

## **Commitment of The DPRD of The Province of West Papua In The Implementation of The Legislative Function of Forming Regional Regulations**

**Iim Abdul Hosim**

*Master of Law, Muhammadiyah University of Sorong, Indonesia*  
E-mail: [iimabdulhosim@gmail.com](mailto:iimabdulhosim@gmail.com)

**Dwi Pratiwi Markus**

*Master of Law, Muhammadiyah University of Sorong, Indonesia*  
E-mail: [dwypratiwimarkus@gmail.com](mailto:dwypratiwimarkus@gmail.com)

**Hadi Tuasikal**

*Master of Law, Muhammadiyah University of Sorong, Indonesia*  
E-mail: [hadilessytuasikal@gmail.com](mailto:hadilessytuasikal@gmail.com)

### **Abstract**

Indonesia, as a constitutional state, upholds legal supremacy. However, inconsistency in law enforcement remains a challenge. One of the legal issues that has emerged is the effectiveness of the Regional People's Representative Council (DPRD) in carrying out its legislative function in forming regional regulations. The formation of the Province of Southwest Papua in 2022 poses complex governance challenges, including how the DPRD formulates regional regulations that are responsive to the needs of the community and inclusive of local cultural diversity. This study aims to analyze the commitment of the DPRD of Southwest Papua Province in carrying out its legislative function, identify the obstacles faced, and provide recommendations to improve the effectiveness of legislation and regional governance. This study uses a juridical-sociological method, which combines normative legal analysis with social studies of the implementation of legislation in Southwest Papua. The results of the study show that although the DPRD is trying to carry out its legislative function optimally, there are still various challenges in the process of forming regional regulations. Limited human resources, minimal public participation, and local political dynamics are the main factors that hinder the effectiveness of legislation. In addition, regulations that are not yet fully adaptive to the social and cultural conditions of the people of Southwest Papua are also obstacles in designing inclusive policies. However, there is an opportunity to improve this condition by strengthening the capacity of the DPRD, increasing community involvement in the legislative process, and utilizing technology to

increase transparency and efficiency of legislative work. This study emphasizes that the success of the DPRD in carrying out its legislative function is highly dependent on commitment, active community participation, and innovation in the legislative process. Strategic steps that need to be taken include increasing the competence of legislators, optimizing the role of local stakeholders, and strengthening governance based on local wisdom in order to realize sustainable regional development.

**Keywords:** Legislative function, Regional regulations, SouthSouthwest Papua, Governance.

## INTRODUCTION

Indonesia as a country of law as mandated in the Constitution of the Republic of Indonesia, all actions in social, national and state life are regulated by law.(Ishak, 2023)In fact, the law is made to bring justice, goodness, and support for the interests of the wider community. Despite being a constitutional state, Indonesia still faces challenges in law enforcement. The law will be very closely related to justice, authority, obedience, which then gives birth to peace, and order in the sense of regulations containing norms. The law has a function to provide protection for human interests (all humans without exception). Therefore, the law must be implemented so that these human interests can be protected. In its implementation, the law can take place normally and peacefully, but there can also be violations of the law in practice. In terms of law enforcement that we have implemented so far, many parties say that law enforcement in Indonesia is still weak and does not understand the law, and law enforcement in Indonesia is still relatively weak. And there are also those who say that our law enforcement has failed a lot. In this case, law enforcement is fundamental in a country of law, where law enforcement is a reflection of a country. A good country of law will realize good law enforcement, so that people feel comfortable in a country of law. This article explains how law enforcement is carried out in accordance with the rules and is responsive, so that Indonesia can be realized as a sovereign country.

Southwest Papua as a new provincial expansion area in carrying out the legislative function of the DPRD (Regional People's Representative Council) in the formation of regional regulations (Perda) is one of the important elements in the regional government system in Indonesia.(Huda, 2014)This function provides a strong legal basis for the development and regulation of various aspects of community life at the regional level. In the newly formed Southwest Papua Province in 2022, the legislative function of the DPRD is crucial to realizing good governance that is transparent and responsive to the needs of the local community.

The new autonomous region (DOB), SouthSouthwest Papua faces major challenges in developing an effective government structure. One of these challenges is how the DPRD can carry out its legislative function properly, especially in terms

of forming regional regulations that are relevant to the needs of the local community. This legislative function includes the creation, discussion, and ratification of regional regulations that serve as the legal basis for all government activities and community life in the region.

The importance of regional regulations as a legal instrument that regulates various aspects of community life means that the DPRD must have a high level of commitment in carrying out its legislative function. (Santoso, 2014) The formation of regional regulations (Perda) is not just an administrative process, but also a strategic step to create policies that are responsive to the needs of the community. In Southwest Papua, which is known for its ethnic, social, economic, and cultural diversity, regional regulations must be able to reflect this diversity fairly and inclusively. Perda must be a bridge between government policies and the characteristics of diverse communities.

The diversity of the people of Southwest Papua covers various aspects, from customs, language, to the economic system which is still based on local customs, therefore, in the process of drafting regional regulations, it is very important to involve all elements of society, both traditional leaders, local community representatives, and the community in general, so that every policy made is not only relevant, but can also be well received by all levels of society. This participatory process also helps ensure that the regulations drawn up do not ignore more vulnerable groups, such as indigenous peoples and other marginalized groups. The drafting of inclusive regional regulations will make it easier for local governments to formulate policies that are in accordance with local social and cultural values, without ignoring the principles of justice and public welfare.

The local government must also pay attention to social, economic, and cultural aspects that affect people's lifestyles. For example, in regulating the use of natural resources, policies must consider the rights of indigenous peoples and local economic potential. Thus, regional regulations in Southwest Papua can function as instruments that support sustainable development and provide direct benefits to the community, while preserving local culture and customs that are the wealth of the region. The commitment of the Southwest Papua Provincial DPRD in carrying out its legislative function has a very important role in encouraging the creation of effective and quality regional regulations. Quality regional regulations are not only legal instruments to regulate regional governance, but must also be able to accommodate community interests, support regional development, and respond to challenges faced locally.

This commitment is reflected in several main aspects. First, the seriousness of the DPRD in drafting regulations that are inclusive and oriented towards the needs of the community. In this case, the involvement of various stakeholders is something that cannot be ignored. Involving the community, academics, civil society

organizations, and business actors in the legislative process allows the DPRD to produce regulations that reflect the aspirations of the community and are relevant to the potential and characteristics of the region. Second, increasing the capacity of DPRD members is also an important part of supporting the legislative function.

With a strong commitment to inclusivity, capacity building, and integrity, the Papua Barat Daya DPRD can carry out its legislative function optimally. This not only produces regulations that have a positive impact on the community, but also strengthens public trust in the DPRD as a legislative institution that is responsible and oriented towards community welfare. The formation of regional regulations that are responsive to the social and cultural conditions of the local community is one effort to realize sustainable welfare and inclusive development. (Machmud, 2015)

The DPRD of Papua Barat Daya Province in achieving these goals must face various obstacles, both in terms of human resources, administrative systems, and political support. The quality of a regional regulation produced by the DPRD is a benchmark for the DPRD's ability to carry out its functions and guarantee its existence. Commitment to the implementation of the legislative function needs to be driven by the spirit of improving the government system and improving the quality of public services. The formation of regional regulations that are right on target, participatory, and transparent will help realize a more effective and responsive government to the demands of the community. The term function in Latin "functus" comes from the verb "functor" which means a way to carry out (to perform), carry out, run (administer). (Hartatik., 2014)

The purpose of this study is to explore more deeply the commitment of the Papua Barat Daya Province DPRD in carrying out its legislative function, especially in the process of forming regional regulations. This study also aims to understand the challenges faced by the DPRD in carrying out this function, as well as to provide recommendations to improve the effectiveness and quality of the implementation of the legislative function in the province. It is hoped that the results of this study can contribute to improving the performance of the DPRD in carrying out its duties and responsibilities, so that it can play an optimal role in better regional development. The following are some of the results of literature studies from previous researchers:

1. Monica G. Sekar Wijayanti, Retno Saraswati, Indarja (2016) in a study entitled "Implementation of the Legislative Function of the Semarang City Regional People's Representative Council in the Formation of Regional Regulations". This study discusses the Implementation of the legislative function in the Semarang City Regional People's Representative Council, the difference lies in the focus of the research, namely in previous research in Semarang City while the latest research focuses on Papua Barat Daya.
2. Sudarsono, M Riban Satia, M Yusuf (2022) in a study entitled "Implementation of the Legislative Function of the DPRD in the Formation of Regional Regulations (Study at the Regional Regulation Formation Agency of the Central

Kalimantan Provincial DPRD)" This study discusses the implementation of the legislative function in the Central Kalimantan Provincial DPRD, this study has a different location with the research conducted by researchers who conducted research with a research focus on the DPRD of Southwest Papua Province.

## **METHODS**

This Study is a sociological legal research that examines the relationship between law and social phenomena in the context of the implementation of the legislative function by the Papua Barat Daya Provincial DPRD. Normatively, this research focuses on the laws and regulations that regulate the DPRD's authority in forming regional regulations, including Law Number 23 of 2014 concerning Regional Government and other related regulations. This research also examines how the implementation of these regulations takes place in legislative practices at the regional level.

The research approach used is a phenomenological approach, which aims to understand the subjective experiences of DPRD members in carrying out legislative functions and the social and political dynamics that influence the process of forming regional regulations. The research adopts a phenomenological approach to comprehend the subjective experiences of DPRD members in discharging their legislative duties and the socio-political dynamics influencing the formation of regional regulations. This approach is employed as it facilitates an in-depth exploration of legislative commitment based on the empirical experiences of legislators. This approach allows research to explore the meaning of legislative commitment based on the empirical experiences of legislators. The legal materials in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include laws related to regional autonomy, laws and regulations on the DPRD, and regional regulations that have been established. Secondary legal materials include books, journals, research reports, and official documents that support the analysis of the DPRD's legislative function. Tertiary legal materials include legal dictionaries, encyclopedias, and expert opinions that are used to enrich the interpretation of the concepts analyzed.

The data analysis technique in this study employs a qualitative method with a descriptive-analytical approach. This approach aims to provide a systematic overview of the commitment of the Regional People's Representative Council (DPRD) of Southwest Papua Province in performing its legislative function, particularly in the process of regional regulation formation. The legal material collection technique was carried out through document studies and interviews. Document studies involved analysis of laws and regulations, minutes of DPRD meetings, and regional legislative policies. Interviews were conducted with DPRD members, academics, and community leaders to obtain an in-depth perspective on

the DPRD's commitment to carrying out its legislative function and the challenges faced in the process. The analysis method used in this study is qualitative analysis with descriptive-analytical techniques. Data obtained from legal materials and interview results were categorized based on relevant themes, then analyzed comprehensively to reveal patterns, challenges, and opportunities in the implementation of the legislative function by the Papua Barat Daya DPRD. The results of this analysis are expected to provide a clearer picture of the effectiveness of the DPRD in forming regional regulations and can provide solutions that are solution-oriented and can be applied to improve legislative performance in the region.

## **DISUCSSION AND RESULTS**

**The development of the commitment of the Papua Barat Daya Provincial DPRD in carrying out its legislative function to form regional regulations that are responsive to the needs of the local community.**

In its legislative function, one of the main tasks of the regional government in Indonesia is the Regional People's Representative Council (DPRD), which has a strategic role in creating regional regulations (Perda) that are in accordance with the needs of the community. (Hermayanti Ratna, 2015) The DPRD of Southwest Papua Province as the people's representative in the region has the responsibility to ensure that every legislative policy produced not only complies with national-level laws and regulations, but also responds to the social, economic, cultural and geographical conditions of the local community.

One indicator of the DPRD's commitment to its legislative function is the increasing quality and quantity of regional regulations drafted each year. (Koeswara, 2015) The Papua Barat Daya DPRD has shown real efforts to develop policies based on the needs of local communities. This can be seen from a number of Regional Regulations that focus on strengthening the rights of indigenous peoples, sustainable management of natural resources, and increasing access to public services in remote areas. The DPRD also seeks to improve the legislative process by paying attention to community participation from the planning stage to evaluation. Through public consultation forums and regional development deliberations, the aspirations of local communities—including indigenous groups, women, and youth—are integrated into the draft regulations being prepared.

The development of the commitment of the Papua Barat Daya DPRD also faces a number of challenges. One of them is the limited human resources who understand the technical aspects of compiling complex regulations. To address these issues, capacity-building programs for DPRD members and increased public engagement through digital platforms are recommended. This condition is exacerbated by the vast area and the difficulty of access to remote areas, which often hampers the public consultation process. In addition, other challenges arise in the

form of budget limitations that affect the effectiveness of the implementation of legislative programs. Even so, the DPRD continues to strive to improve the capacity of legislators through training and cooperation with external parties, including academics, non-governmental organizations, and central government institutions.

The commitment of the Papua Barat Daya DPRD to produce regional regulations that are responsive to community needs is also reflected in their focus on environmental protection and recognition of local wisdom.(ARISANDI, 2023)As a region rich in biodiversity and culture, Southwest Papua requires policies that can maintain a balance between economic development and environmental conservation. The DPRD plays a role in drafting regulations that encourage community-based natural resource management, such as Regional Regulations on customary forests and marine conservation areas.(Indrasari, 2020)In addition, they have also begun to adopt a collaborative approach by involving indigenous communities as partners in decision-making, so that the resulting policies have stronger legitimacy.

The development of the commitment of the Southwest Papua DPRD is also influenced by local political dynamics.(Rohim, 2014), which can be an opportunity or a challenge. Coordination between the DPRD and the regional government greatly determines the effectiveness of the legislative function. In some cases, differences in political views between the executive and the legislature have resulted in slow discussions on draft regional regulations. To overcome this, the DPRD seeks to build a more harmonious relationship with the executive through intensive communication and alignment of development agendas.

In order to strengthen its commitment to carrying out its legislative function, the Papua Barat Daya DPRD needs to take a more innovative and inclusive approach. The use of digital technology, for example, can help increase the efficiency of the legislative process while expanding community participation. In addition, strengthening the capacity of legislators in the field of legislation, both through training and technical assistance, is an important step to ensure that every Perda produced is not only formally valid but also relevant and applicable to the local community. With a comprehensive approach and oriented towards community needs, the Papua Barat Daya DPRD has the potential to become a major actor in creating more responsive, inclusive, and equitable governance in a region rich in potential and challenges. The following is a more detailed analysis of the development of the Papua Barat Daya Provincial DPRD's commitment to carrying out its legislative function.

1. Optimization of Legislative Function Through Participation in the Bapemperda National Coordination Meeting

The legislative function is one of the main pillars in the regional government system run by the Regional People's Representative Council

(DPRD). This function aims to formulate regional policies in the form of regional regulations (Perda) that not only meet legal principles, but also respond to the needs of the community. In this context, the role of the DPRD (Anam and Anwar, 2020) In activities such as the National Coordination Meeting of the Regional Regulation Formation Agency (Rakornas Bapemperda) it becomes very important. Rakornas Bapemperda is a strategic forum designed to increase the legislative capacity of DPRD throughout Indonesia, including the DPRD of Southwest Papua Province.

2. Responsiveness to local needs

The Papua Barat Daya DPRD realizes that regional regulations must respond to the needs of local communities, especially by considering the diversity of culture, customs, and geography in this region. The policies produced by the DPRD are oriented towards inclusive and sustainable development.

3. Infrastructure and Public Service Improvement: The Main Pillar of Regional Development

Improving infrastructure and public services are two key aspects in driving sustainable and inclusive regional development. Adequate infrastructure and quality public services are not only the foundation of economic growth, but also play an important role in improving people's welfare, alleviating poverty, and reducing disparities between regions. Good infrastructure, such as roads, bridges, electricity networks, and telecommunications facilities, create better connectivity between regions. This connectivity not only facilitates the mobility of goods and people, but also opens up new economic opportunities, especially in remote areas.

By strategically integrating both aspects, the government can create sustainable, inclusive development that has a direct impact on improving the quality of life of the community. Adequate infrastructure and quality public services are not only a necessity, but also a long-term investment for regional progress and the welfare of future generations. Adequate infrastructure and quality public services are not only the foundation for economic growth, but also contribute to improving community welfare, poverty alleviation, and reducing disparities between regions. (Silvia Fera, 2023).

4. Involvement in the Preparation of Regional Long-Term Development Plans (RPJPD): The Foundation for Sustainable Development

The preparation of the Regional Long-Term Development Plan (RPJPD) is a strategic process that aims to determine the vision, mission, and direction of regional development in the next 20 years. RPJPD is the main reference for regional governments in preparing regional medium-term development policies and programs (RPJMD) and annually. (Anggraini et al., 2015) The preparation of the Regional Long-Term Development Plan (RPJPD) is a



strategic process that aims to determine the vision, mission, and direction of regional development for the next 20 years. RPJPD is the main reference for regional governments in formulating development policies and programs, both medium-term (RPJMD) and annually. As a comprehensive planning document, RPJPD plays an important role in ensuring the sustainability of development and maximizing regional potential to support community welfare.

One of the main aspects in the preparation of the RPJPD is an approach based on a long-term vision. This document must be able to describe the direction of development that is not only realistic, but also innovative and sustainable. The vision is formulated by considering various factors, such as the potential of natural resources, demographics, infrastructure, and community needs. (Pujiriyani, 2014) In this context, the RPJPD also becomes a strategic tool to respond to global challenges such as climate change, urbanization, and technological developments.

Local governments need to involve communities, civil society organizations, businesses, academics, and other relevant institutions in the planning process. This participatory approach ensures that the RPJPD document reflects the needs of the community, the potential of the region, and the challenges faced. For example, the community can provide input on basic infrastructure needs such as roads, electricity, and health facilities, while the business world can provide perspectives on regional economic development.

The Regional Long-Term Development Plan (RPJPD) must be designed with flexibility that allows for adjustments to ever-changing social, economic, and political dynamics. Sustainability is also an important element in the RPJPD. This plan must integrate the principles of sustainable development that cover environmental, social, and economic aspects. Thus, the RPJPD does not only focus on short-term results, but also on long-term positive impacts for society and the environment. In the long term, the RPJPD must be more than just a technocratic tool. This ensures that the RPJPD is not only technically relevant, but also has strategic and symbolic value for the sustainability of regional development.

**Supporting factors, obstacles, and development dynamics that influence the implementation of the legislative function by the DPRD of Southwest Papua Province in the formation of regional regulations based on local wisdom.**

The implementation of the legislative function by the Papua Barat Daya Provincial DPRD in the formation of regional regulations (Perda) based on local wisdom reflects a commitment to accommodate the needs of the community and maintain the identity of the regional culture. In this context, a number of supporting

factors, obstacles, and development dynamics also influence the legislative process. The main supporting factor is the richness of local culture and customs that are still strong in the Papua Barat Daya community. This region has various local wisdoms that include natural resource management, social systems, and customary values that are relevant to be integrated into policies. The support of indigenous communities is also an important element, considering that many indigenous communities play an active role in providing input on the draft Perda, especially those related to the management of customary land, forests, and the sea. In addition, the decentralization policy that provides greater autonomy to regions allows the Papua Barat Daya DPRD to design regulations that are more in line with the characteristics and needs of the region.

The implementation of this legislative function also faces various obstacles. One of the main obstacles is the limited capacity of human resources in the DPRD environment, both in understanding the substance of local wisdom and in the technical aspects of drafting regulations. (Hutauruk et al., 2015) The lack of in-depth research and data on local wisdom in Southwest Papua is also a serious challenge, because without a strong information base, it is difficult for the DPRD to formulate relevant and implementable Perda. Another obstacle is the socio-political dynamics at the local level which often influence the legislative process. Tensions between political, economic, and cultural interests can hinder effective decision-making. For example, conflicts between indigenous peoples and investors in natural resource management often create legislative dilemmas in formulating fair and sustainable Perda.

The dynamics of development also play an important role in influencing the implementation of the legislative function. The Papua Barat Daya DPRD is in the midst of a complex social transformation, where modernization and globalization bring changes to social structures and customary values. This poses new challenges in efforts to preserve local wisdom while continuing to encourage economic development. However, this dynamic also opens up opportunities for the DPRD to adopt a more inclusive and innovative legislative approach, such as utilizing information technology to expand community participation in the legislative process. The role of academics and research institutions is also increasingly important in providing data-based input to support the formation of regulations based on local wisdom.

To optimize the implementation of the legislative function, the Papua Barat Daya DPRD needs to overcome existing obstacles and utilize supporting factors optimally. Strengthening the capacity of legislators through training in customary-based resource management and participatory legislation is a strategic step. In addition, collaboration with customary institutions, universities, and civil society organizations can help enrich the legislative process. This approach will not only produce regulations that are more responsive to local needs but also strengthen the

legitimacy of the DPRD as an institution that is oriented towards social justice and cultural preservation. Thus, the Papua Barat Daya DPRD has great potential to play a key role in creating policies that support sustainable regional development based on local wisdom.

## **CONCLUSION**

The Regional People's Representative Council (DPRD) of Southwest Papua Province plays a crucial role in drafting regional regulations that incorporate local wisdom to preserve traditional culture while addressing community needs. However, this process faces several challenges, including limited human resources, insufficient data on local wisdom, and the influence of socio-political dynamics. Additionally, modernization and globalization require a careful balance between cultural preservation and economic development, making the legislative process even more complex. To overcome these challenges, the DPRD should take strategic steps to improve the quality and effectiveness of regional legislation. One essential approach is optimizing digital platforms to enhance transparency in the legislative process and increase public participation. By leveraging technology, the DPRD can facilitate easier access to legislative drafts, gather input from the community, and document valuable local wisdom for future policymaking. Additionally, strengthening capacity-building programs for DPRD members is crucial to improving their ability to formulate regulations that are deeply rooted in local traditions and aligned with contemporary governance standards. Furthermore, collaboration with academic institutions and local communities must be reinforced to ensure that regional regulations are based on comprehensive research and inclusive engagement. Universities can contribute by conducting studies on local wisdom, while civil society organizations can serve as bridges between the government and the people. By implementing these participatory, technology-driven, and research-based strategies, the DPRD can develop policies that not only safeguard cultural heritage but also promote inclusive and sustainable development for the people of Southwest Papua.

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