

# Supervision Function of Local Legislative in Monarchy Leadership

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**Abstract:** *This paper discusses the effectiveness of the supervisory function carried out by the local legislative council in Yogyakarta to the governor who is also the king of the royal monarchy in Yogyakarta. The research method used is descriptive qualitative, with data reduction analysis techniques. The findings in this paper are that the oversight carried out by the local legislative council to the governor was ineffective because of cultural factors and the design of laws that indirectly provided strong power to the executive.*

**Keywords:** *Legislative, Monarchy, Power*

## I. INTRODUCTION

Yogyakarta is a special area in the unitary state of the Republic of Indonesia. Yogyakarta has a government system that is quite different from other regions, in terms of leadership. Yogyakarta was led by the Governor who was also the King of the Kingdom of Yogyakarta, named Sultan HamengkuBuwono.

Sultan HamengkuBuwono is the ruler of the royal monarchy of Yogyakarta which was founded in 1755 by Prince Mangkubumi. The power of the monarchy dropped to the tenth generation of Sultan HamengkuBuwono. Sultan HamengkuBuwono, who currently presides over Yogyakarta as king and governor, took the throne in 1989.

In law number 13 of 2012 concerning the special features of the special region of Yogyakarta, the governor's term of office is five years, thereafter it can be extended without limitation on periodicity. This is different from law number 23 of 2014 concerning regional government, which limits the governor's term of office to a maximum of 10 years. This means that all regions in the Republic of Indonesia have periodic positions of regional heads, but this does not apply in Yogyakarta

The legislature always oversees the executive in order to carry out checks and balances. However, such supervision can be carried out if the two institutions have balanced positions and authorities. Sultan HamengkuBuwono as the governor of Yogyakarta made a statement that he rejected the supervision carried out by the local legislative council (jawaspos.com, 2017)

The position of Sultan HamengkuBuwono as King or as Governor became unclear because there were no statutory regulations that explained the limits of the two positions. This actually has the potential to create a dual orotity which makes the bureaucratic device unable to operate in accordance with the prevailing laws and regulations.

In principle, the executive must work in accordance with the laws and regulations. Executive performance will be directly supervised by the legislature in order to create checks and balances in governance. This will create a government that works optimally in order to formulate and implement public policies to carry out development and overcome problems that exist in society.

The issue of relations between the local legislature and Sultan HamengkuBuwono as King and Governor began when the council was considered to interfere with the internal affairs of the Yogyakarta court in terms of the heir to the royal throne. The Local Legislature ratifies the Special Region Regulation Number 2 of 2015, which contains the terms and conditions of being the Governor and Deputy Governor. The requirement indirectly requires that the king who is enthroned and appointed as Governor must be a man.

This was considered to disturb the power possessed by Sultan HamengkuBuwono as King. The Sultan responded to the local legislative decision with a royal statement called *sabdatama* (detik.com, 2015). *Sabdatamain* general contains the emphatic statement of the king who has the highest authority without being able to be contested in determining who is his successor.

The Sultan also wanted the statement he conveyed to be a guidance for the local legislature in making every regulation. This condition is interesting and will be the main study in this paper. The task of the local legislature which should exercise control over the government is that it cannot be carried out properly, because the council is within the domain of the monarchy.

## II. LITERATURE REVIEW

### Executive Relations Theory - Legislative Theory

According to Suwanda&Pilliang (2016) there are three characteristics of the relationship between the regional head (governor) and the local legislature. The first relationship is a positive relationship, which means that the two institutions have a common vision in order to carry out governance that is oriented to alleviating the problems of people's welfare and the creation of good governance by encouraging transparent, accountable, efficient and responsible governance. The second relationship is the relationship of conflict, where the regional head and the local legislature do not have the same vision, so that there is conflict which results in the unproductive process of government administration. The interests of both institutions will meet similarities with matters relating to the community.

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The third relationship is a negative relationship, which means that both institutions have a bad agreement that leads to irregularities in carrying out governance. The two institutions conspicuously agree to commit corruption, a buss of power, and other deviations.

In the perspective of this theory, in fact the local legislature with the governor in the special region of Yogyakarta is included in the second categorization of relations, namely the relationship of conflict.

The conflict was created as a result of differences in perspective (vision) of Law No. 13 of 2012, regarding the requirements to become Governor and Deputy Governor. The government, namely Sultan HamengkuBuwono has its own views on who is entitled to be his successor, while the legislative local believes that someone who will become a king must be a man in accordance with the laws and regulations. However, this condition did not have a direct impact on the administration of government in Yogyakarta, because of cultural factors, the conflict was "silent conflict".

Government must be run with balanced authority from each institution, Budiharjo (2008) states that system check and balances are instruments where each branch of power (executive, legislative, judicial) can supervise and balance each other. The government system model is written in Law Number 23 Year 2014 concerning regional governance. This condition is difficult to create in governance in Yogyakarta, because of the issue of the power of the monarchy that is still attached to the governor.

Executive and legislative relations are also described by ArendLijphart (1999) with two models of relations, namely first is the relationship of executive dominance to the legislature or called heavy executive, as well as legislative domination of the executive or legislative heavy. The second model is a pattern of balance in the relationship between the executive and the legislature. The two relationship models can be a concept to see the relationship model that occurs between Sultan HamengkuBuwono X as Governor (executive) and local legislative.

Praktikno explained that the solution to reduce the rate of domination of the bureaucracy is the effectiveness of control, namely control of the legislature and direct control of the community towards the bureaucracy. Hamdi also argues that the responsibility aspect in implementing legislative duties is one of the determining factors for the meaning and usefulness of regional government for the realization of a prosperous and sovereign society (Trisna, 2018)

Johnson explained the concept of self-interest models in executive and legislative relations. Legislators want to be re-elected, so the council looks for programs to make it popular in the community. While executives (bureaucrats) propose programs to gain trust from the board as partners in running the government (Harianto, 2010).

### Government Oversight Theory

Parsons in (Hill & Pupe, 2002: 12) explains the concept of evaluation in governance. He who issued the public policies issued by the executive that must be approved, audited, and can be monitored. This policy concept is a very important part of the public policy undertaken by the government.

External supervision is needed by the government as a form of accountability for the use of money from citizens.

Effective checks and balances will be able to build government integrity and reduce fraud and budget waste. All levels of government must be controlled by a risk management approach (OECD, 2016).

Paulus Effendi Lotulung (1993) describes the theory of supervision. He divides the control function of supervision, first is a priori supervision of supervision of the executive before a policy is issued. Second is the supervision of the apostiori, namely the supervision of the executive after a policy is issued. These two functions have preventive and corrective properties, so that a policy can run as it should.

The local legislative in this case uses two supervisory perspectives in Lotulung's theory, to test the effectiveness of the supervisory function in the leadership of the governor of the Special Region of Yogyakarta, which is held by a monarch ruling king.

Muhsan in (Pramukti&Cahyaningsih, 2018) divided four acts of rulers against the law. First is the act of ruling breaking the laws and regulations that apply. Second is the act of rulers in the interests of society that should be obeyed. The third is that the rulers of the rulers violate their own obligations. Fourth is the act of ruler breaking the general principles of good governance.

Effective supervision has two important indicators, based on Presidential Decree of the Republic of Indonesia Number 74 of 2001. Effective supervision is done first to ensure that local governments make public policies in accordance with the work plan and the second is that the government must work on the basis of laws and regulations. Velarde (2015) revealed that formal oversight authority is indeed owned by the legislature, but political officials (executives) informally have an influence on legislative members.

The concept of the actions of the ruler against the law will be a framework for the indication of the leadership of Sultan HamengkuBuwono X's absolute monarchy that overlaps with his position as the Governor of the Special Region of Yogyakarta which must work in accordance with existing laws and regulations

## III. RESEARCH METHODS

The research method used in this study is a qualitative descriptive method. Qualitative research will understand a phenomenon in a social context which naturally puts forward the process of deep communication interaction between researchers and the phenomenon under study (Herdiansyah, 2012). The approach to this research method will outline the phenomenon of local council oversight of the leadership of the monarchy in the special region of Yogyakarta.

Respondents in this study were the chair of the commission for government affairs in the local legislature, the protocol staff in the local legislature, and the two heads of affairs for relations with the local legislature from the Yogyakarta regional government. Respondents were selected based on their authority, related to this research topic.



This paper will use primary and secondary data as a support. Data collection methods used were interviews, and using interactive model analysis techniques according to Milles & Huberman (in Haris, 2012), namely collecting, displaying data, reducing data, and drawing conclusions.

Data were analyzed by comparing the two primary data results of interviews from the executive and legislative branches, then the data were interpreted into a descriptive narrative with a theoretical approach. From the two opinions of the results of interviews with respondents who have been analyzed, conclusions can be drawn from the results of the study.

#### IV. RESULT AND DISCUSSION

Sultan HamengkuBuwono X is the Governor of the Special Region of Yogyakarta. Aside from being a Governor, he also still reigns as King of the Kingdom of Yogyakarta. The governor is a political and administrative position, meaning that there are procedures that must be followed and followed in carrying out their main duties and functions. The governor must obey and implement the Laws and Regional Regulations, the power he has is also limited.

By contrast, the absolute monarchy of royal power, he has unlimited power and is not restricted by any rules. Sultan HamengkuBuwono has one of the titles also included in Law No. 13 of 2012, namely "*Khalifatullah Sayiddin Panatagama*", which means it is the representative of God on earth, so that he has very strong legitimacy.

This had an impact on the communication pattern of Sultan HamengkuBuwono as Governor. The local legislature which should have a role to supervise the performance of the governor, finally acting '*ewuhpakewuh*', which means the attitude of being reluctant about what the king is doing. One of the respondents from the special regional government of Yogyakarta explained:

"The culture of '*ewuhpakewuh*' in Yogyakarta, influences the relationship of communication between the Governor and the local legislative ..."

This condition is not a good condition in the relationship between the executive and legislative branches, considering that both institutions must carry out their duties professionally and objectively. The culture will also have an impact on the check and balances process which should be able to become an effective concept in carrying out modern governance.

Local legislature is a council that is directly elected by the people in general elections. The institution is given by law three important functions, namely the first is the legislative function, the second is the function of supervision of the government, and the third is the function of the budget. The functions owned can run well if the relationship between the two institutions (executive and legislative) is built based on the concept of check and balances.

Relations between the executive and the legislature in Yogyakarta are also not open enough because of cultural factors and other factors that cannot be explained. This condition is illustrated implicitly by respondents from the special regional government of Yogyakarta who said:

"... I do not want to provide information on how our (executive) relationship with the local legislature is not good to convey"

The statement actually proves that there is great pressure on the bureaucratic instruments of the local legislature. This pressure was given to the bureaucracy at the lower level because institutionally, the local legislature could not keep up with the position of Sultan HamengkuBuwono X who had monarchical power. These conditions create poor patterns of communication and institutional relationships.

The bad institutional relationship was also evidenced by the statement of Sultan HamengkuBuwono X asking the local legislature to make every statement of the king as a guideline for making regional regulations, as explained in the introduction of this paper. The executive and legislative relations in Yogyakarta have a wide gap. Informal factors become one of the problems that affect the relationship.

The position of the executive and the legislature should be 'equal', so that each institution is able to carry out the tasks as instructed in the law. In general, the executive function is to make and carry out public policies, while the legislative function is to supervise the implementation of these policies. These functions are regulated so as to create effective and efficient governance, and create a positive impact on society.

However, what happened in the Special Region of Yogyakarta was that the legislature did not have strong legitimacy as an institution for people's representation in the presence of Sultan HamengkuBuwono X as Governor and King. One of the respondents in the local legislature stated that:

"... If the local legislature calls the Governor or Deputy Governor for a Joint meeting, usually those who come are only at the level of the division head ..."

The executive institution does not respect the legislative institution enough. The influence of Sultan HamengkuBuwono X as king became the main executive factor to be more 'arrogant' in dealing with legislative institutions. In the perspective of ArendLjiphart's theory, this condition is one of the factors that support executive dominance of the legislature or what is called 'executive heavy'.

This condition is also evidence that supervision by the local legislature will not be effective and will also not have a significant impact on public policy. This means that the check and balances between the executive and legislative processes will not work properly. The role of the local legislature in carrying out governance with the executive (governor) has the potential to be very minimal.

The power of the monarchy owned by Sultan HamengkuBuwono X indirectly degrades the 'political bargaining position' held by the local legislature. The power of the monarchy is in principle an unlimited power and without supervision from any party. Referring to article 25 paragraph 1 & 2 of law number 13 of 2012 which states:

"(1) The term of office of Sultan HamengkuBuwono, who is a Governor and Duke of PakuAlam, who is a Deputy Governor for 5 (five) years from the inauguration.

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(2) Sultan Hamengku Buwono who reigns as Governor and Duke of PakuAlam who is enthroned as Deputy Governor is not bound by the provisions of 2 (two) periods of term as stipulated in the law on regional government (ed) "

This provision is evidence that the design of existing legislation, indirectly increases the 'bergaining position' of the executive because the Governor and Deputy Governor are not bound by the maximum rules of the term of office.

This means that the Governor who is also held by a king will serve for life. The rule makes the executive position juridically very strong than the legislative which changes every five years. This can again be evidence that there is executive dominance over the legislature, viewed from this indicator.

The general concept of local government oversight carried out by the local legislature will not be able to match the political background of the Governor. In implementing regulations regarding the special features of Yogyakarta's special region, the oversight function is underloaded. One local legislative member stated:

"... local legislatures are not involved in the preparation of special budgets ..."

The local legislature requested that the Governor be involved in discussing the budget that will be used by the government, this condition is proof that indeed in the implementation of the relationship between the executive and legislative there is a very important problem. The legislature has three functions, two of which are the function of the budget and the supervisory function. The function of the budget became the most important function, which can suppress the legislative budget inefficient.

Supposedly, the legislature has a very important role in financial management in the government, especially for special budget matters. If the management of the local legislative budget is not involved, then surely the institution cannot supervise any use of the budget by the Governor.

Local legislative oversight is very weak in budget matters which is at the core of a public policy. Supervision that should have been able to be carried out by the local legislature to the Governor as an effort to preventive and corrective actions, could not work properly. Paulus Effendi Lotulung's theory of preventive and corrective supervision in government, viewed from this perspective will not work, because the conditions of government dynamics in Yogyakarta are quite complex. The very strong dimension of the king's power is the main reason for oversight by the local legislative ineffective.

Sultan HamengkuBuwono X could not really eliminate his political background as a king, which indirectly had a big influence in the government. Even so, the bureaucratic device and the Yogyakarta kingdom cannot be integrated into one institution. Sources from Yogyakarta's special regional government explained:

"... the kingdom of Yogyakarta has its own internal rules, please distinguish the Yogyakarta government institutions from the Yogyakarta kingdom (ed)"

The dichotomy of Yogyakarta government institutions and the Yogyakarta kingdom is an interesting political dynamic. Sultan HamengkuBuwono X was the Governor who led the Special Region of Yogyakarta, while he was

also the king who led the Kingdom of Yogyakarta. The governor who concurrently served as king made the institution the role of executive institution strengthened. The executive institution will be able to dominate the local legislature because of the dimensions of the position.

Based on some of the descriptions above, the author argues that the governance structure in Yogyakarta which is determined by law number 13 of 2012 creates a condition of unbalanced legislative and executive relations. This fact creates the role of the local legislature in supervising the governor's performance to be 'underloaded'. Local legislators who do not have the power to supervise the Governor are actually institutions that are not useful in running the government in the region.

In principle, the legislative institution is an important partner of the executive institution, but in practice the oversight function that cannot work makes the local legislature the representative institution of the people elected through general elections 'helpless' when dealing with executive institutions led by Sultan Hamengku Buwono X. This article also argues that the monarchical leadership inherent in the Governor's office is at the core of the issue of the ineffectiveness of executive and legislative relations in Yogyakarta.

## V. CONCLUSIONS

This article concludes that the supervision carried out by the local legislature against the governor of the special regional government of Yogyakarta which also doubles as the king of the kingdom of Yogyakarta is not effective because of the values of the leadership of the monarchy inherent in Sultan Hamengku Buwono X. Cultural factors and design of legislation - invitation, strengthen the executive position in institutional relations. This unbalanced position makes the check and balances process unable to work properly, thus potentially creating the dominance of governors in government, and weakening the role of the local legislature as a strategic partner.

This article advises Yogyakarta special regions to revise law number 13 of 2012 which regulates the role of the Governor and the local legislature by rearranging the government structure and also provides a clear separation of the authority of Sultan HamengkuBuwono as Governor or King, in order to reduce the potential for abuse of power which has led to the strengthening of the role of governors in government.

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