

Analysis of the Effectiveness of the Role of the Indonesian Government of the City of Lhokseumawe in Managing Slum Area from Spatial Law Perspective

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Abstract

The symptom observed in this study was the role of the Lhokseumawe City government in the implementation of the City Without Slums Program (KOTAKU). The phenomenon of legal events that occurs is based on the Qanun of Lhokseumawe City Number 11 of 2018 concerning Prevention and Quality Improvement of Slum Housing and Slums explaining that Article 1 paragraph (17) that prevention is an action taken to avoid the growth and development of slum housing and new slums. Meanwhile, quality improvement is stated in article 1 paragraph (18) that efforts to improve the quality of buildings and public infrastructure, facilities, and utilities. The purpose of the study is aimed at knowing and explaining the role of the Lhokseumawe City government in the implementation of the City Without Slums Program. The method used is an empirical juridical method with qualitative analysis. Data obtained through literature research activities and field research. The effectiveness of the role of the Lhokseumawe City Government in the implementation of the City Without Slums Program is as the main person in charge in the implementation of the KOTAKU Program. This is a collaborative program that involves many parties. The Environment Agency has a role in providing landfills, the Community Empowerment Office and Gampong have as bridging parties in the implementation of this program in Gampong, the Health Office has a role as community empowerment in the field of socialization of Clean and Healthy Living Behavior. The implementation of the program to date in Lhokseumawe City is considered to be still considered effective. The real conditions that occur related to this program are considered interesting to be deepened by subsequent researchers who can relate to more specific aspects of people's lives.

Keywords: Effectiveness, Lhokseumawe City Government, Slums, Law

DOI: 10.7176/JLPG/124-07

Publication date: September 30th 2022

1. Introduction

Slum areas are often synonymous with the existence of poor people. This perception is not always correct because in slum areas there are also residents who do not belong to the poor category. This is characterized by the condition of the houses and facilities they have in the slum area. There are two things that characterize the area being said to be shabby.¹ The area is not or underserved with supporting infrastructure of the area such as road networks, drainage, sewage channels and others, so that the area tends to be degraded. Housing in the area looks invisible, which is characterized by a lack of ventilation and lighting, in addition to the quality of building materials that are not suitable for being used as building materials for a dwelling and inadequate sanitation management.

Based on Law Number 1 of 2011 concerning Housing and Settlement Areas, it is explained that what is meant by slums is uninhabitable settlements due to building irregularities, high levels of building density, and the quality of buildings and facilities and infrastructure that are not qualified, while Slum Housing is housing that experiences a decrease in the quality of function as a residential place.

Based on the Presidential Regulation of the Republic of Indonesia Number 2 of 2015 concerning the National Medium-Term Development Plan for 2015-2019, it mandates the development and development of urban areas through handling the quality of the settlement environment, namely improving the quality of slums, preventing the growth and development of new slums, and sustainable livelihoods. Sustainable development is development that includes environmental inequality (LH) in development policy so that development not only solves the problem of improving present-day welfare but also improving long-term welfare.²

Therefore, as one of the steps to realize the target of the 2015-2019 Medium-Term Development Plan (RPJMN), namely a city without slums in 2019, the Directorate General of Cipta Karya initiated the construction of a collaboration platform through the Kota Tanpa Kumuh (KOTAKU) Program. The KOTAKU program supports local governments as the main actors in handling slums in realizing livable settlements, based on Circular Number 40/se/dc/2016 concerning General Guidelines for the City Without Slums (KOTAKU)

¹ Basri, H. *Model Penanganan Permukiman Kumuh (Studi Kasus Permukiman Kumuh Kelurahan Pontap Kecamatan Wara Timur Kota Palopo)*. Jurnal Arsitektur Institut Teknologi Sepuluh. Seminar Nasional Perumahan dan Permukiman dalam Kota, 2010, hlm.1

² A. M. Yunus Wahid, *Pengantar Hukum Tata Ruang*, Jakarta, Prenadamedia Group, 2014, hlm. 11

Program.¹

The KOTAKU program was designed together with the Local Government as the skipper in realizing livable settlements in its territory, which includes:²

1. Capacity building in planning and implementing the handling of slums at the district/city level because the role of local government is very important in providing infrastructure and services at the district/city level).
2. Preparation of a city-level slum handling plan including an investment plan with financing from various sources (central, provincial, regency/city, community)
3. Improvement and operation and maintenance of city-level infrastructure (primary or secondary) directly related to solving problems in settlements.
4. Provision of technical assistance to strengthen information systems and monitoring the handling of slums, review options for solving land/land problems, and others.

The Directorate General of Cipta Karya in accelerating the handling of slums and supporting the "100-0-100 Movement", namely 100 percent universal access to drinking water, 0 percent slums, and 100 percent access to proper sanitation. As the development policy direction of the Directorate General of Cipta Karya is to build systems, facilitate local governments and facilitate communities (community-based), KOTAKU will deal with slums by building a collaboration platform through increasing the role of local governments and the role of the community.³

The general objective of the program is to improve access to infrastructure and basic services in urban slums to support the realization of livable, productive and sustainable urban settlements. In this general purpose, there are two purposes, namely first, improving people's access to infrastructure and service facilities in urban slums. Second, improving the welfare of people in urban areas through prevention and improvement of the quality of slums, community-based and local government participation.

Based on the Circular Letter of the Directorate General of Cipta Karya Number 40 / se / dc / 2016 concerning General Guidelines for the City Without Slums (KOTAKU) Program, the KOTAKU Program supports local governments as the main actors in handling slums in realizing livable settlements, kotaku's main actors at the city level are the city government, the City PKP Working Group, and the City Task Force.

The Aceh government has issued a regulation on slums as outlined in the Qanun of Aceh Province Number 19 of 2013 concerning the Aceh Regional Spatial Plan. Based on the Qanun in Article 13 paragraph (4) it has been explained that in carrying out spatial planning development, the government must pay attention to the environmental problems of community living areas, one of which is the environmental problems of slums. In this case, the Qanun derivative that regulates spatial planning in Lhokseumawe City is Qanun Lhokseumawe City Number 1 of 2014 concerning the Lhokseumawe City Regional Spatial Plan. The Lhokseumawe City Government has also issued Qanun number 11 of 2018 on prevention and quality improvement of slum housing and slums.

Overcrowding is commonly called the "population explosion".⁴ However, Lhokseumawe City also has settlement and slum problems like other cities. The population development in Lhokseumawe City is so rapid. The large number of migrants in Lhokseumawe City makes the population high and population growth, thus causing the spatial planning and environment of the community to have an impact on the decline in environmental quality.

The development of slums in Lhokseumawe City is based on the rules of article 8 paragraph (5) of Qanun Number 1 of 2014 concerning the Lhokseumawe City Spatial Plan that "the development planning of Lhokseumawe City must improve the quality of environmental sanitation in residential areas, waste management facilities and infrastructure and increase efforts to reduce the impact on reducing environmental quality".

The problem of Slum Housing and Slums is a unit of housing and settlements within the Lhokseumawe City area which is considered uninhabitable due to building irregularity, high level of building density, and unqualified quality of buildings and facilities and infrastructure. However, in this case, the Lhokseumawe City Government is committed to implementing the complete and sustainable improvement of the quality of Slum Housing and Slums as a priority for regional development in the field of housing and settlements, together with the Government of Aceh and the City Government.⁵

Prevention and quality improvement of slum housing and slums is contained in article 1 paragraph (17) of Qanun number 11 of 2018 that "prevention is a measure taken to avoid the growth and development of new

¹ Ministry of Public Works and Public Housing Directorate General of Cipta Karya, General Guidelines for the No Slum Program (Kotaku), Jakarta, 2016

² Ministry of Public Works and Public Housing Directorate General of Cipta Karya, General Guidelines for the No Slum Program (Kotaku), Jakarta, 2016

³ Kementerian Pekerjaan Umum dan Perumahan Rakyat, "Tentang Program Kota Tanpa Kumuh (Kotaku)" diakses dari <http://kotaku.pu.go.id/page/6880/tentang-program-kota-tanpa-kumuh-kotaku.html>, pada tanggal 20 September 2018 pukul 00.01

⁴ N.H.T. Siahaan, *Hukum Lingkungan dan Ekologi Pembangunan*, Jakarta, Erlangga, 2004, hlm. 34

⁵ Decree of the Mayor of Lhokseumawe Indonesia Number 442 of 2016 concerning the Determination of the Location of Slum Housing and Slums in the Lhokseumawe City Area

slums and slums. Meanwhile, quality improvement is stated in article 1 paragraph (18) of Qanun number 11 of 2018 that "efforts to improve the quality of buildings as well as infrastructure, facilities, and public utilities.

Based on the Decree of the Mayor of Lhokseumawe Number 395 of 2019 concerning the Determination of the Location of Slum Housing Areas and Slums within the Lhokseumawe City area in 2019 there are 6 Gampong¹ from 3 (three) districts, namely, Banda Sakti District, Blang Mangat District, and Muara Dua District. Banda Sakti District consists of 4 (four) gampong, namely, Gampong Java, Gampong Hagu Selatan, Gampong Pusong Lama and Gampong Pusong Baru. While Blang Mangat District consists of 1 (one) gampong, namely, Gampong Keude Peuteut and Muara Dua District consists of 1 (one) gampong as well, namely, Gampong Keude Cunda.

In order to realize a slum-free area, in this case the Lhokseumawe City Government has a very important role and responsibility in creating a good and healthy living environment for the community, especially in handling slums in implementing the KOTAKU program. It is important to examine further about the Effectiveness of the role of the Lhokseumawe City Government in the implementation of the No Slum City Program.

3. Research Methods

This type of research is sociological juridical legal research that concentrates research on legal effectiveness, so field research is carried out to determine the Role of the Lhokseumawe City Government in the Implementation of the City Without Slums (KOTAKU) Program. Sociological juridical legal research is legal research carried out by means of field research, which is dotted with primary data, namely data obtained from observations, documentation and interviews based on objects related to research problems obtained from observations made by researchers on phenomena in community life in relation to the Role of the Lhokseumawe City Government in the Implementation of the City Without Slums (KOTAKU) Program. This research is also descriptive research which aims to describe precisely the properties of an individual, circumstances, symptoms or causes of a symptom or frequency. There is a certain relationship between a symptom and another.

4. Discussion and Analysis

Measuring the effectiveness of the organization can be carried out in different approaches. Some of them are based on a goal approach, a system resource approach, or an internal process approach. In addition, a more integrative and widely accepted approach was developed. The approach is a stakeholder approach and competing-values approach.

In this study, the authors used a system approach to measure organizational effectiveness. The systems approach is based on the notion that organizations are seen as systems. A system is a set or collection of moving parts that are interdependent and operate as a whole to achieve a general goal. A system is a collection of interconnected and interdependent parts arranged in such a way that it produces a unity. The systems approach to management presents an approach to solving problems through diagnostics within a single framework of the organizational system.

According to Gibson, systems theory emphasizes upon the defense of the basic elements of the input process of spending and adapting to the broader environment that underpins the organization. this theory describes the relationship of the organization to the larger system, of which the organization is a part. The concept of the organization of a part of a system related to a larger system introduces the importance of feedback intended as information reflecting the results of an action or set of actions by a person, group or organization. systems theory also emphasizes the importance of information feedback. The core of systems theory are: (a). The effectiveness criterion should reflect the input-process cycle of output, not a simple output; and b. The effectiveness criterion should reflect the relationship between the organization and the larger environment in which it is located. So organizational effectiveness is a concept with a wide scope including a number of component concepts and the managerial tujan is to maintain an optimal balance between the components and their parts.²

The system approach explains that the organization obtains inputs (inputs), carries out the transformation process, and produces outputs (outputs). According to this approach, establishing the effectiveness of an organization on the basis of the results of achieving goals is rudimentary, so that in assessing the effectiveness of the organization starts from its ability to obtain inputs, process those inputs, produce outputs, and maintain balance stability.

Lhokseumawe City is the second largest city in Aceh Province of Indonesia which is the city center located in the lowlands and adjacent to the sea 60% of the city center settlements are on the sea and river banks. Settlements on the seabanks are developing rapidly uncontrollably, traces of land disputes from the expansion of North Aceh Regency leave a tendency for irregular settlements.

¹ Gampong is a village in a city in Indonesia

² Priansa dan Garnida, Manajemen..., p. 11-12.

As an implementation of the acceleration of development, the City Government will improve the quality, management and prevention of the emergence of new slums, with activities in village entities, as well as regions and regencies/cities. These handling activities include infrastructure development as well as social and economic assistance for the sustainability of better people's livelihoods.

One of the products of the city government through the Lhokseumawe City Drinking Water and Sanitation Housing Working Group is the establishment of Qanun Slum Number 11 of 2018 concerning Prevention and Quality Improvement of Slum Housing and Slums Which will currently be implemented in Lhokseumawe City as the legal basis for slum alleviation.

As the author has outlined on the background that Prevention and quality improvement of slum housing and slums is contained in article 1 paragraph (17) of Qanun number 11 of 2018 that "prevention is an action taken to avoid the growth and development of new slums and slums. Meanwhile, quality improvement is stated in article 1 paragraph (18) of Qanun number 11 of 2018 that "efforts to improve the quality of buildings as well as infrastructure, facilities, and public utilities.

Based on the Qanun about the Slum area that has been approved by the Lhokseumawe City DPRK, in the implementation of the KOTAKU program, the Lhokseumawe City Government has a very important authority and role in the implementation of the KOTAKU Program.

According to Bagir Manan authority in the language of law is not the same as power. Power only describes the right to do and not to do. Authority at once means rights and obligations.¹ Authority is the right to exercise the authority possessed by an official or institution according to applicable provisions, thus authority also concerns the competence of legal actions that can be carried out according to formal methods, so authority is a formal power possessed by officials or institutions. The authority has an important position in the study of constitutional law and state administrative law.²

Based on the definition of authority according to the experts above, the author argues that authority is a right owned by an official or institution that has the effect of exercising its authority based on applicable laws and regulations.

Regarding the authority to Prevent and Improve the Quality of Slum Housing and Slums, in this case the Mayor of Lhokseumawe has a role as the person in charge in the implementation of the Kotaku Program, where one of his roles is to form a coordination team and working group for slum housing areas and slums based on Decree Number 394 of 2019. In the decree, the personnel composition of the slum area coordination team consists of the Mayor of Lhokseumawe as the person in charge, the Deputy Mayor of Lhokseumawe as the Chairman, the Assistant for Economy and Development of the Regional Secretariat of Lhokseumawe City as the Secretary.

Head of the Lhokseumawe City Public Works and Public Housing Office, Head of the Lhokseumawe City Environmental Service, Head of the Lhokseumawe City Transportation Office, Secretary of the Lhokseumawe City Regional Development Planning Agency, Secretary of the Lhokseumawe City Industry, Trade, Cooperatives and Small and Medium Enterprises Office, Secretary of the Lhokseumawe City Community Empowerment and Gampong Office, Kabid. Development Programs and Funding at the Lhokseumawe City Regional Development Planning Agency, Kabid. Jalan Bina Marga at the Lhokseumawe City Public Works and Public Housing Office, Banda Sakti Sub-district of Lhokseumawe City, Muara Satu Sub-district of Lhokseumawe City, Muara Dua Sub-district of Lhokseumawe City, Sub-district Head. Legislation in the Legal Section of the Lhokseumawe City Regional Secretariat and 8 (eight) Staff at the Lhokseumawe City Bappeda as members.

The coordination team for housing and residential areas has the following tasks:

1. Coordinate and formulate various Residential Housing policies;
2. Implement facilities and coordination with agencies / agencies in the regions, communities, NGOs and the private sector in providing Housing and Settlement Areas;
3. Coordinate the integration of residential housing programs between agencies / regional implementing agencies;
4. Carry out supervisory activities which include monitoring and evaluation;
5. Provide information and access on the provision of housing and residential areas;
6. Coordinate the handling and resolution of problems or conflicts arising in the implementation of residential houses and provide direction and solutions;
7. Submit periodic reports of the acting officer to the Mayor.

The personnel composition of the coordination working group for slum housing areas and slums in Lhokseumawe City consists of, the Head of the Regional Development Planning Agency (Bappeda) of Lhokseumawe City as Chairman, Head of Planning for The Construction of Facilities and Infrastructure at the

¹ Nurmayani, *Hukum Administrasi Daerah*, Universitas Lampung Bandar Lampung, 2009, hlm. 26.

² Ridwan HR. *Hukum Administrasi Negara*. PT Raja Grafindo Persada, Jakarta, 2013, hlm. 99.

Lhokseumawe City Bappeda as Vice Chairman, Head of sub-division. Regional and Housing Infrastructure at the Lhokseumawe City Bappeda as Secretary, Head of field. Environmental Impact Prevention Analysis and Program Environmental Impact Supervision at the Lhokseumawe City Environmental Agency, Head of field. Cipta Karya at the Lhokseumawe City Public Works and Public Housing Office, Head of the field. Capture Fisheries at the Marine, Fisheries, Agriculture and Food Service of Lhokseumawe City, Kasubbid. Natural Resources and Environment at the Lhokseumawe City Bappeda, the Head of the Regional Development Sub-Division at the Lhokseumawe City Bappeda, the Head of the sub-division. Evaluation and Control of Development Development at the Lhokseumawe City Bappeda, Sub-District Head. Development of Human Resources and Aceh's Privileges at the Lhokseumawe City Bappeda, Section Head. Survey, Mapping and Measurement at the Lhokseumawe City Public Works and Public Housing Office, Section Head. Environmental Health (Sanitation) and Clean Water at the Lhokseumawe City Health Office, Section Head. Construction of Gampong Facilities and Infrastructure at the Community Empowerment Office and Gampong of Lhokseumawe City, 2 (Two) Elements of the Malikussaleh University Academy Community, 3 (Three) Staff at the Lhokseumawe City Bappeda as members.

In 2017 the implementation of the KOTAKU program target and the realization of reducing slums in Lhokseumawe City reached 28% while the target was 27.97 Ha with the realization of 45.93 Ha. Then the distribution of slum locations in 2017 there were 19 villages, but the slum locations that could be allocated for slum handling infrastructure development based on investment fund assistance (BDI) were 9 villages including, Ule Blang Mane, Punteut Mosque, East Batuphat, Blang Naleung Mameh, Batu Phat Barat, Pusong Lama, Ujong Blang, Ulee Jalan, and South Hagu.

Then in 2018 the implementation of the KOATAKU program target and the realization of the reduction of slums in Lhokseumawe City reached 67% with a target of 75.53 Ha while the realization was 111.87 Ha. Furthermore, the leaflet of slum locations in 2018 there are 17 villages but slum locations that can be allocated for slum handling infrastructure development based on Investment Fund Assistance (BDI) in 15 villages including, Batu Phat Barat, Blang Naleung Mameh, Batu Phat Barat, Balng Pulo, Punteut Mosque, Pusong Lama, Pusong Baru, Meunasah Mesjid, Kampung Jawa Lama, Keude Aceh, Mon Geudong, Ule Blang Manee, Ujong Blang, Ulee Jalan, and Blang Punteut.

In 2019, it is the target to complete the Slum area in Lhokseumawe City, with the remaining 8.99 Ha. Meanwhile, from 2017 to 2019 there were 19 gampong handled with Investment Fund Assistance (BDI). However, how slum management is covered by Non BDI locations, which there are 48 Gampong, as for the handling plan in Non BDI gampong, namely with the existence of Qanun Slums, it is hoped that all sources of funding from both the Lhokseumawe City Government and other parties such as CSR Funds in all sectors can be directed to slum management in all villages within the Lhokseumawe City area.

This handling aims to prevent the growth and development of new slums in the cities of Lhokseumawe and Qanun, which are the legal basis starting from Planning, Implementing and Monitoring activities carried out in an effort to achieve the 100-0-100 target.

5. Conclusion

The effectiveness of the role of the Lhokseumawe City Government in the implementation of the Kota Tanpa Kumuh (KOTAKU) Program is as the main person in charge of the implementation of the KOTAKU Program. Where this program is a collaboration program that involves many parties who have carried out their roles such as. The Environment Agency has a role in terms of providing landfills, the Community Empowerment Office and Gampong have a role as bridging parties in the implementation of the KOTAKU program in Gampong, the Health Office has a role as community empowerment in the field of socialization of Clean and Healthy Living Behavior. Although there are a number of main obstacles in the implementation of KOTAKU activities or programs, including the problem of limited funds specifically needed for infrastructure development and the problem of fluctuating public awareness, the implementation of the KOTAKU program to date in Lhokseumawe City is still considered effective. The real conditions that occur related to this program are considered interesting to be deepened by subsequent researchers who can relate to more specific aspects of people's lives.

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