

Implementasi Prinsip Good Governance dalam Membatasi Upaya Presidential Continuism Masa Orde Baru dan Reformasi = The Good Governance Principles in Restraining the Presidential Continuism of the New Orde Regime and the Reformation Era

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Abstrak

Presiden-Presiden petahana baik pada masa orde baru dan reformasi, terbukti melakukan pelanggaran enam prinsip good governance dalam upaya presidential continuism. Bentuk pelanggaran bisa berupa larangan asas perluasan wewenang jabatan, ketidakjelasan pengambilan kebijakan administratif, partisipasi minimalis publik, rendahnya efikasi ketaatan hukum, akuntabilitas politik dan hukum serta rendahnya perlindungan hak asasi manusia. Pasal 4 UUD 1945 sebagai alas hukum Presiden mengambil kebijakan administratif, perlu kiranya ditinjau ulang, agar ada pembatasan yang secara efektif mengendalikan upaya presidential continuism. Kebijakan administratif Presiden seharusnya bersifat netral atau profesional meski ada intervensi politik, agar birokrasi berjalan sejalan dengan prinsip-prinsip good governance. Politisasi birokrasi dan political appointee akan berakibat kepentingan publik diabaikan, sedangkan kepentingan presidential continuism petahana di prioritaskan.

.....Incumbent presidents, both during the new order and reform era, were proven to have violated the six principles of good governance in an effort to presidential continuism. The form of violations can be in the form of a prohibition on the principle of expanding office authority, unclear administrative policy making, minimal public participation, low legal compliance efficacy, political and legal accountability and low protection of human rights. Article 4 of the 1945 Constitution as the legal basis for the President to take administrative policies, needs to be reviewed, so that there are restrictions that effectively control presidential continuism efforts. The President's administrative policies should be neutral or professional despite political intervention, so that the bureaucracy runs in line with the principles of good governance. The politicization of the bureaucracy and political appointees will result in the public interest being ignored, while the interests of the incumbent presidential continuism are prioritized.