

# GOVERNMENT RESPONSIBILITIES FOR PUBLIC ADMINISTRATION SERVICES

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## Abstract

The aim of this research is to determine the extent to which services in population administration are the responsibility of the government in Ambon City. The type of research used is Normative Legal Research. The problem approach used is a statutory approach, a conceptual approach and a comparative approach. The statutory approach is carried out by examining statutory regulations related to legal issues. For practical activities, this approach opens up opportunities to study the consistency and conformity between laws and regulations and the Constitution or between regulations and legislation. This research discusses the government's responsibility in public administration services and the extent of its authority over services to the community.

**Keywords:** Government Responsibility and Public Administration.

## 1. INTRODUCTION

The Unitary State of the Republic of Indonesia underlies government administration based on the Preamble to the 1945 Constitution of the Republic of Indonesia. The fourth paragraph states that "...the Indonesian State Government protects the entire Indonesian nation and all of Indonesia's bloodshed...". One of the ways in which the affirmation of the state's duty to protect the entire Indonesian nation and all of Indonesia's blood is realized is through granting status to Indonesian citizens. This citizenship status is a human right of all Indonesian people.

The Indonesian government is obliged to provide protection, recognition and legal guarantees for the status of citizens and population events experienced by residents in the territory of the Unitary State of the Republic of Indonesia.

Identity is a human right and is an inseparable part of civil and political rights. The right to identity is a form of state recognition of a person's existence before the law. Article 6 of the Universal Declaration of Human Rights which confirms that "Everyone has the right to recognition before the law as an individual human being wherever he is".<sup>1</sup>

Population events in the form of changes in address, moving to permanent residence, limited residence, changes in the status of foreigners from limited residence to permanent residence and other important events such as births, stillbirths, deaths, marriages, divorces, including adoption, recognition and legalization of children, changes in status citizenship, name changes and various other events that have an impact on population administration. Population events experienced by a person must be reported to the government due to the impact of changes in identity data or population certificate. Every important population event requires valid evidence for administration and recording in accordance with statutory regulations.

Regional Government is one of the tools in the government administration system, which has certain tasks or affairs that are handed over by the central government to

the regions to be carried out in accordance with regional policies, initiatives and capabilities. Including issues of providing protection, recognition, determining personal status and legal status for citizens, the Government is obliged to carry out population administration that fulfills a sense of justice and is carried out professionally. Apart from that, it also provides the best public services to the community, without any discriminatory treatment. Recording and processing population data is the responsibility of the district/city government. The recording process starts from the lowest level of government, namely the sub-district or village. The demand for fast and precise population administration services needs to be carried out as a form of information service for the community. However, inaccurate data processing, such as missing or damaged data, ultimately does not provide justice and legal certainty for the people served by the government.

Normatively, population administration regulations are based on Law Number 23 of 2006 concerning Population Administration as amended by Law Number 24 of 2013. personal status and legal status of every population event and important events experienced by residents inside and/or outside the territory of the Republic of Indonesia.

The government as a provider of public services needed by the community must be responsible and strive to provide the best public services as a form of improving community welfare through population administration services. The quality of government apparatus services will be increasingly challenged to be more optimal and able to respond to all the increasingly high demands from society. Regarding the procedures for each service, for example the procedure for making a Resident Identity Card (KTP), people who have just made a KTP for the first time do not know the procedure for making a Resident Identity Card (KTP). This is because each procedure is not published in public, the public will know what the procedures for the service itself are, so they will not feel confused.

Law Number 24 of 2013 essentially states that (1) every birth must be reported by residents to the local implementing agency no later than 60 (sixty) days after the birth, (2) based on the report as intended in paragraph 1 the Civil Registration Official records the Register Birth Certificates and issue Birth Certificate Excerpts.

The promulgation of Law Number 23 of 2013 is intended to enable Regional Heads with their authority to carry out Population Administration by increasing the effectiveness of services to the community, ensuring the accuracy of population data (NIK) and the singleness of population documents. In other words, Law number 23 of 2013 requires an improvement in the implementation of Population Administration which can guarantee satisfaction to individuals/society and also for administrative order regarding the validity and accuracy of population data. Referring to Law number 24 of 2013, in practice the majority of people still experience problems in providing Population Administration Services.

Indifferent behavior, complicated service, inefficiency, slow, unfriendly, unclear in giving instructions. Apart from that, there are also those who always prioritize relationships or still expect rewards. Behavior like this creates a sense of injustice among members of the community who actually have the right to be served fairly and equally. Such behavior is very contrary to the disciplinary ethics of the state civil service and is also unable to demonstrate a responsive form of administrative service. Responsive service means providing assistance to people who need help immediately

because if they don't help, it will cause disruption in the process of achieving service tasks within the organization. In this case, Population Administration Services, if not implemented, will have fatal consequences for the Regional Government because they do not know the actual population number which is an asset in all aspects of development in the region.

Another thing that has the potential to give rise to a sense of injustice is that the implementation of tasks between the Central and Regional Governments is not yet in sync regarding the duties and functions of Regional Heads in terms of community services in the field of Population Administration which are not yet integrated. The Regional Government carries out population administration policies based on the Adminduk while the Regional Head carries out population administration in accordance with Regional Regulations and Law Number 23 of 2002. The absence of proper synchronization and coordination in the various regulations itself has created various problems which ultimately have an impact on the performance of the Regional Government in the administration of Population Administration. In fact, services relating to Population Administration have been regulated in Presidential Regulation (Perpres) Number 25 of 2008 concerning Requirements and Procedures for Population Registration and Civil Registration.

Apart from that, in Article 1 and Article 18 of the 1945 Constitution it is stated that the Indonesian State is a decentralized Unitary State, meaning that power is not only held or exercised centrally in one government but is distributed vertically. Therefore, dividing government tasks from the center to the regions is one strategy for realizing responsive service in the sense of prioritizing excellent service, always developing a cooperative and proactive attitude towards both parties, namely the government as a servant and the peer community being served.

Each region has the right and obligation to regulate and manage its own government affairs to increase the efficiency and effectiveness of government administration, community services and development. In order to carry out the duties of population and civil registration services and taking into account the economic level of the community, local governments need to implement population administration policies.

On the other hand, the determination of regional government policies in providing population services is stipulated in Regional Regulations. Law Number 23 of 2002 mandates that every child has the right to a name as a personal identity and citizenship status, the state and government are obliged and responsible to respect and guarantee the human rights of every child without distinction of ethnicity, religion, race, class, gender, ethnicity, culture and language, legal status of the child, birth order of the child, and physical and/or mental health. Each child's identity must be provided at birth, the identity as intended is stated in the birth certificate.

### **Problems**

Based on the background of the problem stated above, the problem in this research is: Are services in population administration the responsibility of the government?

## **2. DISCUSSION**

### **The Government's Role in the Field of Population Identity Administration**

The provision of public services is a way for the state to fulfill every basic desire and right of every citizen from the administration, goods, services provided by public

service providers who are civilians. Regional governments continuously strive to improve the quality of public services by designing and determining for themselves the types of services needed by the community. Regional governments must be able to provide excellent quality service to local communities to achieve local prosperity and prosperity by paying attention to the quality and quality of service (public service). The quality and quality of public services by government officials is assessed from the public's satisfaction with the public services they receive, which prioritizes the interests of the public by paying attention to the principles of justice both in terms of quality and quantity. Government officials are also required to be responsive in providing services to the public so that all public services can run quickly and precisely (one hour, one service).

The quality of public services to the community must be able to pay attention to five dimensions of service quality, namely physical evidence (tangible), reliability, responsiveness, assurance, empathy. These five dimensions of public service are aimed at government officials whose task is to provide services that must comply with operational procedures and have a sincere and caring attitude towards the community and not discriminate between communities.

Work in the administrative sector as part of efforts to create public services for the community. Administration is defined as the process of organizing resources so that work tasks at all levels of the organization can be carried out properly. Employees must be able to respond quickly and precisely and have sensitivity to every community service need, especially to people who do not understand the fulfillment of population administration so that they do not appear to slow down the fulfillment of community services. Apart from that, the apparatus is also able to provide guarantees of accuracy and certainty in the completion time of files so that it does not appear to slow down or hinder the completion of population administration carried out by the community. Disdukcapil officials must instill moral responsibility in providing good services so that people feel comfortable and are not inconvenienced.

Administrative processes will perform three main functions that are closely related to the three general levels of formal hierarchy. At the highest level, the monitoring function of an organization is primarily concerned with planning the long-term goals to be achieved.

At the middle level, especially the organizational management function, especially efforts to maintain the organization as a long-term continuation of work, requires technical or professional staff, services, and participation in the outcome process. At a lower level is the monitoring function. Direct contact with technical and professional stakeholders, supervisory function that directs the use of resources and ensures that technical and professional activities are carried out in accordance with established standards<sup>2</sup> administrative standards and procedures as part of the government structure to provide good services to the community. Administration is "the over-all management of an organization". Administrators must implement and develop governance as effectively as possible, keeping in mind the ten aspects of administration, namely<sup>3</sup>:

1. Function
2. organizational life
3. The force that binds organizational elements

4. Organizational leadership team
5. Several types of Management
6. Some systems process inputs to produce several outputs;
7. Certain behavior or attitudes;
8. The process of cooperation in achieving certain goals;
9. Techniques for handling “administrative” problems
10. The science, skill, or art of a particular ability.

In the field of population administration, it has a correlation with public service, in the public service theory presented by Denhardt, that The New Public Service includes the following key ideas:

1. **Serve Citizens, Not Customers:** The interests of the general public are the result of dialogue about shared values rather than a collection of personal interests. Therefore, public service officials do not only fulfill customer desires, but focus more on building trust and cooperation between citizens.
2. **Seek the Public Interest:** Public administration should contribute to community development, by sharing ideas about the public interest, the aim is not to find quick fixes due to personal control choices. Next, a division of rights and obligations is created.
3. **Value Citizenship Over Entrepreneurship:** The public interest is driven more by the commitment of public service officials and meaningful contributions from citizens than by the mobility of private sector managers within the framework of their public interests.
4. **Think Strategically, Act Democratically:** a combination of policies and programs to achieve more effectiveness and responsibility through joint efforts and processes.
5. **Recognized that Accountability Is Not Simple:** Public service officials need extra attention than the market. They must also comply with the law and constitution, social values, political norms, professional standards and citizens' interests.
6. **Serve Rather than Steer:** It is increasingly important that the public service shares the core values of leadership and helps citizens articulate and reconcile their shared interests rather than trying to control or steer society in a new direction.
7. **Value People, not Just Productivity:** Public organizations and their frameworks in which they participate and are more successful in their activities if they operate through collaborative and Leadership-based processes respecting all people.

The population of a country can be determined in several ways, namely census, service and population registration as follows:

- a. A population census is a simultaneous count of the population by the government for a certain period of time. The census takes place every 10 years and is carried out by the Central Statistics Agency (BPS). The Indonesian government conducted censuses in 1930, 1961, 1970, 1980, 1990 and 2000. Census activities include collecting, processing, evaluating, analyzing and presenting population data. The data presented includes demographic, social, environmental and economic data.



This data can be used for various purposes, such as for development policy documents. There are two types of census:

- 1) De facto census, namely counting every resident of an area when the census is carried out.
  - 2) Census de Yure, namely counting the population who actually reside in the area where the census is carried out. Therefore, residents who only visit are not included in the data.
- b. A population survey is an organized activity government to study and produce population statistics at a particular time and place. Surveys conducted include the national economic census, national labor force survey, and internship demographic survey (SUPAS).
- c. Registration is a government activity process that includes regular registration of births, deaths, marriages, divorces, changes in residence and changes in employment. This registration is mainly carried out at the lowest level of government, namely the sub-district.

The public will feel good service if the government agency that handles population administration can truly serve it politely and professionally with quality service standards, good, safe, smooth and orderly procedures, as well as certainty in costs for the services provided. If they are satisfied with the services provided, trust will arise from the public as service users to use the service again.

Population problems are a problem that will occur in every region within a country. From the problems that arise as a result of population problems, it is necessary to have ideas or ways to overcome population administration problems. Starting from the problem of the birth rate which must be controlled so that the population growth rate does not explode. With the high population, the government needs to pay attention to dealing with economic problems in each region, the government must also pay attention to education in each region, pay attention to the health and nutritional development of children and its citizens, and then the government must also pay attention to employment opportunities in each region or region. . The problem of population density must be overcome by providing equal distribution of economic growth in each region. There needs to be equal distribution of living needs and the government must also have an appropriate strategy or method for dealing with population problems.

Population administration plays an important role in providing guarantees of legal certainty and protection of judicial human rights, socio-cultural human rights, legal human rights, political human rights, economic human rights and personal human rights. This protection takes the form of public services through the issuance of population documents such as civil registration certificates including birth certificates, electronic identity cards (e-KTP), family cards (KK), and child identity cards (KIA) and others that are directly related to needs. Community population administration. In fulfilling population administration, it is necessary to pay attention to the principles of public service, namely the principle of justice, where all citizens must receive the same treatment and fulfill their rights in managing population administration.

The responsiveness of civil servants to the needs and aspirations of the community is a form of implementing their function as implementers of development and service activities to realize community welfare. Public services are closely tied to binding

principles, rules and procedures. It cannot be denied that public services based on the public's current views are not in accordance with the wishes of the public because current services are considered complicated and there is no clear delivery of service procedures so that the public is sometimes confused about the Standard Operating Procedures for services.

Responsive or excellent service can be created if in service activities between the community and implementers there is a cooperative and pro-active attitude towards work situations. This attitude comes not only from the service staff but also from the community. The seriousness of completing the documents as a data requirement for population administration services also needs to be of concern to the public. Often officers are the ones who are blamed because they are thought to be slacking off or being selective in their services, but in fact the problem lies with the community itself. So, with good communication between the community and those carrying out the duties, the public services desired in the Civil Service Administrative Services Law will be created. Responsive service not only depends on the man behind the gun factor of the person carrying out the work but also on the completeness of the work. If work equipment is not yet available, it will create obstacles that result in personnel administration services being unresponsive or not excellent.

In life in society, there are still many other things that are encountered which are also some of the problems of population administration, for example people who have not applied for an ID card at a new address, which must include a certificate of moving from their previous domicile, but sometimes they don't have a transfer certificate so that the person concerned cannot take care of or have a KTP at the new address. Apart from that, for example, people who want to process a child's birth certificate where the person concerned must attach a birth certificate and marriage certificate but the child's parents do not yet have the certificate so the person concerned cannot process it. This is also caused by the public often being indifferent to their population administration so that in carrying out the population administration process this can hinder the Disdukcapil apparatus in processing it. Apart from that, we also still find government officials who are indifferent to community services, for example if family or people known to the person concerned are sometimes given priority so that people who have no relation to the agency are definitely put second. Sometimes it is also found that officials appear to be slow and cannot provide guarantees of accuracy and certainty in the time for completing files or as a result of negligence by officials in filing so that the services provided take more time than the time that should be given or specified in population administration services. These things give rise to a sense of injustice so that it is still felt that population administration services are not yet responsive.

### **Government Responsibility in Public Administration Services**

Every cycle in human life is a blessing and gift from God Almighty. The state's promise and responsibility lies in the management of this cycle, whether it is improving the welfare of the general people or making the life of the nation intelligent as reflected in the preamble to the 1945 Constitution. For this reason, the government, through the Directorate General of Dukcapil, Ministry of Home Affairs, carries out its duties by attending to the people through the connecting door for population documents resulting from the implementation of the Population Administration (Adminduk). "The

state's two promises, namely to protect and prosper the people, cannot be fulfilled without population documents as the door that connects the government to its people."

The responsibility of the Population and Civil Registration Service (Dukcapil) to the government is to carry out population administration and civil registration affairs. The following are some of Dukcapil's responsibilities:

1. Carry out population administration services, such as issuing Electronic Identity Cards (KTP-el), Family Cards (KK), and Child Identity Cards (KIA)
2. Organize the recording and control of birth certificates, death certificates, marriage certificates, divorce certificates, and child recognition and validation certificates
3. Provide accurate regional population data
4. Compile a regional population profile
5. Develop and supervise the implementation of population administration in the region
6. Develop technical policies in the field of population administration and civil registration
7. Conduct evaluation and reporting

Implementing population information system activities as an administrative activity is related to the population of Indonesia, which demographically continues to increase along with the population, therefore it is divided into several authorities in order to manage population data in Indonesia as follows:

### **1. Government**

In this case, the government has obligations and responsibilities in the context of carrying out national Population Administration, which is carried out by the Minister with the following authority:

- a. Coordinate between agencies regarding Population Administration;
- b. Establish guidelines, standards and systems in the implementation of Population Administration;
- c. Socialization about Population Administration;
- d. Providing consultation, guidance and supervision in the implementation of Population Administration matters;
- e. Presentation and management of national level population data
- f. Printing, publishing and distribution of population administration document forms.

### **2. Provincial Government**

In this case, the provincial government has obligations and responsibilities in carrying out population administration affairs. If carried out by the governor with the following authority:

- a. Coordination in the population management process
- b. Guidance, supervision and during the implementation of population registration and civil registration
- c. Carrying out socialization and training during population management



- d. Proposing and managing population data at the provincial level
- e. Coordination and supervision of population management.

### 3. City (Regency) Government

The city (district) government has obligations and responsibilities for the implementation of population administration affairs, which are carried out by the regent or mayor with the following authority:

- a. Coordination, manifested in the formation of implementing bodies whose functions and duties are in the field of population management;
- b. Technical arrangements based on PerUU regulations
- c. Routine guidance, socialization and implementation of regular community service activities;
- d. Assigning villages to be responsible for part of population administration
- e. Presentation and management of cities (districts) as well as coordination and supervision of the implementation of population management.

### 4. Implementing Agency

The Implementing Agency in carrying out population administration affairs has the following obligations:

- a. Register and record population and important events;
- b. Professional in providing services to all residents
- c. Issue all population documents;
- d. documenting the results of civil registration and population registration
- e. Guarantee the security and confidentiality of all data on Population and Important Events
- f. Carrying out verification, validation of data and information submitted by residents to population registration and civil registration services

Existing authority is based on the division of affairs which is further regulated in the provisions of Law no. 23 of 2014 concerning Regional Government. To implement orderly administration in the field of population, based on Article 5 of Ministerial Decree No. 53 of 2019 concerning Population Administration Implementation Reports, the contents of the population report include the number of NIK issuances for Indonesian citizens and registrants, family cards, mandatory e-KTP for residents, recording of e-KTP for Indonesian citizens and foreigners, printing e-KTPs based on NIK and blanks, printing children's identity cards. "In addition, it contains the number of issuances of single identity numbers at the Representative of the Republic of Indonesia, recording of e-KTPs at the Representative of the Republic of Indonesia, the number of Indonesian citizens moving within the territory of the Unitary State of the Republic of Indonesia." Furthermore, it contains the number of foreigners holding limited residence permit cards moving within the territory of the Republic of Indonesia, the number of foreign nationals holding permanent residence permit cards moving within the territory of the Republic of Indonesia."

"There are also the number of Indonesian citizens moving abroad, the number of foreign nationals moving abroad, the number of foreign nationals holding limited residence permit cards who have residence certificates and the number of foreign nationals holding permanent residence permit cards who already have family cards and /or e-KTP. "It also contains the number of vulnerable Population Administration residents, vulnerable Population Administration residents who already have population certificates, residents who hold cross-border pass books, the availability of e-KTP forms in the regions and the issuance of e-KTPs for special officers."

Apart from that, in order to cover all the interests of citizens, the provisions of the Population Administration Law also specifically regulate the interests of citizens who are considered socially vulnerable. The actions taken by the government are an effort to protect the interests of vulnerable communities, so that services can be provided to these communities. Apart from that, in order to strengthen the results in the field of population administration, a policy was issued by the government requiring every citizen to register the birth of every citizen as an effort to support the protection of every citizen in the future, therefore the procedure implemented is as follows:

The deadline of sixty days after birth is an orderly population administration carried out by the government, so that every birth that occurs in Indonesia is included in the population data base and information system for every citizen. In general, based on Article 9 of the Republic of Indonesia Government Regulation no. 40 of 2019 concerning the Implementation of Law Number 23 of 2006 concerning Population Administration as Amended by Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration, that the standards and specifications for Population Documents are in the form of:

Population administration is expected to be carried out as part of the implementation of state administration. Fulfillment of administrative rights, such as public services and protection related to population documents, without discriminatory treatment is in the interests of the population which must be implemented by the population administration. So that population administration is directed to:

1. Fulfill everyone's human rights without discrimination with professional services
2. Increase awareness of the obligation to play a role in implementing population administration;
3. Fulfill national statistical data regarding Population Events and Important Events;
4. Support the formulation of national, regional and local development policies and planning; and
5. Support the development of the Population Administration system.

The Population Administration Information System is intended to:

1. The orderly and integrated implementation of population administration on a national scale
2. Implementation is universal, mandatory, permanent and sustainable
3. Residents' rights in the field of population administration are fulfilled with professional services
4. Data and information are available accurately, up to date, completely and easily accessible.

In simple terms, population administration is a form of access given by the state to every citizen to obtain rights as a citizen by using the terms rights and obligations of every citizen in the provisions of the law.

The demographic bonus is an opportunity that a country enjoys because most of the population is productive (aged 15-6 years) in the process of population growth. In Indonesia, this phenomenon occurs because the demographic transition that has occurred in recent years has been accelerated by the success of population policy in reducing birth rates, improving health quality and the success of programs with a good population administration system that encourages good public services.

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### **3. RESULT**

The aim of establishing regional government is to accelerate the realization of community welfare through improvement, service, empowerment and community participation, as well as increasing regional competitiveness by paying attention to the principles of democracy, equality, justice, privileges and specialties of a region within the system of the Unitary State of the Republic of Indonesia. To improve the welfare of the people in implementation, this is also related to public services. One form of public service that is very basic and is the duty of the state as well as an effort to achieve state goals is to provide protection to all Indonesian citizens as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia. In line with the duties of the state as mentioned above, the government provides services for organizing community service activities in the field of population administration which are carried out continuously, quickly and easily for the entire population. Within the framework of implementing democratic governance, it is necessary to establish legislation that regulates the use of state authority. These statutory provisions will at least become the legal basis for the use of authority (principle of validity); procedural basis (preventing arbitrary actions) and conformity (a measuring tool for assessing the rightness and wrongness) of government actions. In accordance with the

implementation of regional government, regional authorities, especially the authority to administer population administration, are of course based on attributional authority or delegated authority, all of which are based on statutory regulation.

The government must be sensitive to every problem that occurs in society regarding population data, so that problems in society are reduced and tend to be non-existent. Starting from the service aspect, the attitude towards service from the government bureaucracy itself, the time period for completing a population service product, as well as achieving Minimum Service Standards (SPM) related to accelerating population data in the regions. Population administration is part of a system that is based on administering population data in Indonesia based on results so that good public services can be implemented for the community and the fulfillment of people's rights in public services because of identity. Based on the provisions of Law no. 23 of 2006 concerning Population Administration. Authority in the field of population administration is divided in stages into each business, namely central government, regional government and district/city government.

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