

Analisis alternatif mekanisme pembentukan daerah otonom baru suatu studi pada proses revisi uu nomor 32 tahun 2004 = Analysis of alternative the mechanism of formation new autonomous regions a study on the revision process of law no 32 of 2004

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Abstrak

[ABSTRAK

Upaya untuk merubah mekanisme dan persyaratan pembentukan daerah otonom baru (DOB) melalui revisi UU Nomor 32 tahun 2004 tentang Pemerintahan Daerah dapat dikategorikan sebagai proses reformulasi kebijakan. Penelitian ini berusaha untuk menganalisis berbagai alternatif mekanisme baru yang diusulkan pemerintah, DPR, dan DPD.

Penelitian ini menggunakan pendekatan kualitatif yang bersifat deskriptif.

Yang menjadi obyek penelitian adalah sistem pembentukan DOB yang tertuang di dalam draf revisi RUU Pemda, baik yang diusulkan pemerintah ke DPR pada tahun 2012, maupun draf RUU Pemda versi DPD yang diajukan ke DPR sejak 2011. Data dikumpulkan dengan wawancara mendalam untuk mendapatkan data primer dan studi dokumentasi untuk memperoleh data sekunder. Adapun teknik analisis data yang digunakan adalah model interaktif yang dimulai dengan reduksi data, penyajian data, dan penarikan kesimpulan.

Penelitian ini menemukan adanya tiga alternatif mekanisme pembentukan DOB. Opsi pertama, daerah yang mengusulkan pembentukan DOB, apabila memenuhi persyaratan teknis dan administratif, ditetapkan menjadi daerah persiapan dengan peraturan pemerintah (PP). Setelah 3-5 tahun dievaluasi dan dianggap layak, baru daerah persiapan itu disahkan menjadi DOB dengan UU. Alternatif ini muncul dari pemerintah.

Opsi kedua, DPR dan pemerintah terlebih dulu menyepakati daerah mana saja yang akan dimekarkan dengan membuat semacam list atau daftar dalam desain besar penataan daerah (desartada). Selanjutnya, pemekaran dilakukan dengan mengacu kepada desartada tersebut.

Opsi ketiga datang dari Dewan Perwakilan Daerah (DPD). Intinya, semua usulan pemekaran dinilai oleh Kementerian Dalam Negeri. Hasil penilaian itu selanjutnya dibahas DPD untuk mendapatkan persetujuan. Bila disetujui DPD, pemerintah menyusun RUU Pembentukannya untuk dibahas bersama DPR dan DPD.

Berdasarkan analisis yang telah dilakukan, setidaknya ada empat aspek yang harus diperbaiki dalam penyempurnaan mekanisme pemekaran agar DOB berkembang optimal. Yaitu, mengoptimalkan peran dewan pertimbangan otonomi daerah (DPOD), memperkuat fungsi pembinaan dan pengawasan pemerintah

pusat, memperketat persyaratan pembentukan DOB, serta mempertegas pelarangan bagi pejabat kepala daerah untuk maju ke pilkada.

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ABSTRACT

The effort to change the mechanism and requirements of the formation of autonomous regions (DOB) through the revision of Law No. 32 of 2004 on Local Government can be categorized as a reformulation of the policy process. This research trying to analysis new mechanism alternative that proposed by government, House of Representatives (DPR), and Regional Representative Council (DPD).

This study used a qualitative descriptive approach. Which is the object of research is the establishment of a system DOB contained in the draft revision of the government's proposed Local Government Bill to DPR in 2012 and the draft revision of the DPD proposed Local Government Bill to Parliament since 2011.

Data collected by in-depth interviews to obtain primary data and documentation study to obtain secondary data. The data analysis technique used is interactive model that starts with data reduction, data display, and conclusion.

This study found that there are three alternative the mechanism of formation new autonomous regions (DOB). The first option, which proposed the establishment of regional DOB, if found to comply with the technical and administrative requirements, set to be areas of preparation by government regulation (PP). After 3-5 years were evaluated and deemed feasible, the preparation of a new area with the DOB passed into law. This option arises from the government. The second option, the Parliament and the government first agreed which areas will be expanded to make some sort of list or lists in the design of structuring large area (desartada). Furthermore, the division is done with reference to the desartada.

The third option comes from the DPD. In essence, the proposed expansion are assessed by the Ministry of the Interior. The assessment results are then discussed DPD for approval. If approved by Council, the government drafting Formation for further discussion with the DPR and DPD.

Based on the analysis that has been done, there are at least four aspects that should be improved in the refinement of the expansion mechanism that DOB develops optimally. Ie, optimizing the role of the consultative council of regional autonomy (DPOD), strengthening the guidance and supervision functions of the central government, tighten the requirements for the formation of new regions, as well as reinforce attack for officials to advance to the regional head election of the head of the area.; The effort to change the mechanism and requirements of the formation of autonomous regions (DOB) through the revision of Law No. 32 of 2004 on Local Government can be categorized as a reformulation of the policy process. This research trying to analysis new mechanism alternative that proposed by government, House of Representatives (DPR), and Regional Representative Council

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