

STRENGTHENING INSTITUTIONAL CAPACITY OF KELURAHAN FOLLOWING THE IMPLEMENTATION OF LAW NO. 23 / 2014 ABOUT LOCAL GOVERNMENT

Paiman RAHARJO¹, Harry NENOBAIS², Budiharjo BUDIHARJO³, Triyuni SUMARTONO⁴, Elis Teti RUSMIATI^{5*}, and Ni Putu Diana FEBRIYANTI⁶

^{1,2,3,4,5,6}*Universitas Prof. Dr. Moestopo (Beragama) Jakarta, Indonesia*
^{*}*elistr@dsn.moestopo.ac.id*

ABSTRACT

After the enactment of Law Number 23 of 2014 concerning Regional Government, the authority of the Kelurahan institution experienced a shift in the authority of tasks and functions, namely that the status of the kelurahan was no longer a regional apparatus but became part of the Subdistrict government. Consequently, the activities carried out by the Kelurahan are determined by the policies decided by the sub-district government. This condition affects performance and one of them causes the government at the Kelurahan level to become rigid and tend to be less dynamic. Even though this case has actually developed for quite a long time, it is still relevant to be addressed within the framework of empowerment towards a rising Indonesia, especially after the COVID-19 pandemic. This community service activity aims to strengthen the institutional capacity of the kelurahan apparatus so as to improve their performance (performance). This activity uses the following methods: lectures, questions and answers, and group discussion forums (FGD). The results of the activity in particular have led to several goals, including: in the cognitive aspect, there has been an increase in the understanding of the participants regarding the operational steps for strengthening the institutional capacity of the Kelurahan, such as: understanding correctly (not based on assumptions) regarding authority, main tasks and functions according to the will of Law Number 23 of 2014, and the balance of financial resources, human resources and facility resources. From the practical aspect, it appears that there is a strong desire and awareness from the kelurahan apparatus to increase institutional capacity through various steps taken as stated in the FGD.

Keywords: kelurahan, performance, institutional capacity, law on local government

1. INTRODUCTION

The government's policy regarding decentralization has resulted in the birth of the delegation of authority to the regions in regulating their own government affairs, which is then known as regional autonomy. This decentralization policy is continuously improved with the hope that through the given authority, regional governments can more freely manage and utilize the potential of regional resources, so that independence in terms of development can be realized and can be more adapted to the needs of the region.

Improvements related to the concept of Regional Government can be seen from the changes in the Regional Autonomy Law Number 29 of 2008 to Law 32 of 2004, then changed to Law Number 23 of 2014 concerning Regional Government.

The government realizes that the complexity of wants and needs in the context of accelerating development must be prioritized, so that policies related to regional governments continue to be refined. On this basis, in 2014 the decentralization policy was formed into 3, namely: Law Number 6 of 2014 concerning Villages, Law Number 8 of 2015 concerning General Elections, and Law Number 23 of 2014 concerning Regional Government. These three laws essentially gave birth to three main pillars, namely: Regional Autonomy, Village Administration and Regional Head Elections.

In Law Number 23 of 2014 concerning Regional Government (Local Government Law), there was a shift in the authority of the duties and functions of the Village. The shift in the authority of the Lurah can be seen in Article 208 paragraph (1) that the Regional Head in carrying out government affairs is assisted by regional apparatus. Furthermore, according to Article 209 paragraph (2) it is stated that the Regency/City Regional Apparatus consists of: a) Regional Secretariat, b) DPRD Secretariat, c) Inspectorate, d) Service, e) Agency, and f) District. The Kelurahan appears to be no longer mentioned as a Regional Apparatus. The duties, functions and authority of the Kelurahan are given by the Subdistrict as the lowest regional apparatus in the Government. Conditions that are different from the validity period of Law Number 32 of 2004.

More clearly the shift in the authority of Kelurahan duties and functions can be seen in the following table.

Table 1. Duties and functions of Kelurahan

Aspect	Law No. 32 / 2004	Law No. 23 / 2014
Legal Provision	Article 120 verse (2) Regency/city regional apparatuses consist of regional secretariats, DPRD secretariats, regional offices, regional technical institutions, sub-districts, and urban villages.	Article 209 verse (2) District/city regional apparatuses consist of: a. the regional Secretariat; b. DPRD secretariat; c. inspectorate; d. service; e. body; and f. Subdistrict.
Definition of Kelurahan	Permendagri No 36 / 2007 "Kelurahan is the working area of the lurah as an apparatus of the Regency/City within the working area of the Sub-district"	Article 229(1) "Kelurahan is formed with a Regency / City Perda based on government regulations".
Authority	Permendagri No. 36 / 2007 on Delegation of District/City Government Affairs to the Lurah (Article 2) 1) Implementing political decentralization (devolution of delegation authority) 2) Carry out government affairs that are delegated to the Regent/Mayor	Pasal 209 (3) Provincial and district/municipal regional apparatuses as referred to in paragraphs (1) and (2), in addition to carrying out Government Affairs under the authority of the Regions, also carry out Co-Administration Tasks.
Lurah's Duties	Law No. 32 / 2004 a. Implementing Governance affairs of Kelurahan; b. Community empowerment; c. Community service; d. Organizing public peace and order; and e. Maintenance of infrastructure and public service facilities. Permendagri No. 36 / 2007 A Kelurahan is the working area of the lurah as a Regency / City Regional Apparatus - Article 1: Lurah organizes government affairs, development, and society - Article 2 verse(1) : The Lurah carries out government affairs that are delegated to the regent/mayor. - Article 2 verse (2) The regent/mayor delegates government affairs to the lurah according to the needs of the kelurahan, paying attention to efficiency and accountability - Article 3: District / city government affairs which are delegated to the regent / mayor to be shown to the lurah are mandatory affairs and matters of choice - Article 5 verse (1) Provision further regulated by Regulations regent / mayor	Article 229 (4) Lurah has the duties to help Camat to:: a. implement the activity deals with kelurahan government affairs; b. carry out community empowerment; c. conduct community service; d. maintain public peace and harmony; e. maintain public infrastructure and service facilities; f. implement other duties that are given by Camat; and g. implement other duties based on the provision and legislation;
Planning	Have autonomy for develop plans and strategies (Renstra) itself is appropriate community needs	Does not have the autonomy to formulate its own strategic plan. The strategic plan made is part of the sub-district strategic plan
Budgeting	Have autonomy for	Depending on

Aspect	Law No. 32 / 2004	Law No. 23 / 2014
	budget accordingly needs and strategic plan	availability of funds and owned strategic plan Subdistrict
Authority	The authority is given by the Regent / Mayor according to the needs of the Lurah, both mandatory and optional matters	Limited to carry out activities given by the Camat

Source: processed data

Seen from the table above, the concept of decentralization in the implementation of regional policies at the Kelurahan level, shows the abolition of authority. The status of the kelurahan which is no longer a regional apparatus means that the government (including regencies/cities) no longer decentralizes its authority to the Kelurahan.

After the enactment of the Regional Government Law, where the authority of the Kelurahan institution experienced a shift in the authority of this task and function, one of which had an impact on the tendency to decrease the performance of the apparatus in several kelurahan. Based on the results of previous research, this condition causes the government at the Kelurahan level to seem stiff and tend to be less dynamic.

Even though this case has actually been developing for a long time, it is still relevant to be addressed within the framework of empowerment towards a rising Indonesia, especially after the COVID-19 pandemic. This community service activity aims to strengthen institutional capacity for the Kelurahan apparatus so that they can improve their performance (performance). The author considers that instilling understanding and providing correct and correct information to the Kelurahan apparatus related to the authority of their duties and functions, will help encourage a more conducive outing situation and accelerate the realization of more effective development programs.

2. METHODOLOGY

The selection of methods and materials used in the implementation of this service activity refers to the results of previous research which explains the tendency of a decline in the performance of the village apparatus after the implementation of Law Number 23 of 2014 concerning Regional Government (Local Government Law). Although this case has been developing for a long time, there are still several Kelurahans, both in the DKI Jakarta area and in other areas, who view the policy of the Regional Government Law as one of the obstacles in improving performance.

Based on this, it is important to remind again that the decentralization policy in the form of regional autonomy as referred to in the Regional Government Law has lofty aspirations to reduce the span of control/closer to public services and improve welfare. This policy is implemented in the form of giving autonomous regions the rights, powers, and obligations to the regions to regulate and manage their own government affairs and the interests of the local community in the system of the Unitary State of the Republic of Indonesia.

Village empowerment is thus an important step to realize the ideals of granting autonomy, although there has been a shift in authority compared to the period before the enactment of the Regional Government Law. In this service activity, there are 3 strategic aspects that are considered important in increasing the institutional capacity of the Village that need to be considered, namely:

- The repositioning of the authority of the duties and functions of the Kelurahan requires confirmation and review regarding coordination between institutions and standardization of work procedures. In this case, especially in relation to the District. As a consequence of the shift in authority, the Lurah must coordinate intensely with the District Administration, especially regarding technical and operational matters. Clarity regarding the division of tasks, work procedures and work standards is very important to avoid overlapping authorities. Correct and appropriate work relations according to the rules will greatly help the smooth performance of both parties (Kelurahan and Sub-district).
- The consequences of shifting the authority of the Kelurahan, one of which has an impact on aspects of human resources (HR), financial resources and the required infrastructure. Related to this, there needs to be a balance in the administration of authority after the shift, which needs to be clearly understood by the Kelurahan.
- After the repositioning of the authority of the duties and functions of the Kelurahan, it is also necessary to have a clearer understanding between the Lurah and the Camat regarding the principles in the distribution of authority so that there is no overlap between institutions. It is necessary to clearly understand article 7 of Law no. 23 of 2014 which states that in carrying out their duties and functions, the lurah coordinates with the sub-district head and vertical agencies in his working area.

The three strategies are implemented in this community service activity through the following stages:

- Approach Stage

At this stage, several processes are carried out, namely: a) Research as a step to study and explore the actual situation; b) Preliminary discussion to discuss and follow up on research results; c) Develop and agree on plans for community service activities; d) Prepare modules/materials and activity evaluation tools.

b. Implementation Stage

At this stage, activities are carried out; a). Conduct pre-test and post-test for participants; b) delivery of material through lectures and questions and answers; c) deepening of material through group discussion forums (FGD)

c. Dissemination Stage

At this stage, information is disseminated aimed at the target group or individuals in order to obtain information, receive, and ultimately change the behavior of the target. The expected change from dissemination is that it will occur in aspects of knowledge, attitudes, and skills.

3. RESULT

Community service activities entitled "Strengthening Urban Village Institutional Capacity After the Implementation of Law no. 23 of 2014 concerning Regional Government" was carried out in three urban villages in the DKI Jakarta area, namely: East Pamulang Village and Ciputat Village, in South Tangerang, and Munjul Village, East Jakarta.

In the Approach Phase, the research process is carried out by field research, making observations, observations and direct interviews dealing with research subjects. Primary data was obtained through direct observation and interviews with village officials, while secondary data was obtained from documentation studies and interviews with several sub-district officials. The results of this research are then used as the basis for the implementation of this service activity.

The results of the study are also a material for preliminary discussions related to the preparation of service activities by formulating the formulation that service activities are a follow-up of the research results. The results of the research are also a benchmark for compiling and agreeing on plans for community service activities. Furthermore, from the preliminary discussion the author and the kelurahan apparatus agreed on the format of the activities to be carried out. Once agreed, then prepare modules/materials and activity evaluation tools.

In the Implementation Phase, the activity begins with a written pre-test to determine the participants' initial abilities. After completing the activity, participants were given a post-test sheet. This needs to be done to better ascertain the position of participants' understanding of the material, as well as to make it easier to measure the extent to which participants' abilities have changed after participating in this activity. Next, the process of delivering material is carried out through lectures and questions and answers. For the deepening of the material, on different occasions, it is carried out through a group discussion forum (FGD).

Materials developed in the implementation phase as well as in the FGDs: First on Decentralization and Regional Autonomy. Decentralization can be interpreted as the handover of affairs by the central government to the regions based on the principle of autonomy. The purpose of regional autonomy is to carry out autonomy as widely as possible, except for government affairs which are indeed government affairs, with the aim of improving people's welfare, public services, and regional competitiveness. Thus, ideally changes to decentralization policies can further strengthen Kelurahan institutions.

The second is about the Duties and Functions of Kelurahan after Law no. 23 of 2014 concerning Regional Government. Kelurahan can be interpreted as a form of local state government, or state government at the local community level. Kelurahan no longer has full and autonomous authority in terms of implementing political decision-making in its territory based on Law no. 23 of 2014 concerning Regional Government. The position of the Lurah is legally under the sub-district government. Previously, the kelurahan had the authority to make plans, but now the kelurahan is no longer an independent regional apparatus organization but has become part of the subdistrict government.

The third is about Budget and Human Resources. UU no. 23 of 2014 concerning Regional Government, article 230 states that: (1) Regency/city regional governments allocate budgets in the district/city APBD for the development of local village facilities and infrastructure and community empowerment in the village. (2) The budget allocation is included in the sub-district budget in the sub-district budget section to be utilized in accordance with the provisions of laws and regulations. (3) Determination of activities for the development of local kelurahan facilities and infrastructure and community empowerment in the kelurahan shall be carried out through kelurahan development deliberation in accordance with the provisions of laws and regulations. As for the direction of the development of village facilities and infrastructure, namely financing basic social services that have a direct impact on improving the quality of life of the community, and empowering the community in the village to increase the capacity and capability of the community.

The dissemination stage is the last stage of the activity. The dissemination stage was carried out online by inviting participants from the three sub-districts, from academics, and the general public. This dissemination is an interactive

process in delivering innovation, which in turn can change the mindset and actions of the people involved. It can be said that this dissemination is an interaction that can bring an innovation. In this dissemination activity there is a reciprocal process from the recipient of the information to the material being distributed, and this is the main goal of this dissemination.

As part of a series of community service activities, the author handed over assistance to the three sub-districts where the activities were held, in the form of program stimulant funds of Rp. 20,000,000 (twenty million rupiah) to each kelurahan. This fund is intended to encourage the enthusiasm of the Kelurahan apparatus in realizing development programs and community empowerment so that the performance of the Kelurahan is getting better.

The following are photos of community service activities that have been carried out.

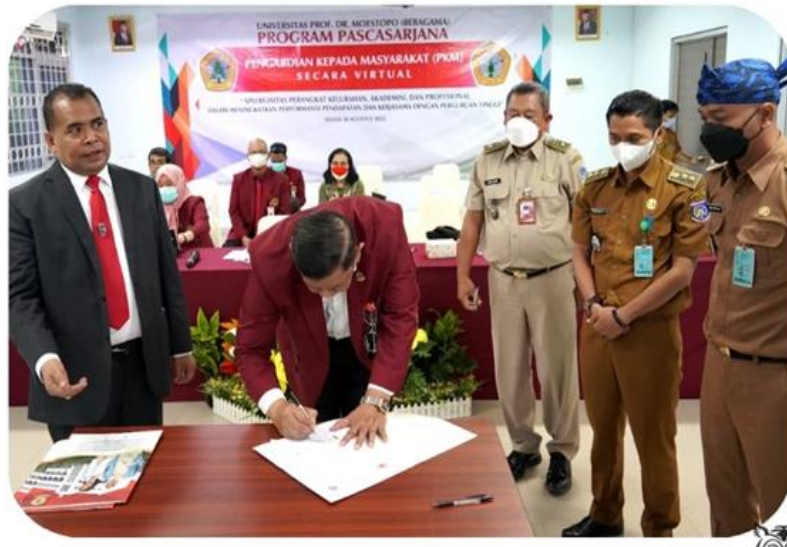


Figure 1. Signing of Cooperation Program Activities



Figure 2. Submission of Village Activity Program Stimulant Funds

4. CONCLUSION

The results of the activity in particular have led to the achievement of several objectives including: in the cognitive aspect, there has been an increase in the understanding of the participants regarding operational steps for strengthening the institutional capacity of the Kelurahan, such as: understanding correctly (not based on assumptions) regarding the authority, duties principal and functions according to the will of Law Number 23 of 2014, and the balance of financial resources, human resources and facility resources. From the practical aspect, it seems that there is a stronger desire

and awareness from the kelurahan apparatus to increase institutional capacity through various steps taken, including in development programs and community empowerment, as emerged during the FGDs.

REFERENCES

- Harsanto, Bambang Tri dkk. (2017). Penguatan Kelembagaan Kelurahan Pasca Implementasi UU No. 23 Tahun 2014 tentang Pemerintahan Daerah. *Jurnal Masyarakat, Kebudayaan dan Politik*, 30(2).
- Permendagri No 36 Tahun 2007 tentang Pelimpahan Urusan Pemerintahan Kabupaten/Kota Kepada Lurah.
- Sedaryanti dkk. (2005). *Desentralisasi dan Tuntutan Penataan Kelembagaan Daerah*. Bandung: Humaniora.
- Sumaryadi, I Nyoman. (2005). *Efektifitas Implementasi Kebijakan Otonomi Daerah*. Jakarta: Citra Utama.
- Sutarto. (2009). *Dasar-Dasar Organiasai*, Gajahmada Iniversity Press, Yogyakarta.
- Teti Rusmiati, Elis. (2020). *Dampak Reposisi Kelurahan Pasca UU. No. 23 tahun 2014*, Laporan Hasil Penelitian.
- Undang-Undang Nomor 32 Tahun 2004 Tentang Pemerintahan Daerah.
- Undang-Undang Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah.
- Wasistiono, Sadu Dkk. (2016). *Perkembangan Organisasi Kecamatan dari Masa ke Masa*. Bandung: Fokusmedia.