

INTISARI

Implikasi Susunan Keanggotaan Mahkamah Kehormatan Dewan terhadap Independensi Penegakan Kode Etik Anggota Dewan Perwakilan Rakyat

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Berdasarkan Pasal 119 ayat (2) Undang-Undang Nomor 17 Tahun 2014 tentang Majelis Permusyawaratan Rakyat, Dewan Perwakilan Rakyat, Dewan Perwakilan Daerah, dan Dewan Perwakilan Rakyat Daerah menerangkan bahwa MKD mempunyai tugas untuk menjaga serta menegakkan kehormatan dan keluhuran martabat DPR sebagai lembaga perwakilan rakyat. MKD beranggotakan 17 orang terdiri dari semua fraksi di DPR. Keanggotaan Mahkamah Kehormatan Dewan disusun di awal permulaan sidang. Penegakan kode etik penting dilakukan untuk anggota DPR mengingat DPR merupakan salah satu lembaga negara yang memegang kekuasaan yaitu kekuasaan legislatif. MKD merupakan salah satu alat kelengkapan dewan yang berfungsi untuk melakukan penyelidikan, penyidikan, dan memutus perkara mengenai pelanggaran kode etik dan sumpah jabatan yang diduga dilakukan oleh anggota DPR.

Penelitian adalah hukum normatif. Penelitian hukum normatif adalah penelitian yang dilakukan dengan cara meneliti bahan pustaka, atau biasa disebut dengan penelitian hukum kepustakaan. Penelitian hukum ini juga menggunakan beberapa pendekatan yaitu pendekatan peraturan perundang-undangan, pendekatan kasus, pendekatan historis, dan pendekatan konseptual.

Hasil penelitian ini menjelaskan mengenai komposisi MKD dan tata cara penyusunan keanggotaan MKD. Dalam komposisinya MKD terdiri dari 17 anggota yang berasal dari semua fraksi di DPR. Susunan keanggotaan Mahkamah Kehormatan Dewan yang berasal dari perimbangan dan pemerataan fraksi di DPR berimplikasi pada pengaruh fraksi dan internal DPR terhadap penegakan kode etik anggota DPR di MKD. Anggota MKD yang berasal dari fraksi serta fraksi yang merupakan kepanjangan tangan dari Partai Politik juga bisa berpengaruh terhadap independensi penegakan kode etik anggota DPR.

ABSTRACT

**Implication of Panel Composition of the Ethics Committee of the House Representatives toward Independence of Ethics Enforcement for member of the House Representatives.
By Ajun Listiantoko**

Based on article 119 clause (2) act 17 year 2014 about the People's Consultative Assembly, the House of Representatives, the Regional Representatives Council, and the Regional House of Representatives of Indonesia, it is stated that the Ethics Committee of the House of Representatives is in charge for maintaining and enforcing honor and dignity of the institution as people's representatives. The Ethics Committee of the House of Representatives consists of 17 members from all of the factions in the House. They are formed in the beginning of the council. The ethics enforcement is something important to do, considering that the House of Representatives is one of state institutions that hold power namely legislative power. Moreover, they are also one of fittings legislatures that served to conduct investigation and inquiry, and to decide cases about ethics code of conduct violation and oath of office done by the House of Representatives.

The research was a normative legal research. Normative legal research is a research that was done by studying the library data, or commonly called legal research literature. The research also used some approaches. The approaches are statutory approach, case approach, historical approach, and conceptual approach.

The result of this research described the composition and the procedures in forming the membership of the Ethics Committee of the House of Representatives. It consists of 17 members derived from all of the factions in the House. The membership composition that was formulated based on the balance and equity of the factions in the House implied that there is an influence of factions and internal affairs to the ethics enforcement of the members of the Ethics Committee of the House of Representatives. The members who come from the factions, the representatives of political parties, may also affect in the independency in conducting ethics enforcement.