

Strengthening The Legislative Function of Indonesia's Regional Representative Council: Normative and Evaluative Performance Analysis

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Abstract

The implementation of the legislative function of the House of Regional Representatives (DPD) of the Republic of Indonesia in regional development faces serious challenges due to the limited authority it has. DPD, which is supposed to be the mouthpiece of the regional community, in practice functions more as a complement to the House of Representatives (DPR) in the Indonesian parliamentary system. This study aims to analyze the implementation of the legislative function of DPD during the working period of 2020-2024, as well as to identify solutions that can strengthen the role of DPD in the legislative system. The method used in this research is field research with a normative juridical qualitative approach. The data sources of this research include primary data, secondary data, and legal materials. Data retrieval techniques are conducted through interviews and documentation, and the data are analyzed using inductive-descriptive techniques. The results indicate that the amendment to Article 20 Paragraph (1) and Article 22D Paragraph (2) of the Constitution of the Republic of Indonesia is necessary as a strategic step to strengthen the legislative authority of DPD. By strengthening these articles through reformulation, the role of DPD can operate more effectively and substantively in encouraging regional development.

Keywords: Legislation Function; Regional Development; Amendment of 1945 Constitution

1. Pendahuluan

A democratic country ideally has a representative or legislative body, commonly referred to as parliament. The presence of this institution is important as a means to voice the aspirations of the people. In addition, the legislature is also useful for supervising other institutions, especially the executive. Prior to the amendment, the 1945 Constitution of the Republic of Indonesia, hereinafter referred to as the 1945 Constitution of the Republic of Indonesia, had two legislative bodies, namely the People's Consultative Assembly, hereinafter referred to as the MPR, and the House of Representatives, hereinafter referred to as the DPR.

The result of the third amendment of the Constitution is the establishment of the Regional Representative Council hereinafter referred to as DPD in the Indonesian parliamentary system, as stated in Article 22C of the Constitution of the Republic of Indonesia Year 1945 Third Amendment. As a result, the form of parliamentary institutions in Indonesia switched from a unicameral system to a bicameral system

(Asshidiqie, 2006). Indonesia's post-reform constitutional architecture introduced the Regional Representative Council (DPD) as the second chamber in a bicameral parliament, with the aim of representing regional interests and strengthening decentralization (Kosasih et al., 2024). Thus, the current membership of the MPR reflects a more democratic and regional representation of the people through the DPR and DPD. Each member of the MPR has equal status, without distinction between members of the DPR and DPD.

Furthermore, as stated in Article 22D of the Constitution of the Republic of Indonesia Year 1945 Third Amendment Results, the idea of forming DPD RI in principle aims to represent regional interests that are different from the national focus of DPR and pay more attention to regional aspirations and provide a greater role for the region in the political decision-making process, especially those related to regional interests (Alkadri, 2017). This issue is caused by the awareness of the negative impact of centralized decision-making in the past, which resulted in power, social jealousy, and injustice, and brought threats to the Unitary State of the Republic of Indonesia. (Haqqullah et al., 2025)

DPD is part of the Legislative body that is projected to strengthen the principle of balance of power (checks and balances) together with DPR. Membership of DPR is elected based on political representation, while DPD members are elected based on regional representation, in accordance with the Constitutional Court Decision No. 30/PUU-XVI/2018 which confirms that DPD members must be independent from political parties (Arif & Muhammad, 2020). In the structure of the Indonesian government, DPD acts as a liaison between regional aspirations and the central government. The existence of DPD has fostered optimism that the hopes and interests of local communities can be fought through parliament. This signifies the importance of DPD's role as an intermediary between the Central Government and the regions, as well as resolving obstacles and problems faced by the regions at the national level (Neta, 2014).

As described in Article 22C and 22D of the Constitution of the Republic of Indonesia Year 1945, the establishment of DPD aims to restructure the Indonesian parliament into two chambers (bicameralism). DPR functions as the first chamber, representing the interests of the people as a whole at the national level. Meanwhile, the DPD acts as the second chamber, representing the interests of each region. This difference in function aims to avoid double representation (Nasarudin, 2017).

DPD was formed to fulfill the need for a regional representative body that specifically accommodates regional aspirations. This is because DPD departed as Regional Representative (regional representation) in the MPR before the amendment of the Constitution of the Republic of Indonesia Year 1945. However, the existence of Regional Representatives is considered inadequate to address the challenges of inequality and disparities between regions of the country as well as in maintaining national unity (Adhayanto et al., 2019). In addition, the disintegration of the country that occurred in the 90s after the New Order, led to many regional separatist movements, dissatisfaction and anger of regional communities, unequal development of the center and regions, and low democratic values (Rosidi, 2015).

The role of regional representation in parliament is very important as a channel to channel regional aspirations in the national policy-making process. Given that Indonesia has a high level of ethnic diversity, the presence of regional representatives is crucial to ensure that each community group has its interests represented. Regional representatives function as liaisons that can accommodate and voice the various interests of various community groups throughout Indonesia (Linrung, 2024).

Regional interests cannot be separated from the needs of the individuals residing in it. For example, regional economic policies should not be limited only to the framework of regional government autonomy. There is a need to distinguish between "regional government" and "regional administration." Regional autonomy does not only mean giving greater authority to local governments, but also ensuring that people have the freedom to interact with the government bureaucracy as a whole. Thus, the struggle of DPD in fighting for the interests of the region automatically includes the interests of all people living in the region.

The existence of DPD since the beginning is expected to balance the role of other people's representative institutions, namely DPR, so that there is no imbalance in the implementation of policies between the central and local governments. DPD plays a role in overseeing policy making as part of its supervisory function (Fatmawati, 2012). With a variety of issues as mentioned above, the DPD was formed as an institution that has a clear position and protected by the constitution to address regional issues that have an impact on the national scale. In addition, the DPD serves as a state institution that provides opportunities for local communities to be involved in national policy making related to regional interests.

However, in reality, the DPD is nothing more than an addition to the legislative structure and only acts like an auxiliary legislative body of DPR (Marzuki, 2022). In fact, DPR and DPD should be united in bicameral system with balanced power of authority. But the implementation, until now the only similarity between DPD and DPR lies in the way of selecting its members based on the general election. That is, the legislative authority of DPD remains limited, mainly proposing and supervising, without the authority to determine the formation of laws or reject the draft law. This imbalance has triggered persistent calls for reform, as regional discontent and governance challenges threaten national unity and the effectiveness of regional development policies (Diamantina, 2018).

The existence of DPD even feels like a "flower on a rock" growing but in a difficult and unfavorable place, DPD comes with its powerlessness. The fact that must be faced by this country is the existence of institutions such as Senators (DPD) is considered weak and disappointing by various parties. The cost incurred to elect and become a member of DPD is very large, but its role is only limited as a "complementary" in the legislature (Efriza, 2010). Since its birth through the third amendment of the 1945 Constitution, the position and function of the House of Regional Representative (DPD) has faced fundamental problems that are often referred to as "congenital defects" or birth defects. Constitutionally, DPD is designed as a national-level legislature that represents regional interests and performs the functions of legislation, supervision and consideration, the weak position and function of DPD makes its role in strengthening regional autonomy becomes not optimal (Kosasih et al., 2024).

In the Indonesian parliamentary system, the weak role of DPD as the second chamber has some pretty crucial impacts, especially in the legislative function and regional development. First, because the main focus of the legislature is in DPR, DPD experiences limitations in producing legal regulations. This results in high dependence on DPR as the main institution for lawmaking. Second, the large difference in legislative responsibilities between DPR and DPD creates imperfections in the legal products produced. As a result, the aspirations of people from various regions are less thoroughly absorbed in lawmaking, resulting in a lack of adequate representation. (Adriana et al., 2025) Third, the less mature legislative process in DPD leads to many revisions in legal products. The lack of authority in the field of legislation is what makes it difficult for

DPD to optimize regional development. If DPD is given a greater role in the legislative process, this defect can be avoided because the opportunity to produce more mature regulations will be much more open.

The role and authority of DPD which is considered weak and less significant has led to a discourse to strengthen the position of the institution. On the other hand, many parties propose to disband this institution because it is considered a waste of the state budget. One of the proposals to disband DPD emerged from its own internal, namely Prof. Dr. Jimly Asshiddiqie, S.H., M.H. According to him, during his tenure as a member of DPD in 4 years, DPD is no different from a non-governmental organization (NGO) because it only gives suggestions but its proposals were never heard. Prof. Jimly argued that the authority and function of DPD should be evaluated, if not then it is better to be disbanded.

There is a proposal to reconstruct the lawmaking authority of DPD to achieve a balanced bicameral system through constitutional reform and legislation (Mukhlis et al., 2025). The proposal includes the granting of veto rights to the DPD on the draft law passed without its involvement, the establishment of a double checking system, and strengthening the system of checks and balances. However, efforts to strengthen the role of DPD through constitutional amendments and judicial review have largely failed, as DPR and the dominant parties oppose changes that threaten their power (Faiz et al., 2023).

Based on the previous descriptions, there is a strong impetus to conduct further research, aimed at exploring the strengthening of the legislative function of DPD RI in regional development in Indonesia. Addressing the lack of clarity in the legal framework governing DPD's functions may also help to reduce overlap and improve its legislative effectiveness (Hariyanto et al., 2025). This research is directed to provide a comprehensive overview of the historical development and dynamics of the existence of DPD as a representative of the aspirations of regional communities. Through this research is expected to obtain an in-depth understanding to then be able to formulate fundamental conclusions about the existing problems. Namely, it includes recommendations to strengthen the legislative function of DPD in the midst of the emergence of thoughts about the potential dissolution of DPD.

2. Method

The type of research used in this study is field research and qualitative research. Field research in legal studies involves the collection of primary data directly from the field, such as through interviews, surveys, and observations, to understand how the law and legal system operate in practice (Richardson et al., 2011). While qualitative research in a legal context involves non-numerical data collection and analysis methods such as interviews and case studies. This method aims to understand legal phenomena through a detailed and contextualized view (Mulcahy, 2022). In qualitative research, the researcher acts as the main instrument and uses procedures that produce descriptive data in the form of written words. Qualitative research is suitable for examining complex legal issues (Mahy et al., 2024), such as the function of the legal institution DPD RI .emphasizes socially constructed reality, close relationships between researchers and research subjects, and situational factors that influence the research process (Armia, 2022).

The approach used to examine the problem is normative juridical, with the specification of the statutory approach. The normative legal approach, often referred to as the statutory approach, is a method

used in legal research and analysis that focuses on the interpretation and application of laws (Pavčnik, 2016). This approach is used to identify, analyze, and evaluate various legal provisions that are relevant to the issue being studied. (Wahidah et al., 2025) Through this approach, the main focus is directed at solving problems based on juridical foundations, namely by referring to legislation, policies, and other related legal documents. In the context of a specific topic, the statutory approach can also be used to explore the practical implications of legal norms on their implementation in the field, as well as to assess whether the existing provisions are adequate in answering the problems at hand.

There are two data sources used to support the continuity of this research, namely primary data and secondary data. Primary data in this study was obtained through interviews with the Chairman and Members of DPD RI; H. Tamsil Linrung, S.Pd. (Vice Chairman of DPD RI), Casytha Arriwi Kathmandu, S.E., M.Fin. and Dr. H. Muhdi, S.H., M.Hum. (Members of DPD RI Central Java Electoral District), and Dr. Ujang Komarudin, S.H.I., M.Si. (Expert in Law and Politics of Al-Azhar University Indonesia). While the secondary data of this study were obtained through documentation of the annual performance report of DPD RI obtained through the Secretariat General of DPD RI.

The data analysis technique used in this research is a descriptive inductive data analysis technique. This technique involves summarizing and interpreting raw data to identify patterns and develop theories. This approach is easily applied in qualitative research, which aims to synthesize a large amount of text data into a coherent understanding (Bucher, 2021). Descriptive-inductive data analysis techniques are used to understand the phenomenon of weak authority possessed by the House of Regional Representatives (DPD) RI in the context of legislation and regional development.

3. Position and Role of Legislative Council in Regional Development

Indonesia adheres to a bicameral system consisting of DPR and DPD. The bicameral system is a representative model consisting of two chambers in the legislature (Sipangkar, 2018). This system emerged as a result of the 3rd amendment to the Constitution of the Republic of Indonesia Year 1945, which brought changes to the constitutional structure of Indonesia. The amendment gave birth to the House of Regional Representatives (DPD).

The House of Regional Representatives of the Republic of Indonesia (DPD RI) is a state institution established through the third and fourth amendments to the Constitution of the Republic of Indonesia Year 1945. The establishment of this institution is based on the third amendment of the Constitution of the Republic of Indonesia Year 1945, particularly in Articles 22C, 22D, and 22E.

The authority of DPD in the legislative function was strengthened by the Constitutional Court through the Constitutional Court Decision Number 92/PUU-X/2012. The Constitutional Court interpreted the phrase "may propose" in Article 22D Paragraph (1) as the right or authority to propose a draft law, while "participate in discussing" in Article 22D Paragraph (2) means that DPD has the authority to participate in the discussion of draft laws relating to regional autonomy, central and regional relations, the establishment of expansion and merger of regions, natural resource management, as well as the financial balance between the center and the regions with DPR (Swandani, 2022).

DPD RI in carrying out the legislative function is divided into several parts, namely the National Legislation Program (Prolegnas), Proposing Draft Laws, Providing Views and Opinions, and Considerations on certain bills through organs in accordance with the scope of authority stipulated in Article 22D of the Constitution of the Republic of Indonesia Year 1945. The preparation of Prolegnas is divided into two main categories, namely the Medium-Term Prolegnas and the Annual Priority Prolegnas. For the period 2020-2024, the Medium-Term Prolegnas includes 254 Draft Laws (RUU) originating from various parties, with the following details:

Table 1. Proposed Draft Laws for the 2020-2024 Period

No.	Number of Bills Law	Proposed Bill
1.	119 Bills	House of Representatives (DPR)
2.	43 Bills	Government
3.	25 Bills	House of Regional Representatives (DPD)
4.	31 Bills	Government and DPR
5.	23 Bills	DPR and DPD
6.	1 Bill	Government and DPD
7.	8 Bills	DPR, DPD, Government

Source : Secretariat General of DPD RI (2021)

Throughout the five-year Prolegnas period, DPD alone proposed 25 bills, 23 bills together with DPR, 1 bill with the Government, and 8 joint bills between DPD, DPR, and the Government. The following are the bills that are purely proposed by DPD to be discussed in the 2020-2024 period:

Table 2. Priority Bill proposed by DPD RI for the 2020-2024 period

No.	Year	Number of Bills	Bill Title
1.	2020	1	Bill on the Islands Region
2.	2021	2	1. Bill on the Islands Region 2. Bill on Village-Owned Enterprises (BUMDes)
3.	2022	2	1. Bill on the Islands Region 2. Bill on Village-Owned Enterprises (BUMDes)
4.	2023	3	1. Bill on Amendment to Law Number 32 Year 2014 on Maritime Affairs 2. Bill on Islands Region 3. Bill on Regional Language
5.	2024	3	1. Bill on Amendment to Law Number 32 Year 2014 on Maritime Affairs 2. Bill on Islands Region 3. Bill on Regional Language
6.	2025	1	Bill on the Islands Region

Source : Secretariat General of DPR RI (2025)

In the report on the legislative performance of DPD RI in 2020, 2021, 2022, 2023, 2024, until 2025, DPD has proposed various Draft Laws, both independently and together with DPR and the Government, however, all of them were rejected and none were passed into Law (UU). This condition reflects the weak legislative authority of DPD and shows that although it has been given space in the National Legislation, the existing constitutional mechanism still puts DPD in a marginal position.

In 2020, DPD only managed to submit one bill, namely the Bill on the Islands Region, into the Priority Prolegnas. However, until the end of the year, the bill was never discussed further and only stopped at the drafting stage. Entering 2021, the number of DPD proposals increased to two bills, namely the Bill on the Islands Region and the Bill on Village-Owned Enterprises (BUMDes). However, both experienced a similar fate to the previous year, which did not continue to the discussion stage. In 2022, DPD proposed two bills in the Priority Prolegnas, namely the Bill on the Islands Region and the Bill on Village-Owned Enterprises (BUMDes). But of the two, only the Bill on the Islands Region continues to the level I discussion process. Meanwhile, the Bill on BUMDes was declared not to continue its discussion on the grounds that the substance has been regulated in government regulations which are derivatives of the Job Creation Law.

In 2023, DPD again proposed three bills in the Priority Prolegnas, namely the Bill on the Islands Region (launched from 2022), the Bill on Regional Language, and the Bill on Amendments to Act No. 32 Year 2014 on Marine. However, none of the three were successfully passed into law. Only the Bill on the Islands Region was discussed in the Special Committee (Pansus), although it did not show significant progress until the end of the year.

The same situation repeated itself in 2024. The three bills included in the 2023 priority prolegnas were again included in the 2024 Priority Prolegnas, but the process only reached the stage of level I talks. No ratification occurred even though the bill had been discussed in legislative forums. Even in 2025, only one bill proposed by DPD entered the National Legislation Program, namely the Bill on the Islands Region. Bill on Regional Language and Marine Bill did not re-enter the priority for various reasons, including stated that the substance has been regulated in previous regulations.

The low success rate of the ratification of the bill proposed by DPD over the past five years shows that the legislative function of DPD is not running optimally. Though formally, DPD has shown seriousness through the preparation of academic papers, the collection of regional aspirations, and active participation in tripartite meetings. However, these results are not enough to influence the outcome of legislation due to the absence of a binding authority in the decision-making process. These limitations indicate that DPD's position in Indonesia's bicameral system is not equal to DPR. The absence of full legislative rights, veto rights, or the authority to pass the Act like DPR makes DPD closer to a representative institution without a strong legislative function. (Agatha et al., 2024)

Based on the description above, it can be underlined that the legislative function of DPD RI in voicing the aspirations of the regional community is still not running optimally. Although constitutionally the DPD is given the space to propose and discuss the Draft Law (Bill) relating to regional interests. However, during the period 2020 to 2024 not a single bill proposed by DPD was successfully passed into law. This reality shows that the DPD's authority in voicing the aspirations of the regional community is still very limited.

The limited authority possessed by DPD is not only caused by legal norms that are not binding, but also by the imbalance of power relations between legislative institutions, especially between DPD and DPR. In a tripartite forum involving DPR, the Government, and DPD, DPD's voice often gets less attention, so that many DPD proposals do not continue to the stage of substantive talks.

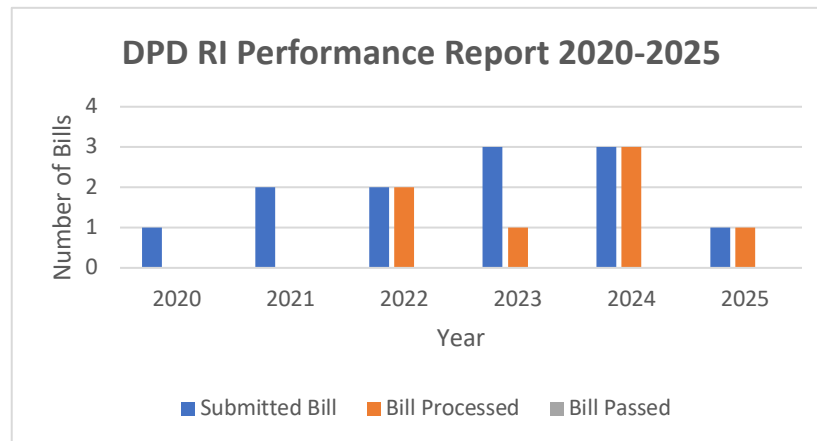


Figure 1. Performance Report and Bill Proposed by DPD RI in 2020-2025

The lack of legislative products born by DPD shows that the legislative function of DPD in the 2020-2024 period is still not running optimally. In fact, constitutionally, DPD is mandated to fight for regional interests through the legislative process. The implementative weaknesses faced by DPD need to be a serious concern in efforts to reform the constitutional system, especially to realize the principle of healthy checks and balances in the bicameral parliamentary system in Indonesia. This stagnant legislative performance is caused by various obstacles, both structurally, politically, and normatively. This makes its role in regional development not optimal.

Therefore, it can be concluded that in the 2020-2024 timeframe, the performance of DPD RI in the field of legislation tends to stagnate. The number of bills submitted is quite a lot, but it is not accompanied by successful ratification. DPD does not yet have sufficient political and institutional power to significantly influence the direction of national and regional policies. In fact, the spirit of the establishment of DPD is to ensure that regional interests have a place in the formulation of the law. This reality indicates the need for a thorough evaluation, both in terms of authority design, national legislation system, and political alignments towards regional representative institutions. Therefore, strengthening the functions and authority of DPD is a crucial step so that this institution is not only a complementary institution, but a substantive actor in the national legislative process.

4. Strengthening The Legislative Function of Legislative Council in Decentralization

In the legislative process, DPD is only involved in discussions with DPR and the President until the first level talks stage. However, in the second level talks, which is the decision-making stage between DPR and the Government, DPD is no longer involved. This rule is contained in Article 168 Jis. Article 169, 170, and 171 of Act No. 17 Year 2014 on the MPR, DPR, DPD, DPRD. The second level talks involve a plenary meeting

of DPR which contains the submission of reports on the process, mini faction opinions, mini DPD opinions, as well as the results of the first level talks.

In the second level meeting, statements of approval or rejection from each faction and DPR members are delivered orally, followed by the final opinion of the President delivered by the assigned minister. If deliberation for consensus fails, decision-making is based on a majority vote. If the draft law does not receive joint approval between the DPR and the President, it may not be submitted again in the trial of the DPR at that time. As regulated by Article 171 Paragraph (1) Letters A, B, and C, as well as Paragraph (2), and (3) of Act No. 17 Year 2014 Tentang MPR, DPR, DPRD, and DPD.

Thus, DPD only merely participates in the discussion of the draft law without having the authority to determine whether the law is approved or not to take effect. In this context, the weak role of DPD is often regarded as "merrymakers" in parliament, because although involved in the discussion, the final decision remains in the hands of DPR and the Government. Therefore, the main way that can be taken to strengthen the function of DPD is to make the fifth amendment to the Constitution of the Republic of Indonesia Year 1945. Because the momentum can be used to strengthen the authority of DPD so that it can be equal to DPR in the legislative process as stipulated in Article 20 Paragraphs (1), (2), (3), (4), and (5) of the Constitution of the Republic of Indonesia Year 1945 (Marbun, 2012).

According to Member DPD RI Central Java, Casytha Arriwi Kathmandu, the amendment of the Constitution of the Republic of Indonesia Year 1945 is a strategic step that can be taken to strengthen the authority of DPD RI, but it must be done with careful planning. According to him, every time there is a discourse on the amendment of the Constitution of the Republic of Indonesia Year 1945, other issues that are more political and controversial often attract more attention, so that the focus on strengthening DPD becomes distracted. In fact, there is a concern that if the amendment process is not well guarded, DPD RI may be disbanded rather than strengthened. Therefore, if the amendment is to be done, there must be a clear formulation related to the points to be changed, so that the direction of strengthening DPD RI is not disturbed by other political agendas (Kathmandu, 2024).

Some of the main points that need to be fought for in the amendment of the Constitution of the Republic of Indonesia Year 1945 according to DPD RI Central Java are (Muhdi, 2025):

1. Affirming the legislative authority of DPD RI in enacting the bill relating to the region.
2. Giving budgeting rights to DPD RI, so that it has a role in budget allocation for regional development.
3. Regulate the mechanism of a more proportional center-regional relationship, so that the region has broader autonomy in determining the direction of its own development.

The discourse is in line with the views expressed by an academic of law and politics at Al-Azhar University Indonesia, Ujang Komarudin. According to him, the only way that can effectively strengthen DPD RI is through an amendment to the Constitution of the Republic of Indonesia Year 1945. Revisions to the MPR, DPRD, DPD, DPRD Act or other regulations will not be sufficient to provide broader authority for DPD RI, because the root of the problem lies in the constitution. As long as DPD RI does not get strong legitimacy in the 1945 Constitution of the Republic of Indonesia, its role in the legislative system will remain weak (Komarudin, 2024).

Mr. Ujang also emphasized that without amending the Constitution of the Republic of Indonesia Year 1945, DPD RI will remain in a subordinate position to DPR RI. According to him, the following strategic steps need to be taken to accelerate the amendment process:

1. Creating political coalitions with academics and civil society organizations, so that there is greater pressure on DPR to reform the bicameral system.
2. Conducting more intensive political lobbying to the President and DPR, so that there are opportunities for discussions related to the amendment of the Constitution of the Republic of Indonesia Year 1945.
3. Increase public awareness about the importance of strengthening DPD RI, so that public support is greater in encouraging institutional reform.

In addition to these three things, intense consolidation with the chairmen of political parties is also a strategic step. This step is important because the chairman of the party has a strategic influence in determining the attitude of the faction in DPR and in building a solid political coalition. DPD's involvement in the legislative process in Indonesia has a very crucial role, especially related to the dynamics and social developments in the region. So far, the existing legislation products, whether it is making new laws, amendments, or revocation of laws (addendum), are almost always closely related to the interests of the region and local communities. For example, arrangements related to agrarian resources or natural resources (SDA) are very relevant to regional interests, and this shows that all aspects of the material content of the law are often directly related to the needs and interests of the region.

Thus, if DPD is given greater authority in the legislative process, especially those related to regional issues, such as natural resource management, regional autonomy, and financial balance between the center and the regions, it is expected to produce decisions that are more relevant and more accommodating to regional interests. Strengthening DPD in the fifth amendment process of the Constitution will be very strategic in encouraging the achievement of equality of authority with DPR, which in turn will improve the quality of legislation that is more inclusive and in favor of the development needs of local communities.

As has been explained, the 1945 Constitution of the Republic of Indonesia Article 33 Paragraph (3) states that; Natural resources, such as the earth, water, and natural resources contained therein, are controlled by the state and used to the greatest extent for the prosperity of the people. However, in practice, local communities are often victims of the greed of a handful of elites who exploit the potential of the region to then flow it to the center. In this context, the legislative role of DPD regarding SDA arrangements related to the authority of the central and local governments becomes very important and strategic.

DPD can be a hope for every local government and local communities in ensuring a fair and equitable distribution of natural resources. If DPD is given the same constitutional authority as DPR in the legislative process, especially in the regulation of natural resources, then this can provide significant pressure in creating fair laws related to the distribution of natural resources of the region. That way, it is expected to create a fairer and more equitable management of natural resources, which in turn can improve the welfare and prosperity of the people in the region.

In line with what was conveyed by Muhdi as a member of DPD RI Central Java, if DPD RI is strengthened like the Senate in other countries, then the authority of regional autonomy will be more

optimal. The region will have the ability to develop according to its own potential, without losing its identity and local wisdom. He further emphasized, strengthening the authority of DPD RI in the legislative function can be the main instrument in strengthening regional autonomy. With DPD having full legislative rights over policies that have a direct impact on the regions, the regions can obtain stronger legal protection in determining policies that are in accordance with their respective needs (Muhdi, 2025).

The strong authority of DPD will ensure that every regulation made at the national level is not only in favor of the central interests, but also truly represents the interests of the region. This will ensure that the policies taken are more adaptive to local needs, thus encouraging more inclusive and sustainable regional growth and development. In order to strengthen the legislative authority of DPD RI, one of the strategic steps that need to be taken is to amend Article 20 and Article 22D of the Constitution of the Republic of Indonesia Year 1945 (UUD 1945). Both articles are constitutional foundations that regulate the relationship of authority between DPR and DPD in carrying out the legislative function. These articles need to be amended because they have placed DPD in a subordinate position to DPR, especially in the process of lawmaking.

Article 20 Paragraph (1) of the 1945 Constitution normatively states that, *“Dewan Perwakilan Rakyat memegang kekuasaan membentuk undang-undang.”* or “The House of Representatives holds the power to form laws.” This formulation explicitly places DPR as the sole holder of legislative power, without including the role of DPD as part of that power. Consequently, DPD constitutionally does not have full legitimacy to participate in the lawmaking process. Thus, the amendment to Article 20 Paragraph (1) of the 1945 Constitution needs to be done by adding specializations that provide more space for DPD. This specialization is important to provide more proportional legislative authority between DPD and DPR.

Therefore, it is necessary to amend Article 20 Paragraph (1) of the 1945 Constitution by adding the phrase *“Dalam hal pembentukan undang-undang yang menyangkut kepentingan daerah, kekuasaan tersebut dijalankan bersama dengan Dewan Perwakilan Daerah.”* or “In the case of the formation of laws concerning regional interests, the power is exercised jointly with the House of Regional Representatives.” So that Article 20 Paragraph (1) of the 1945 Constitution as a whole reads: *“Dewan Perwakilan Rakyat memegang kekuasaan membentuk Undang-Undang. Dalam hal pembentukan undang-undang yang menyangkut kepentingan daerah, kekuasaan tersebut dijalankan bersama-sama dengan Dewan Perwakilan Daerah.”* or “The House of Representatives holds the power to form laws. In the case of the formation of laws concerning regional interests, such power shall be exercised jointly with the Regional Representative Council.”

The reformulation of Article 20 Paragraph (1) of the 1945 Constitution in principle maintains the primary role of the DPR in the formation of laws in general. This reformulation is needed to emphasize that in matters that directly touch aspects of regional interests DPD should be involved more substantively.

In addition to Article 20 Paragraph (1) of the 1945 Constitution which emphasizes the dominance of DPR in the legislative power. The position of the House of Regional Representatives also needs to be strengthened through amendments or changes to Article 22D Paragraph (2) of the 1945 Constitution. The article needs to be strengthened to emphasize the domain of legislation that is the authority of DPD, especially regarding regional strategic issues.

Currently Article 22D Paragraph (2) of the 1945 Constitution reads: *“Dewan Perwakilan Daerah ikut membahas rancangan undang-undang yang berkaitan dengan otonomi daerah; hubungan pusat dan daerah; pembentukan, pemekaran, dan penggabungan daerah; pengelolaan sumber daya alam dan sumber daya ekonomi lainnya, serta perimbangan keuangan pusat dan daerah; serta memberikan pertimbangan kepada Dewan Perwakilan Rakyat atas rancangan undang-undang anggaran pendapatan dan belanja negara dan rancangan undang-undang yang berkaitan dengan pajak, pendidikan dan agama.”* Or in English, it says, “The House of Regional Representatives participates in discussing draft laws relating to regional autonomy; central and regional relations; formation, expansion, and merger of regions; management of natural resources and other economic resources, as well as the balance of central and regional finances; as well as giving consideration to the House of Representatives on the draft law on the state revenue and expenditure budget and draft laws relating to taxes, education and religion.”

The formulation places DPD only as an input and proposer, without having the right to approve or reject the bill in the legislative process as a whole. In the context of an ideal bicameral parliament, this position is too weak and unbalanced. Therefore, amendments to Article 22D Paragraph (2) of the 1945 Constitution need to be made by changing the phrase *“Dewan Perwakilan Daerah ikut membahas”* or “The Regional Representative Council participates in discussing” to *“Dewan Perwakilan Daerah bersama Dewan Perwakilan Rakyat membahas dan menyetujui bersama”* or “The Regional Representative Council together with the House of Representatives discusses and approves together”. So that Article 22D Paragraph (2) as a whole can read: *“Dewan Perwakilan Daerah bersama Dewan Perwakilan Rakyat membahas dan menyetujui bersama rancangan undang-undang yang berkaitan dengan otonomi daerah; hubungan pusat dan daerah; pembentukan, pemekaran, dan penggabungan daerah; pengelolaan sumber daya alam dan sumber daya ekonomi lainnya, serta perimbangan keuangan pusat dan daerah; serta memberikan pertimbangan kepada Dewan Perwakilan Rakyat atas rancangan undang-undang anggaran pendapatan dan belanja negara dan rancangan undang-undang yang berkaitan dengan pajak, pendidikan dan agama.”* or in English can be said, “The House of Regional Representatives together with the House of Representatives discuss and approve together draft laws relating to regional autonomy; central and regional relations; formation, expansion, and merger of regions; management of natural resources and other economic resources, as well as central and regional financial balance; as well as providing considerations to the House of Representatives on the draft state revenue and expenditure budget law and draft laws relating to taxes, education and religion.”

By strengthening these articles, the role of DPD can run more optimally and substantively. This amendment process is a concrete form of the application of Montesque's thinking about the importance of separation of powers, including in the legislature itself. Therefore, strengthening the legislative function of DPD RI in seeking substantive regional development can only be achieved through constitutional strengthening of Article 20 Paragraph (1) and 22D Paragraph (2) of the Constitution of the Republic of Indonesia Year 1945. As long as the constitutional provisions still place DPD in a subordinate position to DPR, then the aspirations of the region will continue to be marginalized in the national legislative process. The fifth amendment of the 1945 Constitution becomes a strategic way that allows DPD to get proportional legislative authority, especially in areas directly related to regional interests. With the existence of DPD that has a role in approving the bill, then its involvement in regional development will become more real. However, if the constitutional strengthening is not done, then the position of DPD which is currently subordinate and limited needs to be evaluated thoroughly. Without adequate authority, DPD will not be able to perform the function of regional representation optimally, and its existence becomes irrelevant in the

Indonesian constitutional system. Thus, if DPD cannot be strengthened constitutionally, then an in-depth evaluation to the dissolution option is a strategic step that can be taken so that the representative system in Indonesia becomes more effective and efficient.

5. Conclusion

DPD's performance report in the last five years shows that this institution has not been able to meet the expectations of local communities in terms of producing regulations in their favor. DPD's inability to voice the aspirations of the region to the fullest is due to the limitations of legislative authority and its role is more as a giver of consideration without the right to decide. This makes DPD more often considered to be a "complementary institution" in the bicameral system in Indonesia, because it only gives voice without being able to influence strategic decisions for regional progress. Thus, it can be concluded that the legislative function owned by DPD RI during the 2020 to 2024 working period has not been able to voice the aspirations of the regional community optimally.

Therefore, strengthening the legislative authority of DPD must be the main focus in an effort to strengthen its position as regional representation. The strategic step that can be taken is to amend Article 20 Paragraph (1) of the 1945 Constitution by adding the phrase "In terms of the formation of laws concerning regional interests, the power is exercised jointly with the Regional Representative Council." So that Article 20 Paragraph (1) of the 1945 Constitution as a whole reads: "The House of Representatives holds the power to form laws. In the case of the formation of laws concerning regional interests, such power shall be exercised jointly with the Regional Representative Council." In addition to this Article, amendments to Article 22D Paragraph (2) of the 1945 Constitution also need to be made by changing the phrase "The Regional Representative Council participates in discussing" to "The Regional Representative Council together with the House of Representatives discusses and approves together". So that Article 22D Paragraph (2) as a whole reads "The House of Regional Representatives together with the House of Representatives discuss and approve together the draft law relating to regional autonomy; central and regional relations; formation, expansion, and merger of regions; management of natural resources and other economic resources, as well as the balance of central and regional finances; as well as giving consideration to the House of Representatives on the state revenue and expenditure budget bill and the draft law relating to taxes, education and religion." With this amendment, DPD will have a more proportional position in the law-making process relating to regional interests.

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