

Asymmetric Decentralization and Paradigm Shift in the Development of Border Areas of Indonesia

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ABSTRACT : *The uniformity of management policies in local government in Indonesia hinders development for regions with special characteristics. The asymmetric policy is expected to accommodate the border area of the country that has been discriminated against in terms of development. Not only related to infrastructure and state security, but the human security aspect is also a common challenge, especially in providing education and health services which are the rights of citizens living on the border. Special treatment for border areas is expected to offer a new approach in border area development, especially responding to the region's limited capacity in terms of authority and finance.*

KEYWORDS -Border, Development, Decentralization, Asymmetric Decentralization

I. INTRODUCTION

This paper describes how the development policies issued by the government could not accommodate the challenges occurring in the border areas in Indonesia. The symmetric decentralization approach results in a similar treatment of border areas. Its status as the front porch of the Unitary of the Republic of Indonesia should make the government aware that the border area requires a different approach in solving existing problems, be it in terms of infrastructure, state security, education, health, and economic development. Referring to the aforementioned situation, this paper also delineates an asymmetric decentralization approach in solving development problems in border areas that have been implemented by the government by granting special autonomy status in four provinces in Indonesia, such as Aceh, Jakarta, Yogyakarta, Yogyakarta, and Papua.

Sintang Regency is one of the areas in West Kalimantan which is directly bordered by Malaysia. Precisely, it is located in Ketungau Hulu District and Central Ketungau District which is bordered by Sarawak, Malaysia (BPS-Statistics, 2021). Referring to the *Indeks Desa Membangun* (IDM) or Building Village Index released by the Ministry of Villages, all villages directly bordering Malaysia are underdeveloped. This indicates low scores of the three IDM indices of border villages in Sintang Regency such as Social Resilience indicators which focus on Education, Health, Social Capital, and Settlements.

The development of transport infrastructure becomes urgent to stimulate the growth of new economic nodes. The Government of Sintang has proposed an upgrade of the status of Regency roads to be National roads with a length of 215 km which is access to the border of Indonesia-Malaysia. The Regional Secretary of Sintang Regency, YosephaHasnah stated that the Government of Sintang Regency has proposed eleven times the status change of the Sintang- ungaiKelik roads to the Central Government since 2008 but there has been no confirmation from the central government [1]. Opening access to remote border areas facilitates government efforts to improve the welfare of people in border areas.

From the aspect of state security, the government's lack of attention to border areas has an impact on the high number of cases of law violations[2]. Having strategic position in the National, Regional, and international context, Sintang Regency whose a direct border with Sarawak (East Malaysia) and leads to Brunei Darussalam, is a potential gateway for goods and people to and from Sarawak and Brunei by road. As one of the regencies in West Kalimantan Province that is directly bordered by Malaysia with a very wide border of 143 km², the drugs and liquor smuggling in Sintang using secret traffic routes and drug transport has not been monitored properly [3].

The complexity of the problems encountered in the Indonesia-Malaysia border does not present the border as a proud national porch. The Priority Border Area development Program launched by President Joko Widodo through the 'Nawacita' Chapter III by building Indonesia from the periphery by strengthening areas and villages within the unitary state has not shown significant results[4]. In addition, the recommendations from a study conducted by the Directorate of Disadvantaged Regions, Transmigration, and village Affairs of the Ministry of National Development Planning concerning the development of asymmetric policies development in border areas has not become a reference for government policymaking, be it in the central government and regional governments whose direct border with neighboring countries.

At the lowest level of the governance system in Indonesia, the granting of rights, authority, and obligation to regulate and manage the affairs of government and the interests of the community based on the characteristics of the village through Village Autonomy as regulated in Law Number 6 of 2014 has yet been able to build village independence, especially from the funding sector[5]. This makes villages in the Indonesia-Malaysia border areas still dependent on village funds sourced from the State Budget (APBN) which is transferred through the Local Government Budget (APBD).

These descriptions reinforce the discourse on the implementation of asymmetric decentralization for areas directly bordering with neighboring countries. In the context of border management, asymmetric decentralization will certainly be a new opportunity in regulating central and regional relations in Indonesia. In addition to DKI Jakarta, the government's policy of granting special autonomy through asymmetric decentralization to the Provinces of Aceh, Yogyakarta, Papua, and West Papua is more reactive since it is the result of a compromise between the central government and the regions in responding to prolonged tension and conflict that are still ongoing in Papua [6].

Based on the research results of the JPP UGM(JPP-UGM 2010), there are at least five reasons why an asymmetric decentralization must be implemented in the governance in Indonesia. One of the reasons is for the border areas. Border management requires special attention and treatment considering its role not only as a national boundary but also as a front porch that reflects the overall condition of Indonesia (JPP-UGM 2010). The development of peripheral regions should be based on asymmetric policies by formulating policies that favor disadvantaged, remote, and frontier areas, including areas directly bordering neighboring countries (RPJMN 2020-2024). The formulation of policies in the asymmetric decentralization framework is related to the geographical conditions of the border areas with big gaps due to the lack of development. Therefore, there is a need for affirmations to encourage economic activity by considering the characteristics of economic activity, isolation, and social conditions in the area.

However, these descriptions do not necessarily provide a Special Autonomy of border areas, including in West Kalimantan. Referring to the statement of former Directorate General of Regional Autonomy, Soni Sumarsono, stating that it was unlikely for Indonesia to add more Regions with Special Autonomy. However, he did not rule out the possibility of special affairs being handed over to local governments. This opportunity became the basis for researchers to determine the extent to which asymmetric decentralization policies can be applied in border areas in Sintang Regency. The delegation of special affairs is certainly expected to be able to provide significant changes in development in border areas, including in the context of strengthening the autonomy of villages in border areas.

II. ASYMMETRIC DECENTRALIZATION IN INDONESIA

In a study conducted by the UN autonomous organization, UNDP, decentralization emphasized the restructuring or reorganization of authority that results in a system of shared responsibility between the central government and local governments with the principle of subsidiarity aiming at improving the overall quality and effectiveness of the government system and can also increase the capacity and authority of local government[7]. Decentralization is expected to create good governance such as expanding responsibility, transparency, accountability as well as increasing community participation in various political decisions made by local governments.

Decentralization is now a generally accepted governance principle with different forms of application in each country. This is due to the fact that not all government affairs can be centralized, given the geographical conditions, the complexity of community development, multiple social structures and cultures, and the demands of democratization in government [8]. In its development, the implementation of decentralization in Indonesia was strengthened by Law Number 5 of 1974 on fundamentals of Regional Government that differentiated regions in Indonesia into autonomous regions and administrative regions. The explanation regarding the autonomous region is concerned with how the region has the right to regulate and manage its affairs. On the other hand, the administrative regions merely emphasize the right to implement government tasks in the region.

Decentralization policies in Indonesia, be it symmetric or asymmetric policies, are essential to finding an effective and efficient form of governance, especially in finding the relationship between the central and regional governments. The history of decentralization in Indonesia dates to the colonial period that emphasizes administrative arrangements to maximize the economic benefits of the colonial party. This means that the paradigm in viewing symmetric and asymmetric decentralization must be framed as a whole, as it is inseparable from the historical factors of the relationship between the central and regional governments that began on July 23, 1903[9].

Prior to implementing the principle of decentralization, the Government of Indonesia used the principle of centralization which emphasized national interest, national unity, coordinated development, and social uniformity [10]. Meanwhile, the implementation of regional government affairs is carried out on the principle of deconcentration. It was only then that there was a change in the implementation of local government with the principle of decentralization by prioritizing local interests, local diversity, local autonomy, as well as the local social system. This diversity of local entities certainly cannot be clashed with central interests of which becomes the basis for the urgency of asymmetric policies in the development to balance decentralization and deconcentration in the administration of local government [11].

According to Veljonovski, there are three levels in the asymmetric policy. First, political asymmetry is a form of asymmetric decentralization that gives different treatment to community entities for non-economic reasons, and emphasizes cultural, historical, political, and so on. Second, administrative asymmetry emphasizes differences in the competence and capacity of local governments in carrying out their affairs as well as different forms of interaction between the Central Government and Regional Governments. Third, fiscal asymmetry is the most advanced level of decentralization since it has set the dimensions of development financing. Fiscal asymmetry is included in the realm of differences in treatment in the authority to take regional tax and non-tax revenues, as well as regional expenditures for development.

Table 1. Dimension Asymmetric Decentralization Policy

Dimension	Policy	Implementation
Political Asymmetry	Different treatment to certain community entities for non-economic reasons	<ul style="list-style-type: none"> • The Sultan of Yogyakarta and Adipati Pakualaman automatically serve as Governor and Deputy Governor of the Special Region of Yogyakarta • The right to form local political parties in Aceh • Enforcement of Islamic Sharia in Aceh
Administrative Asymmetry	Different treatment of the competence and capacity of local governments and the division of affairs with the central government	<ul style="list-style-type: none"> • Establishment of customary institutions led by Wali Nanggroe in Aceh • Establishment of the Papuan People's Representative Council which is involved in the election of Governor/Vice Governor and the preparation of Special Regional Regulations (PERDASUS) and Provincial Special Regulation (PERDASI) in Papua
Fiscal Asymmetry	Different treatment in the authority to regulate regional revenues and regional expenditures.	Special Fund for Yogyakarta, Special Autonomy for Aceh and Papua. Special Allocation Fund

Source: Bappenas 2020

From the history of decentralization in Indonesia, we can conclude that decentralization is currently still figuring out the ideal form and format that is stated in all the constitutions that have been implemented in Indonesia. In the 1945 Constitution and the 1945 Amendment, for example, Article 18 clearly describes the special regions. The provisions of this special region were later clarified in the 1945 Amendment with more detailed status of special regions. Furthermore, the Constitution of the United States of Indonesia (RIS) also regulates Special Regions in articles 64 and 65 stating that special status given to regions cannot be reduced or abolished [6].

Referring to the four constitutions that have been implemented in Indonesia related to asymmetric decentralization, it is worth noting that although the form of the state, government system, and parliamentary structure has changed, they do not reduce the regulatory space regarding asymmetric decentralization, which is guaranteed in the constitution. This confirms that the analysis of asymmetric decentralization must be viewed principally as regulated in the constitution, not at lower settings. The task of the Laws is to regulate asymmetric decentralization in detail, yet there is already a regulation in the Constitution, thus, the Law cannot limit asymmetric decentralization but provides a more detailed design.

III. THE COMPLEXITY OF BORDER ISSUES

Although administratively the Ketungau Hulu District is under the management of the government of Sintang District, the management of the area is carried out by the local government and the central government directly or through the province due to its location in the border area. This is as regulated in Law no. 22 of 1999 concerning Regional Government, which was later revised by Law no. 32 of 2004 in conjunction with Law no. 12 of 2008 concerning the Second Amendment to Law no. 32 of 2004 concerning Regional Government, the management of border areas is a shared responsibility between the Central Government and Regional Governments in accordance with the principle of concurrence [12]

The regulation of border areas in Indonesia's national legal system is aimed at the welfare of citizens. This is in line with the concept of welfare that is interpreted as a system of how social policies are applied [13]. Based on the applicable regulations, for defense and security at the borders, the management and development of border areas are dominantly in the central government. However, due to the complexity of the authority of the overlap between the regional and central governments, the development of borders tends to stagnate, which is exacerbated by the lack of budget. The state defense and security in the border areas by ignoring the welfare has created problems for the political system in Indonesia in the context of border studies.

This is because border regions rely heavily on neighboring countries for many economic activities to support their economies. However, as governments have strengthened border security, economic access has become increasingly difficult and people's welfare has declined. Even on the other side, regional autonomy is also one of the obstacles for the realization of community development at the border due to the legal instruments of the regional autonomy that often overlap and are weak in implementation to guarantee education and health are the border areas.

The development of the Indonesian border region has always been an interesting discussion, especially in terms of which approach is best suited to address these issues. As an underdeveloped, frontier, and outermost region (3T), Ketungau Hulu District has many limitations. In the education sector, for example, in addition to the limited education support facilities, the learning process for students in border villages often encounters the number of teachers that is not proportional to the number of classes or students. Some elementary schools in border areas only have one or two teachers. Hence, the learning process is carried out in parallel from one class to another. The COVID-19 pandemic that has hit Indonesia since March 2020 has also made it more difficult for students to take lessons because of the Study from Home policy issued by the government. Although it aims to prevent the transmission of the Covid-19, the policy creates new problems because some border areas do not have internet access. Thus, areas without telecommunication facilities or access are forced to formulate an independent learning model from home to home so that students are expected to learn independently with their parents. Parents play an important role in the learning process.

Based on data from the Ketungau Hulu District in Figures (2020), Ketungau Hulu has health facilities in the form of a Community Health Center (PUSKESMAS) located in Sungai Pisau Village and several other facilities such as six health auxiliary centers (PUSTU) eight Village Maternity Cottage (POLINDES), and 32 Integrated Service Center (POSYANDU), as well as one clinic in Ketungau Hulu District. In terms of healthcare workers, in 2019, Ketungau Hulu District had healthcare workers of two doctors, 45 nurses, 24 midwives, 1 pharmacist, and 1 nutritionist. Hence, the total medical personnel in Ketungau Hulu District is 73 people.

Based on the data mentioned, it can be concluded that the facilities and health workers in Ketungau Hulu District can be said to be very minimal. This can be seen clearly from the comparison of the area and available facilities. Ketungau Hulu District has an area of 2,138.20 Km² consisting of 29 villages. Meanwhile, the available health facilities do not reflect equitable access to health services since there are still many villages where even basic medical care is not available.

Referring to the issues described earlier, the system and pattern of government management that gives general decentralization rights to autonomous regions whose geopolitical specificities in the form of border areas cannot resolve the complex issues of the border area. This means that legally, development and management are shared responsibility between the regional and the central government with more a dominant percentage of the central government in terms of management and development for state defense and security.

However, the central government tends to be passive and slow in responding to issues related to local community welfare, as evidenced by the slow pace of development and the focus solely on border security tax. Meanwhile, local governments wishing to develop infrastructure in border areas are often constrained by limited regional budgets. In addition, there is no special treatment from the central government in supporting the regions in managing and developing border areas.

IV. ALTERNATIVE TO ASYMMETRIC POLICY IN BORDER AREAS

The development in Indonesia must be directed at accelerating the realization of public welfare by improving services, empowerment, and community participation in development by taking into account the principles of democracy, equity, justice, and regional characteristics in a system of the Republic of Indonesia. The principle of equity and justice is closely related to the implementation of decentralization, which is very important in regional development programs across Indonesia.

The plan for the expansion of West Kalimantan Province has been drafted by the West Kalimantan Provincial Government since 1991 and followed up by the Sintang Declaration in Sintang on August 14, 2007, covering Sanggau Regency, Sekadau Regency, Sintang Regency, Melawi Regency, and Kapuas Hulu Regency. However, this is still hampered by the moratorium on the formation of the New Autonomous Region (DOB) which has been issued since 2012. However, what is interesting is that the plans to form South Papua are being implemented in stages as it refers to the Special Autonomy Law Number 21 of 2001, concerning Special Autonomy for the Papua Province.

The formation of the Kapuas Raya Province can be used as a momentum for the formulation of asymmetric decentralization for the border areas in Sanggau Regency, Sintang Regency, and Kapuas Hulu Regency. The regulation for the formation of new autonomous regions must include special affairs that are handed over to the Regional Government whose area is bordered with the neighboring country. It considers that the government still closes the possibility of forming a Special Autonomous Region but still provides opportunities for special affairs to be given to regional governments. Referring to the implementation of special autonomy in Aceh, Jakarta, Yogyakarta, and Papua, several concepts can be applied in new autonomous regions in the border areas.

In the aspect of *Political Asymmetry*, it enforces ethnic group entities in carrying out legal norms and resolving social problems. This includes harmonizing governance at the village level by accommodating the interests and development of local communities that have long been marginalized.

Regarding *Administrative Asymmetry*, it is more directed at handing over authority to the Regional Border Management Agency (BPPD) to be more autonomous, both in terms of budgets, as well as work programs. To date, based on the Presidential Regulation of the Republic of Indonesia Number 44 of 2017 concerning Amendments to Presidential Regulation Number 12 of 2010 concerning the National Border Management Agency, the Regency/Provincial BPPD is only waiting for the program set by the National Board of State Border Management (BNPP), or only limited to proposing border development programs. In addition, related to border development, BPPD is more likely to participate in work programs from other Regional Apparatus Organization (OPD) in the Government of Sintang District. In addition, the plan for the establishment of the Kapuas Raya Province must also consider the asymmetric decentralization for the border area. This is related to the plan of the expansion of the Ketungau Regency, which is a combination of three sub-districts whose a direct border to Malaysia.

In the Fiscal Asymmetry, it relates to special funding (General Allocation Fund (DAU), Special Allocation Fund (DAK), Special Autonomy Fund, Village Fund) that support the development of border areas as the state's porch. Because it is recognized by the Sintang Regency Government, the biggest problem in developing the border area in Sintang Regency is related to the limited budget capacity of the Regional Government. The Regional Secretary of Sintang Regency, YosephaHasnah said that:

“And what makes us seem unable to do much is because of our limited financial capacity. We are supported by DAU and DBH. From our APBD and PAD, it is only 5-7% of our overall regional

income. This means that our financial condition is still far from what we expected. It is because it is the outermost region, we hope from the tax to make a large contribution but because of the pandemic, instead of contributing, they ask for tax relief for hotels and restaurants. If the question is whether we have been optimal in developing border areas, the answer is that we have been optimal according to our financial capabilities."

The formation of the Kapuas Raya Province resulted in the expansion of the Sintang Regency, with the formation of several regencies, including the establishment of the Ketungau Regency. Ketungau Regency is a combination of three districts, namely Ketungau Hulu District, Central Ketungau District, and KetunganHilir District. The transfer of the authority to administer the local government in the Ketungau Regency is expected to solve the problems of the border area. Fiscal Asymmetry also needs to consider the number of central government transfers to villages in the border area. There needs to be a different formula for calculating village funds which are different from other villages outside the border area.

Based on the discussions, asymmetric policy recommendations for the development of border areas are drawn up into three levels. The first is the Micro level. The micro-level includes coordination, bureaucracy, and the effectiveness of programs and activities. The second is the Meso level that includes fiscal, institutional, and regulatory aspects. The third level is Macro, which includes socio-political aspects and authority.

The development of border areas, which so far emphasizes national security and defense, seems to override community welfare that creates development gaps in the governance and development system in Indonesia. The granting of authority to the community or in this case is a region in mapping its development potential and priorities should be supported by regulations so that the region has special rights in running the government and managing its potential, as well as solving issues or obstacles which so far have not been able to be resolved. The one who knows best about the needs of the region is the region itself. Therefore, to optimize development and break the chain of inequalities in border areas that have been happening so far, there needs to be a very large investment for these areas to develop.

V. CONCLUSION

Based on a description of the border area situations, especially in Ketungau Hulu District, issues and models of the relationship between the central and local governments should be taken into account in resolving the problems that often surround the border area. The main problem of the border areas, especially the Ketungau Hulu sub-district, Sintang Regency, is the gaps of education, health, economy, and infrastructure. It is exacerbated by problems in the field of government that make local governments unable to do much in encouraging development in their regions due to overlapping policies between central and regional governments.

The asymmetric decentralization in the relationship between the central and local governments that gives special rights or privileges to local governments in running the government and managing the potential of the regions as a form of compensation from the geographical location of the areas, including the border area, is one of the recommendations for policy directions. It can potentially accelerate development and break the chain of inequality that previously could not be resolved by symmetrical decentralization.

This study suggests that asymmetric policies for national border development are differences or exceptions in speed, size, and measure to accelerate development programs in national border areas, especially in overcoming inhibiting regulations and institutions. It is expected that asymmetric policy can be a breakthrough in the form of policy discretion. Infrastructure development in national border areas is a priority to resolve isolation by strengthening funding schemes and affirmative regulations. Regulation is required to accelerate the development that is often hampered by sectoral regulations.

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