EXPANSION AND THE IMPLICATION OF REGIONAL AUTONOMY
IN NORTH SUMATRA*

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Abstract
Region unfoldment euphoria have made Northern Sumatra as one of county unfoldment at Indonesian. For it to need is assessed, how is region unfoldment performing at North Sumatra and its implication to regions autonomous performing at North Sumatra? Method that is utilized is descriptive analytical. That acquired result region unfoldment performing at North Sumatra was appropriate indicator which is determined deep legislation regulation and according to North Sumatra society expectation. Meanwhile region unfoldment implication to regions autonomous performing, which is region governance (region autonomy) was walking at unfoldment region.

Key words: region autonomy, unfoldment region, dezentralization.

Preface
The idea of autonomy with regard to the democratization of politics and government at the local level. People’s desire to participate coloring socio-cultural dynamics and local government, only for the welfare of the society, through the improvement of services, and community empowerment.¹ One of the instruments to improve public service is by downsizing local control range which is then transformed into regional expansion.² Expansion of the area is a division of administrative authority from one area into several regions,³ with the aim of empowering the region and autonomous communities.⁴

According Soetandyo Wignjosoebroto, regional expansion at the New Order era, according to Law No. 5 In 1974, there were significant differences with Law 22, 1999, as replaced by Law No. 32 of 2004. Expansion of area under the New Order is elitist and has a centralized character and its implementation is an initiative of the central government than participation from society. The expansion process is often closed and limited area within the central go-

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vernment. But today the expansion area is dominated by the political process rather than a technocratic process.

Although it was troubled in expansion, North Sumatra successfully perform well. The Research Results of Research and Development Agency of North Sumatra Province in 2009, showed that in the autonomous regions of North Sumatra occurred development and improvement of welfare. Expansion brings changes both parent counties and autonomous regions, as a study of the research.

Research Problem

Based on that, the problem is, how is the implementation of regional expansion in North Sumatra and its implications for the implementation of regional autonomy in North Sumatra?

Research Method

This study uses normative juridical and empirical juridical. This type of research is descriptive analytics. The experiment was conducted in North Sumatra, with a population of government officials and public figures that are relevant, with purposive sampling technique. Primary data were collected by in-depth interviews and participative observation. Data analysis with qualitative methods. Data are collected by observation and in-depth interviews. Data were analyzed by finding of the comprehensive explanation of the Activities that occur in the expansion and its implications.

Discussion

Basic Law of Regional Autonomy in Indonesia

Law No. 1 of 1945

Law no. 1 of 1945, born without explanation. However, in practice we felt many things unclear, finally given a written explanation by the Ministry of the Home Affairs and its interpretation in each article. This law it is too short and less complete to regulate regional autonomy. Indirectly can be regarded also as a legacy of colonialism. This law is the basis of the first autonomous government in the region in an atmosphere of Independency.

Law No. 22 of 1948

Law no. 22 of 1948 was created to replace Law No. 1 of 1945. If the Law 1 of 1945 put pressure on the people's sovereignty, Law 22 of 1948 emphasize on democratic local government system. Relationship between the central and regional differences, in Law No. 1 of 1945 tend to embrace the principle of centralization, while the Law 22 of 1948 has the desire to abolish the principle of centralization and emphasize decentralization.

Law No. 1 of 1957

Law no. 1 of 1957 to replace Law No. 22 of 1948. The legal basis for regional autonomy under Law No. 1 of 1957 is almost similar to the Law 22 of 1948, that, Indonesia is divided into large and small areas, which are entitled to organize and manage their own local government, as much as 3 levels of degree from top to bottom. This law is classified as a legal product that is made in the configuration state of democratic politics.

Law No. 18 of 1965

Law no. 18 of 1965, to replace Law No. 1 of 1957. The legal basis for regional autonomy in the Law is different from the Law 1 of 1957, because according to Law No. 18 of 1965, In-
Indonesia’s territory is divided out in areas that are entitled to organize and manage his own government. Decentralization and regional autonomy was adopted of territorial decentralization that put real territorial responsibility maximally in local government, in addition to running the deconcentration policy as a vital complement (explanation).

Law No. 5 of 1974

Law no. 5 of 1974 on the Fundamentals of Regional Government, a new correction and adjustment of Law 18 of 1965. The legal basis is Article 2 about regional autonomy that running the government, Indonesian territory is divided into autonomous regions and administrative regions. The principle of autonomy adopted in this law is the principle of decentralization, deconcentration and assistance principle (consideration). The adopted principle of autonomy is a real autonomy and responsible (explanation). While the philosophy that is adopted in all aspects made uniform.10

Law No. 22 of 1999

Law no. 22 of 1999, is considered as a middle way between the desire to accommodate the area to demand greater autonomy and desire from the central government to retain the NKRI.11 The concept of decentralization in this Law is built on the assumption that Indonesia has reached a phase of democratic political system.12 This law reversing the direction of administrative efficiency to the democratization of local communities.13 The legal basis for regional autonomy is under Article 4, that the implementation of the principle of decentralization formed Province, District/Municipal authorities that regulate and manage the interests of the local community at its own initiative based on the aspirations of the people (article 1). Deconcentration principle although still adhered in this Law, is only carried out at the province level, while the district/city level autonomy solely to implement the principle of decentralization (Article 9, paragraph 3). Autonomous system adopted is broad autonomy, real and responsible (Considerate).

Law No. 32 of 2004

Law no. 32 of 2004 a total correction of flaws in the Law 22 of 1999. At the same time re-affirming the position of regional autonomy as an integral part of the unitary state of Indonesia.14 The legal basis for regional autonomy under this law is Article 2, paragraph 1, 2 and 3. According to the article, the implementation of the principle of decentralization formed the provincial and district governments/ municipalities regulate and manage his own household. An autonomous system used in the law is broad autonomy, real and responsible (Considerate). This law has laid a solid legal basis in implementing regional autonomy.15

Basic Law of Regional Expansion in Indonesia

Law No. 1 of 1945

Expansion of area under Law 1 of 1945 on the Position of the Regional National Committee, are not clearly defined chapters and explanation about this Law, but can be construed from Article 1 of Law No. 1 of 1945, the Regional National Committee held that, except in the Region of Surakarta and Yogyakarta in Kabupaten, Berautonomi City, County and other areas deemed necessary by the Minister of home affairs.

Law No. 22 of 1948

11 Wasisto Raharjo Jati, op.cit., page 760.
Expansion of area under Law No. 22 of 1948, regulated under article 1 subsection (1), that the Indonesian Regional arranged in three levels, namely: Provincial, District (big city) and village (small town) country, clan and so on, are entitled to organize and manage their own household. Then subsection (2), areas that have rights, the origin and before Indonesia has its own government which is the special can be set as the Special District level with the province, or village, which is entitled to organize and manage his own household.

Law No. 1 of 1957

Expansion in this Law, set forth in Article 2, subsection 2, namely the Autonomous Region according to the importance and development of today's society, can be defined as a Special District level I, II or III or the Autonomous Region to the level I, II or III, which is entitled to take care of the household itself. Establishment of these includes changes in the region then governed by law (Article 3).

Law No. 18 of 1965

Expansion of area under Law No. 18 of 1965 regulated in Article 3 subsection (1) that the Regional Formation, name, and the capital city and its limits, as well as the duties and authority of the base budget for the first, regulated by the Law. Explanation of Article 3 states that the formation of a region must contain essential setting, the contents of which can indicate the right to life for the Region, which consists of at least the name of the capital city and regional boundaries as well as the authority and budget for the base first.

Law No. 5 of 1974

Expansion of area under Law No. 5 of 1974 is regulated in Article 3 that in order to implement the principles of decentralization is to form and arrange Regional Level I and Level II (paragraph 1). Expansion of area under this law includes the creation and deletion of areas regulated by law (Article 3, Article 4 and 5).

Law No. 22 of 1999

Expansion of area under this Law is regulated in article 4 is formed Provincial, District, and Regional authorities set up and manage the interests of the local community at its own initiative based on the aspirations of the people (subsection 1). Include the elimination of regional expansion, merger and division of the Regions, which is defined by law (Article 6, subsection 4). Splitting criteria set by the PP 129 of 2000 on the Formation Requirements and Criteria for Expansion, Elimination, and Region Merging. But the birth of Law No. 22 of 1999 has sparked a desire to realize the expansion area, especially when it is associated with the history of the repressive New Order devaluing rural place.16

Law No. 32 of 2004

Expansion of area under this Law is regulated in Article 4, that the establishment of an area should be decided by a separated law (subsection 1). Forming regions can be merging some areas or parts of areas side by side or expansion of a region into two or more areas (subsection 3). Expansion of an area into two (2) or more areas can be done after reaching the minimum age of governance (subsection 4). Technical implementation of the division is set out in PP 78 of 2007 on the Procedures for the Establishment, Abolition and Regional Merging. PP 78 of 2007 when observed further, it was very tight and not as flexible as PP 129 of 2000 which is rather flexible and soft so as to facilitate the proposed expansion area.17

Factors of Regional Expansion in North Sumatra
Serdang Bedagai Regency

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Serdang Bedagai Regency established with Law 36 of 2003 on the Establishment of Samosir and Serdang Bedagai. The Factor is the approach to the division of services to communities in the areas of governance and development (Considerate). This is in line with the author interviews with BAPPEDA Chairman Ir. M. Taufik Batubara, M.Si, factor of the division is, the ability of the economy, the potential of the region, socio-cultural, area, and security. Assistant I of Public Administration Rudy Sitorus, SH.M.IP, factors of the division is the approach to public services, accelerated development, and the potential of the region.

Samosir Regency

Samosir also established along with Serdang Bedagai with Law 36 of 2003. Factor of regional expansion is to bring services to the community, government and development (Considerate). This is in line with author interviews of Rajoki Simarmata, SE., M.Si, Head of Governance and Social and Cultural Planning Office, that the factors of the expansion is due to a shift in the understanding of service approach, the existence of regional and clan, the euphoria of democracy due to the shift of the New Order to reform as the demands of society in the state and nation. Nurdin Siahaan, SH., Head of Government, the division factor is shortening the span of control of public services.

Padangsridimpuan City

Padangsridimpuan City established with Law 4 In 2001 the division factor is the aspiration of the people, economic development, the potential of the area, population, and the area (Considerate). Sukisman, S. Sos, Head of Governance, in an author interview describes factors to the division is in addition Padangsridimpuan as the capital city of South Tapanuli central government, also as Administrative City. The desire of promoting the status of the City of becoming municipality (the City). While Marhan, SP.MM, Chairman BAPPEDA, the division factor is the desire of the community to improve the status of the Administrative City become autonomous regions.

Implementation of Regional Expansion in North Sumatra

Serdang Bedagai Regency


Following up on the existing Decision, the Governor of North Sumatra through Letter 136/6777 dated August 30, 2002 forward expansion of proposal Deli Serdang, Nias and Toba Samosir to the Minister of Home Affairs in Jakarta. Based on the approval of Parliament, the President issued Law No. 36 of 2003 on the Establishment of Samosir and Serdang Bedagai.

Dated January 6, 2004, the Minister of Home Affairs issued Decree No. 131.21-26 2004 on the Appointment of Acting Regent of Serdang Bedagai Drs. Chairullah, S.IP, M.AP., and sworn in by the Governor of North Sumatra, on behalf of the Minister of Home Affairs on 15 Ja-

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18 Interview Dated 24th July 2013 in Kantor BAPPEDA Kabupaten Serdang Bedagai.
19 Interview Dated 24th July 2013 in Kantor Asisten I Pemerintahan Umum Sekretariat Kabupaten Serdang Bedagai.
20 Interview Dated 25th July 2013 in Kantor Bappeda Kabupaten Samosir, Pangururan.
21 Interview Dated 25th July 2013 in Kantor Bagian Pemerintahan Kantor Sekretariat Kabupaten Samosir, Pangururan.
22 Interview Dated 2nd August 2013 in Kantor Walikota Padangsrsidimpuan.
23 Interview Dated 2nd August 2013 in Kantor BAPPEDA Kota Padangsrsidimpuan.
November 2004. Serdang Bedagai of the establishment is composed of 11 districts, but by Regulation No. 6 of 2006 and Regulation No. 10 of 2006 dated October 17, 2006, Serdang Bedagai divided into 17 districts.

Samosir Regency

Formation of Samosir Regency started on 27 May 2002 with the delivery of community aspirations Samosir to the Local Government and District Toba Samosir. Aspirations of the community welcomed by the Parliament Toba Samosir by assigning Commission A Toba Samosir Parliament held a public hearing on 9 sub districts are located in Samosir.

Then on June 20, 2002, Parliament Toba Samosir held Special Plenary Meeting in the framework of discussion and proposals to address the Establishment of Samosir with various considerations as well as the rationality of society, through deliberation set:


b) Letter of Regents Toba Samosir No. 1101/Pem/2002 dated June 24, 2002, addressed to the Governor of North Sumatra.


To the proposal, the Governor of North Sumatra ask North Sumatra parliament to hold a Plenary Session Discussing the Formation of Samosir which gives the Agreement Establishing Samosir is forwarded to the Central Government.

Based on the Rights of initiative the House of Representatives, decide the Law No. 36 of 2003 dated December 18, 2003 on the Establishment of Samosir and Serdang Bedagai. Then by the Minister of Home Affairs, on behalf of the President on January 7, 2004 inaugurated the formation of Samosir with administrative area as much as 9 districts and 111 villages and 6 wards. Through the Statement of Minister of Home Affairs No. 131.21.27 dated January 6, 2004 appointed and designated Acting Regent of Samosir on behalf of Drs. Wilmar Elyascher Simanjorang, M.Si is inaugurated on January 15, 2004 in Medan by the Governor of North Sumatra.

Padangsidimpuan City


Proposed establishment Padangsidimpuan City that determine Law No. 4 of 2001 dated October 17, 2001 by the Minister of Home Affairs, on behalf of the President. Then on 9 November 2001 was inaugurated by the Governor of North Sumatra and Drs. Zulkarnain Nasution sworn in as Acting Mayor Padangsidimpuan.

Implication of Expansion to Regional Government in Northern Sumatra

The implications of regional expansion to regional autonomy in North Sumatra must be measured from the PP 38 Year 2007 on the
coordination between the Government, Provincial Government, and the Government of Regency/City. The division was to see on the implications of the expansion to the third object of this research area.

Serdang Bedagai Regency

Article 6 (2) number 1 PP 38 of 2007, it was mentioned that the authority or affairs of the Local Government there are two, that the obligatory functions and affairs of choice. The Serdang Bedagai determines obligatory and optional in Regulation No. 38 Year 2008 on Regional Government Affairs That is Being Authority of Bedagai Serdang. With that authority, the Local Government Structure of Serdang Bedagai set by Regulation No. 30 of 2007 on the Organization and regional work in Environmental Bedagai Serdang.

Bedagai Serdang governance structures according to Regulation No. 30 of 2007 consisted of the Regent and Vice Regent assisted. While implementing the Regional Secretariat is a Regional Secretary is assisted by three assistants, they are Assistant General Government, Assistant Economic, and Social Development, and Public Administration Assistant, and the Parliament Secretariat. Then 14 Office, 12 Technical Institute and the Organization of Civil Service Police Unit, 17 districts, 237 villages, 6 modern-village, and 1 Hospital Sultan Sulaiman (Regulation No. 6 of 2007).

Samosir Regency

Samosir have determined the obligatory functions and affairs of choice in Regulation No. 13 of 2009 on the Establishment of Government Affairs and choice Become Compulsory Local Government Authority Samosir regency. With that authority, the Local Government Structure Samosir regency governed by Regulation No. 20 of 2007 on the Organization and Administration of the Secretariat, the Secretariat of Parliament and expert staff Samosir regency.

Samosir regency government structure according to Regulation No. 20, 2007 consist of the Regent and Vice Regent assisted. While implementing the Regional Secretariat is a Regional Secretary who is assisted by three assistants, they are: Assistant Government; Assistant Economic, Development and Social Welfare; and Assistant Public Administration. Then a Parliament Secretariat headed by a Secretary of the Council, which is under and responsible to the Governing Council, Secretariat Parliament. Regional Office 12 units (Regulation No. 22 of 2007), 12 Technical Institute, 1 Organization and Civil Service Police Unit 1 General Hospital Dr. Hadrian Sinaga (Regulation No. 21 of 2007), then the 9 districts and 128 villages and 6 Village (Regulation No. 23 of 2007).

Padangsidimpuan City

Padangsidimpuan city has determined obligatory functions and affairs of choice in Regulation No. 2 of 2003 on the Authority of the Padangsidimpuan City as Autonomous Region. The authority that the City Governmental Structure Padangsidimpuan regulated by Regulation No. 3 of 2003 on the Organizational Structure of the Regional Secretariat and the Secretariat Working Padangsidimpuan Parliament.

Padangsidimpuan City government structure according to Regulation No. 3 of 2003 consists of a mayor and a deputy mayor assisted. While implementing the Regional Secretariat is a Regional Secretary, who is assisted by three assistants namely Tata Praja Assistant, Assistant Economic and Development and Administration Assistant. One Parliament Secretariat. Then 9 Regional Office, (Regulation No. 4 of 2003), 11 Regional Technical Institute, in the form of Agency (No. 5 of 2003) and Office (Regulation No. 6 of 2003), the Civil Service Police Unit, the General Hospital, 6 districts, 42 villages and 37 villages.

Closing

Conclusion

1. Implementation of Regional Expansion in North Sumatra has been appropriate with indicators specified in the legislation and has appropriate expectations of the people of North Sumatra.
2. Implications of Regional Expansion through the Implementation of Regional Autonomy in North Sumatra, has progressed local government (autonomy) in the expansion area.

Bibliography