

THE NATIONAL CONFERENCE ON LOCAL GOVERNMENT AND DEVELOPMENT 2019 (NCLGD2019),
25-26 NOVEMBER 2019, UNIVERSITI UTARA MALAYSIA

PROCEEDINGS OF
**THE NATIONAL CONFERENCE ON LOCAL
GOVERNMENT AND DEVELOPMENT 2019
(NCLGD2019)**

25 – 26 NOVEMBER 2019

**VENUE:
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UNIVERSITI UTARA MALAYSIA
SINTOK, KEDAH, MALAYSIA**

**ORGANIZED BY:
INSTITUTE OF LOCAL GOVERNMENT STUDIES (ILGS)
SCHOOL OF GOVERNMENT
COLLEGE OF LAW, GOVERNMENT AND INTERNATIONAL STUDIES
UNIVERSITI UTARA MALAYSIA
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UNIVERSITI UTARA MALAYSIA**

WELCOMING REMARKS

On behalf of the School of Government, Universiti Utara Malaysia, I would like to thank our centre of excellence, Institute of Local Government Studies (ILGS), for successfully organizing this conference. I hope the Centre will continue to organize such a great event in the future.

Special thanks also go to the Organizing Committee members for their efforts and initiatives to ensure the success of this Conference. I hope that this Conference will be just the beginning of a series of NCLGD, with some collaboration from other institutions.

Topics and issues on local government and development have been topics of discussions amongst academics, researchers and practitioners at local, regional and international platforms and academic forums. I hope this Conference will provide such opportunities for everyone in the circle to highlight and discuss issues and problems related to topics within the areas of local government and development.

I also would like to take this opportunity to welcome all participants, presenters and observers to the Conference. I hope everyone will enjoy the proceedings of the event, touring a beautiful campus of Universiti Utara Malaysia and a stay in Kedah.

Finally, I pray every success to everyone involves in the Conference.

Till we meet again in other occasions. Enjoy the Conference and have a nice trip back home.

**ASSOCIATE PROFESSOR DR. ZAINAL MD. ZAN
DEAN
School of Government
Universiti Utara Malaysia**

**DIRECTOR of
THE NATIONAL CONFERENCE ON LOCAL GOVERNMENT AND DEVELOPMENT 2019
(NCLGD2019)**

INTRODUCTORY REMARKS

On behalf of the Institute of Local Government Studies (ILGS), I would like to welcome everyone to the National Conference on Local Government and Development 2019 (NCLGD2019).

I also would like to thank my colleagues in the Organizing Committee for the willingness to accept my invitation to join the Committee of this meaningful event. My special thanks also go to the School of Government, Universiti Utara Malaysia, for making the idea a reality. Indeed, all kind of supports by the School are highly appreciated. I hope there would be more collaboration between the two units in the future.

This Conference is not just a platform for everyone involved to present and discuss papers, but also acts to building relations amongst respective organizations of the participants.

Finally, I would like to welcome all participants, presenters and observers to NCLGD2019. Hopefully, everyone will pick up a lot of knowledge, experience and memories during a stay here at the Universiti Utara Malaysia , and the State of Kedah Darul Aman.

Enjoy the Conference and have a nice days ahead.

**ASSOCIATE PROFESSOR DR. HALIMAH ABDUL MANAF
DIRECTOR
Institute of Local Government Studies (ILGS)
School of Government
and
National Conference on Local Government and Development 2019
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PRAKATA

Kerajaan tempatan melalui badan pentadbirannya, Pihak Berkuasa Tempatan (PBT), mempunyai tanggung jawab besar untuk memastikan rakyat di dalam kawasan tadbirnya hidup sihat dan sejahtera, serta mendapat keperluan-keperluan asas dalam kehidupan seharian. Tanggung jawab ini sentiasa meningkat, selaras dengan peningkatan dari segi permintaan ekoran pertambahan bilangan penduduk, dan peningkatan pembangunan dalam pelbagai bidang seperti infrastruktur dan teknologi. Terdapat berbagai inisiatif yang boleh dilaksanakan bagi memastikan PBT sentiasa proaktif dan reaktif terhadap tuntutan semasa. *National Conference on Local Government and Development 2019 (NCLGD2019)* merupakan satu inisiatif untuk PBT-PBT mendapat input berguna ke arah penambahbaikan perkhidmatan dan pembuatan keputusan mereka. Prosiding NCLGD2019 ini menghimpunkan kertas-kertas kerja yang meliputi topik-topik dan isu-isu berkaitan tanggung jawab PBT, yang dihasilkan melalui kajian, penulisan dan perbincangan secara empirical dan ilmiah.

PREFACE

Local government through its governing body, namely Local Authority (LA), has huge responsibilities to ensure the people within its jurisdiction live with full wellness and well beings, and receive all their daily basic necessities. The responsibilities of the local government will always keep increasing, as there is an increase in demands following an increase in number of population, and an increase in development of various areas such as infrastructure and technology. There are several initiatives to be implemented to ensure LAs are always proactive and reactive towards the current demands for their services. National Conference on Local Government and Development 2019 (NCLGD2019) is one of the initiatives for the LAs to get useful inputs to be used in improving their services and decision makings. The Proceeding of NCLGD2019 compiles working papers which include topics and issues on responsibilities of the LAs, which are produced via academic and empirical researches, writings and discussions.

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RELATIONSHIPS CENTRAL AND REGIONAL GOVERNMENTS IN INDONESIA

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ABSTRACT

Indonesia is a unitary state in the form of a republic, where the central government holds the power of government. All government organizations are under the control of the central government based on the Constitution. The unitary state in Indonesia is divided into regions where each region has a regional government that has the right to regulate and manage its government affairs according to the principles of decentralization, deconcentration and assistance tasks. If in a federal state there are states, there is a regional government in the unitary state. The existence of regions is part of an autonomous state. Local government as part of the national government remains the responsibility of the central government. The President holds the final responsibility for the administration of Government Affairs carried out by the Central and Regional Governments. The existence of a regional government unit raises the relationship between the central and regional governments. Urgency The relationship between the center and the regions is one of the instruments to achieve public welfare. Therefore, in the context of the relationship between the central government and regional governments in Indonesia, it is necessary to build a common perception related to the fields of relations of authority, finance, human resources, and guidance and supervision.

Keywords: Central Government, Local Government, Indonesia

INTRODUCTION

The regional government in the context of the unitary state is dependent and subordinate to the government of the load, meaning that the administration of the regional government cannot be separated from the central government. The formation of regional governance in Indonesia with consideration of history, the situation and condition of the region, government limitations, political, psychological, and development goals.

Central Government or can be called a government is a general designation for the government of a unitary state that controls the course of government. The Central Government in this study is the President of the Republic of Indonesia who holds the power of the government of the Republic of Indonesia assisted by the Vice President and Minister. While the regional government is an entity formed to explain the government in the area. What is meant by the Regional Government is the regional head as an element of the organizer of the Regional Government who leads the implementation of government affairs which are the authority of the autonomous regions as referred to in the 1945 Constitution of the Republic of Indonesia.

The Central Government regulates the relationship between the Center and the Regions as outlined in the legislation that is binding on both parties. However, the regulation of these relationships must pay attention to regional aspirations to create synergy between the interests of the center and the regions.

The relationship between the central and regional governments in the Indonesian context is an instrument or a way to achieve the goals of the state and maintain the integrity of the unitary state of the Republic of Indonesia. The achievement of the country's goals that can prosper the lives of the people certainly requires a synergistic and harmonious way between the central government and regional governments.

Historically the relationship between the central and regional governments in Indonesia is inseparable from tension and conflict. Dissatisfaction with the central government has caused turmoil in several regions in Indonesia, such as West Sumatra, Sulawesi, Aceh, Papua, and Riau which have an impact on national development stability. The historical journey of the relationship between the central and regional governments in Indonesia further strengthens this study that the relationship between the central and regional government needs to be seriously managed by jointly developing a common perception in several areas of authority, finance, human resources, supervision and coaching relations. In systemic theory, it is known that a good combination of two components can provide greater strength than just the sum of two independent elements. This system theory, in the Malay way of life, is known as the ten sticks which are more difficult to break than twenty separate sticks.

In the context of the relationship between the central and regional governments, several factors can disrupt and damage the harmonious relationship between the central and regional governments namely; First, there are still gaps and differences between the system of central-regional relations that have been formally outlined with the reality in their implementation. Secondly, some regions still feel unfair treatment from the central government. Third, the lower level of ability of the center to provide subsidies to the regions (Colin Mas Andrew in Djaenuri, 2015: 55).

PROBLEM SUBSTANCE

The relationship between the central and regional governments in practice still leaves problems related to the effectiveness of government administration, community welfare, regional independence, innovation and quality of public services, governance, local wisdom, and regional competitiveness. These problems eventually led to disharmonious relations or conflicts at the regional level. Some of the problems that occur at the regional level are identified because there is no common perception between the central government and regional governments related to the fields of authority, finance, human resources, guidance, and supervision. Based on this, it is necessary to build a common perception of the relationship between authority, finance, human resources, guidance, and supervision.

METHOD

In this study, using critical thinking methods related to the relationship between the central and regional governments in Indonesia. The effectiveness and efficiency of regional government implementation in accelerating the realization of community welfare through improved services, empowerment, community participation, and increasing regional competitiveness need to pay attention to the relationship between the central and regional governments. This study sees the achievement of effective and efficient national development goals determined by aspects of the relationship between the central and regional governments. The relationship between the central government and regional governments needs to establish equality in the fields of authority, finance, human resources, supervision, and guidance.

LIBRARY APPROACH

Form of state

Two forms of state are important to understand as a start in understanding central and regional government joints. The two forms of state are the union or federation state and the unitary state. The form of a unitary state adopted by Indonesia is a basic principle in the administration of regional government.

The unitary state is an independent and sovereign state, in all ruling countries there is only one central government that governs the entire region (Kansil and Christine S.T Kansil, 2003: 3). A unitary state is a form of the state where the highest legislative authority is centered on a central national legislature. The principle underlying the unitary state is the principle of unitarism (C.F Strong 1960: 61, Kaho 2012: 5).

The unitary state is the most robust country compared to a federal or confederate state. Where in the unitary state there are both unity and unity (Kaho, 2012: 5). Based on Article 1 paragraph (1) of the 1945 Constitution the Indonesian state is a unitary state in the form of a republic. Indonesia as a unitary state currently chooses a decentralized system in the administration of regional government. Decentralization was established due to consideration of the situation and conditions of the region, politics, psychology, and limitations of the central government. Indonesia does not have a sovereign state like America, Malaysia, Australia, Germany, and other federal states.

The regional government in the unitary state of the Republic of Indonesia regulates and manages government affairs according to the principle of autonomy and assistance tasks. Regional governments carry out the broadest possible autonomy, except governmental affairs which by law are determined as central government affairs.

Decentralization

In a unitary state two types of systems can be applied, namely: 1) Centralized System, where the central government controls all government power. 2) A decentralized system, in which the central government delegates part of its power to certain regions that cover the territory of the

country concerned with the intention that the region can manage its household (regional autonomy) which is called an autonomous region (Kansil and Christine ST Kansil 2003: 3)

The principle of decentralization in the constitutional system of the Republic of Indonesia is the transfer of government authority to an autonomous region to become a household matter for autonomous regions (Djaenuri, 2012: 4). In several literature sources, there are two forms of decentralization, namely:

1. Decentralization of position (*ambtelijke decentralisatie*), namely the transfer of power from superiors to subordinates in connection with employment or position to improve the smooth work. Decentralization like this is also called deconcentration. What is called deconcentration is nothing but a type of decentralization. Deconcentration is decentralization, but decentralization does not always mean decentralization.
2. Decentralization of statehood (*staatkundige decentralisatie*), namely the transfer of power to regulate the region in its environment to realize the principle of consensus in state government. In this decentralization, the people directly have the opportunity to participate in the governance of their region.

Furthermore, C.V. Van Der Pot (1950) states that the decentralization of state administration can be divided into two types: a) Decentralized territorial, namely the delegation of power to regulate and manage the household of each region. Territorial decentralization has a form of autonomy and *medebind* or *zelfbestuur*. b) functional decentralization (functional decentralization), namely the delegation of power to regulate and manage something or certain interests (certain functions). The regulatory limits are on types and functions such as education, irrigation, etc. (in Arenawati 2016: 4, Djaenuri 2012: 4).

Regarding decentralization which is a pressure point in the administration of regional government in Indonesia, quoting the opinion of Turner and Hulme (1997: 152) that decentralization provides benefits to 1) locally specific plans; 2) inter-organizational coordination; 3) experimentation and innovation; 4) motivation of field-level personnel, and 5) workload reduction.

According to Bagir Manan (1994: 161-170), the relationship between the center and the regions in a decentralized framework is based on the following:

1. Consultation in the state government system. The administration of government must be based on democratic principles led by wisdom in the deliberation of representation.
2. Maintenance and development of native governance principles. Management of the central and regional governments must not disrupt the original structure and structure of the government of the Indonesian people but must maintain and develop it.
3. Diversity. The implementation of central and regional government must be based on diversity by the motto "Bhineka Tunggal Ika". The form of the building of the Indonesian nation is diversity in unity and unity of difference.
4. State of law. In the explanation of the 1945 Constitution of the Republic of Indonesia, it is stated that Indonesia is based on law not based on mere power. So the implementation of regional government must be based on the principles of deliberation in achieving its objectives.

Central and regional government relationship indicators

According to Rosidin (2010: 147), the relationship between the central government and regional governments in the implementation of regional autonomy covers relations in the fields of authority, finance, guidance, and supervision.

Meanwhile, Kaho (2012: 18) concluded with the adoption of decentralization in Indonesia, the power/authority relationship, financial relations and supervision between the central government and autonomous regions that were part of the State were formed.

Based on the explanation above, in this study the authors determined that several indicators were looking at the relationship between the central government and regional governments in Indonesia, namely: 1) Relationship of authority, 2) Financial relations, 3) Relationship of human resources, 4) Relationship of supervision and guidance. Indicators of the relationship between the central government and the regions mentioned in this study are areas that need attention in building a common perception between the central and regional governments.

DISCUSSION

In the course of its history, the relationship between the center and the regions in Indonesia was at the pole of centralization, then shifted at the pole of decentralization, but also experienced stagnation due to the vacuum of power (Mariana 2008: 131). Decentralization is intended as the transfer of functions or authority from the central government to the regions in the context of implementing regional government.

The transfer of certain fields of government affairs to the regional government by the central government has created a relationship of authority between the central government and regional governments. to carry out the field of functions that have been submitted to the regions requires costs in their implementation, thus creating a financial relationship between the central and regional governments. the implementation of the field of affairs submitted to the regions requires human resources in its implementation, to create a relationship of human resources (staffing) between the central and regional governments. so that the functions that are submitted can go according to what is stipulated, it requires supervision and guidance by the central government of the autonomous regions. Supervision and guidance as a form of affirmation that Indonesia is in a unitary state where the final responsibility for all government affairs rests with the central government.

First, Authority Relations. There are four important things that become the foundation in the implementation of local government; delegation of authority, discretion in decision making, services, and certain regions (Djaenuri, 2012: 13) delegation of authority is an important basis in the implementation of the principle of decentralization, especially in the formation of autonomous regions. The meaning of autonomous regional authority in this study is the right and obligation to make decisions in the administration of regional government. Regional authority allows management functions to be carried out at the regional level.

No country fully implements centralization or decentralization in the administration of state government. Both are instruments that are needed in achieving goals and policies are needed in determining the system. In Indonesia, some functions use a centralized system and some that use a decentralized system, but the emphasis in the administration of regional government is more on the poles of decentralization. In-Law Number 23 the Year 2014 concerning Regional Government, government affairs consist of:

1. Absolute government affairs, namely government affairs which are fully the authority of the central government.
2. Concurrent government affairs are government affairs that are divided between the central government and the provincial and district/city regions. Concurrent government affairs submitted to the Regions form the basis for the implementation of regional autonomy.
3. General government affairs. Government affairs become the authority of the President as head of government.

In carrying out absolute government affairs the central government implements itself or delegates authority to vertical agencies in the region or the governor as the representative of the central government implements the principle of deconcentration.

Concurrent government affairs which are the authority of the Region consist of Obligatory Government Affairs and Preferred Government Affairs. Government Affairs Must consist of Government Affairs relating to Basic Services and Government Affairs that are not related to Basic Services. Can be seen in the following table:

Table 1.1: Concurrent Government Affairs in Indonesia

Mandatory Government Affairs		Selected Government Affairs
Basic Services	No Basic Services	
a. Education b. Health c. Public works and spatial planning d. Public housing and residential areas e. Peace, public order, and community protection, and f. Social.	a. Labor b. Women's empowerment and child protection c. Food d. The land e. Living environment f. Population administration and civil registration g. Community and Village Empowerment h. Population and family planning control i. Transportation; communication and informatics j. Cooperatives, small and medium businesses	a. Marine and fisheries b. Tourism c. Agriculture d. Forestry e. Energy and Mineral Resources f. Trading g. Industry, and h. Transmigration

	k. Capital investment l. Youth and sports m. Statistics n. Coding o. Culture p. library; and q. record management.	
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Source: Law No. 23 of 2014 Concerning Regional Government

The division of concurrent government affairs between the Central Government and the provincial and district/city regions in Indonesia is based on the principles of accountability, efficiency, and externality, as well as national strategic interests.

Public government affairs are Government Affairs which become the authority of the President as head of government. General government affairs include:

- a. Fostering national insight and national resilience to strengthen the practice of Pancasila, the implementation of the 1945 Constitution of the Republic of Indonesia, the preservation of Unity in Diversity and the preservation and maintenance of the integrity of the Unitary State of the Republic of Indonesia
- b. Fostering the unity and integrity of the nation
- c. Fostering inter-tribal and internal harmony, religious communities, races, and other groups to realize the stability of local, regional and national security
- d. Handling of social conflicts by statutory provisions
- e. Coordination of the implementation of tasks between government agencies in the provincial and regency/city regions to solve problems that arise by taking into account the principles of democracy, human rights, equity, justice, privileges and specialties, the potential and diversity of the region by the provisions of the legislation
- f. Development of democratic life based on Pancasila; and
- g. Implementation of all government affairs that are not the authority of the region and are not carried out by vertical agencies.

Second, Financial Relations. The Central Government has a financial relationship with the Region to finance the implementation of Government Affairs which are submitted and/or assigned to the Region. According to Rosidin (2010: 156), the financial relationship between central and regional governments largely determines autonomy independence. However, the problem is the limited amount of money owed by the region in the implementation of regional autonomy.

The Financial Relationship between the Central Government and the Regional Government is a system of financial distribution that is fair, proportional, democratic, transparent and responsible. Financial relations in the administration of government affairs submitted to regions in Indonesia include:

- a. Provision of Regional revenue sources in the form of regional taxes and levies;

- b. Provision of funds sourced from a financial balance between the Central and Regional Governments;
- c. Provision of funds for the implementation of special autonomy for certain Regional Governments stipulated in the law; and
- d. Lending and / or grants, emergency funds, and (fiscal) incentives.

The financial relationship between the central and regional governments is intended to increase the ability of the regions to be more responsive in supporting the implementation of the regional government. The system of financial relations between the central and regional governments in the Indonesian context needs to pay attention to balance, fairness, and transparency to create stability and harmony in the administration of regional government.

Relating to financial relations in the administration of government affairs assigned to the Regions accompanied by funding by government affairs assigned as the implementation of co-administration tasks. In organizing regional governance and fiscal decentralization, local governments are given the expertise and flexibility to manage and utilize regional finances for the advancement of regional development.

Third, the Relationship of Human Resources. One of the factors in the implementation of regional autonomy is the support of human resources as the compiler and executor of each development program. Human resources in local government are called local government employees. The management system of local government human resources is carried out in the form of integration of national and regional staffing systems. Related to regional staffing is known as the State Civil Apparatus. State Civil Apparatus, hereinafter abbreviated ASN, is a profession for civil servants and government employees with work agreements that work for government agencies. ASN functions as the executor of public policy, public service, and the glue and unifying nation.

The ASN is appointed by the staffing officer and entrusted with duties in one government position or assigned to other countries. Then all local government employees are ASN. Personnel policy and management in Indonesia use a merit system. A merit system is an ASN policy and management that is based on qualifications, competencies, and performance fairly and reasonably regardless of political background, race, color, religion, origin, gender, marital status, age, or disability conditions.

Payroll and allowances for civil servants working for the central government are charged to the state budget. While the salary of civil servants working in local government is charged to the regional revenue and expenditure budget.

Fourth, Relationship Coaching and Supervision. In the context of the relationship between the central and regional governments in Indonesia, where the central government provides guidance and supervision of the implementation of Government Affairs by the Regions. The development and supervision relationship between the central and regional governments in the context of Indonesia is the central government, in this case, the President is the final responsibility holder for the administration of government affairs carried out by the central and regional governments. Also, guidance and supervision by the central government are intended to ensure that the available resources in the region can achieve the goals that have been set equally and optimally.

The relationship between the central government and regional governments is determined by the monitoring system. Based on this surveillance system, government relations are formed in a country (Humes, 1991: 4-7). Supervision and guidance in the context of the relationship between the central and regional governments are an inseparable part. Guidance and supervision are a form of business and process carried out by the central government in a planned, regular and directed manner to increase the success of the implementation of regional autonomy so that it is by the demands and development of the community sustainably.

The method used in the guidance and supervision by the central government on the implementation of government affairs by the regions is carried out in stages starting from the minister for the provincial region and the governor as the representative of the central government fostering and overseeing the regency/city area. Nationally, coaching and supervision are coordinated by the Minister.

In the context of supervision which is part of the guiding effort, two forms can be carried out namely repressive supervision and preventive supervision. Repressive supervision is the central supervision to suspend, delay, or cancel the laws and regulations made by the regions if identified as conflicting with the higher provisions and/or public interest. Preventive supervision is supervision carried out by the central government of a preventative nature so that regional regulations made do not deviate from the provisions set by the central government.

According to Kaho (2012: 315) in Indonesia supervision is carried out with the following objectives: 1) Know whether the implementation has been by the plans that have been set or not. 2) Knowing the difficulties encountered by the implementers so that corrective steps can be taken in the future. 3) Simplify or lighten the tasks of the executor, because the executor may not be able to see the possibilities of mistakes he made because of the daily busyness. 4) Supervision is not to look for mistakes, but to correct mistakes.

CONCLUSION

The relationship between the central and regional governments in Indonesia has become an important instrument in realizing community welfare through improved services, empowerment, and community participation, as well as increasing regional competitiveness in the Unitary State of the Republic of Indonesia system. To realize the welfare of the community, the principles of deliberation, equity, justice, and attention to the uniqueness of a region are developed, so that the decentralized system becomes an important part in the administration of regional government.

The achievement of effective and efficient development goals in the administration of regional government requires harmonious and harmonious relations between the central and regional governments, which are developed based on national strategic interests and the integrity of the unitary state of the Republic of Indonesia. The harmonious relationship between the central and regional governments can be done by building a common perception in indicators of authority, finance, human resources, and guidance and supervision.

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This is to certify that
KHAIRUL RAHMAN
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