

Decentralized Power Within the Unitary State

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Abstract

The debate about the federal system became taboo. This can be seen from the history of politics in Indonesia. There is an assumption that the federal system that was implemented using the RIS (Republic of Indonesia United States) Constitution in 1949-1950 is considered to have been formed by the Dutch colonial state, Van Mook. Therefore, during the New Order era with an authoritarian system, interpreting political history could only be carried out by the regime in power. The choice of government system in Indonesia, the 1945 Constitution also cannot be amended. All of them are considered "fixed price" as well as NKRI. This argument is basically caused by the interests of the elite regimes that want to dominate power. With a centralistic and monolithic system, power can be maintained. The second argument is that in the federal system, power is distributed between the federal (central) and the states. Centralistic and hierarchical military power will be threatened if the federal system is implemented. Hence the debate about the unitary or federal system of government did not develop. The decentralized system has in turn closed the federalism debate in Indonesia.

Keywords: unitary state, federalism, government system, political party, regional autonomy

1. INTRODUCTION

However, the scientific debate continues to develop to find the most appropriate format for the political system, government system, political party system and the electoral system itself. In the experience of the political system in Indonesia after reformation, there have been different election procedures and detailed calculation techniques that differ between the 1999, 2004 and 2009 elections. The electoral system used is a proportional system with a closed candidate list model in the 1999 election, an open candidate list in the 2004 election. and the 2009 elections. Another difference is the district model that was introduced in the 2004 elections.

The Regional Autonomy Law which was implemented in 2001 provided substantive changes in politics in Indonesia. During the New Order government, the domination of the center determined political policies at the local government level [1]. Provincial and district / city governments have considerable powers. Political changes open up many demands for changes in the power structure. In the political process of the last decade, it can be seen the political behavior of political actors in the process of democratization from a centralized relationship to decentralization. There were different responses from various regions. Some actors in the regions understand decentralization as complete regional independence from central power. Meanwhile the regime in power at the central level is considered "halfhearted" to give part of its power at the regional level. Decentralization powers are granted at the district / city government level, not at the provincial government level. Some of the scholars consider that decentralization is the same as federalism. Whereas the decentralization system is in the political system of the unitary state,

not the federal state. In a unitary state there is only one sovereign state. Meanwhile in the federalism system, there are two sovereign states, namely the federal and state states [2].

The order of distribution of power in the political system is known as the unitary state system of government and the federal system. The central government can at any time take back the powers that have been given to the regions in the system of the unitary state. Therefore democracy guarantees that the center cannot take back its power from the regions. In exercising power, the central state must pay attention to the principles of democracy it adheres to. For example, direct gubernatorial elections cannot be changed automatically with the governor being appointed by the president through a new law. The taking of power from the people must go through a democratic process [3].

In practice of unitary or unitary state government, power rests with the central government. In this case the central government can change or rewrite the country's constitution. Meanwhile, sovereignty rests in the hands of the people, or the nation or in the hands of the government (in this context the power of parliament in the amendment of the constitution). Decentralization is a variant of the unitary state model, but the central government gives certain powers to regional or local governments. The weakness of the centralized system that was practiced in the Indonesian government during the New Order era and transformed into decentralization through the process of democratization. If the democratic process is still fragile, there is still a possibility that this power could then be changed back into a centralized model again. That is if the actors or politicians who are elected through elections are not actors who have a vision of democracy or are not democrats [4].

Various problems that have arisen in political practice since the 1998 reforms are the contestation between district / municipal governments and those at the provincial level. How is power distributed fairly in the context of unitary or unitary state government? It is interesting for political science scholars to deconstruct how the concept of a unitary state is understood and implemented in a decentralized system such as Indonesia. Torquist stated that the study of democracy in Indonesia is not sufficient without paying attention to democratic actors in Indonesia [5]. Political actors in Indonesia are considered to have failed to connect the orientation of civil society to political organizations with a collective ideological and interest perspective.

2. Developing Regions: Regional Autonomy at the Provincial Level

After 10 years of the Regional Autonomy implementation, it is necessary to examine in depth the extent to which regional autonomy provides opportunities for society to obtain better public services. The main public services include health, education, employment opportunities, women and children, and people with disabilities. Not many studies have been conducted to see what extent the main argument for providing regional autonomy has succeeded in building public services for society [6]. The success model in several districts such as Jembrana is the only model that can be adopted.

The contestation between the national and local elites in the power relations model between the center and the regions are still dominated by the national elite in the unitary state system. However, at the same time the local elites interpret regional autonomy to be the concept of independence from the center. The emergence of various problems within the framework of this understanding, among others, is in the form of a regional desire to divide both districts / cities and provinces. Conflicts that arise either for primordial reasons such as the division of Banten Province, namely between Sunda Parahiayangan and Sunda Banten in the framework of power participation in West Java Province; The Mandar Tribe, Makassar Tribe and the Bugis Tribe in local politics context in South Sulawesi. Marginalization in the recruitment of political positions for the Mandar Tribe was the main cause of the establishment of West Sulawesi Province. Likewise, between Bangka / Belitung and South Sumatra, the separation of Gorontalo from North Sulawesi as well as issues of primordialism and distribution of power, the same thing happened between Ambon and North Maluku and Riau Islands and Riau Islands. This is a concrete form of the impact of regional autonomy which provides space for political participation [7]. In the practice of Regional Autonomy at the Regency / City level which results in a large number of regions to form new districts / cities with only 3 districts. Although the

requirements to form a new regency / city are completely contained in legislation such as economic feasibility, for example. In the end political demands were more dominant. Likewise at the provincial level the formation of the Provinces of Banten, Gorontalo, West Sulawesi, North Maluku and Riau Islands and West Papua were all due to political reasons rather than economic reasons [8]. The problem is that regional autonomy is much better at the district / city level or at the provincial level?

After Timor Timur was separated from the government of the Republic Indonesia, the division that took place which was continuous and unstoppable division at the district / city level. In the 1999 elections the districts / cities still numbered 361. In the 2004 elections the number of districts / cities was 440, while in the 2009 elections the number of districts / cities was 471. The number of provinces was 33. The problem of division at the provincial level can still be said to be an easier problem in the management framework. Government [9]. This means that the central government can still coordinate 33 provinces better than having to coordinate 471 districts / cities.

Apart from the decentralization model at the district / city level, Indonesia also applies the special autonomy model for NAD and the Special Autonomy for Papua. In an interesting development to study further, is the implementation of special autonomy a better process in NAD and Papua? What indicators can be assessed to improve relations between the center and the regions? Why in the latest developments in June, the big conference in Papua decided, first to return Special Autonomy to the Government; secondly dissolve the Papuan People's Assembly (MRP); third, dissolving the red and white group and fourth, "independence" with fixed prices [10]. The question is why the special autonomy model has received greater resistance in Papua than in Aceh. What factors explain the success of special autonomy? The experience in NAD is that after the tsunami disaster in Aceh on 26 December 2004, all the attention of the central government and all stakeholders jointly developed NAD. In addition, NAD has become an open area for the international community. This was different when NAD was in the Military Operations Area (DOM) in the last decade of the Soeharto regime. The direct election in NAD was won by the opposition group (which came from the GAM group) for the first time. Thus the resistance forces enter the government system [11]. Another factor was that after the tsunami, BRR was formed, which received a sufficient budget to manage 5 years for post-tsunami development. Discussing the demands of the Papuan people seems to only rest on issues of welfare issues. The Special Autonomy Budget is integrated into the routine budgets of Regency / City and Province. Meanwhile, the group's demand in Papua is that to accelerate the development of welfare in Papua, a special agency that manages the special autonomy budget should be formed. This is a challenge for the central government in maintaining the integrity of the Republic of Indonesia and carrying out the mandate of the 1945 Constitution for the welfare of the people. From the experience of the two special autonomous regions, it can be seen that the consolidation strength of the provinces is far better than at the district / city level in the central-regional relationship [12].

An important question after ten years of decentralization is to what extent the change in power from the center to the regions can explain a more prosperous public service process for the benefit of the people? Therefore, the granting of regional autonomy is usually "accompanied" by arguments about public services that are closer to constituents or the people [13]. Thus, regional leaders are considered or directly able to understand and be able to exercise power for the benefit of their people. Policies for local interests are more concerned with the interests of the national elite [14].

This argument becomes very interesting and is immediately believed to be true for the supporters of regional autonomy. In the ten years of the implementation of the Regional Autonomy Law since 2001, it can be seen that the Regency / City has power in the investment framework. For natural resource issues, such as mining, which usually passes through more than two districts / cities, the power and authority rests with the provincial government. In East Kalimantan, for example, some districts / cities have issued decrees for the exploitation of natural resources such as coal [15].

Coal mining is an important part of regional financial resources. The interesting thing to be studied further is to what extent is the accuracy of the data that has been issued by the Regency /

City to exploit these natural resources? The issue that was often heard was that the size of the area that had been decided by the Regent was often not in accordance with the conditions on the ground. This is due to reasons of insufficient human resources in the region or due to the desire of local elites to develop their regions quickly. Thus, regional autonomy at the district / city level has two opposing faces [16].

Another example is for East Java Province, which focuses more on industry, although natural gas mining (Madura Strait) or oil (Bojonegoro / Jatim and Cepu / Central Java areas) are also rich natural sources in the East Java region. Some areas that are rich in natural resources, both mining and plantations, have received substantial financial resources to develop their regions. Meanwhile, for regions whose natural resources and mining have not been exploited, they rely more on the DAU (General Allocation Fund) from the central government. The easiest way for District / City Governments to increase revenue is by making a policy to collect taxes, both individual income tax and business income tax. This has made it very difficult for various areas to conduct business in the absence of a clear tax payment system. The same applies to industrial development issues [17]. Not much evidence can be put forward regarding the implementation of autonomy at the district / city level. It has even been felt that investment in industry is considered hampered. This is also caused by unclear rules of the game, taxation and political stability needed to build investment. The dominant issue of political debate in this framework is the struggle for General Allocation Fund (DAU) at the house of representative (DPR) Budget committee level which is becoming increasingly fraught with conflicts of interest, both the individual interests of the DPR (which can lead to corruption) and regional interests [18]. Regent / Mayor. During the New Order era, he became a regional head who became a "subordinate" to the President / Minister of Home Affairs, but after the reformation he depended on the house of representative (DPR) Budget Committee. The problem is that the number of Regencies / Cities is getting bigger (in the 2009 election there were 471), making the monitoring and evaluation system for the implementation of Regional Autonomy unable to be implemented properly. Most districts / cities in Indonesia have not been able to be independent from dependence on the APBN through the General Allocation Fund (DAU).

Regional autonomy in Provisisi is important with the argument that natural and human resources can be better consolidated. Consolidation of natural resources is very important, including in the framework of building regional infrastructure, building industry and creating new jobs [19]. In addition, competition between regions in development will be stronger and more significant at the provincial level. Natural and human resources which are the basis of development power are also relatively consolidated. Meanwhile, regional autonomy in districts / cities has resulted in district / city fragmentation and competition for central budgetary rather than developing regional potential. Of course, this does not deny several districts / cities that have succeeded in developing their territories. It's just that the number of districts / cities that are developing is not comparable to those that are still dependent on the center.

The regional autonomy practice that needs special attention is the management of mining areas. Geologically, the mining area cannot be limited by the administrative boundaries of the regency / city. Large-scale exploration undertaken for coal mining under the jurisdiction of certain districts will have an impact on hazards in other environmental districts [20]. Likewise, other environmental cases such as forest logging in one area can have an impact on flood hazards in other districts. For example, in the case of Jakarta, which received floods from the Puncak and Bogor regions due to rainwater management and deforestation in the Puncak area which could cause flooding in Jakarta. Thus regional autonomy requires comprehensive regulations in the framework of inter-regional relations and the division of regional management functions. On the basis of the practice of regional autonomy during the last 10 years and the most visible impact is the expansion of the number of districts / cities, it is necessary to review it to provide regional autonomy at the provincial level [21]. Special autonomy must be understood as functionally oriented towards the implementation of government functions. Among these are the functions of service, regulation and empowerment. If a function is faster, closer, and more precise at the provincial or even state level, then that function should not be left to the district.

Thus this paper offers a view of the need to strengthen decentralization at the provincial government level. The argument that can be presented here is that consolidating resources, both

human resources and natural resources, will be much better regulated at the provincial level. Meanwhile, district / city governments still have an important function in developing local governance so that there is national integration with improving the welfare of societies.

3. Decentralization and Women

In addition, decentralization must be placed at the provincial level to improve resource consolidation, decentralization must also be able to increase the role and participation opportunities for women [22]. Opportunities for women to participate in decision-making at both the legislative and executive levels. The election of the governor / deputy governor, regent / deputy regent and mayor and deputy mayor of women through regional head elections. Among them are the Governor of Banten / deputy governor of Banten; Deputy Governor of Central Java; Regent of Kebumen, Tuban, Banyuwangi, Tomohon, Karanganyar. The emergence of women leaders provides space for women to channel their demands so that decentralization can provide an opportunity to raise women's issues such as gender-based budgets [23]. The government, through APBD, must allocate allocations for gender mainstreaming through Presidential Instruction No. 9 of 2003. Although the practice in various areas of gender mainstreaming is not yet based on gender equality. According to a study conducted by WRI, it shows that the indicators used such as HDI (Human Development Index), HPI (Human Poverty Index), GDI (Gender Development Index) and GEM (Gender Empowerment Measures) have not been used to measure gender mainstreaming programs, especially seen from the allocated budget.

In the context of deepening democracy, discussing the issue of the democratization impact on women must continue to receive attention and in-depth studies. Democracy without women is not democracy. On the other hand, the implementation of the Syari'at Islam local regulation only focuses on family laws that place the domestic role of women and the drafting of regulations that regulate the dress code for women, such as the use of the hijab or regional regulations that prohibit women from going out at night. At the beginning of the reformation the author once questioned the Regional Government Bill in West Sumatra on the prohibition of women going out at night. Through an interesting discussion, it was found that the main reason was the concern of residents with the practice of commercial sex workers around the coast in the city of Padang. For this reason, around 2 million women from West Sumatra are prohibited from going out at night. The question that arises is who actually goes out at night to the prostitutes? Isn't it a male society? Why are women forbidden to go out at night? Thus various logic and incorrect arguments are often used to marginalize female societies in public life. Meanwhile, there are not enough district heads / mayors who pay full attention to various issues of women such as domestic violence, migrant women workers, education for girls and women's health.

Meanwhile, the complexity of women's issues that can be regulated through Islamic shari'ah regarding women's welfare has not received any attention at all. For example, working women can be allowed to take maternity and breastfeeding leave for two years and can return to their original jobs. This is supported by our interpretation in understanding the Qur'an, Surat Luqman verse 14 which states that breastfeeding is up to two years. In addition, only women can breastfeed their children and become human children, not formula milk children. Therefore, decentralization and building women's participation is a must. Therefore, decentralization can provide space for women to fight for their interests at the local level. Marginalization of women still occurs through the issuance of local regulations, but there is room for women to fight back and fight for their rights at all levels of government.

Women's struggles regarding women's existence in the decision-making process in regional house of representative (DPRD) through a 30% quota in elections. It did not only focus on numbers but talked about the politics of presence to keep fighting for the politics of ideas. Women who are elected in elections both in the legislative and in the executive have an obligation to fight for the interests of these women.

4. CONCLUSION

Indonesia has successfully held general elections three times after the political change from authoritarian to democracy, namely in 1999, 2004 and 2009. General elections are an important indicator in the democratic process. Attention is currently being paid to the extent to which

electoral democracy will change to deepening democracy. This is important in the framework of substantially improving the quality of society life, including the lives of female society. Meanwhile, the electoral democracy process at the local level, namely in Provinces and Regencies / Cities, has also produced new direct elected leaders, including the emergence of women as governors and regents / mayors. The dynamics of the post authoritarian regime can be said to be unpredictable. Whether this process will continue to improve towards an advanced democracy or will it return to an authoritarian regime because leaders who are elected have political steps that can be categorized as repeating the previous authoritarian models. However, as a democratic process it takes four or five elections. Therefore, keeping governors and regents / mayors directly elected by the people is a must to maintain local power in determining leaders. Meanwhile, an in-depth study is needed on the implementation of regional autonomy in the Regency / City. Furthermore, it is also necessary to provide powers at the provincial level in order to consolidate human and resource resources. Thus the functions and processes of autonomy in the Province can accelerate development throughout Indonesia. The essence of giving power to the regions is to give societies the right to develop their regions optimally.

REFERENCES

- [1]. Prabowo, H. (2019). Influence of Implementation of Development and Supervision Policy to the Effectiveness of Regional Autonomy in Indonesia. *Jurnal Bina Praja: Journal of Home Affairs Governance*, 11(1), 63-73.
- [2]. Jaelania, A. K., & Karjokoc, L. (2020). Development of Halal Tourism Destinations in the Era of Regional Autonomy in West Nusa Tenggara Province. *Development*, 12(12).
- [3]. Wahyuningsih, T., Bugis, M., & Bin-Tahir, S. Z. (2019). Analysis of the Inequality on Inter-regional and Inter-time Income Distribution in Indonesia. *The Journal of Social Sciences Research*, 5(1), 1-8.
- [4]. Soebagyo, D., Fahmy-Abdullah, M. O. H. D., Sieng, L. W., & Panjawa, J. L. (2019). Income Inequality and Convergence in Central Java under Regional Autonomy. *International Journal of Economics & Management*, 13(1).
- [5]. Suharyono, S. (2019). The Effect Of Accountability, Transparency, And Supervision On Budget Performance By Using The Concept Of Value For Money In Regional Business Enterprises (Bumd) Of Riau Province. *International Journal of Public Finance*, 4(2), 236-249.
- [6]. Yasin, M. (2019). Analysis Of Regional Original Income Levels In Regional Financial Performance On Economic Growth In East Java Province. *Archives of Business Research (ABR)*, 7(10).
- [7]. Purba, I. B. A. H., & Mimba, N. P. S. H. (2019). Analysis on the Regional Financial Performance of Regencies/Cities in Bali Province. *IOSR Journal of Humanities and Social Science*, 24(9), 20-33.
- [8]. Ding, X., Zhang, Z., Wu, F., & Xu, X. (2019). Study on the evolution of water resource utilization efficiency in tibet autonomous region and four provinces in tibetan areas under double control action. *Sustainability*, 11(12), 3396.
- [9]. Sasana, H. (2019). Fiscal Decentralization and Regional Economic Growth. *Economics Development Analysis Journal*, 8(1), 108-119.
- [10]. Giovannini, A., & Vampa, D. (2020). Towards a new era of regionalism in Italy? A comparative perspective on autonomy referendums. *Territory, Politics, Governance*, 8(4), 579-597.
- [11]. Li, B., Zhang, X., Guo, J., Wang, J., Pianduo, B., Wei, X., ... & Hu, J. (2019). Prevalence of pulmonary tuberculosis in Tibet Autonomous Region, China, 2014. *The International Journal of Tuberculosis and Lung Disease*, 23(6), 735-740.
- [12]. Maselena, A., Huda, M., Jasmi, K. A., Basiron, B., Mustari, I., Don, A. G., & bin Ahmad, R. (2019). Hau-Kashyap approach for student's level of expertise. *Egyptian Informatics Journal*, 20(1), 27-32.
- [13]. Moonti, R. M. (2019). Regional Autonomy in Realizing Good Governance. *Substantive Justice International Journal of Law*, 2(1), 43-53.
- [14]. Taufiqurokhman, E. S., & Hafiiid¹, H. (2020). Indonesian Governments Policy on Environmental Law in the Era of Regional Autonomy. *Systematic Reviews in Pharmacy*, 11(12), 1203-1209.

- [15]. Hadju, V., & Nursyamsi, I. (2020). Analysis of integrated health referral systems in the era of regional autonomy in West Sulawesi. *Enfermería Clínica*, 30, 59-62.
- [16]. Wahyuningsih, T., Bugis, M., & Bin-Tahir, S. Z. (2019). Analysis of the Inequality on Inter-regional and Inter-time Income Distribution in Indonesia. *The Journal of Social Sciences Research*, 5(1), 1-8.
- [17]. Jordan, B. (2020). National and Regional Autonomy. In *The Age of Disintegration* (pp. 17-28). Palgrave Macmillan, Cham.
- [18]. Sudibya, K. P. (2020). Central-Regional Government Financial Balance in Implementation of Regional Autonomy in Bali Province. *Jurnal Analisis Hukum*, 3(2), 143-155.
- [19]. Santoso, S. (2019). Implementation of Regional Regulation in Supporting Regional Autonomy. *Social Science and Humanities Journal*, 1530-1534.
- [20]. Armunanto, A., Nadir, S., & Ekawaty, D. (2019, October). Environmental dilemma under implementation of Indonesian regional autonomy. In *IOP Conference Series: Earth and Environmental Science* (Vol. 343, No. 1, p. 012088). IOP Publishing.
- [21]. ARYADI, D., HANDRA, H., ELFINDRI, E., & RIDWAN, E. (2019). Dynamic analysis of the local government revenue generation of Padang City before and after the regional autonomy. *Journal of Applied Economic Sciences*, 1(67), 56-63.
- [22]. Burhanuddin, N., Nurdin, A. A., & Helmy, M. I. (2019). Religious conflict and regional autonomy in church establishment and Islamic clothing in West Pasaman and Dharmasraya West Sumatera. *Indonesian Journal of Islam and Muslim Societies*, 9(2).
- [23]. Limbong, M., & Saudi, N. D. S. Analysis of Regional Financial Capabilities In Supporting the Implementation of Regional Autonomy in Toraja Utara District In 2014–2019.