

Research Article

Strengthening the Legislative Supervisory Function in the Provision of Human Resources in Era 5.0 Perspective of Fiqh Siyasah

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ORCIDZuhraini: <https://orcid.org/0009-0002-0350-8179>**Abstract.**

Indonesia is a country that adheres to a democratic system, the administration of its government in regencies and cities is autonomous whose formation is determined by the laws. The functions of the legislative body, in this case, the Regency / City DPRD based on Article 149 of Law Number 9 of 2015 concerning the second amendment to Law Number 23 of 2014 concerning Regional Government, including the functions of forming local regulations, budgeting, and supervision. In terms of supervision, it includes the provision of era 5.0 human resources. This research includes library research whose data sources are from laws and regulations and scientific articles. This research concludes that the role of legislative supervision needs to be optimized and strengthened in the era of Society 5.0. DPRD must maximize the supervision of local governments to prepare human resources that implement the use of technology to solve various service problems of the bureaucratic apparatus. This is in line with the concept of fiqh siyasah called Ahl-Al-Hall Wa-Aqd, which the people have trusted to represent them to oversee the running of the government properly.

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1. Introduction

Indonesia, as a country that adheres to a democratic system, organizes government in regencies and cities autonomously, the formation of which is determined by law. In these autonomous regions and cities, there are regional people's representative bodies called the Regional People's Representative Council (DPRD).[1] The functions of the Regency / City DPRD based on Article 149 of Law Number 9 of 2015 concerning the second amendment to Law Number 23 of 2014 concerning Regional Government, including the formation of local regulations, budgeting, and supervision. The supervisory function is clearly stated in the provision that: The supervisory function as referred to in Article 149 paragraph (1) letter c is realized in the form of supervision of the implementation of district/city regional regulations and regulations of regents/mayors,

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the implementation of the provisions of other laws and regulations related to the implementation of district/city regional government. While in general, DPRD supervision can be carried out on all local government policies and their implementation in the community. Of course, to realize good governance, especially for government officials, Law Number 30 of 2014 concerning government administration is the legal basis needed to underlie the decisions and/or actions of government officials to meet the legal needs of the community in the administration of government.

The legal basis of this Law is Article 5 paragraph (1) and Article 20 of the 1945 Constitution of the Republic of Indonesia. This law regulates the legal basis for governance to improve good governance and as an effort to prevent the practice of corruption, collusion, and nepotism. It also includes the formation of reliable regional human resources in responding to the times and bureaucratic reform.

However, in reality, the Regional People's Representative Councils often focus more on political implementation and are more concerned with their interests compared to their duties in conducting supervision as mandated by the law, which should be more effective and efficient in carrying out the supervisory function of local governments and preparing human resources amid rapid technological developments that are currently entering the 5.0 era.

The supervisory function of the DPRD also needs to be seen in the concepts of *Siyāṣah Dustūriyyah* and *Siyāṣah Tanfīziyyah* which are included as part of *Fiqh Siyāṣah* which discusses the problem of legislation and its implementation, which is more specific in its scope of discussion regarding the basis relating to the rights of the people and the division of power.[2] This is inseparable from two main points, namely, the verses of the Qur'an and Hadith, then also *Maqāṣid Shari'ah*, and the teachings of Islam in regulating people's lives. The position of the DPRD is strong because it functions to oversee the running of the government should be carried out properly, because it can supervise the implementation of government in the region.[3]

Supervision aims to ensure that the results of implementation of activities produce maximum results, especially in being involved in the formation of human resources,[4] especially now that we are entering the 5.0 era. In the context of its application, society 5.0 will be able to increase efficiency in various sectors.[5] Therefore, it is necessary to conduct research on strengthening legislative supervision in the provision of human resources in the 5.0 era that contributes to national development, especially in entering the 5.0 era.

2. Methods

The method used in this research is normative juridical. Normative juridical is legal research conducted by focusing on literature studies, namely by examining and studying library materials or secondary data in the form of primary legal materials, namely laws and regulations, secondary legal materials, and tertiary legal materials, as well as scientific works. This legal research is also called library legal research.

3. Results and Discussion

3.1. Concept of Local Government Implementation

The implementation of local government in Indonesia is carried out autonomously, where autonomous regions have the right to regulate and manage their household affairs. One of the fundamental changes in the dynamics of the constitutional system is the recognition of local governments as autonomous regions in regulating and managing the administration of government.[6] Undang-undang Nomor 9 Tahun 2015 tentang Pemerintahan Daerah menegaskan bahwa otonomi daerah adalah kewenangan daerah otonom untuk mengatur dan mengurus kepentingan masyarakat setempat, berdasarkan aspirasi masyarakat sesuai dengan peraturan perundang-undangan.

Local Government is the administration of government affairs by the local government and the regional people's representative council according to the principles of autonomy and assistance tasks with the principle of the widest possible autonomy within the system and principles of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia. The state administration has an important role in realizing the ideals of the nation's struggle. This is expressly stated in the explanation of the 1945 Constitution which states that what is very important in government and terms of the life of the country is the spirit of the state administrators and government leaders. we often hear that every government in Indonesia is not a few who are responsible for mistakes and non-compliance with the roles and functions of the government where they should work by what has been stipulated in the law so that the government can run well by what the community wants so that the government can be clean and free from acts of corruption, collusion, and nepotism. This crime is not only committed by state administrators, between state administrators but also by state administrators with other parties such as crony families, and entrepreneurs so as

to damage the joints of social life, nation, and state and endanger the existence of the state.

Good Governance has become one of the central themes in various discussions of government policy during the reform era. This system regulates how to govern well and clean from Corruption, Collusion, and Nepotism (KKN), by using applicable principles related to the performance of government officials so that the performance of state officials runs well in accordance with statutory procedures. That way the government system will be kept away from actions that are very detrimental to the state and nation related to the performance of the government that is not good at implementing the government system.[7]

The government is also the driving force in a government, so if the government system will look good and run according to the principles of Good Governance, the government must also implement it all thoroughly, so that it runs as it should a good and clean government from KKN. And of course, the system in the government will look good and brewing starting from the aspect of the scope of the government itself, because a good and clean government is classified as things that are not covered by KKN in a government, both central and regional. One of the demands for realizing Good Governance arises along with criticism of the government bureaucracy that is growing uncontrollably and entering all areas of people's lives so that a Hyperregulatory society occurs. which is a very influential impact on a clean and KKN-free government system.[7]

To realize the implementation of a state that is clean and free from corruption, the general principles of state administration are determined, which include the principle of law, the principle of openness, the principle of proportionality, the principle of professionalism, and the principle of accountability. The regulation on community participation in this Law is intended to empower the community in the context of realizing a state administration that is clean and free from corruption. With the rights and obligations they have, the community is expected to be more passionate about exercising optimal social control over state administration, while still obeying the applicable legal guidelines. For this law to effectively achieve its target, it regulates the establishment of an Audit Commission with the duty and authority to examine the assets of state officials before, during, and after taking office, including requesting information from former state officials, their families, and cronies, as well as businessmen, while still paying attention to the principle of presumption of innocence and human rights.

The existence of a rule either from the Law or from the legislation which regulates the criminal act of Corruption, should be the basis for the government so that the implementation of the government can run according to the plan that has been made

and by what is in the implementation of the government to avoid things that we do not want and will make a reflection of a government that is clean and free from Corruption.

3.2. Legislative Supervisin of Local Government

One of the duties of the DPRD as stipulated in Article 366 paragraph 1 letter (c) of Law Number 13 of 2019 concerning the third amendment to 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 which reads to carry out supervision of the implementation of regional regulations and regional reGENCY/city revenue and expenditure budgets. DPRD as one of the legislative institutions in local government has a supervisory function that is as important as the DPR in the central government. As a base or institution that also carries out the role of co-administration in the Regional government area, DPRD has an important role as a representative of the people to oversee the running of various programs related to regional development.[8]

DPRD is a representative institution of the local people and serves as an element of local government administration that has the function of legislation, budget, and supervision. The supervision function of local regulations is very important which provides an opportunity for DPRD to be more active and creative in addressing various obstacles to the implementation of local regulations. Through DPRD supervision, the executive as the policy implementer will avoid various deviations and abuses, from the results of DPRD supervision, actions will be taken to improve the implementation of the policy. As a democratic country that also divides its power into three powers, based on the political scheme of the trias politica.[9]

It is known that the State of Indonesia divides power into three major roles in running the government, namely, the executive body that runs programs or policies, the legislative body as a planning, supervisory and budgetary function, and the judicial body that carries out judicial functions. These three institutions synergize with each other to create a balanced and sustainable government with the people based on a democratic state. With the division of political power based on the trias politica scheme, the function of government is none other than mutual supervision. This aims to reduce mistakes and also abuse of authority from each party. The functions of these three institutions also apply to local governments, both provincial and district/city regions.

The supervisory function is carried out by the legislative body represented by the DPRD. Meanwhile, the executive function is realized by the local government, namely

the regent or mayor. In conducting development supervision, the DPRD takes steps by the provisions such as visits to development sites, hearing meetings with SKPD that are conducted regularly, including receiving community input related to the quality of development. In the implementation of development supervision, the DPRD makes direct visits to development sites, which is a local obligation. This is a manifestation of the DPRD's responsibility in the implementation of development in the region in addition to carrying out its role and function as the people's representative. Many times the executive applies rules that are not by the applicable policies, one of which is regarding buildings that are erected not by existing policies.

3.3. Legislative Supervision in Preparing Human Resources for Era 5.0

Entering the era of society 5.0, the implementation of the use of technology has begun to pay attention to humanities aspects to create various tools in the process of solving existing social problems. Of course, this requires optimal management of human resources (HR) to boost the credibility of the organization by increasing the efficiency of each bureaucratic apparatus in the fields of information, communication, and technology, to facilitate the implementation of tasks in the future.[10] Then, as part of the effort to realize good governance, the HR of the bureaucratic apparatus must always be oriented towards the use of technology in the delivery of government services, simplification of various regulations, and also in the process of bureaucratic reform.

The development of the HR of the Apparatus is important to do because it will make it easier for government agencies both small and large to achieve their goals related to the number of workers with the necessary skills to assist the organizational process in achieving the desired goals and objectives. In essence, Developing HR Apparatus includes the development of superior self-competence within the HR apparatus itself through the tasks and activities carried out and aims to develop aspects of superior intelligence, superior ability, and superior mental attitude.

The demands of the community and the demands of the development of the era both at the national and global levels for the quality of competence of professional government HR Apparatus in carrying out the duties and functions of government, development, and community services make the urgency of bureaucratic reform of HR Apparatus a matter that cannot be delayed anymore. Therefore, it is necessary to build good governance of human resource development planning for government officials to

support the availability of human resources who have professionalism, high performance and excel in the fields of knowledge, skills, and mental attitudes in the future. Based on these conditions, human resources in various types of public institutions need to improve their competence in e-resources management, managerial leadership, digital literacy, and leadership transformation as an effort to change the bureaucracy to face the challenges of renewal and the demands of a changing era.

HR Apparatus Governance Towards Society 5.0 Era Bureaucracy As an important instrument in the governance of HR Apparatus, one of the efforts made to strengthen bureaucratic reform is through human resource development planning. The rapid development of the era and technology has encouraged the bureaucracy to make changes through the governance of the Apparatus' HR development. Human resources as the driving force and dynamics of government are at the forefront of making changes in realizing a competent state apparatus, namely HR apparatus that has superior expertise and managerial skills, to accelerate the development of good governance. Due to the dynamics of environmental changes that increasingly require analytical skills to produce information, it is important to develop government bureaucratic human resources by improving continuous learning skills.

The government should focus on developing human resources that have significant technical knowledge and abilities that are substantially and contextually relevant to the times. Substantial knowledge means mastery of knowledge which includes cognitive and analytical abilities. While contextual knowledge is the ability of HR in understanding the conditions of the organization's environment, both natural, social, cultural, and work climate. Not only that, the bureaucracy must also be able to adopt technology and have knowledge related to big data that is integrated into all units in the bureaucracy.

So it is necessary to internalize the academic culture into the bureaucracy so that the HR of the Apparatus has a learner's mentality and is motivated to increase its knowledge and ability to utilize technology. In addition, future HR apparatuses must have mental skills, social skills, and manual skills. In the process, innovation is needed for adaptation to change and the development of government apparatus human resources to be able to create innovative public services oriented towards the use of information technology.

Thus, the specific skills and abilities of government apparatus can be the foundation for the development of a professional mindset as demonstrated by its capability in identifying community needs, setting goals, and prioritizing programs based on community needs and expectations. As a result, the bureaucracy will be better able to respond to any problems that arise, show flexibility in all circumstances, and maintain public trust.

Thus, commitment and self-awareness are needed by every government apparatus to build a bureaucratic culture so as not to lose public trust.[11]

Society 5.0 bureaucracy, apart from having superior knowledge and skills in utilizing technology, must also excel in mental attitude. The professionalism of apparatus human resources is not only limited to expertise in technology and high knowledge but must be balanced with morally ethical behavior. This is because the human resources of the apparatus are not only working for individual interests but also for the interests of society. It takes a change in bureaucratic culture that is responsive and aspirational in responding to every form of public demand so the HR Apparatus needs to internalize these values into the mental attitude of the behavior of bureaucratic apparatus that provide services to the community.

Changes in the mindset and mental attitude of HR towards modernity in bureaucratic society 5.0, in the future, must be able to produce a bureaucracy with a sustainable, effective, humane, disciplined, and competent work culture. Fundamentally, bureaucratic society 5.0 will act as a bureaucracy based on characteristics that care more about society. Every state apparatus who is a bureaucrat as a public servant must understand and have a high awareness of the attitude, that work orientation is to fulfill the interests of society to the maximum.

The bureaucratic apparatus in the era of Society 5.0 must have the personal capacity in the form of professional ethics and morality based on social life values rooted in the value system that lives in society, not becoming a tool of artificial intelligence from technology or otherwise using technology to take illegal personal advantage. Bureaucracy in the era of Society 5.0 is important to be realized through the development of knowledge supported by technology and the quality of apparatus resources so that they can contribute to various public sectors.

3.4. Legislative Supervision in Era 5.0 Perspective of Fiqh Siyasa

The Islamic State has a set of principles that can be used as basic guidelines for regulating human behavior in state life and human interaction with one another. In the Islamic state, these principles are the principles of monotheism, sunnatullah, and equality of fellow human beings, and there are also principles of brotherhood, equality, and freedom that form the basis of Islamic government. These basic guidelines are also the basis for the formulation of legislative principles or DPRD in serving, protecting, and nurturing the community, including in supervising the performance of local governments.

In Islam, DPRD's are called *Ahl-Al-Hall Wa-Aqd*, and they are trusted by the people with their knowledge, scholarship, and willingness to serve.

In *fiqh siyasah*, the main purpose of the existence of DPRD is to pay attention and take care of community issues, such as making regulations, overseeing legitimate sources of funds managed by the government and channeling them to the rightful ones, preventing injustice or riots and overseeing the running of local government. The existence of supervisory institutions in Islam is very important, this refers to the command of the Qur'an which implicitly mandates the existence of supervisory institutions, namely the words of Allah SWT in Surah Ali-Imran verse 104 which reveals the importance of their being among humans who call to virtue, enjoin the *ma'ruf* and prevent from the *munkar*. This shows the importance of a supervisory institution, in the language of the Qur'an a group of people who carry out the supervisory function, namely *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar*, although the Qur'an does not explain further about how the form of the supervisory institution. The concept of supervision carried out in *fiqh siyasah dusturiyah* is to use the theory of *hisbah*.

Supervision aims to support the smooth and accurate implementation of government and development activities in the region. Inherent supervision will avoid deviations in implementation, abuse of authority, and waste, including the importance of preparing human resources era 5.0 in the context of accelerating regional development, especially in the public sector.[12]

This means that inherent supervision is more useful in preventing irregularities. When viewed from the description above, the DPRD's supervisory function has not been able to be carried out properly and has not been by the study of *fiqh siyasah* because researchers see that there is still abuse of authority and the unavailability of superior human resources in welcoming the 5.0 era that has been successfully prepared by the local government as a result of DPRD supervision.

The performance of council members has not been maximized in carrying out the supervisory function, and DPRD has not fully complied with the concept of supervision in *fiqh siyasah*. The lack of assertiveness and supervision in the preparation of human resources in the regions has led to inadequate local government apparatus in welcoming the 5.0 era. If the supervision carried out by the DPRD can be maximized, then the regional apparatus is filled with human resources who can respond to the times, especially technology which is growing rapidly

4. Conclusion

Based on the discussion that has been described, this study concludes that DPRD has a supervisory function towards local governments to run programs properly, including in preparing human resources, especially bureaucratic apparatus. However, the legislative role still needs to be optimized and strengthened in the era of Society 5.0. DPRD must maximize the supervision of local governments to prepare human resources that implement the use of technology to solve various problems of bureaucratic apparatus services that have implications for the benefit of the people in each region.

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