



Effectiveness and Urgency of Regulation in Regional Autonomy and Good Governance

Zulfa Khairunnisa¹

¹ Sekolah Tinggi Ilmu Ekonomi YKPN, Yogyakarta, Indonesia

Abstract

Article history:

Received: July 2, 2024

Revised: August 19, 2024

Accepted: October 16, 2024

Published: December 30, 2024

Keywords:

Decentralization,
Good Governance,
Governance,
Regulation,
Regional Autonomy.

Identifier:

Zero Open

Page: 136-151

<https://zeraopen.com/journal/pp>

This study aims to analyze the effectiveness and urgency of regulations in supporting good governance within the framework of regional autonomy. The method used is a normative legal approach, employing both legislative and conceptual perspectives, through an analysis of the primary regulations governing local government, public administration, and financial relations between the central and local governments. The research findings indicate that, normatively, the existing regulatory framework is sufficiently comprehensive in regulating the division of authority, principles of governance, and local financial mechanisms. However, the effectiveness of its implementation still faces various obstacles, such as limitations in institutional capacity, the quality of human resources, as well as political dynamics and fiscal disparities. On the other hand, the urgency of regulatory discussions is increasing in line with social, economic, and technological developments that demand continuous policy adjustments. Regulations serve not only as a legal basis but also as a strategic instrument in ensuring accountability, transparency, and the effectiveness of governance. Therefore, continuous evaluation and strengthening of regulations are necessary to support the realization of good governance.



1. Introduction

The development of the modern government system shows a paradigm shift from a centralization pattern to decentralization as an effort to increase the effectiveness and efficiency of government administration. Decentralization is basically a process of delegating authority from the central government to local governments so that decision-making becomes closer to the community and is able to respond to public needs more quickly and appropriately. In a normative context, this principle has been accommodated in the legal framework through Law Number 23 of 2014 concerning Regional Government which provides a regulatory basis regarding the division of government affairs, regional autonomy, and authority relations between the central and regional governments. In addition, the principles of good governance are strengthened through Law Number 30 of 2014 concerning Government Administration which emphasizes the importance of accountability, transparency, and legal certainty in every government action.

Theoretically, decentralization is believed to be able to improve the quality of public services because the government at the local level has a better understanding of the social, economic, and needs of the local community. Research shows that decentralization can have a positive impact on improving the quality of public services if supported by adequate institutional capacity (Setiawan et al. , 2022). However, this effectiveness does not always run optimally due to variations in the ability of local governments to manage the authority given. Limited administrative capacity and weak coordination between levels of government are often obstacles in the implementation of decentralization policies (Lewis & Hendrawan, 2019).

In addition to institutional factors, local political dynamics also have a significant influence on the success of the implementation of regional autonomy. In practice, the political system at the local level is inseparable from the practice of patronage and the interests of certain groups that can influence the direction of public policy (Aspinall et al., 2021). This condition shows that decentralization is not only related to the administrative distribution of authority, but also concerns the distribution of power which can have various consequences in governance. Furthermore, the distribution of power that is not balanced with effective supervision mechanisms can cause inequality in the quality of public policies and services (Diprose & Azca, 2020).

On the other hand, the regional financial aspect is an important factor in determining the level of independence and effectiveness of the implementation of regional autonomy. The regulation of financial relations between the central and regional governments, as stipulated in Law Number 1 of 2022 concerning Financial Relations between the Central Government and Regional Governments, aims to create a fairer and more sustainable fiscal system. However, in practice, there is still a high level of dependence on transfers from the central government, thereby reducing regional flexibility in managing development independently (Christia, 2019). This shows that fiscal decentralization still faces various challenges in optimally supporting the goal of regional autonomy.

Furthermore, the application of the principle of good governance is an aspect that cannot be separated from the success of government administration. Good governance emphasizes the importance of transparency, accountability, community

participation, and effectiveness in government management. Bureaucratic reform that is oriented towards improving the quality of public services is one of the efforts to realize this principle (Turner et al. , 2022). However, the implementation of good governance principles still faces various obstacles, especially related to bureaucratic culture, the quality of human resources, and consistency in the implementation of regulations (Dwiyanto, 2021).

Based on these various descriptions, it can be understood that the success of regional autonomy and decentralization is not only determined by the existence of regulations alone, but also by the effectiveness of their implementation in practice. The complexity of the relationship between legal, institutional, political, and financial aspects shows that evaluation of existing regulations is an important thing to do. In addition, the dynamics of the development of governance require a more in-depth study of the relevance and urgency of these regulations in supporting the implementation of good governance. Therefore, this research is focused on two main questions.

RQ1: how effective are regulations related to regional autonomy and government in supporting the implementation of good governance?

RQ2: why is the discussion of these regulations important and urgent in the context of strengthening governance in general?

2. Methods

This research uses a normative juridical method that focuses on the analysis of the legal norms that apply in the system of laws and regulations. This approach

was chosen because the research aims to examine the effectiveness and urgency of regulations related to regional autonomy, government administration, and financial relations between the central government and local governments within the framework of good governance. The normative juridical method places law as a system of norms that is analyzed systematically, logically, and comprehensively based on relevant legal sources.

The approaches used in this study include a statute approach and a conceptual approach. The legislative approach is carried out by examining various regulations that are related to the object of research, especially Law Number 23 of 2014 concerning Regional Government, Law Number 30 of 2014 concerning Government Administration, and Law Number 1 of 2022 concerning Financial Relations between the Central Government and Regional Governments. Through this approach, the researcher analyzes the substance of the norms, principles, and objectives contained in each of these regulations.

Meanwhile, a conceptual approach is used to understand basic concepts related to regional autonomy, decentralization, and the principles of good governance. This approach is carried out by examining various doctrines and theories that have developed in law and public administration, so that it can provide a more in-depth analysis of the problems being studied. By combining these two approaches, this research is expected to be able to provide a comprehensive understanding of the relationship between regulations and government administration practices.

The type of data used in this study is secondary data consisting of primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include laws and regulations relevant to the research topic. Secondary legal materials include scientific literature such as books, journals, and research results related to regional autonomy, decentralization, and governance. The tertiary legal materials are in the form of legal dictionaries, encyclopedias, and other sources that support the understanding of the terms and concepts used.

The data collection technique is carried out through literature studies by tracing various relevant literature sources. Furthermore, the data analysis technique is carried out qualitatively using the descriptive-analytical analysis method. Descriptive analysis is used to systematically describe the applicable legal provisions, while analytical analysis is used to assess the effectiveness and urgency of regulations in the context of good governance. Thus, the results of this research are expected to be able to provide logical, systematic, and academically accountable legal arguments.

3. Results and Discussion

3.1. The Effectiveness of Regulations in Supporting the Implementation of Good Governance

The effectiveness of regulations in the implementation of good governance is basically determined not only by the existence of complete legal norms, but also by the extent to which these norms are able to be implemented consistently in practice. In the context of regional autonomy, the regulatory framework regulated through Law Number 23 of 2014 concerning Regional Government has provided a fairly

comprehensive foundation regarding the division of authority between the central and regional governments. These regulations are normatively designed to create a more responsive and efficient government through decentralized mechanisms. However, its effectiveness still faces various challenges in implementation in the field.

One of the indicators of regulatory effectiveness can be seen from the quality of public services produced. Decentralization in principle provides opportunities for local governments to adjust policies to the needs of local communities. Research shows that in some conditions, decentralization is able to improve the quality of public services due to the proximity between the government and the community (Setiawan et al. , 2022). However, the increase does not occur evenly, because it is highly dependent on the institutional capacity and resources owned by each region. This shows that good regulation does not necessarily produce optimal output without adequate implementation capacity support.

In addition, the effectiveness of regulations is also influenced by aspects of regional financial management. Law Number 1 of 2022 concerning Financial Relations between the Central Government and Regional Governments aims to create fiscal balance and increase regional independence. However, in practice, the dependence on fund transfers from the central government is still quite high, thus reducing regional flexibility in designing development policies (Christia, 2019). This condition shows that although regulations have regulated financial mechanisms in detail, their implementation has not been fully able to encourage fiscal independence, which is one of the main goals of regional autonomy.

On the other hand, the effectiveness of regulation is also inseparable from the political dynamics that develop at the local level. The decentralized system opens up space for variations in political practices, including the influence of patronage and elite interests in the decision-making process (Aspinall et al., 2021). This condition can hinder the implementation of regulations objectively and professionally, thus having an impact on the quality of the public policies produced. Furthermore, the distribution of power that is not balanced with strong supervisory mechanisms has the potential to cause inequities in governance (Diprose & Azca, 2020).

The effectiveness of regulations can also be analyzed from the perspective of government administration, especially in the application of good governance principles as stipulated in Law Number 30 of 2014 concerning Government Administration. This regulation emphasizes the importance of accountability, transparency, and legal certainty in every government action. The bureaucratic reform carried out as part of the implementation of the regulation aims to improve the quality of public services and strengthen public trust in the government (Turner et al. , 2022). However, the implementation of these principles still faces various obstacles, especially related to a bureaucratic culture that is not fully adaptive to change.

Furthermore, the effectiveness of regulations is also influenced by the quality of human resources in the bureaucracy. The ability of government officials to understand and implement regulations is an important factor in determining policy success. In many cases, the limited competence of the apparatus is an obstacle in translating legal norms into effective practices (Dwiyanto, 2021). This shows that

good regulation needs to be supported by increasing the capacity of human resources so that it can be implemented optimally.

In addition to internal factors, the effectiveness of regulations is also influenced by external factors such as social and economic conditions. Variations in the level of development and community welfare can affect the ability of local governments to implement policies effectively. Studies show that regional inequality is still a challenge in the implementation of decentralization, which ultimately has an impact on the difference in the quality of public services between regions (Talitha et al. , 2020). This condition shows that the effectiveness of regulations cannot be separated from the social and economic context that surrounds them.

In addition, the aspect of institutional structure also determines the effectiveness of regulations. The formation and management of new government units as part of the decentralization process often poses its own challenges, especially in terms of efficiency and coordination (Shoesmith et al., 2020). If not managed properly, this can lead to waste of resources and reduce the quality of public services. Therefore, institutional strengthening is needed that is able to support the effective implementation of regulations.

Thus, it can be concluded that the effectiveness of regulations in supporting the implementation of good governance is multidimensional and influenced by various factors, both internal and external. Although the existing regulatory framework has provided a solid foundation, its implementation still faces various challenges that need to be overcome systematically and sustainably.

3.2. The Urgency of Regulation in the Implementation of Good Government

The urgency of discussing regulations in the implementation of good governance cannot be separated from the dynamics of increasingly complex changes in the government system. In the context of regional autonomy, regulations not only function as normative guidelines, but also as strategic instruments in directing government practices to run in accordance with the principles of good governance. The existence of Law Number 23 of 2014 concerning Regional Government, Law Number 30 of 2014 concerning Government Administration, and Law Number 1 of 2022 concerning Financial Relations between the Central Government and Regional Governments shows that the state has provided a fairly comprehensive legal framework. However, social, economic, and political developments require continuous evaluation of these regulations.

One of the main reasons for the urgency of discussing regulations is the gap between legal norms and implementation practices. Decentralization, which theoretically aims to improve the quality of public services, has not fully achieved optimal results. Studies show that despite improvements in several sectors, there are still significant variations in the quality of public services (Setiawan et al. , 2022). This indicates that existing regulations are not fully able to answer the needs of implementation in the field, so further studies are needed to identify weaknesses and potential improvements in the applicable legal framework.

In addition, the urgency of discussing regulations is also related to the political dynamics that develop in the decentralized system. The distribution of authority to local governments opens up space for the emergence of various political practices

that can influence the direction of public policy. In some cases, the practice of patronage and the interests of political elites can hinder the application of good governance principles (Aspinall et al., 2021). This condition shows that regulations need to be strengthened in order to be able to anticipate and control potential deviations in government practices.

Furthermore, the aspect of development inequality is also a factor that strengthens the urgency of regulatory discussions. Decentralization that is not balanced with equitable capacity can cause disparities in the quality of public services and development between regions. Research shows that regional inequality is still a challenge in the implementation of decentralization policies (Talitha et al, 2020). Therefore, regulations need to be designed and evaluated periodically in order to be able to create a balance in development and ensure that all communities benefit fairly from the policies implemented.

The urgency of regulation is also closely related to regional financial aspects. Imoptimal financial management can hinder policy implementation and reduce government effectiveness. Although there have been regulations regarding financial relations between the central and regional governments, dependence on central transfers is still a significant problem (Christia, 2019). This condition shows that existing regulations need to be continuously reviewed in order to encourage regional fiscal independence and increase efficiency in financial resource management.

On the other hand, bureaucratic reform is an important factor in determining the success of regulatory implementation. Efforts to realize a transparent, accountable, and professional government require regulatory support that is adaptive

to the times. Bureaucratic reform that is not supported by adequate regulation will find it difficult to achieve the expected goals (Turner et al. , 2022). Therefore, the discussion of regulations is important to ensure that the existing legal framework is able to support the reform process in a sustainable manner.

In addition to internal government factors, global change is also an important reason in emphasizing the urgency of regulation. Technological developments, globalization, and people's demands for better public services require the government to continue to adapt. In this context, regulations must be able to accommodate these changes so that they do not become an obstacle to policy innovation. If regulations are not updated regularly, there is a risk that the government system will lag behind and be unable to meet people's expectations.

Furthermore, the urgency of regulation is also related to efforts to prevent abuse of authority. In a decentralized system, the broad distribution of power to local governments has the potential to pose a risk of abuse if it is not balanced with effective supervision mechanisms (Diprose & Azca, 2020). Therefore, regulations must be designed in such a way as to be able to create a strong supervisory system and ensure accountability in every government action.

Finally, the importance of discussing regulations is also based on the need to improve the quality of human resources in the bureaucracy. Good regulations must be able to provide clear guidance for government officials in carrying out their duties and authorities. However, without an adequate understanding of these regulations, it will be difficult to implement policies effectively (Dwiyanto, 2021). Therefore, evaluation of regulations needs to be carried out on an ongoing basis to ensure that

these regulations are not only good normatively, but can also be understood and applied practically. Thus, the urgency of discussing regulations in the implementation of good governance is a need that cannot be ignored. Regulations not only function as a legal basis, but also as an instrument to ensure that the government runs effectively, efficiently, and accountably in the face of various dynamics that continue to develop.

4. Conclusion

Based on the results of the analysis conducted, it can be concluded that the regulations governing regional autonomy and the administration of government have essentially provided a sufficiently comprehensive legal framework to support the realization of good governance. Provisions regarding the division of authority, principles of government administration, and financial relations between the central and local governments demonstrate a systematic effort to create effective, efficient, and accountable governance. However, the effectiveness of these regulations is determined not only by the existence of legal norms but also by the quality of their implementation in practice.

In practice, various challenges continue to affect the effectiveness of these regulations, including institutional capacity constraints, the quality of human resources, political dynamics, and disparities in local financial management. These factors indicate that the implementation of regulations has not yet fully achieved the intended objectives, particularly in improving the quality of public services and consistently upholding the principles of good governance. Therefore, sustained

efforts are needed to strengthen institutional capacity and improve the quality of government officials so that regulations can be implemented optimally.

On the other hand, the urgency of regulatory discussions is becoming increasingly important in the face of ever-evolving dynamics of change. Social, economic, and technological changes demand adjustments to the existing legal framework to ensure it remains relevant and capable of addressing public needs. Furthermore, the risk of abuse of authority within a decentralized system underscores the importance of strengthening regulations as instruments of oversight and control. Thus, the continuous evaluation and development of regulations constitute a strategic step in ensuring that governance operates effectively, transparently, and accountably. Based on existing research, the success of good governance depends heavily on the synergy between strong regulations and consistent implementation. Therefore, a sustained commitment from all elements of government is necessary to ensure that regulations are not merely formal norms but are also effectively realized in the practice of governance.

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