

Studi ini menawarkan satu penjelasan baru dalam memahami proses legislasi di Indonesia pasca 1999. Selama ini pandangan yang mengemuka memahami proses legislasi di Indonesia dipengaruhi dan ditentukan oleh elit politik. Pandangan ini menyatakan bahwa elit politik menikmati rente ekonomi dan kuasa atas sumberdaya ekonomi, dan “membajak” proses legislasi melalui tukar menukar kepentingan antar politisi dan antara politisi dengan kelompok kepentingan.

Dalam studi ini, penulis menemukan proses legislasi di Indonesia dipengaruhi dan ditentukan oleh lembaga internasional. Lembaga internasional mempengaruhi dan menentukan proses legislasi dengan mentransformasikan ide (masalah dan solusi) kepada DPR, Pemerintah dan masyarakat. Basis rancangan undang-undang (baik naskah akademik dan draft) yang dibahas pemerintah dan DPR merupakan sumbangan dari lembaga internasional. Ketika sudah terjadi kesepakatan ide diantara elemen penyusun undang-undang, kepentingan lembaga internasional dapat ditransformasikan secara tersamar.

Kesamaan ide antara DPR dan Pemerintah menjadi kunci kesuksesan lembaga internasional menyemaikan idenya. Dalam kasus Undang Undang tentang Penanaman Modal, lembaga internasional mengembangkan wacana “solusi atas krisis ekonomi yang terjadi di Indonesia”. Hal yang sama juga terjadi dalam kasus pembentukan Undang-undang tentang Pertambangan Mineral dan Batubara, lembaga internasional menggunakan wacana “kepentingan ekonomi nasional demi kemakmuran masyarakat Indonesia.

Kata Kunci: proses legislasi, lembaga internasional, transformasi ide

ABSTRACT

This study offers a new explanation in understanding the legislative process in Indonesia after 1999. During this time the view was raised to understand the legislative process in Indonesia influenced and determined by the political elite. This view holds that the political elites enjoy economic rents and power over economic resources, and "hijack" the legislative process through the exchange of interests between politicians and between politicians and interest groups.

In this study, the authors found the legislative process in Indonesia is influenced and determined by international agencies. International institutions affect and determine the legislative process to transform ideas (problems and solutions) to Parliament, Government and the public. Basis draft laws (both academic papers and drafts) that the government and Parliament discussed the contribution of the international institutions. When the idea was an agreement among the constituent elements of the legislation, the interests of international institutions can be transformed subtly.

The similarity of ideas between the Parliament and the Government to be the key success sowed the idea of international institutions. In the case of the Law on Investment, the international agencies develop a discourse "solution to the economic crisis that occurred in Indonesia". The same thing happened in the case of the establishment of the Law on Mineral and Coal Mining, international agencies use the discourse of "national economic interests for the sake of the prosperity of the people of Indonesia.

Keywords: *legislation, international institutions, transformation of an idea*