

# The Implementation of Village Boundaries at Halmahera Selatan Regency Maluku Utara Province: A Study of the Implementation of Regional Regulation 07/2016

Djoan Dano Anas<sup>1\*</sup>, Sjamsiar Sjamsuddin<sup>2</sup>, Choirul Saleh<sup>3</sup>, Bambang Santoso Haryono<sup>4</sup>  
<sup>1,2,3,4</sup>Universitas Brawijaya, Indonesia

\*Corresponding Author: [djohandanoanas@gmail.com](mailto:djohandanoanas@gmail.com)

**Abstract** - Implementation is part of the public policy cycle due to political decisions in an organization. Implementation describes the intention and objective of government policy to the public. The success rate of policy implementation depends on the implementer. The regime change from New Order to Reformation Era allows the government to establish a new administrative area. In addition, regional autonomy policies change due to regional demands and a strong influence of culture and customs. Regional expansion paid attention to the principles of autonomous boundaries and community welfare of the new administration area. Regional expansion refers to the geography, community, efficiency, managerial, technique, and social principles. Furthermore, regional expansion incorporated culture and customs due to differing cultures inside a region, encouraging the community to govern their region within the framework of the Republic of Indonesia. Maluku Utara is one of the Indonesian provinces that separated from Maluku Province. The Government established Maluku Utara as a new province as a response. Halmahera Selatan is one of the regencies in the Maluku Utara province, which possesses a strong influence on Bacan Sultanate culture and customs. In addition, Halmahera Selatan has a low development rate compared to other regions, except for human resources and infrastructure.

**Keywords:** policy implementation, boundaries determination, local wisdom

## I. INTRODUCTION

The regional expansion aims to improve government and community service control. In this case, Indonesia possesses a large territory composed of sea and land (numerous large and small islands). In addition, Indonesia possesses numerous ethnic groups spread between Sabang and Merauke.

The Indonesian Government has socialized regional expansion through several regulations. As a result, the Indonesian community may suggest the establishment of new regions that adhere to the development and service demands. Due to the size of the Republic of Indonesia, it is necessary to perform regional expansion, dividing large administration areas into smaller administration areas. The regional expansion improves development and services effectiveness and efficiency.

Regional expansion requires the determination of provincial, regency, city, village, and hamlet boundaries, referring to existing boundary determination policies in a region. The cartometric method is tracing/drawing demarcation lines to determine village boundaries on work maps and measuring/calculating the positions of points, lines, distances, and area coverage using base maps and other geospatial information.

The government must consider aspects supporting community welfare before establishing a new administration area or performing regional expansion. Geography, efficiency, community, and sociocultural aspects allow the government to supervise the new autonomous region well.

In Indonesia, there are several definitions of village. Desa is an administrative area consisting of several settlements. Kampung is a village possessing cultural characteristics. In this study, both desa and kampung are referred to as villages. A village is a legal community unit with territorial boundaries. It is authorized to regulate and manage government affairs and local community interests based on community initiatives, origin rights, and/or traditional rights that are recognized and respected in the government system of the Republic of Indonesia. A village is a unified legal community with regional boundaries, the right to manage and carry out government activities, domestic community needs according to community suggestions, freedom

of origin, and traditional freedoms respected in the Indonesian government structure. Village autonomy is a product of the Dutch colonization of Indonesian territory, during which village autonomy refers to the right to manage household and customary law that governs community welfare. Village autonomy did not discriminate against people and adhere to the belief or devotion to God or spirits. In addition, village autonomy regulates governance and community.

Indonesia has a thousand ethnic groups possessing differing cultures, customs, and languages. Each ethnic group has differing lifestyles and environment that influences decision-making. It is necessary to bridge the differences using group discussion.

The government established a regional expansion policy using existing regulations. The government formulates, implements, and evaluates policies to determine whether the policies adhere to community norms and values and their influence on the community.

For this reason, policy/regulation implementation requires strong and good consideration of the local wisdom approach in each region and its ethnic groups. According to Ogus, 2002 in M. Martin and C. Ledivina on Regulatory Governance in Developing Countries, traditional law has strong institutional components focused on the role of institutions and law practices in an approach that sees regulation based on existing rules and principles which involves compliance and responsibility.

According to Van Meter and Van Horn (in Wahab, 2008:65), implementation is actions taken by individuals or officials, government, or private groups to achieve the goals outlined in policy decisions. Mazmanian and Sabatier stated that implementation refers to the execution of basic policy decisions, usually in the form of laws. However, implementation may refer to important executive orders or judicial decisions. Based on existing theory, implementation follows political and administrative processes carried out by implementers in the field.

According to Edward III, implementation is as follows: "Policy implementation as we have seen is the stage of policy making between the establishment of a policy such as the passage of a legislative act, the issuing of an executive order, the handing down of a judicial decision, or the promulgation of a regulatory rule and the consequences of the policy for the people whom it affects." (Edward III, 1980:1)

Therefore, implementation refers to government actions to achieve a set objective in a policy decision. However, the government needs to consider whether the policy may positively or negatively influence the community. A policy must adhere to the community's needs instead of harming the community.

Public officials establish an implementer team using a decree. The team identifies community needs in the target village using existing guidelines regarding the requirements of village establishment. The team may determine the village boundaries afterward.

Halmahera Selatan Regency was established during the Maluku Utara Province expansion. Maluku Province was divided into three provinces: Maluku Province, Maluku Tengah Province, and Maluku Utara Province. Maluku Utara has 10 regencies (i.e Halmahera Barat, Halmahera Selatan, Halmahera Timur, Halmahera Utara, Halmahera Tengah, Sula Kepulauan) and 2 municipalities (Ternate and Tidore Kepulauan).

Halmahera Selatan Regency is a sultanate area in between four sultanates in Maluku Utara Province: Ternate sultanate in Ternate Municipality, Tidore sultanate in Tidore Kepulauan Municipality, Jailolo sultanate in Halmahera Barat Regency, and Bacan sultanate in Halmahera Selatan Regency. Bacan sultanate actively performs ritual activities such as village parades and/or village cleaning activities called popas lipu during Islamic / Hijiri New Year. Popas Lipu originated from Bacan sultanate cultures. In addition, the Halmahera Selatan community refers to the Bacan sultanate's cultural value to solve social problems.

Halmahera Selatan Regency has 9 districts and 149 villages. Most of the community lives on the seashore, incurring expensive government services costs. As a response, the government expanded the regency into 30 districts and 249 villages. The regional expansion referred to Regional Regulation, as Halmahera Selatan Regency consists of 78% sea and 22% land. The regional expansion may improve government services.

However, Halmahera Selatan Regency expansion did not determine legal boundaries based on village boundaries principles. As a result, the community did not agree with the government-issued village boundaries. On the other hand, establishing villages referred to regulation in village laws. In addition, the boundary determination merely referred to historical aspects, such as the ancient agreement on establishing village boundaries using natural/artificial landmarks. For example, rivers, farms, and/or dirt trails. The community submitted the boundary determination to the ruling sultan/king for approval. However, the approval merely used an unwritten agreement without an administration and documentation process. Furthermore, the boundary determination was passed down through the generations.

During its reign, the sultanate has several soa (districts), such as Sawadai, consisting of the central and western parts of Bacan island. After independence, the Bacan sultanate handed over its power to the Republic of Indonesia. Therefore, the soa were converted into districts under Maluku Province governance. In 2000, the

Maluku Utara Regency separated from Maluku Province and established Maluku Utara Province. Maluku Utara Province has 6 regencies and 2 municipalities. Halmahera Selatan is one of the regencies under Maluku Utara Province. The capital city of Halmahera Selatan Regency is Bacan.

## II. METHOD

This research used a qualitative method, which stressed qualitative data, such as words and images, instead of quantitative data, such as numeric. Qualitative research aims to describe problem-solving using data. All collected data are relevant to the research subject. The researchers chose the qualitative method as this research aimed to describe the implementation of village boundaries in Halmahera Selatan Regency. The research samples (informants) were related elements of the research subjects. The informants were the regional government (as policy implementer), community (as policy recipient), and sultanates (as stakeholders) in 3 districts and 6 villages. The selected districts and villages are as follows: Kupal Village and Gandasula Village in Bacan Selatan District; Tawa Village and Songa Village in Bacan Timur District; Tapa Village and Pasir Putih Village in Obi District. The research focused on policy implementation as described by Edward III: (1) communication, (2) resources, (3) disposition, (4) bureaucracy structure in implementing village boundaries through the perspective of local wisdom in Halmahera Selatan Regency, Maluku Utara Province, Indonesia. Data collection used identification, observation, interview, and documentation technique. Data analysis uses interactive models and data analysis components such as data display, data condensation, data collection, and conclusion, which are performed repeatedly (Miles Huberman and Saldana, 2014:33).

## III. RESULT AND DISCUSSION

Indonesian central government regulated village-level boundaries based on central regulation and village-level regulations. The government established villages or performed village expansions based on the existing requirements and regulations.

In 2000, the government established Halmahera Selatan Regency based on Indonesian Law. Halmahera Selatan Regency consists of 9 districts and 149 villages. Afterward, the regency government expanded its region, establishing 30 districts and 249 villages, as stipulated in regional regulations.

Halmahera Selatan Regency government expanded existing districts and villages based on regional regulation. However, the existing regulation did not regulate boundaries. The regulation merely mentioned the requirements of establishing a new administrative area. Therefore, the existing regulation could not accommodate conflict in the community and sultanate (a customary community that influences the community's sociocultural life).

In addition, the regional government merely referred to existing laws and regulations instead of considering sociocultural aspects of the community. The regional government did not involve traditional rulers (Bacan sultanate). The villages have strong roots in the Bacan tradition and therefore did not approve of the new boundary. Therefore, the village boundaries still need to be clarified.

According to Brian C. Smith (1985), decentralization of territorial dimension has several criteria. The criteria support the decentralization of countries using various departments and functions. The government must consider geographical, community, efficiency, managerial, technical, and social principles. The work environment (history, language, ethnicity) determines the government's performance. In addition, establishing a territorial administrative boundary manages the community within it.

Regional regulation on village boundary determination was suboptimal, as the regency government merely socialized its content by distributing regional regulation documents. The regency government and implementing team should have directly explained the regulation to the community.

The implementation of village boundary determination was suboptimal due to the limited communication skill and financial resources. The government needed more implementer competence and quantity. In addition, the implementers were not responsible and democratic. The implementation of boundary determination focused on the district's ego instead of adhering to existing regulations (such as operational standards).

According to George Edward III, policy implementation needs to understand the policy's objective. Policy implementation requires good communication, mastery over the objective of policy, and human resources competence (ability to be responsible and work in a group). In addition, policy implementation needs to follow existing procedures.

## COMMUNICATION

Communication is an important aspect of social life and crucial for policy implementation. There are policy practices that set aside public communication aspects and therefore cause misunderstanding and reduce community confidence. Therefore, the policymaker and stakeholders must use a good communication strategy to improve policy implementation effectiveness.

Communication is crucial for policy implementation. Good policy would only automatically succeed with a good and effective communication strategy.

Communication refers to the interaction between policy actors. Communication may educate the public and improve policy literacy. The success of a policy is more than just technocracy, but also communication aspect. However, policymakers tend to focus on the substance of the policy (formulation) instead of the communication aspect. Communication is a crucial part of policy formulation and implementation.

Halmahera Selatan Regency implemented a regulation on village boundary determination. The regulation aims to regulate and manage village-level boundaries. However, there were conflicts between villages that shared boundaries and natural resources. These villages claim the natural resources as their own and therefore cause conflicts.

The government needed to convey the intention and objective of policy implementation better to the implementer team. As a result, the implementer could not communicate well with the community.

Communication is crucial in an administration process and interaction between an organization's elements (internal or external). Without a good communication line, all processes in an organization/institution cannot function well. Communication competence refers to an individual's ability to convey messages to others.

According to Emery, Ault, & Agee (1963), communication is the art of transmitting information, idea, and behavior from one person to another. Bernard Berelson and Garry A. Steiner defined communication as transmitting information, idea, emotion, skills, etc., using symbols, words, images, graphical figures, etc. Communication refers to action and transmission.

Communication is dynamic by nature and therefore changes depending on the information conveyed at a certain time or space. Humankind is closely related to communication. As social creatures, humans are part of the community and must interact with others through communication.

Leadership refers to guidance and influence, controlling others' thoughts, feelings, and behavior. A leader is a person who functions as a guide. Face-to-face leadership uses unwritten words and is direct, as the leader directly influences others. The main function of leadership lies in group representation.

Leadership competence is crucial in conveying messages. Halmahera Selatan Regency officials need more communication competence. Due to the lack of competent human resources, the government officials could not fully convey the policy's intent and objective. Therefore, the implementer team could not translate the policy's intention and objective well, causing a miscommunication between the regional government and the community.

To establish good communication between the government and the community, it is necessary to employ local wisdom. Regional leaders possessing good communication skills must consider the community's local wisdom, cultural values, and lifestyle to solve existing problems and fulfill the community's needs. Effective communication between leadership, subordinate, and the community increases the government's credibility and strengthens its capability. Credibility refers to the audience's perception of the characteristics of the communicator. Credibility does not necessarily refer to the communicator. Credibility refers to two components: capability and trust. Capability is the audience's perception of the communicator's understanding of the topic (for example, smart, capable, expert, experienced, or skilled). Trust is the audience's perception of the communicator's character (for example, honest, good moral, sincere, just, polite, etc.).

Environment, be it physical or psychological, is one factor that influences the formulation and development of an individual's behavior. Environment forms a person's behavior, morals, and character.

Local wisdom is a part of culture and community. The community refers to the local wisdom to engage in social life. Local wisdom contains noble and local values, but the values contained in it are universal. Local wisdom refers to community values and wisdom, which requires the community to interact with the environment wisely.

Due to the variety of local wisdom, the regional government must accurately communicate with the community. The regional government needs to refer to local wisdom, ensuring that the community may understand the policy implementation easily and clearly. As each village and/or region in Halmahera Selatan Regency has different cultural values, the regional government needs to involve the community and sultanate as partners in implementing a policy.

## RESOURCES

Policy implementers require competent human resources. A state civil official conveys a policy's intent and objective to the community and manages the development program. Gajewski (2005: 1) stated, "...by



combining current knowledge of diversity management with human capital development". The main objective of implementing human capital management in managing and developing human resources competency for the public sector is "to increase employee commitment, productivity, and efficiency to ensure organizational success."

Based on the research problem, improving the state civil official's competency is necessary according to their respective tasks (official-based competence). Official resource development refers to competence standards that require constant adjustments to educate and train state civil officials. The direction, approach, and material of civil servants' training may reduce the competency gap.

Resources management in the indigenous community has various forms and statuses. The ownership of resources refers to the values of specific ethnic groups in Indonesia. Public resources do not necessarily belong to anyone. A certain indigenous community or ethnic group may own public resources. Managing and utilizing resources in various communities is systematic and holistic, as humankind is an integral part of nature.

The availability of resources is a crucial aspect of policy implementation and task division. Task divisions require an accurate list of work and available workforce. In addition, the task division needs to consider the target region, language, and community.

The availability of official resources and financial resources is necessary to implement policy. It is necessary to consider the geographical condition of the target area. Furthermore, competent human resources possessing good communication skill may provide clear information to the community and therefore increases public confidence. As policy recipients, the community may clearly understand the policy itself through good communication.

#### **DISPOSITION**

The regional government needs to plan a policy implementation accurately. Furthermore, the government needs to be clear with the policy implementer. In the context of disposition, the policy implementer needs to be honest, committed, responsible, and democratic during policy implementation. Implementers possessing good dispositions will execute the policy well. When an implementer has a different attitude and behavior than policymakers, however, it will reduce the effectiveness of policy implementation.

According to Van Metter and Van Horn in Agustinus (2006): "the acceptance and rejection of policy implementer influence the success rate of public policy implementation. The lack of understanding of the community's needs and problems may cause the failure of policy implementation. In addition, public policy is usually top-down by nature. Therefore, the policymakers may not understand the community's needs, problems, and demands". The implementer's attitude is influenced by their perspective on a policy and the policy's influence on organizational and personal interests.

Disposition, in the context of policy implementation, refers to several processes. Be filtered refers to the implementer's perspective on the scope of the policy. Three elements influence an implementer's capability to execute a policy: (1) knowledge (cognition, comprehension, and understanding); (2) responses (acceptance, neutrality, and rejection); (3) intensity to a policy. Therefore, an implementer's understanding of a policy implementation's operating standards and objectives influences its success rate. In addition, disposition refers to an individual's character and behavior. The environment in which a person grows up influences their disposition.

In Halmahera Selatan Regency, the traditional leader uses Sasi (traditional law) to regulate the harvest of resources in a set amount of time. Sasi aims to preserve nature and discourage exploitation. Sasi provides enough time for natural resources to regrow. In Bacan, Sasi (bai'at, janji, ikrar) means oath or promise.

Sasi is generally practiced in Maluku Utara and its four sultanates. Cultural leaders, religious leaders, community leaders, and community members practice sasi. In addition to traditional sasi, there are church sasi and mosque sasi. Sasi originates from Sultan Bacan I's reign (Sultan Muhammad Baqir, 1230-1319). Sasi was introduced as a law that binds people who violate regulations. Sasi uses Aha Kolano principles to preserve the products, materials, and resources in the logistic warehouse and community granary. Aha Kolano refers to areas that produce primary food staples (sago), forestry products (wood), vine products (rattan, damar), and byproducts (fruits). Sasi was introduced to preserve Aha Kolano.

During the reign of Sultan Bacan V (Sultan Alauddin I), the Sultan appointed Sangaji (traditional community leaders) to govern five different communities. For example, animism, Islam, Catholic, and Christian communities. Sangaji is a coordinator that bridges the communities and directly reports to the Sultan.

The government must observe local culture and traditional leaders during policy implementation. The policy implementer must be honest and convey the policy's objectives to the Halmahera Selatan community and traditional leaders, paying attention to the prevailing customs and values.

**BUREAUCRACY STRUCTURE**

Government bureaucracy developments reflect their inherent value and behavior. Bureaucratic behavior is based on citizenship, social justice, equality, ethics, responsibility, patriotism, transparency, etc. The bureaucratic value is the essence of public administration. It is necessary to adopt local values to facilitate bureaucratic policy execution. As observed in developing countries such as Indonesia, bureaucratic culture tends to be heterogeneous, formalism, and overlapping.

Bureaucratic culture is inseparable from the social environment and cultural values. Social environment refers to norms, values, beliefs, and culture. Social culture and bureaucratic culture are two aspects that characterize the lives of employees. However, the implementation of both cultures is different.

The community highly regards local wisdom, traditional law, beliefs, and cultural values. The community employs local wisdom and cultural value to carry out the duties and responsibilities of a bureaucrat.

Halmahera Selatan Regency government has appointed the implementer to determine village boundaries. However, it is necessary to obtain an understanding of street-level bureaucracy. The street-level bureaucrats are the official directly engaging with public services or directly accessing the community. According to (Lipsky, 2010), the street-level bureaucrat is a crucial actor as they interact with and provide services to the community. Street-level bureaucrats have differing behavior, depending on the institution and individuals, during the execution of a policy. Furthermore, Lipsky (2010) explained that prevailing cultural values and norms influence street-level bureaucrats' behavior. The policy implementation is technical by nature, and therefore the responsibilities of street-level bureaucrats are also technical.

Several government organizations form a team of implementers consisting of street-level bureaucrats. These bureaucrats have unique characters, attitudes, and cultural backgrounds. Therefore, it is necessary to strengthen the team's commitment, consistency, and understanding in executing village boundary determination.

To deter organizational fragmentation during policy implementation, it is necessary to divide responsibilities and authorities among the implementer according to their abilities and cultural background. Since Halmahera Selatan Regency has various ethnic groups, it is necessary to assign implementers possessing similar cultural roots to the target area. The implementer can convey the policy objectives easier and improve the community's understanding and acceptance of the policy implementation. In addition, Halmahera Selatan Regency may easily execute a village boundary determination policy by considering the community's prevailing customs, values, and ethics.

Furthermore, the implementer team must understand the requirements of determining village boundaries. Before assigning an autonomous region, the implementer team needs to understand the function of a certain area as an autonomous region. In addition, it is necessary to use formal legal documents as it is one of the requirements of forming an autonomous region. Decentralization may solve existing issues in the community. However, the policy implementation has yet to yield tangible results. Some fear regional autonomy may encourage local elites to fight for power instead of focusing on economic development and community welfare.

According to B.C. Smith (1967) in "Field Administration: An Aspect of Decentralization," there are 6 aspects of decentralization policies: (1) spatial distribution, (2) the relationship between government agencies, (3) regional government finances, (4) the form of regional institutions, (5) organizations in central government and private businesses, and (6) environmental urban participation distribution.

Spatial distribution aims to create a comfortable, safe, productive, and sustainable environment. In addition, spatial distribution ensures environmental harmony. Villages are a place or areas where the community lives. The community depends on natural resources, human resources, and geographical location. The implementer team needs to understand the functions and benefits of the village's spatial arrangement.

Furthermore, performing group discussions with the community is necessary before determining village boundaries. When the village communities disagreed on the government-issued boundary determination, the implementer team needed to involve the cultural leaders, such as the sultanate, as Bacan Sultanate had determined village boundaries during its reign.

After the independence of the Republic of Indonesia, the Bacan Sultanate handed over its power to the central government. However, the sultanate still influences the community and can bridge the communication between villages. Therefore, it is necessary to consult the sultanate in determining village boundaries.

**IV. CONCLUSION**

Halmahera Selatan Regency government conducted policy implementation well. The government paid special attention to regional expansion and determined administration area boundaries using geographical, community, efficiency, technical, managerial, and sociocultural principles. Policymakers and implementers

needed to communicate the policy's objective to the recipient. The policy implementer required good human resources capability, availability, and adequate financing. Furthermore, the implementers needed to be responsible and committed to the policy implementation. Implementers must follow operational standards to deter miscommunication between policymakers, implementers, and recipients.

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