

Regional Government Administration: Study of the Concept of Regional Autonomy in Indonesia

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A unitary state is a form of democratic government, if regional autonomy is carried out effectively, to empower the benefit of the people, including the authority of regional Unity that accommodates the interests of the people and the administration of government that is carried out democratically. Autonomy and co-administration are tasks with the broadest possible principle of autonomy in the system and principles of the unitary state of the Republic of Indonesia, as referred to in the constitution of the 1945 republic of Indonesia and the regional legislative assembly (DPRD) assisted by regional apparatus.

Key words: *Government, autonomy, system, democracy.*

Introduction

The Principle of Decentralisation / Regional Autonomy

The principle of regional autonomy as contained in article 18 of the 1945 Constitution of the Republic of Indonesia (1945 NRI) more explicitly stated in its explanation that "because the Indonesian state is an *eenheidstaat*, Indonesia will not have a region in the environment that is *staat* also, the area of Indonesia will be divided into provincial areas will also be divided into smaller regions ". In regions that are autonomous (*Streek and Locale Rechts gomenschappen*) or regions that are merely administrative, all according to the rules to be determined by law, legislation in regional autonomy will be held by a regional representative body and therefore in any region, the government will be jointly based on consultation.

Then, regarding the regional autonomy is strengthened and detailed again in the 1945 Constitution of the Republic of Indonesia NRI, results of changes in strengthening related to

the principle of a unitary state and the principle of regional autonomy cannot be separated; as reflected in the relationship between article 1 paragraph (1) of the 1945 NRI Constitution and article 18 the 1945 Constitution of the Republic of Indonesia, both before and after the changes, it can be concluded that within the framework of the Unitary Republic of Indonesia and taking into account the purpose of granting autonomy to the regions, the implementation of regional autonomy by the regional government is a subsystem of the State government system. This is particularly related to the executive power held by the central government, regional governments and village governments which are given authority.

The Characteristics of an Autonomous Region

The characteristics of regional development that utilise the authority of autonomy according to. Maskur (1995: 235) is:

- i) That the development comes from the ideas, aspirations, and inspiration of the community that was sparked through local legislative institutions as a political aspect.
- ii) That the planned development is relatively appropriate to the needs and potential of the region in general for the medium and short-term.
- iii) The development process will be oriented to the regional mechanism both physically and socially.
- iv) The development process is based on regional regulations as an aspect of legality and based on aspects of the relationship between the centre and the regions as a territorial aspect.

While Page and Golsmith (in Mukmin. M, 2003: 16) states that the level of variables will affect the level of decentralisation that is given to the regions, are function, discretion, and access.

- **Function:** concerning the delegation of functions, whether it is in accordance with the ability of the region in terms of funding and management, as well as the priority scale of whose interests come first (central or regional).
- **Discretion:** concerning the discretion to make policies according to regional priorities and the extent of involvement of local politicians and bureaucrats in making regional policies. Also, the influence and involvement of the deconcentration apparatus.
- **Access:** means the ability of regional officials to establish relations with central government officials. This relationship tends to be informal because it involves "bargaining and lobbying".

A new unitary state is a form of democratic government if regional autonomy is carried out effectively to empower the benefit of the people, including the authority of local regulations

that accommodate the interests of the people and the administration of government that is carried out democratically. (Mukmin M, 2003: 20)

Literature Review

Regional Autonomy is the right, authority and obligation of the region to regulate and manage its households. The right is obtained through the transfer of government affairs from the central government to the regional government in accordance with the conditions and capabilities concerned. Regional Autonomy as a form of the adoption of the principle of decentralisation is expected to be able to provide the best service to the community (Djohermansyah, 52: 1990). This is because the authority received by the region through Regional Autonomy will give "freedom" to the region. This is in terms of carrying out various actions that are expected to be in accordance with the conditions and aspirations of the community in the region. This assumption is caused logically that the Regional Government is closer to the people so that they will know more about the demands and desires of the community. In the New Order era, the implementation of decentralisation and democratisation was less successful. When entering the Reformation Era, many people believe that in this era there will be changes towards a more democratic way in all layers and aspects of people's lives, an era in which many major changes to the social and political life system of the nation have been carried out. New Order products that are deemed incompatible with the changing conditions of society are then replaced or even eliminated, including various regulations and laws. These changes are intended to bring this nation to an era of a more democratic society. One of the things that have also changed in this large stream is the policy of Regional Autonomy.

Actually, the issue of Regional Autonomy has received special attention even before the New Order period came to power. It is noted there are several laws or regulations issued by the government relating to this matter. During the New Order, in accordance with the implementation of Law No. 5 of 1974, the implementation of Regional Autonomy was also applied but the results were not as expected (Sujamto, 101-121: 1990).

The implementation of Regional Autonomy based on Law No. 5 of 1974, apparently did not bring satisfactory results. Because what happened was that Regional Autonomy only became a formality to give a democratic impression to the figure of the New Order. Regional autonomy does not make regions have the right and authority to regulate their households, because what happens is that the regional government is only an extension of the central government and is very centralistic. This condition causes the implementation of Regional Autonomy in the New Order era to be not as expected. One very good example to show how the New Order government went so far in carrying out community arrangements that denied the spirit of democracy, was the uniformity of village governance. With the uniformity of

village government according to the wishes of the central government, of course, it has denied the diversity of local values held by various regions, even though the Indonesian Nation is a nation consisting of various ethnic groups, and of course, very diverse. With the centralisation of government and politics developed by the New Order, the village elites were quickly accommodated as part of the national elite. Centralisation is also accompanied by efforts to kill democracy at the village level. The birth of Law number 22 of 1999 concerning Regional Government was then considered to carry the spirit of democracy in it because it contained a Regional Autonomy policy, which would give wide authority to the Regions to regulate and organise their households. This means that this law then brings two main points in its presence, namely the existence of Regional Autonomy which is a logical consequence of the adoption of the principle of Decentralisation, and the democratic spirit contained therein. However, in the implementation of LAW No.22 of 1999, there were still many deficiencies that were revised and replaced with LAW No. 32 of 2004 concerning Regional Government.

Law Number 32 of 2004 states that what is meant by an autonomous region is a legal community unit that has certain regional boundaries authorised to regulate and manage the interests of the local community, according to their initiatives based on community aspirations in the union of the Republic of Indonesia. This law also states that autonomous regions are the authority of regional autonomous regions in regulating and managing the interests of local communities. This is according to their initiatives based on Regional Autonomy Policy In Law Number 23 of 2014, which states that what is meant by Regional Autonomy is the right, authority and obligation of autonomous regions to regulate and manage their government affairs and the interests of local communities following statutory regulations. This law also states that an autonomous region is a legal community unit that has territorial boundaries that are authorised to regulate and manage government affairs and the interests of the local community, according to their initiatives based on the aspirations of the people in the system of the Unitary State of the Republic of Indonesia.

This shows that the basic meaning of autonomy is the existence of authority for the Regional Government to determine its policies aimed at the implementation of the wheels of regional government by the aspirations of the people. Pratikno (1991) states that these authorities refer to the authority of decision-makers in the region in determining the type and level of services provided to the community, and how these services are provided and financed. The authority granted is real, broad and responsible to provide opportunities for regions to be able to regulate and implement their regional authorities based on their initiatives following the interests, conditions, and potential of the community in each region. The existence of Regional Autonomy is expected to strengthen the community to increase the capacity of democracy, or in other words, the Regional Government's LAW on democracy.

The success of the implementation of Regional Autonomy will be determined by many things. The success of the implementation of Regional Autonomy is determined by (Riswandha Imawan, 1991):

- The lower level of dependency of the regional government to the central government, not only in planning but also in the provision of funds. Because a development plan will only be effective if it is made and carried out by the local government itself.
- The ability of regions to increase their economic growth (growth from inside) and external factors that directly influence the growth rate of regional development (growth from outside).

The change in development orientation from top-down to bottom-up implies that the development goal is to spur growth from within. Thus, the government is freer to plan and determine the priorities to be implemented. Regional Autonomy is closely related to the pattern of power-sharing between the central government and regional governments. However, it cannot be denied that in its implementation it has a positive impact that is quite positive for the region, and that might make it difficult for the region and even the central Government. As a consequence, a systematic arrangement is needed which illustrates the existence of a good tiered relationship relating to coordination, coaching, and supervision. Therefore, the implementation of this policy then raises a variety of responses from the Government and the community.

Regional Government Perspective

The implementation of decentralisation as mandated in Law Number 23 the year 2014, requires a division of government affairs between the central government and regional governments. Local governments generally assume that the current Regional Autonomy policy through LAW No. 23 of 2014, is a very good policy, especially for regions to develop their regional potential. This is due to: First, that politically the policy will provide flexibility to the Regional Government to be able to regulate and manage their government affairs based on the principle of autonomy and assistance tasks following the conditions and needs of the region. Second, economically, the Regional Government will benefit because it has greater authority to manage and utilise the potential of natural resources contained in its area. Thus, the district government has very broad authority in managing the region, in this case, running the dynamics of government and utilising the various resources in the region.

The emphasis on the implementation of the Regional Autonomy policy which is in the regency and city areas, then creates the assumption that the Regional Government has the authority to take various steps in accordance with the objective conditions of the region and also adapted to the demands of the dynamics of the local community in the context of the

implementation of the Regional Autonomy policy. Based on this, the Regional Government then outlines the implementation of Law No. 23 of 2014, concerning Regional Autonomy into various Regional Regulations (PERDA), regional head regulations, and other regional regulations. Thus, the position of the Regional Government is very important because it is the central point of the whole process of implementing various policies implemented in the region. This condition can certainly explain how the attitude of the Regional Government which later turns into the centre of all policy implementation and not only as of the executor of what has been regulated by the Central Government, as in the previous era.

Authority Between the Centre and the Regions

In the context of central and regional authority in the implementation of the Regional Autonomy policy, it has not yet been fully implemented. On the one hand, the Regional Government feels that the Central Government is still not wholeheartedly giving these authorities to the Regional Government. There is a reluctance of the Central Government to give too much authority to the region, based on the reason that not all regions are ready to implement the Regional Autonomy Policy. Besides, the lack of adequate human resources and not yet being accustomed to the region, receives such broad authority. Added to this is the reason that everything must remain within the context of the State Unity in the context of maintaining territorial integrity and realising the objectives of the state. These reasons become justifications rather than the attitude of the Central Government. On the one hand, these reasons are sufficient to have a strong basis where most of the regions in Indonesia still have limitations. However, it remains that the regions must be given space based on the authority given by the constitution to them, to be able to organise their territory, following the aspirations of the people. Under these conditions of attraction, various problems can then arise due to the reluctance of the Central Government to trust Regional Governments more in managing their regions. This will be seen in the operation of the Regional Autonomy policy, which often confuses the Regional Government.

Research Method

This research was conducted by conducting a literature study. A literature study is an activity to gather the information that is relevant to the topic or problem that is the object of research. Such information can be obtained from books, scientific papers, theses, dissertations, encyclopedias, the internet, and other sources. By conducting a literature study, researchers can utilise all the information and thoughts relevant to their research that discusses "The implementation of the function of the Regional Government in the concept of Autonomy".

Discussion

The implementation of regional government functions will be carried out optimally if the implementation of government affairs is followed by giving sufficient sources of revenue to the regions, referring to the law governing the financial balance between the central government and regional governments. The implementation of government affairs which is the authority of the region is funded from and at the expense of the regional budget.

1. Regional financial sources

- Regional income sources consist of:

a. Local own revenue called locally-generated revenue (PAD), namely:

1. Local tax proceeds
2. Results of local user fees
3. The results of the management of regional wealth
4. Other legal income of locally-generated revenue (PAD)

b. Balance Funds, and

c. Other legal regional income.

As for what is meant by other legitimate regional original income includes:

- a. Proceeds from sales of regional wealth
- b. Current account service
- c. Interest income
- d. Gain on exchange rate - differences against foreign currencies
- e. Deduction commission or other forms as a result of the sale and/or procurement of goods or services by the region; the balancing fund is regional funding sourced from the National Budget consisting of:

- Revenue sharing
- General allocation fund
- Special Allocation Funds

Balancing funds are not only intended to assist regions in funding their authority but also aim to reduce the imbalance of sources of government views between the centre and the regions and to reduce intergovernmental funding gaps between regions. The three components of the balanced fund are a system of fund transfers from the government and are a unified whole.

Revenue sharing funds are funds sourced from APBN revenue distributed to regions based on a certain percentage. (for comparison see table):

Table 1: Revenue Sharing Table

No	State Revenue	Regional	Central
1.	Land and building tax (PBB)	90%	10%
2.	Pro levy on land and building rights	80%	20%
3.	Income tax (PPH)	20%	80%
4.	Forest concession fees (IHPH)	80%	20%
5.	Reforestation Funds	40%	60%
6.	General mining	80%	20%
7.	Petroleum mining	15.5%	84.5%
8.	Natural gas mining	69.5%	30.5%
9.	Geothermal mining	80%	20%
10.	Fisheries	80%	20%

The table 1, above shows the Percentage of Funds Sharing between forests and between the central government and regional governments. Revenue Sharing is a potential source of regional income and is one of the basic capital of the regional government in obtaining development funds and to meet regional expenditures that are not from Regional Original Revenues, other than General Allocation Fund and Special Allocation Fund. The revenue sharing pattern is carried out with a certain percentage based on the producing region. Tax Revenue Sharing Proceeds from: Income Tax Article 21 (Income Tax 21), Income Tax Article 25 (Income Tax 25), Article 29 Domestic Personal Taxpayers (WPOPDN Income Tax). While the receipt of Natural Resources Revenue Sharing Funds comes from: Forestry, General Mining, Fisheries, Petroleum Mining, Natural Gas Mining, Geothermal Mining (Wahyuni and Adi, 2009).

- General allocation funds

The general allocation fund (DAU) aims to equalise financial capacity between regions and is intended to reduce imbalances in financial capacity between regions through formulas that take into account regional needs and potential.

- Special allocation funds

Special allocation funds are intended to help finance special activities in certain regions which are regional affairs and following national priorities, specifically to finance the needs of basic public service facilities and infrastructure that have not reached certain standards or encouraged the acceleration of regional development.

2. Formulation of the Principle of Autonomy in the 1945-2014 Law

Table 2: Regional autonomy (OTODA) Principle Formulation in Local Government Law From 1945-2014

No	Law	Law Formulation of principles / principles of autonomy
1.	Law No.1 of 1945	The independence of household settings in the area of origin does not conflict with the regulations of the central government and regional governments that are broader than that.
2.	Law No.2 of 1948	(a) The right to regulate and manage their households based on the right of autonomy and the right of the <i>medebewind</i> , (b) The focus of autonomy is in the village or small town
3.	Penpres No.6/59 and Penpres No.5 Tahun 1960	Continuing the politics of territorial decentralisation and deconcentration in which regions are given the right to regulate and manage their households by showing the capabilities of each region.
4.	Law No.18 of 1945	(a) Otonomi teritorial yang riil dan seluas-luasnya serta menjalankan politik dekonsentrasi sebagai komplemen yang vital (b) Otonomi selain sebagai hak juga sebagai kewenangan dan sekaligus kewajiban
5.	Law No.5 of 1974 and Law No.5 of 1979	(a) Real and wide territorial autonomy as well as carrying out deconcentrated politics as a vital complement (b) Autonomy in addition to being a right also as an authority and an obligation at the same time
6.	Law No.22 of 1999 and Law No. 25 of 1999	(a) Broad autonomy is real and responsible (b) the implementation of autonomy pays attention to aspects of democracy, participatory, fair and equitable, by taking into account the potential and diversity of the region
7.	Law No.32 of 2004 and 33 of 2004	a) Autonomy to the fullest, real and responsible (b) The implementation of autonomy that is oriented to improving the welfare of the people establishing harmonious relations between the regions and the government
8.	Law No.23 of 2014	(a) broadest, real and responsible autonomy (b) the function of the governor is as the head of the region.

Source: BN.Marbun (2005: 12)

Table 2, above shows the series of regional autonomy laws which have undergone several changes this time showing that the dynamics of the implementation of local government in Indonesia are always experiencing changes; these are in accordance with changes in the political law of the state administration several times experiencing changes, namely the old

order, new order and which is now the order of reform. The election of a unitary state with a decentralised system which is the basis of the establishment of autonomous regions, has been an option since the inception of the State of Indonesia; this can be seen in the 1945 Constitution of the Unitary State of the Republic of Indonesia which was passed on August 18 in 1945. It is regulated in Article 1 which reads that "the State of Indonesia is a unitary state in the form of a republic", and Article 18 paragraph (1) that "the Unitary State of the Republic of Indonesia is divided into provincial regions and provincial areas are divided into regency and city regions, which each province, district and city has regional government, which is regulated by law. " At the beginning of the reform era in 1998, it developed and was popular in society. Many of the demands for reform were driven by various components of the nation; among the demands were decentralisation and fair relations between the centre and the regions or regional autonomy.

Conclusion

Based on the description and discussion of the problems in this article, the conclusions expressed are:

- Page states that the high and low variables which will affect the level of decentralisation given to the regions, are function, discretion, and access.
- The implementation of regional government functions will be carried out optimally if the implementation of government affairs is followed by giving sufficient sources of revenue to the regions, concerning the laws governing financial balance between the central government and regional governments. The implementation of government affairs which is the authority of the region is funded from and at the expense of the regional budget.
- In principle, regional autonomy is contained in article 18 of the 1945 Constitution of the Republic of Indonesia (1945 NRI) and more explicitly stated in its explanation, which states that "because the Indonesian state is an *eenheidstaat*, then Indonesia will not have a region within *staat* environment, the area of Indonesia will be divided in the province of the province the province will be divided into smaller areas".

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