

District Position in the Implementation of Special Autonomy in Jayapura Regency, Papua Province

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Abstract: One of the important policies after the end of the New Order regime which was in power for 32 years was the implementation of the widest possible autonomy in the form of decentralization. Where was the birth of Law Number 21 of 2001 concerning Special Autonomy for Papua as a form of asymmetric decentralization. Government Regulation Number 106 of 2021 concerning Authorities and Institutions for the Implementation of the Special Autonomy Policy for Papua Province is the implementation of Law Number 21 of 2001 in conjunction with Law Number 2 of 2021. In order to increase the capacity of District administration, the Regional Government of Papua Province provides assistance tasks to the District government. District/City Regional Governments are required to delegate some of their authority in matters relating to public services to the District government with support from human resources, funding, and financing by taking into account geographical conditions, effectiveness of public services, and span of control of services. Jayapura Regency, is one of the 29 regencies/cities in Papua Province, and is also the parent district of several new regencies such as Jayapura City, Keerom Regency and Sarmi Regency. Jayapura Regency consists of 19 districts, 139 villages and 5 sub-districts spread over the Sentani lake area, the coast to the valley and mountainous areas that can be reached by land, lake, sea or air transportation. The position of the district through the concept of District Building-Developing Districts in Jayapura Regency is the main in the selection of research locations based on Presidential Instruction No. 9 of 2020 concerning the Acceleration of Welfare Development in Papua Province and West Papua Province. By making the district a role model in Papua Province, especially Jayapura Regency, qualified human resources are needed.

1 INTRODUCTION

One of the important policies after the end of Suharto's 32-year rule was the implementation of the widest possible autonomy in the form of decentralization. Where was the birth of Law Number 21 of 2001 concerning Special Autonomy for Papua as a form of asymmetric decentralization. The application of the concept of asymmetric decentralization gives special treatment to Papua with different status degrees from other regions based on aspects of specificity and privilege. This is because Indonesia is a very diverse country which is very complex (Strong, 2015). The special autonomy policy in Papua is basically an inseparable part of efforts to decentralize (political) authority, followed by institutional decentralization, coupled with financial (fiscal) assistance through special allocation funds to

ensure that the needs of the special autonomous regions are met.

The practice of administering special autonomy that Papua has received has actually been guaranteed by the Indonesian constitution. Practically what is aspired to improve the welfare of the people in Papua after the passage of the Special Autonomy Law raises hope for the welfare of the Papuan Indigenous People (Sani, 2010).

The role of the government in paying special attention to Papua as a region with special autonomy has not been fully implemented in Papua, this is because the readiness of resources is far from expectations (Silo & Ohoiwutun, 2018). In carrying out and managing their government, the Papuan regional government is still rated as lacking in various aspects that refer to bureaucratic reform (Silo, 2013).

Initially, Papua was known as Irian Jaya. During Gus Dur's leadership from 1999 to 2001, two months

after his inauguration, on December 30, 1999, Gus Dur visited Papua which was then still called Irian Jaya. Gus Dur opened a space for dialogue for all citizens, including the leadership of the Free Papua Movement (Pratiwi, 2015). After all opinions were conveyed, Gus Dur gave a response, one of which was Gus Dur changing the name of Irian Jaya to Papua. Another case is the change in the name of West Irian Jaya to West Papua based on the Letter of the Governor of West Irian Jaya Number 120/175/GIJB/2007 dated February 19, 2007 regarding the proposal to change the name of West Irian Jaya Province to West Papua Province based on the approval of the Provincial People's Representative Council (DPRD). West Irian Jaya as stated in the Decree of the DPRD of West Irian Jaya Province Number 1 of 2007 dated 18 February 2007 concerning the Approval of the Change of Name of West Irian Jaya Province to West Papua. On that basis, President Susilo Bambang Yudhono issued Presidential Regulation Number 24 of 2007 dated April 18, 2007 concerning the Change of Name of West Irian Jaya Province to West Papua Province.

Previously there were Article 72 paragraph (3), Article 76, Article 77, and Article 78 letter d, of Law Number 5 of 1974 dated July 23, 1974 concerning the Principles of Regional Government. This law confirms that the district and municipality areas are divided into sub-districts. Each region is led by a regional head, namely the province and the state capital are called governors, districts are called regents, municipalities are called mayors, administrative cities are called mayors, and sub-districts are called subdistrict head. In carrying out his duties, the Head of the District is responsible to the Head of the Regency or Municipality or Administrative City concerned. Provisions regarding the appointment and dismissal of the Head of the Administrative City Region and the Head of the District are regulated by a Regulation of the Minister of Home Affairs.

Entering the beginning of reform, the implementation of Regional Autonomy, it is deemed necessary to place more emphasis on the principles of democracy, community participation, equity and justice, and pay attention to regional potential and diversity. Thus, the 1945 Constitution is a strong basis for implementing autonomy by giving broad, real, and accountable authority to regions, as stated in People's Consultative Assembly of the Republic of Indonesia Decree Number XV/MPR/1998 concerning the Implementation of Regional Autonomy, Regulation, Distribution, and Utilization. Equitable National Resources, as well as Central and

Regional Financial Balance within the framework of the Unitary State of the Republic of Indonesia. Based on these considerations, Law Number 5 of 1974 was revoked and declared invalid by Law Number 22 of 1999 dated May 7th, 1999 concerning Regional Government.

Article 1 letter, and Article 66, Law Number 22 of 1999, change the position of sub-districts to become Regency or City Region officials. The sub-district is an apparatus for the district and city areas led by the sub-district head. The head of the sub-district is called the sub-district head. Then the subdistrict head or Camat is appointed by the Regent on the recommendation of the Regency/City Regional Secretary from a Civil Servant who meets the requirements.

The *Camat* or subdistrict head receives the delegation of part of the government's authority from the Regent/Mayor. Furthermore, the Camat or subdistrict head is responsible to the Regent or Mayor, and in the formation of the District, it is determined by a Regional Regulation. Subsequently, Law Number 22 of 1999 was revoked and declared invalid by Law Number 32 of 2004 dated October 15, 2004 concerning Regional Government. In 10 years later, Law Number 32 of 2004 was revoked and declared invalid by Law Number 23 of 2014 dated September 30, 2014 concerning Regional Government. Then it was revised by Law Number 9 of 2015 dated March 18, 2015 concerning the Second Amendment to Law Number 23 of 2014 concerning Regional Government, most recently by Law Number 11 of 2020 concerning Job Creation.

In particular, the implementation of special autonomy for Papua related to districts in making programs and running them really requires the involvement of the district government as well as community characteristics so that there is transparency or openness in making programs and running them openly and honestly, so that the implementation of special autonomy policies can run well at the district level (Suroto, 2021).

This means that the role of the District in Jayapura Regency is very important and very strategic in the development of the current Special Autonomy era, moreover the District Work area is an extension of the central government which is an element of the regional apparatus that receives the delegation of authority from the Jayapura Regency Regent to carry out some regional autonomy affairs and general government. In addition, the District Head in Jayapura Regency in carrying out his duties is assisted by district government officials and is responsible to the Regent through the Regional

Secretary. The District Government apparatus is responsible to the District Head. Therefore, the research entitled: "The Position of the District in the Implementation of Special Autonomy in Jayapura Regency, Papua Province" would like to explain the extent to which the district plays a role in the process of implementing special autonomy in Jayapura Regency, Papua Province.

2 RESEARCH METHODS

This research is a qualitative research with positivism paradigm with descriptive analysis (Nazir, 2003). Researchers collected data related to the District's Position in the Implementation of Special Autonomy in Jayapura Regency, Papua Province with the method. The primary data in this research are journals. Then secondary data from books, documents and media releases (Sugiyono, 2005). The collection of research data is then carried out through a process of reviewing documents or reports related to the focus of research related to how the District's Position in the Implementation of Special Autonomy in Jayapura Regency, Papua Province.

3 RESULTS AND DISCUSSION

3.1 District Position in Regional Autonomy in Jayapura Regency

Each region has different characteristics from one region to another, including the sub-district area (Papua calls it a district), ranging from ethnicity, culture to geographical aspects, natural resources, human resources and geopolitics (Mardani, 2011). This difference can also be an obstacle in running the wheels of government and development in the district when the government realizes a democratic government as a manifestation of the decentralized system mandated by Law no. 32 of 2004, where the head of the sub-district government is given two powers at once (attributive and delegative) to carry out several affairs related to the demands of Regional Autonomy in the Province/Regency/City area in Indonesia, especially matters in the form of public services, governance and community empowerment.

The position of the sub-district government has undergone a change, which was originally the administrative center of government so that it has power has now turned into a service center carried out by the sub-district government which can provide

services according to the needs of the community at the district level, especially in the era of regional autonomy (Labolo, 2010).

The implementation of regional autonomy in Indonesia tends to be more focused on regencies and cities, with the reason being to bring services closer to the community optimally. On the other hand, this regional autonomy is also for regencies/cities which have very wide area coverage (coverage), very wide distance (orbitation), and low public access to various public services. For the implementation of Regional Autonomy, the government tends to take a sectoral approach and fails to make sub-districts the twin spearheads of government strategy.

The implementation of the Regional Autonomy policy has succeeded in creating an essential change in the administration of regional government, namely regarding the position, main tasks and functions of the sub-district which was previously a regional apparatus with the principle of deconcentration, changed its status to a regional apparatus based on decentralization. The change in the position of the sub-district from a government administrative area to the work environment of local government apparatus, opens opportunities for the sub-district to develop themselves through innovation and creativity according to the needs and demands of the community.

Regional autonomy is an act of delegation from the central and provincial governments. Regency/city to the government which is one level below it to make household arrangements in accordance with applicable regulations (Fadhly, 2017). As stated by Karim, Abdul Gaffar, et al (2003) that the concept of regional autonomy leads to the concept of decentralization in 4 main forms, namely:

a. Deconcentration is Transfer of administrative authority and responsibility within the internal scope of the ministry. The switch in this model is not very visible. Subordinates exercise their authority on behalf of the leader and are responsible to their leader.

b. Delegation is responsibility for functions to organizations outside the government organizational structure and indirectly controlled by the central government.

c. Devolution is This type of decentralization relates to the establishment and empowerment of government units at the local level by the central government and is limited to certain fields.

d. Debureaucratization, also called privatization is the release and handover of all responsibility for government assets to other parties within the scope of government or private parties (privatization).

Based on this type of decentralization, supported by applicable laws and regulations, it is deemed necessary to give authority to local governments, in the form of autonomy with the aim of providing welfare to all people fairly and equitably, as mandated by Law Number 23 of 2014. In line with that, the bureaucratic system in parts of the region in Indonesia must adapt and respond to the characteristics of their own regions according to their local wisdom, including *gatra*: geographical, demographic, natural wealth, politics, economy, and socio-culture. Based on that thought, with the specificity of the *gatra* in this land, we should be able to witness the Papuan-faced bureaucracy, framed in *Bhinneka Tunggal Ika* (Erik, 2012).

The Papuan Provincial Government which has 29 regencies/cities with a high level of heterogeneity, accompanied by differences in geographical factors, geopolitics and population conditions as well as a very large area, has been given authority in the form of Special Autonomy for 20 years through 2001. Law Number 21 of 2001 has been amended several times, most recently by Law Number 2 of 2021 dated July 19, 2021. During the Special Autonomy era, the Papua Provincial Government and City Regency Governments were given full authority to regulate their own households, especially in the fields of public services, such as education, health, economy and infrastructure. So that the development progress that has been achieved can be said to be almost the same and evenly distributed in all regencies/cities in Papua Province.

District/City Regional Governments are required to delegate some of their authority in matters relating to public services to the District government with support from human resources, funding, and financing by taking into account geographical conditions, effectiveness of public services, and span of control of services.

Article 26, PP Number 106 of 2021, the authority for affairs related to public services, at least consists of: (a). issuance of population documents in underdeveloped, remote, and frontier areas; (b). issuance of business license registrations submitted by business actors in underdeveloped, leading, outermost, and/or uninterrupted districts; (c). community empowerment; d maintenance of peace and public order; (e). maintenance of public facilities and facilities; and (f). supervision and assistance in the administration of village/customary villages. The District Head is appointed from a civil servant who meets the requirements and has served in the District for at least 2 (two) years. In order to strengthen the Districts, the Regional Government of Papua

Province and the Regional Government of Regency/City together with the ministry that administers domestic government affairs conduct a study and prepare a master plan to increase the capacity of the District government in Papua Province.

Previously, on September 29, 2020, President Joko Widodo gave special instructions to ministries and institutions *cq*. The Minister of Home Affairs is stated in the Fourth Dictum, number 5, letter k, Presidential Instruction Number 9 of 2020, to increase the role of the district to become a role model for regional-based development approaches through the concept of District Building-Building Districts through policy affirmations to the Regents/Mayors to delegate their authority including :

- a. Implementation of district scale basic services (population data center, regional database
- b. Implementation of local community empowerment;
- c. Guidance and supervision of village government (district as a mentor/coaching clinic for village government);
- d. As a data, information and knowledge center, basic service center, community empowerment center;
- e. As a center for the development of innovation and entrepreneurship, a center for managing natural resources and the environment; and
- f. As the center of district/city economic growth (Cahyo, 2021).

Jayapura Regency, is one of the 29 regencies/cities in Papua Province, and is also the parent district of several new regencies such as Jayapura City, Keerom Regency and Sarmi Regency. Jayapura Regency is the capital city of Sentani City, consisting of 19 Districts, 139 Villages and 5 Sub-Districts spread over the Lake Sentani area, the coast to the valley and mountainous areas that can be reached by land, lake, sea or air transportation. Based on this description, the position of the district through the concept of the District Building-Building District in Jayapura Regency is the main in the selection of research locations based on Presidential Instruction No. 9 of 2020 concerning the Acceleration of Welfare Development in Papua Province and West Papua Province. By making the district a role model in Papua Province, especially Jayapura Regency, qualified human resources are needed.

According to Article 221 paragraph (1), Law no. 23 of 2014 states that the formation of sub-district areas is intended to improve coordination related to governance, provision of public services and empowerment of people who live in all villages. In

contrast to other regions in Indonesia, the provinces of Papua and West Papua have separate names in the naming of administrative areas under districts/cities. Where in other regions in Indonesia use sub-districts while in Papua and West Papua Provinces use districts for the designation of the region.

3.2 District Administration Challenge

The Jayapura Regency Government has given full authority to each district head to regulate and manage the Jayapura District as their own household, in this case in connection with the mandate of the Special Autonomy Law No. 21 of 2001 concerning Special Autonomy for the Papua Province. Judging from the law that opens great opportunities for regional leaders, the district head plays an important role in giving the widest possible authority to the district government to develop various fields according to the needs of the existing community. The inhibiting factor in the implementation of infrastructure development in the District of Jayapura Regency so far is mainly related to the limited authority they have, especially in budgets and policies making it difficult to execute policies (Ali, 2017).

Human resources are also very influential in terms of regional development, so in the District of Jayapura Regency, training is still needed. It does not mean that the District in Jayapura Regency does not have people with higher education but in fact very many have succeeded in lower level education to higher education but the problem is that those who have finished their studies do not return to their hometowns as regional children but instead they also live in In the city, there is no educated person who has qualities who have never managed the community as educational staff, economic development facilitators or medical personnel. To support the problem of obstacles as an inhibiting factor for infrastructure development, there is a lack of public awareness in participation during development implementation because public awareness is very important as a form of direct support from the community as development consumers.

The use of the district nomenclature as referred to in Article 1 letter k, Law Number 21 of 2001 is a special form of the Province of Papua and West Papua, but regarding its position and function it is the same as that of a sub-district, so changes must be made. Although the use of district nomenclature is a specialty for the provinces of Papua and West Papua, the position and function are the same as for the sub-districts. Because it is still the same, changes must be made, both adjusted to the specifics of the Provinces

of Papua and West Papua and adjusted to the provisions of regional government arrangements (Adryamarthanio, 2021).

In the 20-year period of Special Autonomy in Jayapura Regency, it appears that there has been a transformation in various sectors of physical and non-physical development. However, it cannot be denied that there are still lags in certain sectors, which experience delays in the development process, especially at the village level (Papua calls it Kampung) which consists of 139 villages (Government Villages and Traditional Villages) from 19 Districts in Jayapura Regency.

3.3 Success Indicator

One of the success factors of development that can be used as a benchmark is the development of the quality of human resources (HR), which the World Bank uses the Human Development Index (Human Development Index) and the Gender Development Index (HDI disaggregated by men and women). The Human Development Index in Jayapura Regency continues to increase from year to year, although there are components that increase slowly. Meanwhile, the economic growth of Jayapura Regency is dominated by the agricultural, forestry, marine and fishery sectors which can contribute to the regional economy by creating 2006,68 business fields. After that, it was followed by the transportation and warehousing sector at 1502.10, and the construction sector at 1312.11 (BPS, 2021). As in the real condition of Jayapura Regency, the type of authority that should be exercised deserves to be adjusted to the implementation pattern that varies based on 3 aspects:

1. Characteristics of each District including population, geographical, economic, infrastructure, socio-cultural conditions, and so on;
2. Quality of District Apparatus Resources; and
3. Assets and facilities (technology) available in each District.

In addition, the types of authority mandated by Permendagri Number 158 of 2004 and the concept put forward by Wasistiono (2011) are formulated into 7 Authorities, consisting of:

1. Coaching;
2. Supervision/Control;
3. Licensing./Recommendations;
4. Implementation;
5. Facilitation;
6. Coordination;
7. Residue.

If you observe the data and the concepts that have been described, it can be seen that there are quite crucial problems related to the delegation of authority to the sub-district as a regional apparatus in order to provide government services, services to the community (public service delivery). This is because there are still differences in perceptions among Regional Apparatus regarding the importance of delegating the authority of the Regent to the District, in addition to facilitating various affairs related to efforts to improve community welfare in Jayapura Regency. Therefore, the aspects of the Regent's political will and good will are important in determining various strategies that can be taken to improve the welfare of the village community in the Jayapura Regency area.

The role and function of the District in Jayapura Regency is very important to increase the role of the district to become a role model for a regional-based development approach through the concept of District Building-Building Districts within the framework of Special Autonomy. This distinguishes the District or called by another name in Indonesia from the District in Papua, especially Jayapura Regency, Papua Province.

4 CONCLUSIONS

The role and function of the district in the implementation of Special Autonomy in Jayapura Regency needs to be optimized, to increase the Human Development Index of district officials. In addition, it is necessary to improve the coordination and optimization of district functions to increase the role of the district to become a role model for a regionally-based development approach through the concept of District Building-Building Districts. Human Resources are needed to realize good district governance within the framework of Special Autonomy in Jayapura Regency, Papua Province. . With the allocation of the special autonomy budget, the role of the district as a role model for a regional-based development approach through the concept of District Building-Developing Districts within the framework of Special Autonomy can be realized.

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