

ABSTRAK

Pembentukan komisi negara independen untuk mendorong reformasi birokrasi berkembang pesat di Indonesia sejak reformasi 1998. Salah satunya adalah Komisi Informasi Pusat (KI Pusat) yang dibentuk tahun 2009 berdasarkan UU No. 14 Tahun 2008 tentang Keterbukaan Informasi Publik (UU KIP). KI Pusat berfungsi untuk menyelesaikan sengketa informasi yang mulai dilaksanakan tahun 2010. Walau demikian, kinerja KI Pusat dalam penyelesaian sengketa informasi tahun 2010–2017 saat dipimpin komisioner I dan komisioner II ternyata sangat rendah. Bahkan, kinerja penyelesaian sengketa informasi di era komisioner II jauh lebih buruk dibandingkan di era komisioner I.

Kinerja penyelesaian sengketa informasi yang buruk diduga akibat independensi KI Pusat yang lemah. Dari sisi praktis, polemik independensi selalu menjadi pembahasan serius setiap tahunnya dalam forum Rapat Koordinasi Nasional Komisi Informasi se-Indonesia. Beberapa pasal dalam UU KIP pun diajukan *judicial review* ke Mahkamah Konstitusi tahun 2014 karena dianggap mereduksi independensi KI Pusat dan berujung kepada kinerja penyelesaian sengketa informasi yang rendah. Selanjutnya dari sisi teoritis, batasan independensi lembaga negara masih bervariasi dan belum ada tolok ukur secara teori. Berbagai studi sebelumnya pun belum mengkaji relasi antara independensi dari perspektif independensi fungsional, institusional, dan administratif terhadap kinerja. Berdasarkan itu, batasan independensi dalam penelitian ini dikaji secara komprehensif dari perspektif independensi fungsional, insititusional, dan administratif serta interkoneksi diantara ketiga perspektif itu dan pengaruhnya terhadap kinerja penyelesaian sengketa informasi di era komisioner I dan komisioner II.

Pendekatan kualitatif digunakan dalam penelitian ini untuk menjabarkan, menafsirkan, dan memaknai dinamika relasi independensi dengan kinerja. Metode kualitatif yang digunakan adalah studi multikasus untuk mengulas pengalaman yang berbeda tentang independensi KI Pusat dari perspektif independensi fungsional, institusional, dan administratif di era komisioner I dan komisioner II dan relasinya dengan kinerja.

Kesimpulan penelitian ini adalah independensi fungsional memengaruhi kinerja penyelesaian sengketa informasi yang dapat diperkuat atau diperlemah oleh independensi institusional dan independensi administratif. KI Pusat di era komisioner I memiliki independensi fungsional yang berpengaruh kuat terhadap kinerja dan semakin diperkuat oleh independensi institusional, tetapi diperlemah oleh independensi administratif sehingga kinerjanya tidak memuaskan. Kinerja KI Pusat di era komisioner II lebih buruk karena independensi fungsional melemah pengaruhnya terhadap kinerja dan semakin diperlemah oleh independensi institusional dan independensi administratifnya.

Kata kunci: independensi, kinerja, komisi negara, Komisi Informasi Pusat

ABSTRACT

The establishment of an independent state commission to encourage bureaucratic reform has developed rapidly in Indonesia since the 1998 reform. One of them is the Central Information Commission (CIC) which was formed in 2009 based on Law No. 14 of 2008 concerning Freedom of Information. The CIC function is to resolve information disputes which began in 2010. However, the performance of the CIC in resolving information disputes in 2010–2017 when led by commissioner I and commissioner II turned out to be very low. Even, the performance of information dispute resolution in the era of commissioner II was much worse than that in the era of commissioner I.

Poor information dispute resolution performance is thought to be due to the weak independence of CIC. From a practical point of view, the independence polemic has always been a serious discussion every year in the forum for the National Coordination Meeting of Information Commissions throughout Indonesia. Several articles in Law No. 14 of 2008 were also submitted for a judicial review to the Constitutional Court in 2014 because they were deemed to reduce the independence of the CIC and to result in low information dispute resolution performance. Furthermore, from a theoretical point of view, the limitations of the independence of state institutions still vary and there is no theoretical benchmark. Various previous studies have not examined the relationship between independence--from the perspective of functional, institutional, and administrative independence--on performance. Based on that, the limitations of independence in this study are comprehensively examined from the perspective of functional, institutional, and administrative independence as well as the interconnection between the three perspectives and their influence on the performance of information disputes in the era of commissioner I and commissioner II.

A qualitative approach is used in this study to describe and interpret the dynamics of the relationship between independence and performance. The qualitative method used is a multi-case study to review different experiences about the independence of CIC from the perspective of functional, institutional, and administrative independence in the era of commissioner I and commissioner II and their relationship to performance.

The results of the study conclude that functional independence affects the performance of information dispute resolution which can be strengthened or weakened by institutional independence and administrative independence. CIC in the commissioner I era had functional independence which had a strong influence on performance and was further strengthened by institutional independence, but was weakened by administrative independence so that its performance was not satisfactory. The performance of CIC in the era of commissioner II was worse because functional independence weakened its influence on performance and was further weakened by its institutional and administrative independence.

Keywords: independence, performance, state commission, Central Information Commission