

ANALYSIS OF THE IMPLEMENTATION OF REGIONAL GOVERNMENT AUTHORITIES IN REALIZING GOOD GOVERNANCE BASED ON THE PRINCIPLE OF AUTONOMY

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Abstract

The concept of good governance is an emerging issue in today's public administration management that emerged in the early 1990s. The state government system is an essential element in a country. In implementing regional autonomy, local governments must realize good governance in each region to carry out their functions properly. Good governance relates to how local governments, both districts and cities, implement national and local policies. When good governance relates to how local governments implement regional-level policies, it also relates to how local government performance carries out policies that local governments will implement. The division of authority between the government and the regional government is based on considerations of rationality and efficiency based on the belief that it is in the interests of the region so that the results will be better if the regions carry it out compared to the government. Regional authorities that have been specified normatively with the provisions of laws and regulations will then be regulated further in regional government policies. Thus the administration of decentralized governance aims to ease the burden on the government so that for regional heads, it is the main implementing center for democratic regional governance within the framework of regional autonomy to realize the welfare of the people in the region.

Keywords: Local Government, Good Governance, Autonomy

INTRODUCTION

Since its inception, the Republic of Indonesia was designed by the state's founders as a Unitary State in the form of a Republic, in which the President holds the government power. However, due to the heterogeneity that belongs to the Indonesian nation, both social, economic, and cultural conditions, and the diversity of people's educational levels, the distribution of authority from the central government needs to be channeled to autonomous regions, the main idea being the desire for the freedom of the people of a certain area to regulate and manage everything that becomes locality-based interests. (Hasiah, H. 2020). Implementing regional autonomy is a step to improve services to the people in the regions so that the needs of the people in the regions can be met. Thus regional autonomy is not a goal but an instrument to achieve the goal (Kaloh, 2007). Through this Otda system, local communities will be able to determine their destiny and improve the fate of the community itself (Patarai, MI 2021).

Indonesia is a country in the form of a unitary state with such a vast territory and a large population; of course, it is very difficult to realize the welfare of the people in the regions without the presence of local government (Andi Pangerang Moenta and Syafa'at Anugrah

Pradana, 2018) . The concept of regional autonomy is only interpreted with restrictions. However, more than that, the autonomy framework is the local government still within the framework of a shaped state unity (Farida Patittingi, etc., 2021).

The spirit of autonomy and decentralization has developed strongly in society, including government circles. In this case, the regional government and the village government also demand the same thing. This kind of condition prompted the birth of Law No. 22 of 1999 concerning Regional Government. With the issuance of Law No. 22 of 1999, the two previous laws, namely Law No. 5 of 1974 concerning Regional Government, and Law No. 5 of 1979 concerning Village Administration, then no longer valid. In the next period, Law No. 22 of 1999 was declared repealed and no longer valid and was replaced by Law No. 32 of 2004. Finally, Law No. 32 of 2004 was revoked and replaced with Law No. 23 of 2014 concerning Regional Government (Law No. 23 of 2014, Article 1 number 6).

Based on the general provisions, Article 1 point 6 of Law No. 23 of 2014, it was stipulated that regional autonomy is basically the rights and obligations as well as the authority for autonomous regions to regulate and manage their own regions, both in the field of government and for the benefit of their people. Meanwhile, decentralization is the transfer of government authority by the central government to autonomous regions to regulate and manage government affairs within the system of the Unitary State of the Republic of Indonesia (General Provisions, Article 1 number 7, Law No. 23 of 2014). According to Smith, decentralization is delegating power levels in a territorial hierarchy . The essence of decentralization is that the regional government apparatus carries out local government tasks using funds sourced from the APBD. (Muhtadin, 2023)

One of the philosophies of regional autonomy is to bring services closer to the community; from this, to provide good service to the community, it is necessary to know in advance the problems faced by the community. After the community service problems are inventoried and analyzed, it is necessary to improve the quality of effective and efficient services (Kartika & Oktariyanda, 2022). Local governments improve quality through service, empowerment, and community participation to realize community welfare. One form of regional government is providing good and efficient community services (Baladeva Vidyasagara et al., 2021). Thus, departing from issues regarding the rights of citizens to obtain health protection whose implementation is distributed from the central government to regional governments based on the principle of broadest autonomy through Law Number 23 of 2014 concerning Regional Government replacing Law Number 32 of 2004 concerning Governance Regions, which are included in it, have been rearranged regarding the division of functions. Based on this basis, this study aims to analyze the form of implementation of the authority of the regional government and village government in realizing good governance based on the principle of autonomy.

RESEARCH METHODS

The method used for this research is normative. This normative legal study focuses on its study by viewing Law as a complete system that includes a set of legal principles, legal norms, and

legal rules (Irwansyah & Ahsan Yunus, 2021)

RESULTS AND DISCUSSION

Good governance is an issue that has surfaced in public administration management today, which emerged in the early 1990s. The state administration system is an important element in a country. Entering the reform era, this was acknowledged through TAP MPR RI No. XI/MPR/1999 concerning State Organizers who are clean and free of KKN, and Law Number 28 of 1999 concerning State Organizers who are clean and free of Corruption, Collusion and Nepotism of the Indonesian people affirm the determination always to be serious about implementing state governance and development which is based on the principles of good governance. If we look at the parts of participation that the public or society can carry out, it can be concluded that public participation in making a decision is very important. Public participation has become very important in the decision-making process following the World Bank and the United Nations Development Program (UNDP) campaign for good governance.

Regarding good governance, Hetifah Sj. Sumarto argues: one of the characteristics of good governance or good governance is participation. To increase the effectiveness of the system and administration of government apparatus, as well as to encourage the expansion of creativity, initiatives, and community involvement in the development and improvement of welfare, public service is an effort to increase the quality and productivity of government apparatus. implementation of responsibilities and functions of government agencies (Lestari & Santoso, 2022)

Juridically, regional government affairs in the health sector have just been published since the promulgation of the Law of the Republic of Indonesia Number 32 of 2004 concerning Regional Government which has replaced the Law of the Republic of Indonesia Number 22 of 1999 concerning Regional Government which has subsequently also changed since the promulgation of the Law. -Law Number 23 of 2014 Concerning Regional Government. The Law gives authority to regional governments to regulate, finance, and carry out government affairs in the health sector in the regions. Since the promulgation of Law Number 23 of 2014 concerning Regional Government, the implementation of regional autonomy in Indonesia has been refreshed because the old Law is no longer by the development of conditions, state administration, and demands for the implementation of regional government. The principle of autonomy in Law Number 23 of 2014 concerning Regional Government has not undergone much change from Law Number 32 of 2004 concerning Regional Government, namely the principle of broadest autonomy in which the regions are given the authority to manage and regulate all government affairs outside those that are the affairs of central government stipulated in Law. Concurrent government affairs are further divided into mandatory government affairs and optional government affairs, which are legally regulated using a priority scale in which the implementation of mandatory affairs related to basic services is prioritized. This is intended to maximize the implementation of governance in the regions, both governors as representatives of the central government and district/city governments and strengthen the status of regional autonomy affairs, prevent overlapping of authorities and effectiveness in the

implementation of regional and national government affairs, regional governments are one whole with a decentralized system with the main focus on achieving equitable regional development. (Zamzami, A. 2020)

In a unitary state, there are two system models: a centralized system and a decentralized system. In a centralized country, the central government processes and implements all policies. Thus, local governments only carry out regulations from the central government. Regions need the power to manage their own households (Thamrin, A. 2019). Meanwhile, in a unitary state with a decentralized system, the regions are given the power to manage their regional households, including fully managing the Regional Original Revenue (PAD) and the Regional Revenue and Expenditure Budget (APBD), based on their own initiative. Regions like this are commonly called regional autonomy (auto) or autonomous power. Although, in essence, the unitary state is not divided, or in another sense, the central government's power is not limited because the constitution of the unitary state does not recognize other legislative bodies other than the central legislature. So, even if there is authority for the regions, such as making regional regulations (PERDA), the regional government still needs to be sovereign because the highest supervision and authority still lies with the central government.

Autonomy is basically a political concept. Some understanding of this term, in essence, can be concluded that autonomy is always associated or equated with the notion of freedom and independence (Koesoemahatmadja, 1979). Something will be considered autonomous if something can determine itself, make its own Law with the intention of self-regulation, and run based on authority, power, and own initiative. The political content in this term is that with this freedom and independence, a region is considered autonomous if it has authority or power in administering the government, especially to determine the interests of the region and its own people, own Law with the intention of self-regulation. And run based on authority, power, and own initiative. The political content in this term is that with this freedom and independence, a region is considered autonomous if it has authority or power in administering the government, especially to determine the interests of the region and its people. The challenges faced in public services are not only creating efficient services but also how these services can be implemented regardless of the status of the people served (Rohmah et al., 2022).

The State of Indonesia has confirmed its existence as the Unitary State of the Republic of Indonesia, as stated in Article 1 paragraph (1) of the 1945 Constitution of the Republic of Indonesia (1945 Constitution of the Republic of Indonesia). The Unitary State of the Republic of Indonesia is a basic principle in the administration of regional government, where this conception, on the one hand, strengthens the existence of regions as a national part, but on the other hand, provides a stimulant for local communities to articulate all their interests, including the issue of regional autonomy in the legal system and national policies. Ideally, there is no, and it is not possible for a national policy to set aside, reduce, or even eliminate regional autonomy. This is due to the provision of regional autonomy, which has become an inseparable part of national policy. Conversely, regions also need to acknowledge their identity as part of the Unitary State of the Republic of Indonesia so that all regional behavior, policies, and actions cannot conflict with central policy (Hasrul M. 2013).

Regional autonomy has a strong foothold in guaranteeing that each region has the right to be autonomous and its implementation guaranteed to be able to manage and maximize development in the region with its own uniqueness. For regions whose competitiveness is not sufficient to compete, the government is obliged to encourage so that these regions are able to develop according to geographical, socio-cultural, and economic conditions so that they can compete at the level of minimum requirements. Decentralization aims to build community participation and invite the widest possible public involvement in the development planning, implementation, and evaluation processes. For this reason, decentralization provides wider space for regions to democratically manage their own government as a manifestation of the ideals of a decentralized system (Busrizalti HM 2013).

The system of governance in the regions can basically be a unified whole or whole in which there are components of regional units that have functions and tasks and are interrelated based on the principle of administering regional government to achieve regional goals. In the concept of a unitary state, efforts to realize justice and social welfare are strongly influenced by the pattern of social structure. Differences in cultural and belief systems, differences in nature and geographic location, differences in historical background, and so on. From that, the delegation of authority must also be used wisely by local governments to meet the needs of the community without distinguishing status, race, religion, class, and certain interests, which often paralyzes services, especially the lower middle class who are sometimes often disappointed (Revelation, 2022). Attention to these differences in specificity then requires differences in services and ways of administering government. There are demands for governance of this kind, only possible in a decentralized government system. Thus, the implementation of regional autonomy or decentralization in Indonesia is intended to maintain the heterogeneity of the nation and improve services to the community so that the Republic of Indonesia is then required to carry out the widest possible autonomy but still provide limits of authority to autonomous regions, which are further regulated by Law as mandated by Article 18 Paragraph (5) of the Constitution of the Republic of Indonesia (UUD NRI) Year 1945 that regional governments carry out the widest possible autonomy, except for government affairs which Law determines as the affairs of the central government.

CONCLUSION

The legal politics of regional autonomy in realizing good governance in various fields is based on the right to health protection for every citizen, which is granted by the state whose implementation involves elements of regional government. The application of the principles of governance in the implementation of government affairs in various fields is measured based on public access to information on governance, public trust in government institutions, consistency in law enforcement, and the involvement of non-government elements in making government policies (especially in the health sector). The Regional Government should continue to seek socialization and guidance to the public regarding health administration policies. To increase awareness, concern, and synergy between the government and the community. The concept of good governance, which is the latest concept in public management reform, can play a successful role in driving local government if all related pillars synergize by

applying the principles of good governance.

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