

ANALYSIS OF THE AUTHORITY TO CARRY OUT THE DUTIES OF THE GOVERNOR IN THE IMPLEMENTATION OF LOCAL GOVERNMENT ACCORDING TO REGULATIONS IN INDONESIA

Ahmad Ridwan¹, Rd. Yudi Anton Rikmadani²

Jambi University, Indonesia

Email: arhmadridwan71@gmail.com , rikmadaniyudianton@gmail.com²

ARTICLE INFO

ABSTRACT

Received:

January, 26th
2022

Revised:

February, 17th
2022

Approved:

February, 18th
2022

The purpose of this study is to 1) know and analyze the form of the governor's governing body (PLT) in managing the work of local governments. 2) Identify and analyze the legal implications of the governor's governing body (PLT) in managing the work of local governments. The research method used is a type of normative legal research. The results showed that 1) the regulation of the governor's implementing authority (PLT) in the operational management of local governments has not been so clear and firm. 74 Of 2016 is contrary to or contrary to norms/standards that are contrary to the letter from the head of BKN No. K.2630 / V.203 / 99. 2) The legal impact of the Governor's PLT on the implementation of local government work at the time of the Governor's PLT passed the Regional Regulation on APBD. Regulation of the Minister of Home Affairs No. 74 of 2016 concerning the Government and Deputy Governor, as well as the position of mayor and deputy mayor, is contrary to the notion of state sovereignty.

KEYWORDS

Authority, Acting (PLT) Governor, Good Governance



This work is licensed under a Creative Commons Attribution-ShareAlike 4.0 International

How to cite:

E-ISSN:

Published by:

Ahmad Ridwan, Rd. Yudi Anton Rikmadani. (2022). Analysis of the Authority to Carry Out the Duties of the Governor in the Implementation of Local Government According to Regulations in Indonesia. Journal Eduvest. Vol 2(2): 324-334

2775-3727

<https://greenpublisher.id/>

INTRODUCTION

To carry out government affairs, a system of local government is needed that is led and democratically elected. Governor, Deputy Governor, Regent, Deputy Regent, and Mayor, Deputy Mayor is the leader representing the regional head. J. Kaloh further stated that:

“The arrangements in all local government legislation take a very strategic position for local leaders, because local government is the survival of the federal and state governments, and local leaders are an integral part of the success of state development.”

In 2017 there were "153 candidate pairs of regional heads and 101 regions who participated in simultaneous elections in 2017". Of the number of regional heads who re-nominate in the second period must be left as regional heads, but in Law No. 23 of 2014 on Local Government, it does not regulate the leave of regional heads only limited to regulating the dismissal of regional heads.

In this case, the leave of the regional head to run for re-election as regional head in the second period, resulting in the vacancy of the regional head position so that it has an impact on administrative management and decision making. It can be seen the vacancy of the regional head position. It can also affect the performance of technical practitioners who carry out their duties within the framework of local government. The task of the central government itself represented by the regional head is hampered by the vacancy of the task, so it takes a temporary implementer to take over the duties of the regional head. In this case, the vacancy of the governor automatically causes many problems in the administration of the state.

This has had an impact on the stagnation of government performance in terms of governance and decision-making, creating new authority issues and many barriers for state governments. Local governments have to find their way to solve this problem, and the central government is out of control to solve this problem. A quick and precise solution is needed to the problem of vacancies emerging in the state to leave the government. Unable to fulfill its obligation to remain or remain, no longer qualified, violates oaths/ promises, does not fulfill obligations, and/or violates the law.

In this case, the governor must carry out his duties and functions until a new governor is elected by the local electoral commission. However, you may face many obstacles and problems in doing your job. The presence of executive officers is expected to function as appropriate in the administration of government. (Papagiannidis, Harris, & Morton, 2020) In addition, he can provide an overview of the apparatus that carries out the duties of the governor in carrying out his duties in the process of organizing local government, especially in the countryside.

Regarding the position, the duties of the regional head officer (executor of duties) in the local government refer to the provisions of the law that can be stated as follows:

1. Law No. 8 of 2015 amends Law No. 1 of 2015 on The Establishment of Government Regulations replacing Law No. 1 of 2014 on The Election of Governors, Regents, and Mayors.

In the case of the appointment and appointment of regional head officials located at the Ministry of Home Affairs with a focus on the level of office and experience in the field of Government, further provisions on the addition of regional heads by regional ministers based on Article 201 of 2015 Law 8 on Changes to Law 1 of 2015 on The Establishment of Government Regulations instead of Number 1 Year on the regulations of legislation on the election of governors, Regents, and mayors as follows:

Paragraph (8)

To fill the position of governor, the acting director of duties derived from the position of high-ranking leader of the municipality until the inauguration of the governor under the provisions of the laws and regulations.

Paragraph (9)

To fill the vacancy of the regent/mayor is appointed acting regent/mayor who comes from the position of the first highest leader until the inauguration of the Regent / Mayor under the provisions of the laws and regulations.

Based on the above article determined the terms and criteria to fill the vacancy of the regional head position, that the requirement of the power becomes the main factor in terms of filling the position of the regional head. "The authority to determine the acting head of the Governor is the President with the Minister of Home Affairs through the Governor's proposal.

In this case, instead of Law No. 1 of 2014 on the Election of Governors, Regents, and Mayors, Law No. 8 of 2015 on Amendments to Law No. 1 of 2015 will carry out the duties of governors and regional heads. Hierarchy is the only important factor in filling a position.

2. Regulation of the Minister of Home Affairs No. 74 of 2016

For the leave of the regional head regulated by the Regulation of the Minister of Home Affairs No. 74 of 2016, here also raises problems because, in Law No. 23 of 2014 on Local Government, there is no requirement for the establishment of laws and regulations both in the interior and other regulations, regulating further regarding leave for regional heads.

Furthermore, the duties and authorities of the regional head officer or acting head of the region, based on Article 9 paragraph (1) of The Minister of Home Affairs Regulation No. 74 of 2016, are as follows:

- a) Lead the implementation of Government Affairs into regional authority based on the provisions of laws and regulations and policies established with the Regional People's Representative Council;
- b) Maintaining the peace and order of society;
- c) Facilitate the holding of the election of governors and deputy governors, regents, and deputy regents, mayors, and deputy mayors and maintain the neutrality of civil servants;
- d) Signing the Regulation on APBD and The Regulation on The Organization of Daerah Devices after obtaining written approval from the Minister; and
- e) Charging and replacing officials based on the Regional Device Regulation after obtaining written approval from the Minister.

As for the authority of the PLT, based on the Decree of the Head of BKN, as follows:

- a. Set employee work goals and assessment of job performance;
- b. Establish periodic salary increases;
- c. Set leave other than Leave Outside The State Dependents (CLTN) Establishing an employee restoration letter;
- d. Submit the proposal of staffing mutations except for inter-agency transfer;
- e. Giving study permits, permission to follow the selection of high administrative leadership positions, and permission not to enter work.

The birth of The Minister of Home Affairs Regulation No. 74 of 2016, which regulates the tupoksi of regional heads, equates the authority of the definitive regional head with the regional head office. One of them is related to the authority "to lead government affairs that become regional authority based on the provisions of laws and policies established with the Regional People's Representative Council" This authority

when properly examined there is no deeper arrangement related to the limits of the implementation of local government affairs by implementing the duties of regional heads acting over the authority they have.

3. Circular of the Minister of Home Affairs Number 120/362/SJ, dated June 12, 2015

The mechanism of appointment of the acting head of the region, based on the Circular of the Minister of Home Affairs No. 120/362/SJ, dated June 12, 2015, concerning the Notification of the Regional Head and Deputy Regional Head, as well as the appointment of the Acting Head of The Region, as follows:

- a. The provincial dprd leadership proposed the notification of the governor and deputy governor to the president through the proposal of the Minister of Home Affairs with the announcement of the proposed dismissal of the Governor and Deputy Governor;
- b. The head of the district/city DPRD proposes the dismissal of the Regent and/or Deputy Regent or Mayor and/or Deputy Mayor to the region to the Minister of Home Affairs through the Governor with the Regency/ city on the Announcement of the proposed dismissal of the Regent and/or The Deputy Regent or Mayor and/or Deputy Mayor;
- c. The Governor submits the proposal for the dismissal of the Regent and/or the Deputy Regent or Mayor and/or the Deputy Mayor;
- d. To fill the vacancy of the Regent / Mayor position, the Governor proposed 3 (three) names of candidates for regent/mayoral officials to the Minister of Home Affairs who came from the position of first high leader, had experience in the field of government and could maintain the neutrality of civil servants in the implementation of the election by continuing the decree of rank and decree of the last position and biodata of candidates for the Regent /Mayor's Office.

Although the definitive regional head and the regional head official are both appointed by presidential decree, and the inauguration ceremony is carried out, there are fundamental differences regarding the position of the regional head official, with the definitive regional head. The fundamental difference between the regional head office, with the definitive regional head, is the pattern of filling positions, tenure, and accountability.

Djohermansyah Djohan, an expert on regional autonomy, said: (Pj, Pjs, or PLT) can also lead municipalities with the same authority as regional final managers. The quality of an individual according to Hans Kelsen is as a state institution determined by its function. Civil servants to be elected in the form of electoral models or political reasons may be classified as "political commissars", and civil servants who hold duties based on appointment or for purely administrative reasons are classified as state "administrative officials".

Based on this theory, the position of regional manager is very different from the PCT of regional managers. This difference also leads to a difference in authority between the two. The regional head as a civil servant has full authority over the authority to be given by the applicable laws and regulations, while the head of the PLT region is entirely or limited to control in exercising the power of inactive regents, while the inactive regional head is the manager.

While there are differences with the Regulation of the Minister of Home Affairs, from 2016 to 74, regional plt managers have obligations and authorities; a) Direct the implementation of government work that is a regional right, under the provisions of laws and regulations and guidelines set together with the Regional People's Deliberations. b) Maintaining peace, law, and order. c) Encourage the holding of general elections of Governors and Deputy Governors, Regents and Deputy Governors, Mayors and Deputy

Mayors, and maintain the neutrality of officials. d) Sign the Regional Regulation on APBD and the Regional Regulation on The Organization of Regional Devices with the written approval of the Minister. And e. With written approval from the Minister, we will recruit and replace civil servants under local regulations.

With careful consideration, the authority of the regional manager of Permendagri Plt No. K.2630/V.203/99 is not appropriate, and the letter from BKN Manager No. is a strategic decision and/or that affects the change. You are authorized to take action. Have a legal position in the field of employment and are not authorized to take decisions and/or take action in terms of employment, including the appointment, transfer, or dismissal of employees.

RESEARCH METHOD

The type of research used in this study is to use descriptive research methods, which to evaluate the PHBS program from 2018, 2019, and 2020 using data sourced from the Masalle Health Center, Enrekang Regency. Descriptive research is to describe, reveal and present what is in accordance with the data, facts and reality regarding the PHBS program that has been planned (Gina et al., 2018).

The research location is located in the village of Masalle kab. Enrekang, Research time is divided into two stages, namely the research preparation stage and the research activity stage. The preparation stage where the preparation of the research proposal is then carried out in the research stage

The population in this study is data from the Masalle Health Center from 2018, 2019, and 2020. The samples in this study were PHBS indicators that were carried out in Masalle village, namely healthy latrines, clean water supply, CTPS, and smoking habits.

The data in this study are secondary data, obtained through direct data collection at the Masalle Health Center and literature from the library or other readings that are closely related to the writing of this research.

Data analysis was carried out using tables, graphs, and percentage analysis to see the success rate of the PHBS program from 2018-2020 then analyzed descriptively.

RESULT AND DISCUSSION

1. Form of Authority of The Governor's Acting (PLT) in the Implementation of Local Government Affairs

According to the Constitution, local governments have full authority to voluntarily regulate and control the work of autonomous government. Article 18 Paragraph 2 of the Constitution of the Republic of Indonesia of 1945, "The governments of states, provinces, and cities regulate and regulate state affairs according to the principle of autonomy and assistance missions." According to the Constitution, Article 18 (4) of the Constitution of the Republic of Indonesia of 1945: "Governors, Regents, and Mayors are democratically elected as Heads of State, District Government, and Cities". Governors, regents, and mayors as heads of local governments are not elected by the central government but democratically elected by the people. Authority lies not in the activities of the local mayor, but in the final democratically elected official.

The constitutional value of the state's financial arrangements is based on the following considerations: "The administration of the state creates the rights and obligations of the state that can be converted into money to achieve the objectives of the state. Article 23C, Chapter 8 of the Constitution of the Republic of Indonesia of 1945, contains the letters a, b, and regulates its arrangements. Other financial matters based on

considerations referred to in Article 23C, Chapter 8 of the Constitution of the Republic of Indonesia of 1945, require the establishment of national financial legislation.

Therefore, the power over the management of state finances, in the life of the state president as the head of government, in holding the power of state financial management to be part of the power of the government, but attribute all (authority according to the law) "the authority has been handed over to the governor/mayor/regent definitively or democratically elected not to delegate to the PLT or other officials" as referred to Law No. 17 of 2003. regarding State Finance Article 6 Paragraph (1) letters c and d:

- (c) Submitted to the governor/regent/mayor as the head of the regional government to manage regional finances and represent the local government in the ownership of separated regional wealth.
- (d) does not include monetary authority, which includes, among other things, issuing and distributing money, which is regulated by law).

The way to achieve the state's goals in each region is through the vision, mission, and program of democratically elected governors/regents/mayors as heads of local government. (Article 7(1) of Law No. 17 of 2003 on State Finance states that "the authority of state financial management is used to achieve state objectives".

Can be seen in the work plan of the local government as outlined through the draft of the APBD is to realize the achievement of the ideals and objectives of the state in their respective regions by realizing the vision of the mission of the governor/regent/mayor who is democratically elected, as the head of local government as Article 7 Paragraph (2) of Law No. 17 of 2003 which determines: "The drafting of the APBD Draft as referred to in Paragraph (1) is guided by the work plan of the Regional Government. to realize the achievement of the state's goals".

Therefore, the author emphasized the obligations of PLT Article 9 (3) Letter f of 2016 Permendagri Number 74, amended by The Minister of Home Affairs Regulation No. 1 of 2018 on Changes in the Minister of Home Affairs. For Governors and Deputy Governors, Regents and Deputy Governors, Mayors and Deputy Mayors, namely "Signing of Regional Regulation on APBD" Number 74 on Unpaid Leave in 2016. This is the "attribution authority at the time of the signing of the APBD" as the basis for the current governor/regent/mayor to recognize the vision and mission of the governor/regent/mayor and to achieve the goals of the states in their respective regions. it has been adopted. He was elected head of local government. (Based on permendagri or invalid).

The problem is, even the abuse of office and corruption crimes by the APBD signed by the PLT "giving full authority to the regional head over the control of state finances", can be very suspicious for the PLT. There's sex. .. Permendagri number 74 of 2016 in the absence of Governors and Deputy Governors, Regents and Deputy Governors, Mayors and Deputy Mayors, did not fully transfer "autonomy especially state financial mastery" to the region by the central government. Governors/regents/mayors are democratically elected as heads of local government. However, Decree No. 49 of 2008 on the Dismissal and Appointment of Regional Directors confirms that the authority of regional directors in administrative duties is clear.

In Government Regulation No. 49 of 2008 concerning the Dismissal and Appointment of Regional Chief Officers Article 132A which specifies:

Paragraph (1): Acting regional head or acting head of the region as referred to in Article 130 Paragraph (1) and Paragraph (3), as well as Article 131 Paragraph (4), or who is appointed to fill the vacancy of regional head position because he resigned to nominate

as a candidate for regional head/deputy regional head, as well as regional head appointed from deputy regional head who replaced the regional head who resigned to nominate as a candidate for regional head/deputy Regional heads are prohibited:

- a. mutation of the officer;
- b. cancel permits issued by previous officials and/or issue permits that are contrary to those issued by previous officials;
- c. make policies on the regional expansion that are contrary to the policies of previous officials; and
- d. make policies that are contrary to the policy of governance and the previous official development program.

Under this ordinance, the authority of the regional head is temporarily limited, with four special prohibitions. In 2008, the current regional head was authorized to dismiss and appoint a regional director under constitutional obligations regarding the interpretation of regional heads in Article 18 (4) of the Constitution of the Republic of Indonesia of 1945. In the endorsement of the Regulation on APBD, in this case, the author saw a misinterpretation of the definition of the regional head by the Minister of Home Affairs, but ideally, the incumbent regional head has interpreted it differently from the elected regional head. Democratically elected persons in regional elections. Thus the head of the region acting temporarily cannot be granted, the same authority as the elected regional head.

2. Due to The Law against the Authority of the Acting Director (PLT) of the Governor in the Implementation of Local Government Affairs

The adjustment of Article 1 Paragraph 2 of the 1945 Constitution to the concept of people's sovereignty is a reaction of reform to the events of the New Order era, and the state is considered tyrannical. The assumption of popular sovereignty in the Constitution itself is inseparable from the thoughts of Jean-Jacques Rousseau who reflect the power of the people in his book *The Social Contract*. In the fictitious theory of "social contracts" (social contracts), he states that in some countries the freedom of nature has been transformed into the freedom of citizens whose rights people have. (Laniuk, 2019) In this case, the power of the people is highest through representatives based on the most votes (general will express general will). (Braybrooke, 2019) Volonte general needs to be tailored for the benefit of the largest group. Therefore, if only the interests of one group take precedence, then it is not called the public interest, even if it gets the most votes (general).

The dynamics of state regulations re-emerged after the Minister of Home Affairs issued a decree giving authority to regional heads to pass local regulations, especially on APBD. This is confirmed in Letter D of Article 9 (1). The Decree of the Minister of Home Affairs (Surbakti, Sihombing, Warjio, & Isnaini, 2021) Number 74 of 2016 concerning the Resignation of the Governor and Deputy Governor, Regent and Deputy Mayor, as well as the Mayor and Deputy Mayor, was amended by The Minister of Home Affairs Regulation No. 1. Regent and Deputy Governor of 2016, Regent and Deputy Mayor, Mayor and Deputy Mayor of Absenteeism in 2016 Permendagri Change No. 74 of 2018.

Article 9

- (1) The Acting Governor, The Acting Regent, and the Acting Mayor have duties and authorities:
 - a. Leading the implementation of Government Affairs which becomes the authority of the region based on the provisions of laws and policies set forth with the Regional People's Representative Council;

- b. Maintaining the peace and order of society;
- c. Facilitate the holding of the election of governors and deputy governors, regents, and deputy regents, mayors, and deputy mayors and maintain the neutrality of civil servants;
- d. Sign the Regulation on APBD and The Regulation on Regional Device Organization after obtaining written approval from the Minister; and
- e. Charging and replacing officials based on the Regional Device Regulation after obtaining written approval from the Minister.

(2) In carrying out the duties and authorities referred to in Paragraph (1) the Acting Governor, the Acting Regent, and the Acting Mayor are responsible to the Minister.

Simultaneous elections of the first, second, and third stages based on Law No. 8 of 2015 have been updated in Law No. 10 of 2016 on Regional Head Elections, Regional Governance, most importantly (Esfandiari & Al-Fatih, 2020).

In these circumstances, local governments that do not have a definitive regional head (governor/mayor/regent) directly elected by the people are of course weak in legitimacy, especially politically.(Chen & Sebastian, 2019) This is due to the authority of regional directors appointed by the Government (Presidential Authority and The Ministry of Home Affairs) as a Deputy Commission (PLT) and/or Temporary Staff (PS), especially in Spotlight (PLT) in its endorsement. In the case of APBD, this is contrary to the spirit of the constitution that guarantees the sovereignty of the people, and contrary to Law No. 17 of 2003 on People's Sovereignty (Chairullah, 2022).

Law No. 17, Article 6 (1) on National Finance of 2003 stipulates that the President as Head of Government is authorized to manage national finances within the framework of national authority.(Banzai, 2019) In contrast, 2 Letter b of the National Finance Act No. 17 of 2003 gives budget management authority to household employers or the State Department or organizations it leads (Galvani, Parpia, Foster, Singer, & Fitzpatrick, 2020).

While in paragraph (2) letter c of Law No. 17 of 2003 on State Finance, the authority of financial management at the regional level is delegated to the governor, government, and mayor as the government and head of the government that organizes government affairs regional finance (Kusnandar & Pratiwi, 2021). Declared so. Local governments that have local assets owned by local governments (Dzigbede, Gehl, & Willoughby, 2020).

For the PLT or PS to become the executive branch, it is impossible to issue guidelines related to APBD, it will only continue the previous local government. In short, plt and ps do not have the authority to develop strategic policies for regional development efforts, they only have the authority to continue the previous local government.

Normatively the duties and authorities of regional heads and deputy heads of regions are definitively regulated based on Law No. 23 of 2014 concerning Daera Government Article 65 Paragraph (1) is:

- a. Leading the implementation of Government Affairs that are the authority of the Region based on the provisions of laws and policies established with the DPRD;
- b. Maintaining the peace and order of society;
- c. Drafting and submitting a draft Regulation on RPJPD and a draft Regulation on RPJMD to the DPRD to be discussed with the DPRD, as well as drafting and establishing the RKPD;
- d. Drafting and submitting a draft regulation on APBD, a draft regulation on changes to the APBD, and a draft regulation on accountability for the implementation of APBD to the DPRD for discussion together;
- e. Representing his territory in and out of court, and may appoint a lawyer to represent

- him under the provisions of the laws and regulations;
- f. Proposing the appointment of deputy regional heads; and
 - g. Carry out other duties under the provisions of the laws and regulations.”

Furthermore, article 65 Paragraph (2) of Law No. 23 of 2014 concerning Local Government states that the authority of the Regional Head is:

- a. Submit a draft regulation;
- b. Establishing regulations that have been mutually approved by the DPRD;
- c. Establishing the Peraturan and the decision of the regional head;
- d. Taking certain actions in urgent circumstances that are urgently needed by the Region and/or the community;
- e. Implement other authorities under the provisions of the laws and regulations.

Article 66 Paragraph (1) of Law No. 23 of 2014 concerning Local Government states that the duties of the Deputy Regional Head are as follows:

- a. Assisting the head of the inner region:
 - (1) Leading the implementation of Government Affairs which is the authority of the Region;
 - (2) Coordinate regional device activities and follow up on reports and/or findings of surveillance;
 - (3) Monitoring and evaluating the implementation of Local Government implemented by the provincial Regional Device for the deputy governor; and
 - (4) Monitor and evaluate the implementation of government carried out by the Regional Device of districts/cities, villages, and/or villages for vice-regents / mayors;
- b. Providing advice and consideration to the regional head in the implementation of local government;
- c. Carrying out the duties and authorities of the regional head if the regional head undergoes a period of detention or temporary detention; and
- d. Carry out other duties under the provisions of the laws and regulations.

This is the highest role and power of the regional director and deputy regional director. On the other hand, the mission of the REGIONAL HEAD PLT or PS is ideally regulated in Law No. 23 of 2014 on Local Government from the point of view of "regional heads and deputy regional heads appointed by the government". licensing as follows: This is stipulated in Article 132A of Decree No. 49 of 2008 concerning the Dismissal and Appointment of Regional Directors, which regulates the following: Paragraph (1): Acting regional head or acting head of the region as referred to in Article 130 Paragraph (1) and Paragraph (3), as well as Article 131 Paragraph (4), or who is appointed to fill the vacancy of regional head position because he resigned to nominate as a candidate for regional head/deputy regional head, as well as regional head appointed from deputy regional head who replaced the regional head who resigned to nominate as a candidate for regional head/deputy.

Regional heads are prohibited:

- a. perform employee transfers;
- b. cancel permits issued by previous officials and/or issue permits that are contrary to those issued by previous officials;
- c. make policies on the regional expansion that are contrary to the policies of previous officials; and
- d. make policies that are Contrary to the policy of governance and the previous official development program.

Paragraph (2): The provisions referred to in Paragraph (1) may be excluded after obtaining written approval from the Minister of Home Affairs.

Therefore, in this regulation, the authority of the regional head or temporary regional head is very limited, with four specific prohibitions: Not fulfilling the obligation of Dismissal and Appointment of Regional Directors or Obligations of Law No. 17 of 2003 on State Finance. Therefore, in the future, it is necessary to find the right solution related to the implementation of elections simultaneously after this conflict, so that the implementation of local government and the implementation of regional development are for services and benefits. (Fouché & Brent, 2019)

The authority of the mayor's enforcement to pass local regulations on APBD is considered contrary to the authority of Law No. 17 of 2003 on Regional Finance, and the authority to authorize local regulations on APBD is chosen as the full authority (RAHMANDILLAH, 2018). Although the PLT is the acting head of the region and the PLT is the acting head of the region, the appointment by the Minister of Home Affairs is as stipulated in paragraph 1 (2) of the 1945 NRI Constitution. It is also contrary to the conception of sovereignty. The basis of people's non-compliance with sovereignty is from the Minister of Home Affairs (Carrera, Lannoo, Stefan, & Vosyliūtė, 2018).

Based on this, the author is obliged to ratify the regional regulations on APBD, as regulated by the Governor and Deputy Governor, Foreign Holidays for Regents and Deputy Regents of 2016 Permendagri No. 74. Evaluate the authority of the local governor. As Mayor and Deputy Mayor, Minister of Home Affairs No. 1 of 2018 changed The Minister of Home Affairs No. 74 of 2016 for Governor and Deputy Governor, Overseas Vacation For Sovereignty and Deputy Mayor, Mayor and Deputy Mayor Contrary to the concept of people's sovereignty and also violates Article 18 Paragraph 4 of the Constitution of the Republic of Indonesia Year 1945.

CONCLUSION

Based on the analysis and discussion, it can be concluded that the Authority to Enforce The Governor's Regulation (PLT) Permendagri Number 74 of 2016 is a norm/norm not under the initial letter of BKN Number K.2630 / V.203 / 99. Stating that BKN No.K.2630/V.203/99, the acronym PLT/Plh is not authorized to take strategic decisions, and/or changes in the legal status in the field of employment. taking actions that affect his or her work and taking decisions and/or taking action in the field of employment, including appointment, removal, and dismissal; The legal authority of the Governor's Implementing Agency (PLT) to organize the implementation of the State Government at the time of the Organizing Authority (PLT) of the State government approved the Regional Regulation on APBD under the Regulation of the First Minister of Home Affairs No. 1 of 2018 Amendment to the Regulation of the Minister of Home Affairs No. 74 of 2016 concerning the Residence of the Mayor and Deputy Mayor of The Country, as well as the Governor and Deputy Governor, Regent and Deputy Governor, contrary to the concept of state sovereignty. And contrary to the concept of state sovereignty in 1945. It is also contrary to the Constitution.

REFERENCES

Bamzai, Aditya. (2019). Tenure of Office and the Treasury: The Constitution and Control over National Financial Policy, 1787 to 1867. *Geo. Wash. L. Rev.*, 87, 1299.

- Braybrooke, David. (2019). A public goods approach to the theory of the general will. In *Unity, Plurality and Politics* (pp. 75–92). Routledge.
- Carrera, Sergio, Lannoo, Karel, Stefan, Marco, & Vosyliūtė, Lina. (2018). Some EU governments leaving the UN Global Compact on Migration: A contradiction in terms. *CEPS Policy Insights*, 15, 1–14.
- Chairullah, Emir. (2022). *Indonesia's Failure in Papua: The Role of Elites in Designing, Implementing and Undermining Special Autonomy*. Routledge.
- Chen, Jonathan, & Sebastian, Leonard C. (2019). Necessity as a Force for Change: Refuting Reform Optimists and Reform Skeptics of Contemporary Indonesia. *Revista UNISCI*, (50).
- Dzigbede, Komla D., Gehl, Sarah Beth, & Willoughby, Katherine. (2020). Disaster resiliency of US local governments: Insights to strengthen local response and recovery from the COVID-19 pandemic. *Public Administration Review*, 80(4), 634–643.
- Esfandiari, Fitria, & Al-Fatih, Sholahuddin. (2020). Initiating a Permanent Electoral Body To Resolve Dignified Election Disputes: Assessing the Effectiveness of Gakkumdu. *Yustisia Jurnal Hukum*, 9(3), 333–347.
- Fouché, Elaine, & Brent, Alan. (2019). Journey towards renewable energy for sustainable development at the local government level: The case of Hessequa municipality in South Africa. *Sustainability*, 11(3), 755.
- Galvani, Alison P., Parpia, Alyssa S., Foster, Eric M., Singer, Burton H., & Fitzpatrick, Meagan C. (2020). Improving the prognosis of health care in the USA. *The Lancet*, 395(10223), 524–533.
- Gina, Agarwal, Ying, Jiang, Susan, Rogers Van Katwyk, Chantal, Lemieux, Heather, Orpana, Yang, Mao, Brandan, Hanley, Karen, Davis, Laurel, Leuschen, & Howard, Morrison. (2018). Effectiveness of the CANRISK tool in the identification of dysglycemia in First Nations and Métis in Canada. *Health Promotion and Chronic Disease Prevention in Canada: Research, Policy and Practice*, 38(2), 55.
- Kusnandar, Mas Iman, & Pratiwi, Refi. (2021). The State Financial System as a Main Element of Implementing Regional Government in The Unitary State. *Journal of Applied Business, Taxation and Economics Research*, 1(2), 121–133.
- Laniuk, Yevhen. (2019). *FREEDOM AS A FOUNDATION OF LIBERAL DEMOCRACY: A NORMATIVE PERSPECTIVE*.
- Papagiannidis, Savvas, Harris, Jonathan, & Morton, David. (2020). WHO led the digital transformation of your company? A reflection of IT related challenges during the pandemic. *International Journal of Information Management*, 55, 102166.
- RAHMANDILLAH, RAFISYACHDI. (2018). *THE OBSTACLES AND SOLUTIONS OF SHARIA MUNICIPAL BOND ISSUANCE FROM AN INDONESIAN LEGAL PERSPECTIVE*.
- Surbakti, Sriwati Ngena Kenca, Sihombing, Marlon, Warjio, Warjio, & Isnaini, Isnaini. (2021). Implementasi Permendagri Tentang Pedoman Penegasan Batas Daerah dalam Penegasan Batas Daerah antara Kabupaten Karo dengan Kabupaten Dairi. *Strukturasi: Jurnal Ilmiah Magister Administrasi Publik*, 3(1), 75–89.