Commission (KPK), Jakarta, Tuesday (5/12), night. Setya Novanto is checked to complete the investigation file. According to the judge, Setya Novanto as the chairman of the Golkar faction had more influence than other HoR members. At that time, the biggest seats for HOR members were Democrats and the Golkar Party. Novanto has the authority to coordinate members of the Golkar Faction in each commission and equipment of the Council. As evidence, according to the judge, Novanto successfully passed the e-KTP budget of Rp 2 trillion in 2011. In fact, in the previous year, the budget request was not approved by the HoR. In the letter of claim, the KPK prosecutor also called Novanto, a politician who had a strong influence and was an accomplished lobbyist.

Both of them were considered as intervening in the process of making budget policy as one of the functions of legislative members. The KPK suspects that Taufik intervened in the budget discussion process at Commission XI as the Financial Commission and the HoR Budget Board. Taufik allegedly communicated with the related parties below to smooth out the request of Kebumen Regent Yahya Fuad. Initially, Yahya asked for the Rp 100 billion DAK

for Kebumen. According to the KPK, the fee received by Taufik was 5 per cent of the budget value obtained. However, to date, the KPK is still exploring the involvement of other parties in budget discussions. In the case of e-KTP, Setya Novanto stated his readiness from the beginning to support the implementation of the e-KTP project and ensure the proposed budget of Rp. The HoR approved 5.9 trillion. However, Novanto requested that a 5 per cent fee for members of the HoR be given first by entrepreneurs who participated in the project. If the request is not fulfilled, Novanto will not want to help with the management of the budget. Finally, in the agreement, the entrepreneurs joined in the consortium agreed to give 5 per cent to Setya Novanto and other members of the HoR. In the trial, Novanto acknowledged that they were leaders of the House Budget Board who participated in receiving money.

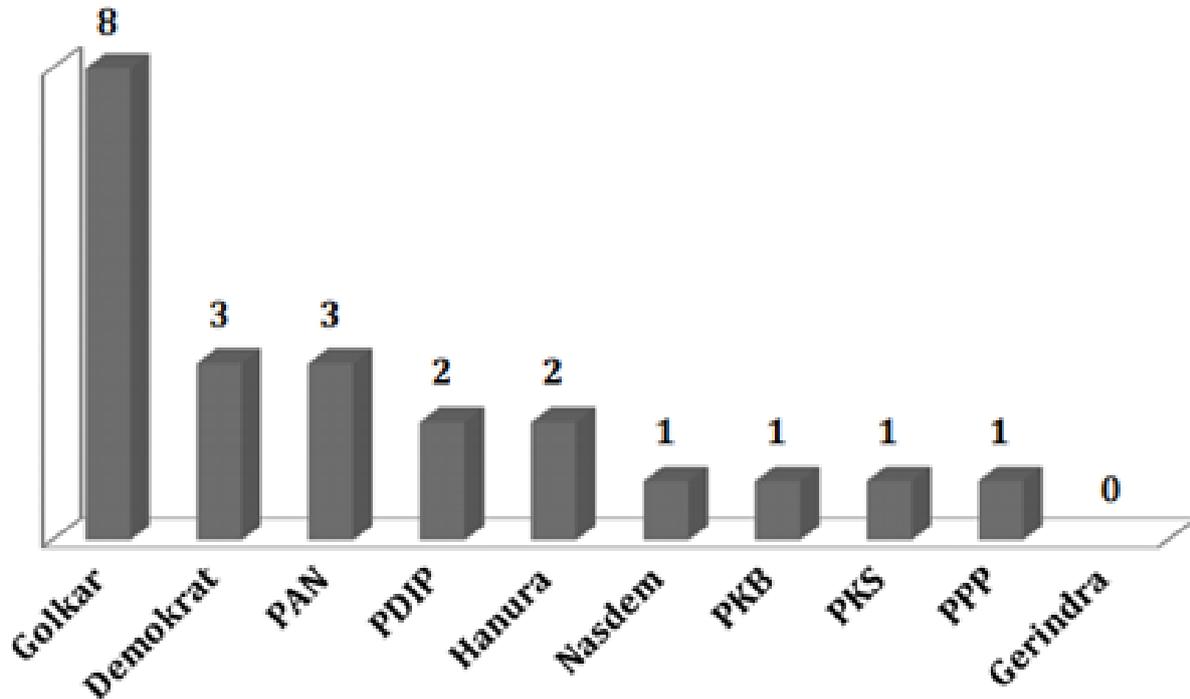
These cases show that most of HoR members use their influence to create corruption opportunity. By using their influence, they can arrange state procurement, especially for those involving an amount of money.

At the national level, less than 10% of 2014-2019 HoR members were not nominated to become HoR members in 2019-2024 by their political parties. Among the incumbents, three names are currently accused for corruption. They were the Deputy Speaker of the Parliament Taufik Kurniawan (PAN faction), Sukiman (PAN faction), and Bowo Sidik Pangarso (Golkar faction). The appointment of the three HoR members, as well as the 2019 legislative candidates, further emphasised that the HoR had one problem, corruption. This problem is not a new problem because, since the beginning of the 2014-2019 period, corruption has become a prominent issue in the HoR. At that time, there were six elected candidates who were not sworn in because of their status as corruption suspects. Corruption is believed to be one of the problems behind the low level of public confidence in the HoR and political parties. This phenomenon is certainly a negative phenomenon because it should act as the people's representatives get the distrust and receive great appreciation from the people.

The involvement of board members in corruption cases arose since the members of HoR in the 2014-2019 formation had not yet been installed. Indonesia Corruption Watch (ICW) noted that 59 elected councillors were holding the status of suspects, defendants, and even had been convicted of corruption cases. The House of Representatives even appointed Setya Novanto as the Speaker of the House of Representatives, even though Setya was allegedly involved in several corruption cases. Not surprisingly, Setya Novanto finally assumed the status of a suspect in 2017. He also dealt at least twice with violations of the HoR's ethics. ICW noted, to date there have been 22 members of the 2014-2019 HoR who have been named as suspects in corruption cases by the KPK. Three of them even became suspects in the first year of their term of office, namely Ardiansyah (Indonesia Democratic Party in Struggle-PDIP- Faction), Patrice Rio Capella (National Democrat Party Faction), and Dewi Yasin Limpo (People Conscience Party Faction). It can be said, corruption by members

of the HoR period 2014-2019 is very alarming. Not only because of the large number, but also when seen from the position of the member. During this period, HoR Speaker Setya Novanto and HoR Deputy Speaker Taufik Kurniawan were suspected of corruption. Two members of the suspect council are also party chairmen, namely Setya Novanto (Golkar Party Chairperson) and Muhammad Romahurmuziy (United Development Party Chairperson).

Figure 1. The number of Legislator who alleged for corruption cases base on Political Party

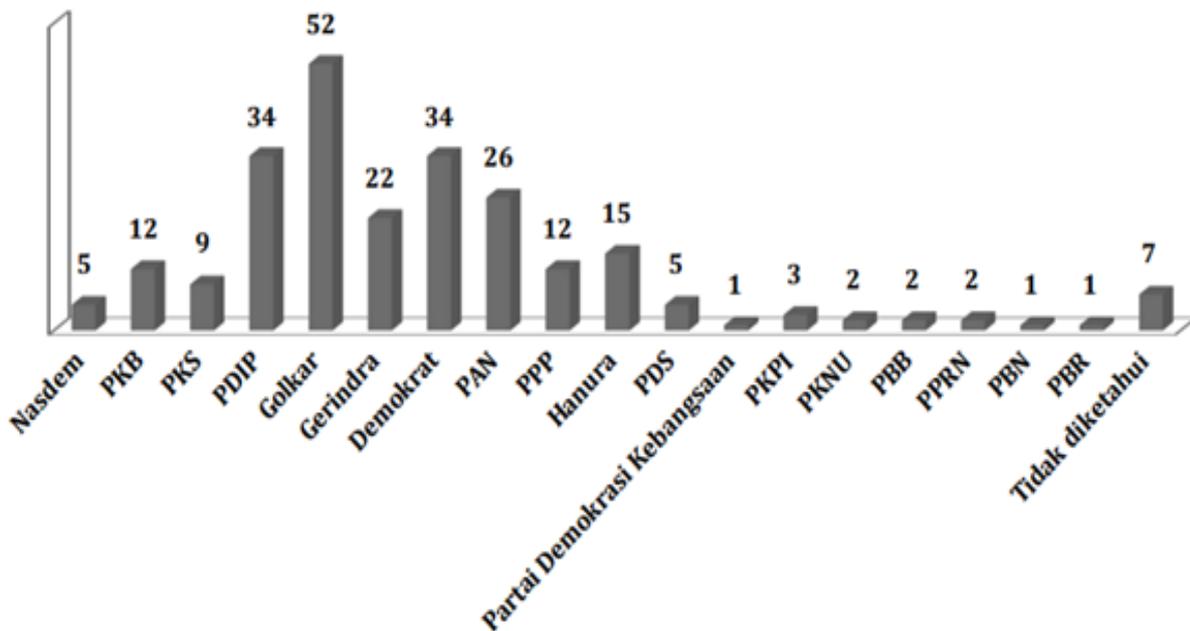


Source: Indonesia Corruption Watch, 2019

Corruption in the regional legislature is no less alarming. The KPK in 2018 named dozens and even dozens of members and former members of the North Sumatra Local HoR (44 people), Malang City (41 people), Jambi (13 people), Lampung Tengah (6 people) as corruption suspects. They are suspected of accepting bribes from regional heads regarding their functions and authority as members of the council, especially in the discussion of the Regional Budget (APBD). ICW's monitoring of corruption cases during 2015-2019 noted that there were at least 254 members and former Local HoR members that were suspected of corruption in the last five years. Not all of them served in the 2014-2019 period, such as the three Bengkalis Local HoR members from 2009-2014, namely Jamal Abdillah (National Mandate Party PAN), Hidayat Tagor (Democratic Party), and Purboyo (Indonesia Democratic Party in Struggle-PDIP), who were suspected of corruption in misappropriation of social assistance grant funds. All three were named as suspects in 2015 while their corruption cases occurred in 2012. In addition, not all corruption cases involving members of the council occurred in 2015-2019. Some cases occurred in the previous year or term of

office. For example, the bribery case of the North Sumatra Regional Budget discussion involving the Governor of North Sumatra and 44 North Sumatra Local HoR members from 2009-2014 and the bribery case for managing a mining business permit in Tanah Laut Regency involving members of the Republic of Indonesia Ardiansyah (Indonesia Democratic Party in Struggle).

Figure 2. The number of Local Legislators who alleged for corruption cases based on Political Party



Source: Indonesia Corruption Watch, 2019

The most phenomenal corruption case is a corruption case involving members of the Malang City Local HoR. As many as 41 people named as suspects in corruption cases involving legislators and executives. The practice of bribery and gratification occurred when the city government of Malang submitted a draft Regional Budget-amendment to the 2015 fiscal year. The 45-member Local HoR at the time also proposed a program for each board member according to the chosen region. At the same time, the Malang City Government proposed the realization of the Kedungkandang bridge infrastructure project which had stalled in multiyear. The KPK said Malang City Local HoR members were suspected of receiving bribes of Rp. 700 million and gratuities of Rp. 5.8 billion. The crime occurred during the discussion of the 2015 revised APBD. In its handling, the KPK revealed the value of bribery and gratification ranging from Rp 12.5 million to Rp 50 million from the non-active Mayor of Malang, who is now a defendant. Now 41 Local HoR members have been arrested in bribery and all gratuities have been accused, and are serving their sentences.

Legal Basis

Political reform in 1998 brought dramatic changes to the position and authority of the HoR. HoR has turned into a super body with extensive authority, which this very broad authority encourages has potential for abuse of authority, especially without strong control from the community. The table below shows how the role of the HoR has become very broad, from budget matters to the selection of public officials. This is what drives a vast corruption gap.

The HoR position and authority before amendments
<ol style="list-style-type: none"> 1) Give approval for the bill [article 20 (1)]. 2) Submitting the draft law [article 21 (1)]. 3) Give approval to Government Decree which Enact as Law [article 22 (2)]. 4) Give approval for the State Revenue and Expenditure Budget [article 23 (1)]
The HoR position and authority after amendments
<ol style="list-style-type: none"> 1) Absorb, collect, accommodate and follow up on community aspirations 2) Carry out oversight of the implementation of the Law, State Budget, and government policies 3) Give approval to the President to declare war, make peace, and make agreements with other countries [article 11 (1) **** & (2) ***] 4) Give consideration to the President to appoint ambassadors [article 13 (2) *] 5) Receive placement of ambassadors from other countries [article 13 (3) *] 6) Give consideration in the granting of amnesty and abolition [article 14 (2) *] 7) Establish laws that are discussed with the President for mutual agreement [article 20 (2) *] 8) Receive and discuss proposals for bills submitted by the DPD relating to specific fields and include them in the discussion [article 20 (2) *] 9) Discuss and provide approval for Government Regulation in Lieu of Law [article 22 (2)] 10) Noting the DPD's consideration of the draft state budget law and the draft law relating to taxes, education and religion [article 22D (2) ***] 11) Discussing and following up on the results of supervision submitted by the DPD on the implementation of the law concerning regional autonomy, the formation, division and merger of regions, relations between the centre and regions, natural resources and other economic resources, the implementation of the state budget, taxes, education and religion [Article 22D (3) ***] 12) Establishing the State Budget with the President taking into account the considerations of the DPD [article 23 (2) ***] 13) Discuss and follow up on the results of audits of state financial accountability submitted by the Supreme Audit Agency [article 23E (3) ***] 14) Choosing members of the Supreme Audit Board with due regard to the consideration

of the DPD [article 23F (1) ***]

15) Giving approval to candidates for Chief Justice proposed by the Judicial Commission to be appointed as Chief Justice by the President [Article 24A (3) ***]

16) Give approval to the President for the appointment and dismissal of members of the Judicial Commission [article 24B (3) ***]

17) Choose three candidates for constitutional justices and submit them to the President to be stipulated [article 24C (3) ***]

Function

The HoR has legislative functions, budget functions and supervision [article 20A (1) **].

Right

HoR members have interpellation rights, inquiry rights, and rights to express opinions [article 20A (2) **]. HoR members also have the right to submit bills, ask questions, submit proposals and opinions, defend themselves, the right to immunity, as well as protocol rights [article 20A (3) **].

Source: Indonesia Constitution Amendments

* First amendment

** Second amendment

*** Third amendment

**** Fourth amendment

According to Indonesian Law Number 22/2003 regarding the People's Consultative Assembly, HoR, Senate and Local HoR, in carrying out their duties and authorities, the HoR has the right to ask state officials, government officials, legal entities, or citizens to provide information. Moreover, it can be subject to forced calls (in accordance with the laws and regulations), and without a valid reason, the person concerned can be held for a maximum of 15 days (in accordance with the laws and regulations).

Based on the fourth amendment to the constitution, it can be seen that HoR has turned into a super body; whose power covers a wide area. Even entering the territory of the appointment of public officials to national bodies.

Law Conformity

Conformity is a type of social influence when a person changes their attitudes and behaviour to suit existing social norms (Cialdini, 2005). The strong social influences that exist in conformity are scientifically proven in a study conducted by Asch in 1951 (Sarlito and Meinarno, 2009). In this study, it shows that people tend to do conformity, following the

judgment of others because of perceived group pressure. Cohesiveness defined as the attraction a person feels towards a group. When cohesiveness is high or when someone likes and admires a certain group, the pressure to do conformity will increase (Freeman, et.al., 2005); one accepted by these people is to be like them in various ways. Conversely, when the cohesiveness is low, the pressure on conformity is also low. The results of the study show that cohesiveness has a strong effect on conformity.

In the context of corruption by HoR members, what happens is the conformity of its members. It is difficult to say that corruption has only been carried out by a few HoR members. All Nampa have a role even on a lower scale. In some cases of corruption disclosure by HoR members, it is revealed that corruption was proceeding with the blessing or agreement of the HoR leadership; even also done together.

This shows that there has actually been a form of conformity among the members of the HoR, so that the behaviour among them becomes similar in relation to budget corruption; only the matter of who has bad luck so that the corrupt behaviour is revealed.

Legal Liability

Constitutionally, HoR members are responsible to their voters. However, until now, no mechanism can be used by voters to sue HoR members for dismissal concerning their actions, which are considered not inheriting their voters. The HoR members' accountability mechanism is limited to not violating the HoR member code of ethics.

The Indonesian constitutional redevelopment, in the new Indonesian era, is an inseparable part of the reform process in various aspects of state life; determined by the quality of work and performance of legislative institutions, that have more substantial political commitment, morality and professionalism in the process of implementing the constitutional. Based on the creation of a system of supervision and balance between high state institutions, the commitment increasingly felt as an important effort to realise the Republic of Indonesia Parliament that is strong, productive, trustworthy, and authoritative in the implementation of legislative, budgetary and supervisory functions. Recognising that his position as a representative of the people is very noble and honourable, the Indonesian House of Representatives members are responsible to the Almighty God, the state, society, and their constituents in carrying out their mandated duties. To carry out its constitutional duties, the Indonesian House of Representatives agreed to form an HoR Code of Ethics that is binding and must be obeyed by every member of the Republic of Indonesia in carrying out their duties both inside and outside the building to maintain the dignity, honour, image and credibility of the HoR. This Code of Ethics is an ethical or philosophical basis of unity with

rules of conduct and sayings about things that are obligatory, prohibited, or inappropriate for members of the HoR.

Even violations of the code of ethics also do not always end at dismissal for members of the HoR. There is a sense of *corps de eta* towards fellow HoR members, so it is very difficult to expect that any violations occur by HoR members will be processed by the Honorary Board. Regulation of The People's Representative Of The Republic Of Indonesia Number 1 Of 2014 Concerning Regulation; Article 13 describes that Members stop intermittently because of die, resign; or dismissed. Members are terminated intermittently, if unable to carry out the task on an ongoing basis or unable to remain as a Member for 3 (three) consecutive months without any explanation and; violating the oath/promises and ethics code of the HoR;

The regulation shows that there is no tight control to HoR member, they can hide behind their privileges as HoR members; bring law enforcements in a hard way. This is the point, where the enthusiasm for the importance of strengthening the Regional Representative Council (DPD). The bicameral pattern has been present since the amendment to the 1945 Constitution, but unfortunately, the bicameral model that was built is a "half-hearted" bicameral, and even tends to be "strange". Stephen Sherlock (2005), for example, said DPD is an example of a strange second room that combines limited powers with high legitimacy. Its role is very small in the legislative process, while at the same time, through a very rigorous election process; a combination that has never happened in any country (Sherlock, 2005).

Not only in the field of legislation, but the minimal role also occurs in matters of supervision, budgeting, and recruitment of commissions and/or public officials. The DPD only has a small role; and almost nonexistent. Indonesian Parliament consists of two rooms, with the HoR as the "main room" and the DPD as "restrooms". The HoR holds the key to the exercise of authority, while the DPD is more just an audience in the exercise of this authority.

This model must end. Without strong internal monitoring, the HoR will continue to feel comfortable to sell its authority. This is where the inevitability of strengthening the DPD must be done. With relatively balanced authority divided into two rooms, of course, the corrupt behaviour of the HoR can be eliminated due to the existence of checks and balances. Finally, yet importantly, there will be a DPD mechanism that will oversee the HoR and vice versa.

It is at this point that constitutional amendments find their relevance. The amendment process that we have done four times seems still need the next touch, of course, including strengthening the DPD to improve the checks and balances model for the HoR.

The second thing that caused the attractiveness of some HoR members to play corruption with their authority was an action that still seemed slow and indecisive. True, we must give a warm pat to the KPK, which has been able to enter the territory that was once difficult to penetrate, namely the HoR. However, at the same time, we must remember that the KPK's ability to penetrate the HoR is still very limited. Until now, the KPK seems diligent in uncovering cases relating to members of the HoR, but at the same time has not been able to complete the cases.

Conclusion

From the explanation above, it can be concluded that the process of abuse of authority of members of the HoR in the preparation and determination of the budget is an interrelated paradox. The influence of being a member of the HoR makes them free to pressure weaker parties to comply with their wishes. Likewise, the amendment to the constitution lasts up to four times; has given HoR members an extensive authority and made the HoR a super body that reaches every side of state affairs. This is exacerbated by the low accountability of HoR members in carrying out their obligations. This behaviour then gave birth to legal conformity in HoR members. Strengthening accountability and strengthening the role of the Regional Representative Council are efforts to strengthen HoR's accountability from within; so that in the future, the HoR has a real responsibility to the voters.

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