

Role of Local Government in The Implementation of Good Government

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Abstract. The regional government is the leader of the region as a component of regional government organizers who oversees the execution of government affairs that are the responsibility of the autonomous region. According to statute number 23 of 2014 pertaining to government, there is both a central government and a regional government. The implementation of government operations in this instance must adhere to the principles of good governance. There are three primary stakeholders in the most fundamental idea of governance: the state, the private sector, and society. This study employs descriptive analytic research specification, normative legal research, and an analytical normative juridical approach. Each region develops regional apparatuses based on regional traits, potential, and requirements. Regional government is a component of regional administration that includes the governor, regent, or mayor, as well as the regional apparatus. The notion of good governance in the administration of local government serves as a guideline for local governments in the context of achieving a democratic, clean, transparent, responsible, and efficient government.

Keywords: Good Governance, Regional Organizationm, Local Government

1. Introduction

The enactment of Law Number 23 of 2014 concerning Regional Government as amended by the first amendment in Law Number 2 of 2015 and the second amendment of Law Number 9 of 2015 marks a new phase of autonomy policy and relations between the Center and the Regions today[1,2]. Restructuring of affairs, strengthening the position of Governors and provincial governments, and the introduction of the concept of transition management in the form of the status of preparatory regions for regional expansion are just a few examples that can be taken as evidence of change. Changes to the pattern and hue of the connection between the central government and the regions have introduced new dynamics to the future administration of autonomy and implementation of regional government[3]. According to Government Law Number 23 of 2014, there is a Central Government and a Regional Government; these two terms correspond to the region. Regional Government is the administration of government affairs by the Regional Government and the Regional People's Representative Council according to the principle of autonomy and co-administration with the principle of the widest possible autonomy in the system of principles of the Unitary State of the Republic of Indonesia as stated in paragraph 2 of the 1945 Constitution of the Republic of Indonesia (1). According to Article 3 of the 1945 Constitution of the Republic of Indonesia, the Regional Government is the regional

head as a component of the Regional Government organizer who directs the implementation of government matters that fall under the autonomous region's jurisdiction.

Local governments have a strategic role in terms of coaching and supervision in their regions[4]. In Law Number 23 of 2014 concerning Regional Government Chapter I concerning General provisions Article 1 number 5 states that government affairs are government powers which are the authority of the President whose implementation is carried out by state ministries and regional government administrators to protect, serve and empower and prosper the community. Law No. 22/1999 on regional government in principle regulates the implementation of regional government which prioritizes the implementation of the principle of decentralization[5]. Taking into account the experience of implementing regional autonomy in the past which adhered to the principle of real and responsible autonomy with an emphasis on autonomy which is more of an obligation than a right, then in Law No. the principle of decentralization in the form of broad, real and responsible autonomy. So, what is the local government law in Indonesia, and what is the role of local government in implementing good governance?

2. Method

The method used in this research is descriptive-analytical research specification, and the type of research used is normative legal research and normative analytical juridical approach.

3. Result & Discussion

Regional Government is a component of regional government that includes the Governor, Regent, or Mayor, as well as regional apparatus. Regional Government and DPRD are regional government administrators based on the principle of autonomy and co-administration, with the principle of autonomy being as broad as feasible within the system and principles of the 1945 Constitution of the Unitary State of the Republic of Indonesia. The regional government system is the totality of interdependent and interconnected parts whose principal elements are the Regional Head and DPRD, who formally have the responsibility and right to regulate and manage their regional household, as well as the responsibility and right to absorb and formulate the aspirations of the people in the form of various government administration efforts.

Theoretically, the government's capacity is shaped by the decentralization principle, which involves the hierarchical delegation of authority from the organizational level to its lower levels. Decentralization is described as the transfer of government authority to autonomous regional governments within the framework of the Unitary State of the Republic of Indonesia, which is completely and unanimously implemented in regencies and cities. The objectives of decentralization are:

1. Reduce the burden on the central government and intervene on small issues at the local level. It also provides opportunities for coordination of implementation at the local level.
2. Improving people's understanding and their support in socio-economic development business activities. Likewise, at the local level, they can benefit from the contribution of their activities.
3. Preparation of programs for socio-economic improvement at the local level so that they can be more realistic.
4. Train the people to be able to manage their own affairs.
5. Fostering national unity.

Each region develops regional apparatuses based on regional traits, potential, and requirements. Local regulations determine regional apparatus organizations by referencing Government Regulations. The creation of regional apparatus in the form of an organization is primarily motivated by the need to manage government issues. The size of the regional apparatus organization should take into account at a minimum the factors of financial capacity, regional needs, the scope of tasks, including the task objectives that must be met, the type and number of tasks, the area of work and geographical conditions, the number and population density, and the regional potential associated with the affairs to be carried out.

Several factors must serve as the primary guide for the implementation of the regional government so that the notion of implementing autonomy may be carried out effectively. Among these different factors, the adoption of effective local government is one of the requisite principles. The government is one of the actors in government administration. The executive arm of government possesses two characteristics: first, as a tool, and second, as a state person acting on behalf of the state. Executive action as a state instrument is a state act. Second, as a state administrative body with independent state-granted powers. This autonomy enables the state administration to act independently in the sphere of regulation (regelen) and in the administration of the state administration (besturen).

There are two measuring tools for the legitimacy of government acts, namely laws and regulations as written legal rules and general principles of good governance as unwritten legal rules. Such a formulation is a norm of state administrative law which in its development in several countries is currently being accommodated in a codification of general state administrative law. The three functions of administrative law are normative functions, instrumental functions, and guarantee functions. The description illustrates that administrative law includes:

1. Arrangement of means for the government to regulate and control society
2. Regulating the ways in which community members participate in the process of regulating and controlling and protecting the law
3. Establishment of fundamental norms for rulers for good governance

Thus an understanding of the concept of administrative law consists of the following main elements:

1. The law on governing power which is at the same time linked to the law on community participation in the implementation of government
2. Laws on government organizations
3. Law on legal protection for the people

Based on the description above, administrative law has a scope that the legitimacy of government acts can be formulated and/or limited to government tasks that are part of the authority, procedure and substance. Regarding how state administrative officials obtain the authority to carry out the government, it can be observed from the point of view of the procedure and substance of the granting of authority. In this case, it is necessary to understand that the general principle of procedure rests on three main foundations of administrative law, namely; (1) The principle of the rule of law; (2) The principle of democracy; (3) Instrumental principles.

The principle of the rule of law in its main procedure relates to the protection of basic rights. Meanwhile, the principle of democracy in procedures relates to the principle of openness in the administration of government. Meanwhile, the instrumental principles in the procedure include the principles of efficiency and effectiveness. The basis for the authority of the state administration to issue policy regulations is derived from the freedom of action possessed by

the state administration. The principle of good governance in the process of administering local government is a guideline for local governments in the context of realizing a democratic, clean and transparent government as well as being accountable, effective, and efficient. Good governance implies upholding values in the life of the nation and state and those related to leadership. Good governance is also a tangible manifestation of the implementation of a clean state government or good and correct governance.

There are three primary stakeholders in the most fundamental concept of governance: the state and government (state), the private sector or business world (private sector), and society (society). Government institutions function to create a favorable political and legal environment, while the private sector generates jobs and income, and the community plays a role in fostering social, economic, and political interactions, such as by inviting community groups to participate in economic, social, and political activities. Leadership is a crucial component in the evolution of institutions. Leadership is a group of individuals actively engaged in shaping the institution's doctrine and program, as well as building and fostering relationships with the surrounding community.. In order to avoid the state administration from making policy regulations that exceed the limits of freedom of action and damage the applicable legal order, it is necessary to find principles of administration that can be used as control limits for policy regulations. The principles in question are the principles of good governance, namely:

1. The principle of equality
2. The principle of trust
3. The principle of legal certainty
4. Asa careful
5. The principle of giving reasons (motivation)
6. The principle of prohibition of abuse of authority
7. The principle of the prohibition of acting arbitrarily

Regarding good governance above, in Law Number 23 of 2014 concerning Regional Government Article 58 states that in carrying out regional government, it is guided by the principles of implementing state government which consists of:

1. Legal certainty
2. Orderly state administrators
3. Public interest
4. Openness
5. Proportionality
6. Professionalism
7. Accountability
8. Efficiency
9. Effectiveness
10. Justice

4. Conclusion

As a component of the Regional Government organizer, the regional Government is the head of the region, directing the implementation of government affairs that fall under the competence of the autonomous region. Regional Government is a component of regional government that includes the Governor, Regent, or Mayor, as well as regional apparatus. Each region develops regional apparatuses based on regional traits, potential, and requirements. In the framework of achieving a democratic, clean, and transparent government as well as being

accountable, effective, and efficient, the idea of good governance in the administration of local government serves as a guideline for local governments. Good governance entails respecting national and state ideals, as well as those associated with leadership.

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