

The Discussion of the Regional Regulation Draft of Child Protection Organization: A Political Communication Study

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Abstract

This study deals with discovering how political communication of the members of The Provincial House of Representatives (Dewan Perwakilan Rakyat Daerah / DPRD) and the executives in order to approve child protection organization regional regulation draft is. This study took place at DPRD of Sumatera Utara (DPRDSU). This study utilized qualitative content analysis in interpreting the views of 2 party factions, namely Hati Nurani Rakyat (Hanura), and Democrat parties towards a regional regulation draft namely child protection organization. The result exhibits that there are 2 attitudes reflected through the general view of the faction namely rejecting, and neutral. The faction that rejects the draft was Democrat party. Meanwhile, Hanura party shows neutral attitude.

Keywords: political communication, parties, regional regulation draft.

Introduction

Political implications after election/regional election between executive and legislative are very likely to occur between the executive-legislative in legislative arena, the legislation arena has its own dynamics because it involves the mechanism of discussion that focuses on rationalization and support coalitions such as the discussion of Regional Revenue and Expenditure Budget, changes in the number of political parties seats in DPRD from the results of the General Elections before and after the regional election resulted a change in the dominance of the seats number in DPRD relating to executive political support. These assumptions can at least be applicable to initiate the study of post election / regional executive-legislative political communication.

North Sumatera Legislative Election members in 2014 provided 100 seats in DPRD, from 100 available seats the coalition of executive support parties (North Sumatera Governor) got 19 seats which were divided into several parties, there were PKS 9 Chairs, and Hanura 10 Chairs, While *Partai Bintang Reformasi* (PBR) or Reformation Star Party, Patriot Party and *Partai Kebangkitan Nahdhatul Ulama* (PKNU) did not participate in 2014 general election. This concluded that the executive political power in the legislative amounted to 19 seats from 100 seats so that this also marked the domination of political power in the legislative controlled by political parties outside the executive party coalition or coalition led by opposition.

Norris (2004) provides definition and political communication concept as a process of interactive activities in transmitting information (messages and impact messages) between actors (public, politicians and media) which are downward from government institutions to the public, and it is horizontal between political actors and is upward through public opinion to the authorities. The theorization stated by Norris reflects the situation of a democratic climate which includes emphasizing the principles of dialogue and equality. In the context of executive-legislative relationship in discussing regional regulations draft, the rational interaction process can be interpreted as a dialogical activity, which has a central role as well as a key word to start and end the debate (discussion) of a regional regulation draft which ultimately results in a decision to ratify the policy (local regulation).

Inter-party coalition habits can occur because the electoral law provides space for the coalitions, on the other hand, the coalition becomes inevitable when political parties are not in the position of a party which is on the threshold of requirements for nominating executive candidates (the number of seats in the legislative) or outside the administrative factors which has been mentioned for a political party capable of carrying out executive candidates will be more rational to predict victories and defeats before deciding to run alone or choose to join a coalition.

In the legislative and executive election in Indonesia, there was a common phenomenon in which formed party coalitions for executive elections but parties are independent when facing legislative elections. The problem will arise when the party that won the majority of votes in the legislative elections did not succeed in winning the executive election then what is the portrait of the relationship between the elected legislative and executive. This issue raises the assumption that the legislative and executive relations will run difficult. This will lead to slow down the performance of both parties, in this situation the societies (voters) will be harmed.

Andeweg (2006) gave the results of his study that the electoral system was closely related to the division of power in parliament, and determining the number of parties in government which ultimately affected the cabinet's resilience. Chen (1997) explains that the executive-legislative relationship is influenced by the existence of "outside" factors of "power sharing" as well as changes in party discipline that affect the preferences of party leaders. On the other hand, the congestion between legislative-executive relations (Ugalde, 1999) could be because the existing system is less supportive for legislative control.

The study of the relationship between the executive and the legislative has become an important concern in the field of empirical studies conducted by Pilet (2012) about the relationship between the executive and legislative in Belgium. Andeweg (2006) strengthens parliament with election techniques that pay attention to relations executive-legislative. Shugart (2006) also explains in his research about the comparison of executive-legislative relations (Shugart in Rhodes, Binder, and Rockman, 2006) and others. Meanwhile political communication studies in the arena of executive-legislative relations are actually themes that have been studied through empirical studies such as by reading Garner (1914) about executive participation in legislation; Young (1904) about executive relations with legislative power; NDI (2004) concerning poverty reduction policy strategies. Therefore, the problem examined in this study is how political communication between the legislative and the executive in the discussing regional regulation draft of child protection organization is.

Method

This research was carried out at The Provincial House of Representatives of North Sumatera or *DPRDSU*. The selection of this study location with the consideration of research related to the theme / title of this research is still relatively rare in North Sumatera and as a heterogeneous region, the political dynamics in North Sumatera Province will contribute to political development in North Sumatera.

The type of research used is descriptive qualitative with content analysis approach. To strengthen the discussion in this study the in-depth interview method and documentation study were used as supporting data. Content analysis was used in interpreting the views of 2 party fractions, namely Hanura, and Democrat party towards regional regulation draft of child protection organization which has been discussed in North Sumatera Provincial DPRD institution in the period of 2014.

The data sources used in this study were obtained from various sources for example primary data, including the acquisition of North Sumatera seats in 2009 and 2014, perceptions, and activities of DPRD members in DPRD institutions and in Political Parties. While secondary data is in the form of books, journals, legislation and other written documents in print and online. The informants in this study were the administrators of political parties and faction functionaries of Hanura and Democrat party *DPRDSU* and the government of North Sumatera. Considering the busyness of members or faction chair in DPRD, the determination of the informant was based on incidental sampling technique which put forward the informants who were willing to be interviewed according to the time of the researcher or by chance to meet.

Results

General View of Hanura Party Faction

In connection with regional regulation draft about the implementation of child protection, Hanura party assesses, provides suggestions and views as an effort to improve the contents of regional regulation draft, namely:

1. Basically, the revocation of North Sumatera regional regulation number 3 of 2014 concerning the implementation of child protection is contrary to the higher regulations so that Hanura faction believes that the revocation is related to the decision of the Ministry of Home Affairs of Indonesia number 188.34-3603 in 2016.
2. For the sake of harmonizing the law and guiding the law number 23 of 2012 concerning the implementation of child protection as amended by law number 35 of 2014, the supervision of the implementation of child protection is an inherent duty and part of the Indonesian Child Protection Commission (*Komisi Perlindungan Anak Indonesia or KPAI*).
3. Whereas, provisions formulations must state explicitly the prohibition norms or command norms that are violated where in article 27 the regional regulation is contradictory to the Law No. 12 of 2011 concerning the establishment of legislation.
4. The study conducted by *Badan Pengelola Pendapatan Daerah (BPPD)* has been fundamentally given the importance of adjusting presidential decree No. 77 of 2003 concerning Indonesian child protection commission. In supporting its implementation, it can form regional representatives in order to be able to synergize the law-based local government budgeting can be realized.
5. Considering the regulation from the Ministry of Home Affairs of Indonesia no. 188.34-3603 of 2016 concerning the cancellation of several provisions of North Sumatera provincial regulation number 3 of 2014 about the implementation of child protection, hanura party fraction considers that regional regulation draft results of regional regulation assessment organization on North Sumatera provincial regulation No. 3 in 2014, the child protection organizers can be agreed to be designated as North Sumatera regional regulation (*Peraturan Daerah Sumatera Utara*).

From the opinions stated by the party faction above, in relation to the results of the study conducted by Regional Regulations Forming Organization related to North Sumatera Regional Regulation Draft concerning on revocation of North Sumatera provincial regulation number 3 of 2014 concerning the implementation of child protection, it can concluded that Hanura party assessed and provided the record with the intention to do a revocation in order to correlate or equate with the decision of the Ministry of Home Affairs of Indonesia. In order to prioritize the harmony, child regulation should be changed into Law number 35 of 2014 about supervision of child protection implementation which is the duty of KPAI. For provisions in the case of criminal sanctions, the norms which have been referred are based on Article 27 number 12 of 2011.

This faction considered the study conducted by BPPD has been so basic. In this case, it is important to adjust the presidential decree number 77 of 2003 concerning on the Indonesian child protection commission, and in its implementation, they could form regional representatives.

From the considerations which have been made based on the regulation ruled by the Ministry of Home Affairs of Indonesia no. 188.34-3603 in 2016, so Hanura party faction believes that this draft can be dealt to be regional draft of North Sumatera.

General View of Democrat Party Faction

Related to regional regulation draft concerning on Amendment in North Sumatera Provincial Regulation Number 3 of 2014 about the implementation of child protection, Democrat party faction claimed that they were very disappointed. It happened because they felt the opinion that was asserted by their faction did not get attention from the provincial government until finally it was corrected by the Ministry of Home Affairs of Indonesia in their evaluation. Democrat party faction said that this was a self-correction for all people, with the future expectations related to the legal drafting aspect in the discussion of a regional regulation draft must be thoroughly scrutinized, so that this accident will not happen anymore in the future.

In the general view of Democrat party faction, they also expressed their anxiety about the contents of regional regulations regarding the organizing of child protection, which was quoted again as follows:

"As far as technical legal drafting is concerned, we really ask Local government work unit (*Organisasi Perangkat Daerah* or *OPD*) to be responsible for the preparation of regional regulations. Then, once again, they have to pay attention to the legal aspect of the draft, for example, the use of the term "child-worthy city or *Kota layak anak* "in chapter VI article 19, seems to be only for city, the question then appears, "how about the district?" "

According to this party faction, if it is corrected, then it should be child-worthy district / city. Regarding to regional regulation draft about the implementation of child protection, Democrat party faction also questioned the implementation of regional regulation number 3 of 2014 with a number of further sub-phases carried out by governor's decisions or regulations including:

1. Optimum unpaid basic health services for children (article 7)
2. 12 years as compulsory education program (article 8)
3. Procedures for providing social and economic guarantees to children affected by disasters and riots (article 9)
4. Procedures for providing protection and facilities to children as victims of economic and sexual exploitation (article 11)
5. Procedures for handling of children as victims of drug abuse, alcohol, and other addictive substances (article 12)
6. Rehabilitation and social reintegration of children as victims of physical and mental violence (article 14)
7. Formation and procedures for the work of local children's forums (article 18)
8. Child-friendly regencies / cities (article 19), and
9. Regional Indonesian Child Protection Commission (*Komisi Perlindungan Anak Indonesia Daerah*) (Article 21)

Democrat party faction in their general view related to regional regulation draft of the implementation of child protection argues that if the subsidy on various rules derived in the form of the governor's decision or regulation has not been implemented, it is likely that the regional regulation on child protection is only non-sense. This faction also hopes that all materials about the governor's rules or decisions which contain the things they have mentioned from the numbers one to nine above have been implemented by the government through *OPD* and other relevant stakeholders.

Conclusion

From the analysis, the conclusion can be drawn that political communication between legislative and executive in the discussion of regional regulation draft of child protection organization shows that there were 2 attitudes reflected through the faction's general view. The faction which rejects it was Democrat party and neutral attitude were shown by Hanura party.

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