

# Authorities of the President of the Municipal In Urban Management System

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**ABSTRACT:** Presidente Autoridade Município (PAM) in carrying out its function as a representative of the central government must be regulated by law, as well as in the role and authority of the PAM in the urban management system.

The Timor-Leste Council of Ministers has decreed Government Regulation No 2/2016 concerning *Estatuto dos Presidentes da Autoridades Municipais e dos Administradores Municipais* where the existence of this Government Regulation further regulates the estate and authority of an envoy or deputy and president at the municipal to district level under the auspices of the Ministry of Home Affairs. domestic.

The solution to this problem is that the law regulates the authority of PAM and provides competence to organize development, including the city planning system or territorial order which is controlled by a PAM. This law protects the authority of a PAM so that in carrying out their duties and functions in the urban planning system, they must only comply with the law.

The city planning system effort by a PAM is the competence and responsibility of PAM assisted by local local officials. It is also necessary to refer to the Law on the City Planning system so that local decisions and policies taken at the municipal level do not conflict with the PAM's own initiative and the existing law. apply.

President of the Regional Government and/or City Government that a mayoral president or *Presidente Autoridade Municipio* has the function of administering the wheels of government in an executive manner which can be seen further in law number 2/2016 this law explains about, (Presidentes das Autoridades Municipais e dos Administradores Municipais which states that; "*Os Presidentes das Autoridades Municipais e os Administradores Municipais exercem funções de natureza executive* or "The President of the City Government and City Administrators carry out executive functions".

## I. PRELIMINARY

### A. PROBLEMS

In addressing this problem, we start with the definition of spatial planning according to Law Number 2 of 2016 Article 1 paragraph 2, which is a form of spatial structure and spatial pattern.

While the notion of a city, in terms of geography, the city can be interpreted as a network system of human life, characterized by a high population density and characterized by heterogeneous and materialistic socio-economic strata.

The Government of Timor-Leste has proclaimed that national development is carried out in a planned, comprehensive, integrated, directed, gradual, and sustainable manner by developing spatial planning including dynamic environmental arrangements while maintaining environmental sustainability.<sup>1</sup>

Urban development, as part of national development, must be based on a balance between various interests, namely balance, harmony, and harmony between public interests, materially and spiritually, body and soul as well as individuals and society.

The city as the center of the regional economy has a very large role for development, where its contribution to meeting the needs of its citizens gives rise to various problems

The growing population and its implications for urban space, for experts and observers of cities and the environment is very scary. Moreover, there are many incidents, especially in developing countries, these cities are developing without control.

In the problem of urban development, we also see that the population continues to grow, urban space is increasingly dense and of low quality, traffic is very problematic, reforestation is very lacking, floods occur and so on.

If we take the capital city of Timor Leste as an example. Conditions that have irregularities where people carry out various activities and spoil the view are not clear, and we see cities in developing countries, which have an arrangement from the whole village to the center.<sup>2</sup> And there are signs that the city's economy is increasing, even though behind that the stress level of residents is very high, the number of people continues to grow, the number of high quality residents continues to decline, and in the end, cities that experience economic progress and also experience a decline in various ways are certainly less the city management in the future.

So in this case, if we look at the authority of the central government to have a plan to conduct a training program for local governments in terms of local regional development strategies as examples, this is stipulated in law number 2 of 2016 concerning regional government in general that Explaining the authority of the president of the municipality, it is clear that the authority of the president of the municipality is a mandate where this mandate is carried out on central government programs based on a strategy that has been planned for the future.

In addition, at the level of implementation of the City Development Strategy (CDS) it is considered that it has not shown encouraging results. This relates to the ability and commitment of the local government, namely the executive-legislative and the contribution of all citizens as stakeholders themselves. The city development strategy that is being carried out is not based on a holistic approach based on the spirit of the fiber

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<sup>1</sup>AdisasmitaRahardjo and AdisasmitaSaktiAdji. 2011. *The Logic of Moving the Capital City of Jakarta*. Yogyakarta: GrahaIlmu.

<sup>2</sup>Djojodipuro, Marsudi. 1992. *Location Theory*. Jakarta: Publishing Institute, Faculty of Economics, University of Indonesia.

of city life that integrates environmental issues with social, economic and cultural life, but is more visible on an orientation to a sectoral approach.

However, the environmental aspect of the city has not been integrated into every sector, so the picture of urban development that is environmentally sound is not yet visible. In terms of priority rights, urban development is still oriented towards economic development which emphasizes efforts to increase Regional Original Income (PAD), and is still not oriented towards environmentally sound development.

Several urban development programs related to the sector are still considered sectoral and have not been integrated into a comprehensive policy package with insight, including building flats in every administrative district, and such as spatial planning, placing billboards that interfere with city views, construction of super markets, hamlet houses, The mall, which was alleged to have had problems with its AMDAL in the past.

This problem, as a public obligation, is not only the obligation and authority of the municipal president, it is only one of the tasks given on the basis of public interests, but in government policy that the government certainly has an element of coercion as long as it has competence or has authority

## **B. PROBLEM FORMULATION**

- 1) What is the authority of the Presidente Autoridade Municipio in carrying out urban development?
- 2) What are Presidente Municipio's Barriers to City development?

## **C. METHODOLOGY**

The approach used in this research is socio-legal research. This research will obtain an overview of the development of a model for making environmentally sound urban development policies.<sup>3</sup>

Thus, legal research as well as a final project in the Master's Program in Postgraduate Law takes the theme of PAM's authority in the urban planning system using a normative research approach or a statutory approach as well as a conceptual approach. By collecting several studies of similar literature from the Act as primary legal materials as well as other studies from secondary materials such as similar theses and other related matters.

However, this study also shows that, within the authority of PAM at the municipal level, it cannot be separated from the supervision of the central government, in this case the Ministry of Home Affairs, where in the urban planning system, both in terms of planning and finance, it is still closely related to the APBN agreed upon by the central government. until later there is a municipal financial system and law itself.

## **II. DISCUSSION**

### **A. PROBLEM ANALYSIS**

The process of sustainable development in urban areas can be identified by evaluating the condition of the areas in the Administrative City of Municipio, the processes that occur within the community and between the community and its environment. This evaluation can be done in several ways.

One way is evaluation based on sustainable development criteria. The criteria for sustainable development in urban areas are formulated based on developing thoughts as described above, and the understanding that poverty and environmental damage are the main threats to sustainable development. Poverty

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<sup>3</sup>Abdulkadir Muhammad, 1985, Law and Legal Research, Citra AdityaBakti, Bandung

and environmental damage are the main threats to the sustainable development process by looking at the goal of sustainable development, namely achieving a prosperous society (sustainable society) in a sustainable environment.<sup>4</sup>

The problem of regional development is the "expectation gap" between the current and planned development performance and between what is to be achieved in the future and the real conditions when planning is made. Potential regional development problems generally arise from strengths that have not been utilized optimally, weaknesses that are not addressed, opportunities that are not exploited, and threats that are not anticipated.

The second is the problem of the authority possessed by the local *Autoridade* president, that local governments have limitations in implementing authority related to the absence of power sharing in certain areas or the absence of decentralization, but in law number 2 of 2016 it has explained the duties and powers of the local *autoridade* president. , it's just that it still limits, but this issue of authority is very much needed in the development of cities in the country of Timor Leste in general, and we look at the policies of the central government, that the central government has a policy of implementing programmed interests so that it can be implemented based on the authority that given to the local president based on the provisions of the existing law.

## **B. AUTHORITY AUTHORITY**

The implementation and implementation of decentralization is the division of a portion of government power by a group in power at the center to other groups, each of which has authority in certain areas of a country.

Thus, the authority in urban development does not look at one side but looks at the cultural system that exists in certain areas, but the authority of the President of *Município* to make policies based on public interests.

This concept has been very helpful in analyzing the competence of a *Presidente**Autoridade**Município* in obtaining competence through delegation from the central government both administratively and financially, as well as purely territorial competence or full competition in managing sustainable development plans in the municipality or municipality.

The author analyzes Tendo Weber's<sup>5</sup> view that distinguishes three types of authority;

- a) Traditional authorities, who, based on belief in the primacy and strength of traditions considered ancient ("it's always been this way"), know the hierarchical relationship between tribal chiefs and other members of society, who, in their capacities as servants and subordinates, show loyalty to superiors , whose prerogative allows him to have certain decision powers not only in staff recruitment but in the delegation of tasks;
- b) Charismatic authority, which, by virtue of the extraordinary or superhuman qualities of a prophet, chief or leader (revelation, heroism, holiness), earns the followers unconditional recognition and devotion;
- c) The legal authorities, which, on the basis of codified bodies of legal rules, define their respective competences and functions according to certain fixed rules, allow the selection and promotion of

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<sup>4</sup>Isard W. 1975. *Introduction to Regional Science*. Prentice-Things Inc. Englewood Cliffs, New Jersey. Johnston, R.J. 1975. *Classification in Geography*. Catmog. Geobooks. Norwich.

<sup>5</sup>Hadjisaroso, Poernomo. 1981. *Basic Conception of Regional Development in Indonesia*. Jakarta : Department of Public Works.

technical and administrative staff on the basis of certain rules, certificates and contracts (qualifications, achievements, age, years of service)

These three views, as a solution to social and cultural problems where this view emphasizes the relationship between one's authority and functional duties, but as a reference for its implementation that traditional authorities look at the relationship with legal culture, the second charismatic authority looks at real ideas for reform and the third is the authority based on statutory provisions that cannot be distinguished from existing tasks and decisions.

### **C. GOVERNMENT POLICY**

Based on article 103 of the RDTL Constitution regarding the definition and structure of government, it can be concluded that the government is the body of sovereignty responsible for the mobilization and implementation of state general policies and is the highest general government body and in line with the ideals for structuring this government, the concept of government representation is also contained. center which must be represented at each level of state government where later the political arrangement and governance of the RDTL region will be determined by law.<sup>6</sup>

The government system is defined as a complete order consisting of various components of government that work interdependently and influence in achieving the goals and functions of government.

The obligation of the city government, in this case the agency/institution of the parks service, and the forestry service, is to conduct and implement development fairly to improve the lives of the urban community, including in the fields of security, comfort, and harmony. If this is related to the type of green open space that exists, the green open space that must be provided by the government is a corridor green open space which includes: city green lanes and road green lanes; productive green open space which includes urban agricultural areas, waters/ponds; conservation green open space which includes nature reserve area and urban forest; environmental green open space which includes environmental parks and buildings, as well as cemeteries, offices and zoo.

Thus the policy in urban development has

#### **A. Position:**

- 1) is a supporting element of the Regional Government in the field of Regional development planning
- 2) led by the administrative president who is under and responsible to the mayor through the regional secretary

#### **B. Tasks:**

Bappedda has the task of supporting the implementation of regional government affairs based on the principle of autonomy and assistance in the field of regional development planning.

#### **C. Function:**

1. coordinating implementation planning in the field of regional city development planning, research, and development;
2. coordinating and formulating technical policies related to regional development planning, research and development;
3. coordinating the tasks and functions of the agency's organizational elements;

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<sup>6</sup>Mulyanto H.R. 2008. Regional Development Principles. Yogyakarta:

4. coordinating the implementation of research, innovation development, and regional development control
5. coordinating the implementation of regional development planning
6. coordinating the implementation of facilitation and development of regional development planning in the fields of government and human development
7. coordinating the implementation of facilitation and development of regional development planning in the economic sector
8. coordinating the implementation of facilitation and development of regional development planning in the field of infrastructure and regional development
9. coordinating planning and controlling the implementation of special activity programs
10. coordinating, synchronizing and facilitating the preparation of performance agreements
11. implementation of evaluation and measurement of regional development performance achievements
12. implementation of the preparation of Performance Accountability Reports of Government Agencies to Regional Governments
13. implementation of licensing recommendations for Real Work Lectures
14. coordinating the implementation of secretarial activities of the Agency
15. fostering and coordinating the implementation of tasks and functions of functional group positions in the Agency
16. coordinating the management of the Agency's data and information
17. coordinating the organization of archives and library management of the Agency
18. coordinating the implementation of bureaucratic reform, the government's internal control system, integrity zones, management, and governance culture
19. coordinating the follow-up to the report on the results of the Agency's examination
20. coordinating the implementation of monitoring, controlling, evaluating, and compiling reports on the implementation of the Agency's duties; and the implementation of other functions given by the leadership in accordance with the agency's field of duty.

#### **D. OBSTACLES IN THE IMPLEMENTATION OF THE PROGRAM AND SOLUTIONS**

In the exercise of authority or authority, the municipal president (regional government, local) has a limitation of authority, which means that the implementation of authority is based on the provisions of the central government, as in the measurement of authority, that the regional government or municipality can exercise authority if there is a division of power which means the establishment of regional decentralization. become a problem, especially the administrative president of the city in limiting authority, if we look at the provisions of law number 2 of 2016 it has divided power and implementation of regional government programs but does not share power in terms of decentralization.

Thus, to build and implement regional government programs, it is necessary to have cooperation and communication with the community in terms of reciprocal relations in the public interest. Therefore, in the implementation of development, the regional government or the administrative president faces several problems.

The first is social problems, social problems lead to the interests of the community, of course, looking at the community's property rights, the relationship between the local government and the community can be explored based on a system of interests and does not harm the rights of citizens.

The second problem is culture, of course, culture as an element (custom) which means that the administrative president cultivates a culture based on belief. In this case, urban development cannot be separated from obstacles or several factors including;

1. Power factor
2. Legal factors

3. Economic factors

4. Services for both the government and the local community

From several factors or obstacles above, it can be analyzed that; The implementation of urban development is the goal of the State where this development program aims to address indirect internal economic interests.

### III. CONCLUSION

In conclusion, the authority of the municipal president is attached to the functional development system, meaning the authority to determine and make policies on State issues that exist within the regional government. And city development is a process of handling with absolute accountability, thus the authority of the administrative president is the implementation of tasks based on the principles of regional autonomy. However, Timor Leste is in the category of sustainable development, in conclusion, the development of local areas as internal economic planning.

In the provisions of regional government regulations, it is stated that the authority possessed by the Presidente Autoridade carries out general government tasks which include:

- 1) Coordinate community empowerment activities;
- 2) Coordinate efforts to maintain peace and public order;
- 3) Coordinate the implementation and enforcement of laws and regulations;
- 4) Coordinate the maintenance of infrastructure and public service facilities;
- 5) Coordinate the implementation of government activities at the sub-district level;
- 6) Fostering the administration of village and/or government; and
- 7) Carry out community services which are the scope of their duties and/or which cannot be implemented by the village or sub-district government.

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**Statutory regulation**

**Konstitution**

**Statutory regulation no. 2 year 2016 regulation city ordinance**