

Authority and Function of Administrative Organs According to the Constitution: A Construction of Democracy in the Administrative Law of Indonesia

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Abstract : The constitution regulates the forms, types, and powers of sState organs in a government. The powers of the organs are then regulated in more detail in the legislation. One of these organs is a government organ, headed by a president or by another name that serves as the main organizer of government. The laws and regulations will govern how the organs of government shall exercise their authority and functions. In a modern state, the function of enacting laws or called executive power does not exercise the functions of government alone, but there are other organs that help the government run the country. These organs are often called government agencies, government accelerating bodies, independent regulatory bodies, commissions, councils or other similar names. The legislation also limits the power of officials within the organs to keep from abusing its authority. The main question in this paper is whether organs are the implementation of a democratic country, or as a form of compromise with the power of stakeholders. It becomes important to see how the administrative organs perform their functions. The administrative organs that are bound by government procedures work in the public service; therefore the next question is how far the function of public service is appropriate and not contradictory to the constitution.

Keywords : administrative organs, constitution, democracy, government

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