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STATE ORGANIZATION STRUCTURE BASED ON DUTIES AND POSITIONS OF TANJUNGBALAI CITY DPRD

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Abstract

The 1945 Constitution besides being a basic law in the field of politics, also became the basic law for social, economic and cultural life. This is different from the tradition of writing the constitution of Western European countries and America which only contains political material in its constitution. This difference is due to the influence of socialist constitution writing patterns on the 1945 Constitution. The position and role of the State Law Law in Indonesian development can be seen from various contexts of the development of science, education and the structure of social life.

Keywords : Organizational Structure, Tasks and Position, Tanjung Balai City DPRD



A. Introduction

The constitutional law is a set of rules that govern the organizational structure of the state government, namely the regulations regarding the form and structure of the state, the office of stakeholders, institutional structures. Establishment of institutions, duties and authorities as well as territories and citizens. Constitutional law can be considered synonymous with "constitutional law" which is a direct translation of the words of Constitutional Law (England), Droit Constitutionnel (France), Diritto Constitutionale (Italy), or Verfassungsrecht (Germany) and Staatsrecht (Netherlands). The constitutional law has the object of study, namely the state, the organization of the country, the horizontal and vertical relations of state equipment.

According to J.C.H Logemann, constitutional law is a law that regulates state organizations. Related to that, the affairs handled by constitutional law are the formation of positions and their composition, appointment of office holders, obligations and duties inherent in that position, authority and legal authority bound to that position, regional environment and personnel, relations of authority to each other , and transition or transfer position.

In Indonesia there are many state institutions or organizations, namely institutions that are regulated in the 1945 constitution, and institutions that are not regulated in law but are recognized by the state. In establishing the structure, position, duties and authority of these institutions, they are regulated in the constitutional law. As a legal state that has an obligation to carry out all aspects of the life of the nation and state based on laws that are in harmony with the national legal system. The Indonesian national legal system is a combination of several mutually sustainable legal elements to overcome the problems that occur in the life of the nation and state from the smallest scope, namely the Village to the largest scope is the State. So that the rules governing it also vary from each scope. Organizing the State in realizing public welfare and peace for the community, the State Government Establishes various kinds of Laws and Regulations as signs in the state. All statutory regulations issued by the Government must be based on and / or implement the 1945 Constitution



of the Republic of Indonesia. Thus all the Laws and Regulations of the Republic of Indonesia must not be in conflict with the 1945 Constitution of the Republic of Indonesia.

The establishment of legislation is one of the requirements in the framework of developing national law which can only be realized if it is supported by definite, standardized methods and standards that bind all institutions authorized to make legislation. In other words, formation.

The law will support the development process of national law and fulfill the expectations of the people if it is based on the existence of an adequate and comprehensive study through procedures that are arranged in stages that are arranged and the existence of a technique for drafting legislation that has been determined by the institution authorized to form Constitution.

B. Method

This study is a type of analytical descriptive research that is describing, describing, analyzing and explaining analytically the problems raised. This research was conducted by means of library research. The research material was obtained through a normative juridical approach, namely the legal approach by looking at regulations, both primary law and secondary law or approaches to problems by looking at the prevailing laws and regulations, literature, scientific works and opinions of experts and so on. Soerjono Soekanto (1995: 13) says that normative legal research is legal research conducted by examining library materials or mere secondary data. Normative legal research includes research on legal systematics, research on the level of vertical and horizontal synchronization, comparison of law and legal history.

C. Discussion

Regional Representative Council

Regional People's Representatives Council Is an institution or legislature in the area that reflects the structure and system of democratic governance in the region, through the city district dprd, all aspirations of the local community can be received and delivered in the official forum of dprd members. as contained in article 18 of the 1945 Constitution, further



elaboration on Law Number 32 of 2004 concerning Regional Government. The DPRD in carrying out its duties has rights (Article 19, 20 and 21), authority (Article 18) and obligations (Article 22) in carrying out duties as people's representatives.

Based on its role in general, the functions of representative bodies revolve around the functions of legislation, financial functions and supervisory functions. Each of these fungis has a very strong influence on people's touch because of the need for direct influence in meeting the needs of the community. The overall rights of the DPRD stipulated in Law Number 32 Year 2004 basically contain these functions. As the legislative body of the DPRD functions to make laws and regulations. Legislation that is made as an arrangement that is needed by the community. Through this function the DPRD actualizes itself as the people's representative. In articles 18 (d) and 19 (d) of Law Number 32 Year 2004 regulates the authority of the DPRD in carrying out legislative functions. Another function of the DPRD is to establish financial policies. Financial policies that are applied relate to the people's financial condition. In Law No. 32 of 2004 it has been stipulated that budget rights are one of the rights of the DPRD. The budget right gives authority to the DPRD to participate in determining and formulating regional policies in the Regional Budget (APBD). The agenda compiled must fulfill all the wishes of the community. In addition, the DPRD also has the right to determine its own expenditure (Article 19 g). Own expenditure is a form of rights granted by the government of librarians to local governments in advancing and developing services to the people.

Based on the General Provisions in Article 1 number (4) of the Minister of Home Affairs Regulation No. 80 of 2015 concerning Establishment of Regional Legal Products, it is clear that the position of DPRD, both at the provincial and district and city levels is an institution exercising power to form a Regional Regulation in its function as a Legislative Institution as confirmed in Article 365 paragraph (1) letter a of Law Number 17 of 2014 concerning the People's Consultative Assembly, the House of Representatives, the Regional Representative Council and the Regional People's Representative Council that.



In addition, filling in the positions of members of the DPRD and Regional Heads, namely Governors, Regents and Mayors is also conducted through general elections. Both are directly elected by the people, and are equally involved in the process of establishing a Regional Regulation. Therefore, like the Law at the central level, Regional Regulation is a product of regional law at the provincial, regency and municipal level.

Regional authority to form regional regulations is a manifestation of regional autonomy. Article 18 of the 1945 Constitution recognizes the existence of regional authority based on the principle of regional autonomy. An autonomous region, hereinafter referred to as a region, is a legal community unit that has regional boundaries which are authorized to regulate and manage government affairs and the interests of the local community according to their own initiatives based on the aspirations of the people in the Unitary State of the Republic of Indonesia.

Authority in making Regional Regulations is in the Regional Head and DPRD, where each has the right to submit a draft Regional Regulation, and in the case of stipulating Regional Regulations, the Regional Head must obtain approval from the DPRD. Regional regulations have characteristics that are regulating, namely regulating relations between the Regional Government, the community and local stake-holders such as the business world. Regional regulations not only regulate matters relating to or relating to the political, social and cultural life of the community. Regency / City areas in Indonesia are very numerous, which have diverse cultures, different customs. The role of the Regional Government is very important in regulating its community, therefore in the formation of Regional Regulations must adjust to the conditions of the people who tend to be dynamic.

Establishment of Regional Regulation is a system, because in it there are several events / stages that are intertwined in a series that is inseparable from one another. These stages are the planning stage, the preparation stage, the discussion phase, the stage of ratification / stipulation, the stage of enactment, and the dissemination stage. The Government in the broadest sense is to refer to all apparatus / equipment



of the State as a unit that carries out all tasks and authorities / powers of the State or Government in a broad sense covering the Legislative, Executive, and Judicial fields. The term "administration of Government" is a form of the process of carrying out activities that are in accordance with the duties or authorities of the State that are owned by Government agencies in this case only Executive. This applies both at the Central and Regional levels which starts from the existence of a division of power from the center to the regions. As is known that in the division of power is divided into two namely horizontal division of power and vertical division of power. Horizontal division of power is a division of power that exists in a country which is handed over to three bodies that are equal in position, namely the Executive power which is handed over to the Government, Legislative power to Parliament and Judiciary to the judiciary.

Whereas vertical division of power is Article 1 paragraph (1) of the 1945 Constitution stipulates that: The State of Indonesia is a Unitary State, in the form of a Republic, Then Article 4 paragraph (1) determines that the President of the Republic of Indonesia holds the power of government according to the Constitution. And Article 18 paragraph (1) determines that: "The Unitary State of the Republic of Indonesia is divided into Provincial Regions and Provincial Regions divided into Districts and Cities, which each Province, Regency and city has a regional government, which is regulated by law.

State Administration

Within a country, it must have a state organizational structure, namely an institution and others, the organizational structure of the country has the duty to run the country's government as well as possible. In its preparation, a country must have the constitution and laws of the nedghara system. In order to avoid arbitrariness in the arrangement of a country, it is therefore necessary for constitutional law in each country.

The "State" statement comes from the words "Tata" and "Country". The procedure related to the word "Orderly" is the usual order also translated as "order". State administration means a state structuring



system, which contains provisions regarding state structure and state norms. State administration is a way, structure or formation of office determines the position, duties and authority of an organization, and only focuses on its composition and formation. The influence of the organizational structure on employee satisfaction and performance leads to a very clear conclusion. namely state law which is in the realm of public law.

According to the Big Indonesian Dictionary, the meaning of the word state administration is a set of basic principles that cover the rules of the government structure, the form of the state, and so on which form the basis of a country's regulation. Law of Tala Negara has an important role in the framework of structuring state and social life on the basis of a system referred to in the constitution. In the constitution, the basic arrangements for state power are regulated, both for people and for objects. Power over people and over things since ancient Rome has been distinguished by the concept of "empire" versus "dominium". "Dominium" is a concept of "rule over things by individuals" while "empire" is a concept of "the rule of all individuals by the prince".

Task

Every human being will never be separated from duty. In everyday life every human being must do their respective tasks. Whatever the size of his age, position, profession, etc. Tasks are jobs that are a person's responsibility. Employment is charged, something that must be done or determined for an order to do something in a certain position. The existence of a job is an activity that has been planned in an organization. Without an organization it is impossible for someone to get a job. The work referred to here is an assignment given by a superior to a subordinate as the responsibility of a position / field within the organization.

Tasks can be called responsibilities. Because the task is something that must be done, carried out, and fulfilled and becomes a thing that must be completed. Likewise the responsibility, something that must be fulfilled and must be. If it is not fulfilled there will be risks or sanctions



that will be accepted. The definition of the task according to experts, namely Dale Yoder in Moekijat (1998: 9), "The Term Task is often used to describe one portion or element in a job" (The task is used to develop one part or one element in a position). While Stone in Moekijat (1998: 10), argues that "A task is a specific work activity carried out to achieve a specific purpose" (An assignment is a special work activity carried out to achieve a certain goal).

Tasks According to Experts:

Another definition that assesses that the task is a specific activity carried out in the organization, according to John & Mary Miner in Moekijat (1998: 10), states that "Tasks are certain work activities carried out for a specific purpose". Whereas according to Moekijat (1998: 11), "Duty is a part or one element or one component of a position. The task is a combination of two elements (elements) or more so that it becomes a complete activity "

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Position

Position has many meanings. The position comes from the basic sitting word. Position is a homonym because the meanings have the same spelling and pronunciation but the meaning is different. Position has meaning in the noun class or noun so that the position can state the name of a person, place, or all objects and everything that is blocked. In Big Indonesian Dictionary the position has many meanings, namely Position can mean a place of residence, where employees (management of associations and so on) live to do work or position, the location or place of an object, level or dignity, the actual situation (about cases and so on) , status (state or level of person, body or state, etc.). In discussing the



institution or organization of the position state means the position, the status that is obtained officially which then gets the task and authority.

To avoid the existence of political co-optation between the head of the region and the DPRD or vice versa, it needs to be carried out through the principle of "Check and Balances", which means that there is a balance and there is continuous monitoring of the authority given. Thus DPRD members can be said to have accountability, when they have a "sense of responsibility" and "ability" that is professional in carrying out their roles and functions. The mechanism of "Check and Balances" provides the opportunity for executives to control the legislature. Although it must be recognized by the DPRD (Legislature) it has a very strong political position and often does not have political accountability because it is closely related to the electoral system that is run. For this reason, in the future it is necessary for the Regional Head to have the courage to reject a proposal from the DPRD on policies concerning its interests, such as unreasonable salary increases, excessive allowance for benefits, and burdening regional budgets for less important activities. This "Check and Balances" mechanism can improve executive and legislative relations in realizing the interests of the community.

DPRD as a legislative body whose position as a representative of the people is impossible to release itself from the lives of the people it represents. Therefore materially has an obligation to provide services to the people or the public they represent. DPRD as people's representatives in actions and actions must adjust to the norms adopted and apply in the people's culture they represent. Thus the DPRD will not commit acts that are not commendable, benefit the person and burden the people's budget for their interests. By understanding the ethics of governance, it is expected to reduce despicable actions, not commendable and harm the community. For this reason, it is necessary to make a "code of ethics" for DPRD members that can be used as a guideline in the implementation of their roles and functions, so that great authority is also accompanied by great responsibilities. The ideal figure of a DPRD that is moral, aspirational with the interests of the people, and always strives for the welfare of the community can be realized. The key is that both the



executive and the legislature must establish reciprocal communication and openness between the parties in solving all problems in realizing the welfare of their people.

These expectations can be realized through the direct election of the regional head, which will strengthen the position of the Regional Head so that it can be a good partner for the DPRD in overcoming various problems faced. The role and function of the DPRD will change quite significantly along with the reduction of the authority it has. With the balance of rights and authority between the executive and the legislature, it is expected that the widespread occurrence in the DPRD (legislative) can be reduced along with the maturation of democracy in people's lives. The realization of "Clean and good governance" is the hope of all people.

D. Conclusion

Organizational structure clearly illustrates the separation of work activities between one another and how the relationship of activities and functions is limited. In a good organizational structure must explain the relationship of authority who reports to whom. The influence of the organizational structure on employee satisfaction and performance leads to a very clear conclusion. State administration is a method, structure or formation of office, determining the position, duties and authority of an organization and only focusing on its composition and formation. Tasks are something that must be done, carried out, and fulfilled and become things that must be completed. Likewise the responsibility, something that must be fulfilled and must be. If it is not fulfilled there will be risks or sanctions that will be accepted. The position of a homonym for meanings has the same spelling and pronunciation but the meaning is different.



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