The Mayor of Batam Ex-Officio as Head of The Batam Concession Agency: Cross-Jurisdictional Authority and Legal Problems

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Abstract
This research aims to explore the impact of granting the position of Head of the Batam Concession Agency to the Mayor of Batam on an ex-officio basis on the principle of “check and balance” in the governance of Batam and to assess the extent to which this policy is consistent with the principles of regional autonomy and decentralization, which are constitutional cornerstones in Indonesia. Through a normative legal research method using secondary data, this study reveals that the policy of granting ex-officio positions has a significant impact on the principle of “check and balance” with a potential reduction in the effectiveness of internal and external supervision, as well as an increased potential for abuse of power that may affect the integrity of decision-making. In addition, this policy raises essential questions about consistency with regional autonomy and decentralization principles, the main pillars of Indonesia’s governance system. The principle of regional autonomy aims to give authority to local governments to manage their affairs without excessive interference from the central government. This research provides important insights into the consequences and consistency of government policies that may affect the fundamental principles of regional governance.
I. Introduction

This study aims to investigate the impact of granting the position of Head of the Batam Concession Agency to the Mayor of Batam on an ex-officio basis on the principle of "check and balance" in Batam governance, as well as to assess the consistency of this policy with the principles of regional autonomy and decentralization in the context of Indonesia's constitutional framework (Putri & Swastiwi, 2022). Ineffective governance, the division of authority between the central government, local governments, and autonomous bodies is important in avoiding overlaps and ensuring clear authority (Triningsih et al., 2020). However, the reality on the ground shows a different situation, especially in the case of granting the position of Head of the Batam Concession Agency to the Mayor of Batam on an ex-officio basis.

This case originated from the provisions of Article 21, paragraphs (3) and (4) of Law Number 53 Year 1999 on the Establishment of Batam City, which mandates that the working relationship between the Batam City Government and the Batam Authority Agency will be further regulated by a Government Regulation (Karim, 2019). This article also sets a time limit of twelve months after Batam City is inaugurated for the ratification of the Government Regulation. However, the promised Government Regulation was never issued as stipulated. This problem continued until 2019 when Government Regulation No. 62/2019 on the Second Amendment to the Batam Free Trade Zone and Free Port was issued. Article 2A paragraph (1a) in this regulation explicitly states that "The Head of the Batam Free Trade Zone and Free Port Concession Agency shall be held ex-officio by the Mayor of Batam."

This decree, in effect, has significant implications for governance in Batam and raises various legal issues that demand in-depth analysis in the context of Indonesia's constitutional framework and constitutional law (Audrey, 2007). This study will attempt to elaborate and analyze its impact on the "check and balance" principle in local governance and its consistency with the principles of regional autonomy and decentralization.

Cross-jurisdictional authority, often known as "cross-jurisdictional authority," refers to a situation where one entity or individual holds authority in more than one domain or jurisdiction (Karim, 2019). In the context of government, this may reflect that an official or leader has responsibilities and authority in two or more different government structures or bodies (Zilinsky, 2017). In the specific case of the Mayor of Batam, who also serves as the ex-officio Head of the Batam Concession Agency, the phenomenon of "cross-authority" occurs because the mayor not only leads the local government (Batam City Government) but also holds the role of head of a concession agency (Cahyaningrum & Nola, 2021).

It is important to recognize that this situation has substantial implications for governance. Such "cross-authority" may lead to problems such as conflict of interest, overlapping authority, and challenges in performing tasks with clarity (Tan, 2015). Furthermore, in the context of collaboration and coordination between different government bodies or structures, potential constraints can affect the efficiency and effectiveness of decision-making (Poretti, 2016).

In addition, the "cross-authority" arising from the dual position of the Mayor of Batam...
as the head of the region and the head of the concession body also raises important questions about the relevance and consistency of this policy with the principles of regional autonomy and decentralization that are the cornerstones of Indonesian constitutional law (Ernya, 2020). At the constitutional level, the 1945 Constitution of the Republic of Indonesia (UUD 1945) and other laws and regulations emphasize the importance of giving local governments the authority to organize and manage their affairs without excessive interference from the central government (Arif & Maksum, 2017). Therefore, this decision raises critical questions regarding its consistency with basic principles in Indonesian governance and its impact on the principle of "checks and balances" in maintaining the balance of power and oversight.

This research is motivated by the complexity and potential impacts that may arise from the policy enacted, namely the granting of the position of Head of the Batam Concession Agency to the Mayor of Batam on an ex-officio basis. The main objective of this research is to conduct an in-depth investigation and thorough analysis of the constitutional law issues arising from this policy. Thus, this research is expected to provide a deeper understanding of the impact and implications of the ex-officio position on governance in Batam and the relevance and consistency of this policy with the basic principles of governance in Indonesia in general.

Based on the background that has been presented, this research focuses on two central issues. First, this study will analyze the impact of granting the position of Head of the Batam Concession Agency to the Mayor of Batam on an ex-officio basis on the principle of "check and balance" in Batam governance. In this context, it will explore whether this policy leads to overlapping authority or conflict of interest, which may affect the effectiveness of internal and external oversight and the integrity of decision-making.

Second, the research will examine whether the policy of granting the position of Head of the Batam Concession Agency to the Mayor of Batam on an ex-officio basis is consistent with the principles of regional autonomy and decentralization emphasized in the 1945 Constitution of the Republic of Indonesia (UUD 1945) and other laws and regulations. This point creates an important basis for evaluating the extent to which this policy supports or hinders the fundamental principles of governance in Indonesia that emphasize granting authority to local governments to organize and manage their own affairs without excessive interference from the central government. This research is expected to contribute significantly to understanding the issues arising from the policy of granting ex-officio positions and provide a basis for recommendations for improved governance in Batam and its relevance at the national level.

II. Literature Review

2.1 Cross-Jurisdictional Authority

Cross-jurisdictional authority is a topic that has become an important focus in the literature on local governance (Carman & McGladrey, 2018; Vasiu & Vasiu, 2020). This phenomenon is particularly relevant in the context of institutional dualism in local governance, which is often seen in areas such as Batam City. This dualism occurs when an area is managed by two or more entities with overlapping responsibilities and
authorities, such as a business entity and a local government (Humphries et al., 2018; Lu et al., 2023).

Cross-authority can potentially hinder regional development, leading to unclear tasks and conflicts of interest between the various authorized entities (Cameron et al., 2022; Supinajaroen et al., 2022). For example, in the case of Batam, the institutional dualism between the Batam Authority and Batam City Government creates uncertainty and complexity in decision-making and public services.

Therefore, efforts to optimize regional governance are needed to overcome this institutional dualism and improve economic performance in the region. Understanding cross-authorities and their impacts is an important step toward achieving this goal. In the context of Batam City, this may involve restructuring local governance, changes in the division of authority, or more effective collaboration mechanisms between the various entities involved. Thus, research and efforts to improve local governance are urgently needed to address this challenge and achieve sustainable progress in local development.

2.2 Legal Problems

Legal issues concerning granting the position of Head of the Batam Concession Agency to the Mayor of Batam on an ex-officio basis are at the core of this research (Karim, 2019). To uncover the complexity of this issue, an in-depth analysis of various legal aspects is essential. First, it is necessary to analyze the position of the Batam Concession Agency after the enactment of Law No. 32/2004 on Regional Government. This law introduces a regional autonomy system that gives local governments greater authority (Niko et al., 2022). Therefore, it is necessary to evaluate the role and position of the Batam Concession Agency in the context of changes in the legal framework of local government.

In addition, the research will also examine the juridical relationship between the Batam City Government and the Batam Concession Agency in the administration of local government. This analysis will help identify potential conflicts of authority, overlapping responsibilities, and interrelationships between the two entities in deciding and implementing policies.

Efforts to synergize the roles of Batam Concession Agency and Batam City Government are also the focal point of this research. In this context, it is necessary to explore the extent to which closer cooperation between the two entities can be implemented to improve the efficiency and effectiveness of public services and regional development (Ali, 2009). To conduct an in-depth legal analysis, the researcher may adopt a normative legal research method with a study of legal systematics. This approach makes it possible to establish a clear legal framework and identify relevant provisions in the case. With this approach, the research can generate a deeper understanding of the legal issues that arise and provide a basis for recommendations for improvements in Batam’s legal framework and governance.

2.3 Local Governance

Optimizing regional governance has emerged as an important solution in overcoming institutional dualism and improving regional economic performance (Suyatna et al., 2021). In the context of these efforts, several key factors need serious attention. First, applying Good Corporate Governance (GCG) principles is
essential. GCG principles, such as transparency, accountability, responsibility, independence, and fairness, ensure that regional governance operates efficiently and fairly under applicable ethical and legal standards (Arif & Maksum, 2017).

In addition, a strong synergy between the Batam Concession Agency and the Batam City Government is critical in local governance (Tan, 2015). Good collaboration between these entities can help overcome overlapping authorities and potential conflicts (Duszynski et al., 2019). In this synergy, it is important to maintain a balance between the independence of the Batam Concession Agency and the applicable local government framework.

Thus, from the literature review presented, the phenomenon of cross-jurisdictional authority has the potential to hinder the progress of regional development and cause conflicts between business entities and local governments. Therefore, research focusing on the legal problems in granting the position of Head of the Batam Concession Agency to the Mayor of Batam on an ex-officio basis is very relevant and important. Optimization of local governance needs to be a priority, focusing on applying GCG principles of transparency, accountability, responsibility, independence, and fairness. In addition, effective synergy between the Batam Concession Agency and the Batam City Government in regional management is a strong foundation for achieving sustainable development goals.

III. Research Method

The research method is the approach researchers use to examine, respond to, and analyze a problem to produce relevant answers or solutions. In the context of this research, the research method applied is a legal research method with a normative juridical approach (Benuf & Azhar, 2020; Rahayu, 2018). This approach allows researchers to understand the legal aspects of the phenomenon.

The data source used in this research is secondary data, which refers to data or information that already exists and is collected by other parties for purposes that may differ from this research. Secondary data sources include official documents, scientific publications, previous research reports, archives, news, and legal documents. Using this secondary data, the research will gain in-depth insight into the legal framework, history, and dynamics of the relationship between Batam City Government and Batam Concession Agency.

The sources of legal materials used in the research include primary, secondary, and tertiary legal materials (Chariri, 2009). The technique of collecting legal materials applied is library research, which aims to explore theories developed in the field of science related to the problem under study. By referring to the developed theoretical framework, this research can gain a broader perspective on the issues at hand. Furthermore, researchers will apply a qualitative and normative juridical approach to data analysis. The results of this analysis will be presented in analytical descriptive form to provide a more comprehensive understanding of the issues studied.

This research also applies a theoretical framework as an important analytical tool. The theoretical framework analyzes the problems studied and refers to various theories in state administration, governance, and regional autonomy. Using this theoretical framework, the researcher can understand the problem more deeply and relate it to existing theories. Thus, this research is a systematic series of activities with a diverse and well-planned approach. Through data analysis and application of the theoretical framework, this research aims to generate knowledge that can enrich the understanding of the problem under study and contribute to solving problems faced in the field of governance, particularly in the context of institutional
dualism in Batam.

IV. Result and Discussion

4.1 The Impact of Appointing the Mayor of Batam Ex-Officio as Batam Concession Agency Head on Check and Balance in Batam Governance

The granting of the position of Head of the Batam Concession Agency to the Mayor of Batam on an ex-officio basis raises several questions that are highly relevant to the principle of checks and balances in Batam governance. Some of the impacts arising from the merger of these positions are as follows:

a. Concentration of Authority in One Individual

In the scenario where the Mayor of Batam concurrently holds the position of Head of the Batam Concession Agency, a notable concern arises regarding the concentration of authority within a single individual. This circumstance introduces a substantial risk of undermining the checks and balances mechanism, a crucial element in any democratic governance structure (Permana et al., 2022). The essence of the checks and balances principle lies in the deliberate division of authority. This practice is integral in preventing the abuse of power and ensuring that no singular entity or individual wields absolute authority. However, when authority becomes concentrated, the effectiveness of this mechanism is jeopardized, potentially leading to adverse implications for the overall quality of governance (Putra, Bayu, 2014).

This intricate interplay between the roles of Mayor and Head of the Batam Concession Agency underscores the necessity of thorough examination, as it challenges the fundamental tenets of democratic governance and calls for a comprehensive analysis of its implications for the broader governmental framework.

b. Risk of Conflict of Interest

The inherent risk of a conflict of interest becomes increasingly pronounced when an individual simultaneously occupies two pivotal roles. Consider, for instance, that decisions made in the capacity of the Mayor of Batam could be significantly influenced by considerations tied to their role as the Head of the Concession Agency, and vice versa (Pionier et al., 2019). This interplay between roles blurs the demarcation line between the interests of the municipal government and those of the Concession Agency, raising intricate questions about the integrity of decision-making (Muhammad et al., 2015).

The confluence of these positions underscores the intricate nature of the responsibilities carried by those who hold both roles, as it exposes them to the risk of undue influences that could shape their decision-making processes. This aspect of the situation necessitates a comprehensive examination to fully grasp the implications for governance and integrity, particularly within the framework of Batam’s administrative landscape.

c. Administrative Efficiency vs. Accountability

Combining these two occupations could accelerate administrative processes, reduce bureaucracy, and speed up decision-making, but it threatens governance responsibility (Putra, 2014). The principle of checks and balances underscores the significance of dividing authority and responsibility, ensuring that each decision undergoes meticulous examination and oversight from various branches of government (Muhammad, 2023). This system’s decisions are subjected to
independent and objective scrutiny, a linchpin of democratic governance. When both positions are vested in a single individual, administrative efficiency can be enhanced, yet the jeopardy to accountability is markedly heightened.

External oversight, a cornerstone of good governance, is paramount in democratic systems. It serves the pivotal function of verifying that decisions are grounded in sound judgment and executed with transparency, accountability, and responsibility. Oversight bodies, whether independent institutions, governmental organs, or civil society, constitute a pivotal system of checks and balances, shielding against power abuses and ensuring decisions align with the public’s best interests. This overarching oversight framework advances transparency, prevents corruption, and secures decision-making processes rooted in integrity (Muhammad et al., 2015).

Given the multifaceted interplay of these considerations and the dynamic nature of merging the roles of the Head of the Batam Concession Agency and the Mayor of Batam on an ex-officio basis, it is evident that this issue warrants rigorous research. Exploring its ramifications and effects on the foundational principles of governance is vital in understanding how the amalgamation of these positions may shape the future of Batam’s administrative landscape. This research offers a unique opportunity to delve into the complex interplay of efficiency and accountability within a democratic framework.

d. Impact on Local Democracy

In local democracy, the principle of checks and balances plays an important role in ensuring that decisions are made, considering diverse perspectives and interests. However, combining two important roles in one individual increases the risk of decisions reflecting the views or interests of one individual or group. This may impact community representation and participation in the decision-making process (Muhammad Sapta Murti, 2015).

Although granting the position of Head of the Batam Concession Agency to the Mayor of Batam on an ex-officio basis may improve efficiency and coordination in governance, serious consideration must be given to its impact on the principle of checks and balances (Ersya, 2020). To ensure good governance and accountability in government, it is important to reflect on this structure and seek alternative mechanisms that retain the basic principle of checks and balances.

Combining the roles of the Head of the Batam Concession Agency with the Mayor of Batam on an ex-officio basis has the potential to improve efficiency and coordination in decision-making. However, it is necessary to be aware of some legal and governance issues, especially those related to overlapping authority and potential conflicts of interest (Lestari & Johar, 2020).

When one individual hold two different positions, there is a high risk of overlapping authority. The mayor has the authority and responsibility for the city's administration. In contrast, the Head of the Batam Concession Agency has the authority to manage and develop the free trade and free port area. In certain situations, these two authorities may conflict or overlap, leading to confusion in decision-making.

The powers of the Batam Concession Agency may be more technical, focusing on economic development, infrastructure, and investment. On the other hand, as mayor, decisions may be more political, reflecting the interests of voters and the needs of the city. This overlap can lead to confusion and uncertainty in policy

When one individual hold two important roles, there is a risk that decisions taken in one capacity may be influenced by considerations in the other. For example, decisions that benefit the city may not necessarily align with the interests of developing a free trade area and vice versa.

As mayor, there is pressure to make popular decisions with public support. However, as Head of the Batam Concession Agency, decisions must be based on technical and economic considerations. This may lead to conflicts of interest when political decisions interfere with technical decisions or vice versa. In conclusion, while the merging of the positions may be intended to improve efficiency and coordination, the risk of overlapping authority and conflicts of interest that need to be carefully considered are important notes in implementing this model.

4.2 Policy Analysis: Granting the Batam Concession Agency Head Position to the Mayor of Batam City Ex-Officio, as emphasized in the 1945 Indonesian Constitution

To analyze the consistency of the policy of granting the position of Head of the Batam Concession Agency to the Mayor of Batam on an ex-officio basis with the principles of regional autonomy and decentralization, we need to understand those principles and how they are applied in the context of Indonesian legislation:

a. Principles of Regional Autonomy

Regional autonomy, as stipulated in the 1945 Constitution and other laws and regulations, is a fundamental concept that entails delegating authority to local regions for self-governance. This principle reflects the idea that regions possess the capability and understanding of their unique needs and circumstances, allowing them to manage their governmental affairs and address the concerns of their local communities as dictated by the will of the people. The fundamental objective behind regional autonomy is to bolster the ability of local regions to craft decisions that directly impact their communities while advancing the residents’ overall well-being through the efficient utilization of local resources (Krismiyati Tasrin, et al, 2012).

This concept, deeply rooted in Indonesia's democratic framework, seeks to provide a balanced and effective governance structure that respects the diversity of regions across the archipelago. By granting regions a degree of autonomy in local governance, the nation aims to empower them to adapt governmental policies and programs according to their localities' unique needs and cultural contexts. The overarching goal is to enhance the quality of public service delivery, foster community participation in the decision-making process, and facilitate comprehensive development that aligns with the aspirations and welfare of those living in these areas. Regional autonomy is a key element of Indonesia's commitment to strengthening democracy, decentralization, and community engagement in managing government affairs.

b. Principles of Decentralization

Decentralization is the transfer of government authority from the center to the regions. It aims to ensure that policies and programs align with local needs and circumstances, improve the efficiency and effectiveness of public services, and enhance community
participation in the decision-making process.

In the context of giving the position of Head of Batam Concession Agency to the Mayor of Batam on an ex-officio basis, it should be noted that the Mayor of Batam and the Head of Batam Concession Agency have different roles in the context of governance and resource management. Each of them has different responsibilities and authorities and different sources of funds to support their policies and programs.

The Mayor of Batam is the local chief executive responsible for running the city government. In carrying out his duties, the mayor uses the Regional Budget (APBD) as a source of funds. The Batam City DPRD functions as a legislative body at the city level with a supervisory function over the executive’s performance (Audrey G., 2007). In this case, combining the position of Head of Batam Concession Agency with the ex-officio position of Mayor of Batam City may raise questions on how resources are managed, and funds allocated in the context of regional autonomy and decentralization. The merger should consider these principles so that the policy’s consistency and sustainability can be carefully assessed.

The Regional People’s Representative Council (DPRD) holds the authority to approve and oversee the execution of the Regional Budget (APBD) proposed by the mayor. In this context, the Mayor of Batam must ensure that the utilization of APBD aligns with the regulations and policies previously sanctioned by the DPRD. Every program funded through APBD must adhere to transparency, accountability, and efficiency requirements.

Conversely, the Head of the Batam Concession Agency plays a pivotal role in managing and developing the Batam Free Trade Zone and Free Port Area. In this capacity, the Head of the Agency utilizes a different source of funds, namely, the State Budget (APBN), which is assembled based on the needs of managing and developing the free trade zone and free port area.

Furthermore, the working partner of the Batam Concession Agency responsible for ensuring the appropriate usage of the APBN is the Commission VI of the Indonesian House of Representatives (DPR RI), as established in the Decision of the Plenary Meeting of the DPR RI for the 2019-2024 Membership Term on October 29, 2019. The allocation of funds by the Batam Concession Agency predominantly focuses on infrastructure projects, investments, and economic development. Although the Agency enjoys autonomy in managing its resources, there are oversight mechanisms to guarantee that the APBN is utilized correctly and under applicable regulations.

From the explanation above, it is evident that even though the roles of the Mayor of Batam and the Head of the Batam Concession Agency may be held by the same individual in an ex-officio capacity, a clear demarcation exists between their authorities and responsibilities. They each have distinct sources of funding and are monitored by different institutions. Nevertheless, this dual role has the potential to give rise to conflicts of interest and overlapping authorities, mainly when policies or decisions made in one capacity impact or conflict with decisions made in the other capacity. Careful consideration is necessary to address these potential issues and ensure that governance remains transparent and accountable.

Merging these two positions within a single individual can lead to overlapping authority. This overlap can blur the lines between the authority of the local government and that of the Batam Concession Agency. Such a situation can disrupt the application of the principle of regional autonomy, wherein each entity should possess clear and well-defined authority. Combining these two positions also bears the potential for creating conflicts of interest,
wherein interests might influence decisions made in one capacity in another capacity. This can disturb the application of the principle of decentralization, wherein decisions should ideally be based on local needs and interests without interference from other interests. It is imperative to consider how legislative regulations, including the 1945 Constitution, address dual roles within local government and assess their consistency with regional autonomy and decentralization principles, as Muhammad Sapta Murti emphasized in 2015.

In conclusion, while the intention behind merging these positions may be to enhance efficiency and coordination, there is a potential risk that could disrupt the implementation of regional autonomy and decentralization principles, as emphasized in the 1945 Constitution and other laws and regulations. Furthermore, this discussion will be analyzed using the grand theory of state administration, the middle theory of governance, and the applied theory of regional autonomy.

1. Constitutional Theory Analysis

The analysis using state administration theory refers to the organization and structure of a country’s government and the division of power and authority. In the context of granting the position of Head of the Batam Concession Agency to the Mayor of Batam on an ex-officio basis, questions arise regarding the separation of powers and its impact on the efficiency and effectiveness of government.

The merger of these two positions brings the potential for overlapping authority that may affect the balance of power. In constitutional theory, separation of powers and authorities is an important aspect of preventing abuse of power and ensuring that each government entity has clear responsibilities and authorities.

In this situation, particularly concerning granting ex-officio positions, it is necessary to consider whether the overlapping authority between the Mayor of Batam and the Head of the Batam Concession Agency will potentially disrupt the balance in the distribution of power. Thus, constitutional analysis highlights the importance of understanding the structure and basic principles of governance in the context of granting this dual position.

2. Governance Theory analysis

An analysis from the perspective of good governance refers to fundamental principles such as transparency, accountability, effectiveness, inclusivity, and the rule of law. In the context of appointing the Mayor of Batam as the ex-officio Head of the Batam Concession Agency, there is a potential for conflicts of interest that could undermine these principles.

Transparency and accountability are fundamental principles of good governance that emphasize the importance of governing openly and responsibly. The potential for conflicts of interest arising from the merging of these two positions can lead to decision-making processes needing to be more transparent. Personal interests or conflicts within the dual roles can blur the transparency in the decision-making process, which should be subject to oversight and understood by the public.

Furthermore, government effectiveness may also be compromised. Both positions have distinct responsibilities within the government, and if conflicts arise over tasks and responsibilities between them, it can result in imbalances in the execution of programs and policies. Efficiency in decision-making, which should be the aim of merging these positions, can be disrupted when there is competition or conflict between them.

In conclusion, while attempting to improve efficiency and coordination in governance, the dual appointment also carries potential risks to the principles of good governance, especially in terms of transparency, accountability, and effectiveness. An analysis from the perspective
of good governance highlights the importance of considering the impact of conflicts of interest and their effects on these principles in the context of these dual appointments.

3. Regional Autonomy Analysis

Regional autonomy refers to the authority granted to local governments to manage and regulate the interests of their communities. Combining the positions of the Head of the Batam Concession Agency and the Mayor of Batam can potentially disrupt this principle of regional autonomy. For example, if the policies of the Batam Concession Agency conflict with the interests of the people in the city of Batam, it would be challenging for the Mayor, who also holds the position of Head of the Agency, to prioritize which interests are more important. The consolidation of these two positions can also lead to confusion regarding the allocation of resources and budgets and decision-making processes related to both entities. Drawing upon the three theories discussed above, granting the position of Head of the Batam Concession Agency to the Mayor of Batam ex-officio raises several legal and governance issues. This disrupts the fundamental principles of the state's structure, good governance, and regional autonomy. Therefore, there is a need for solutions to address these issues, such as revising regulations or establishing stronger oversight mechanisms to ensure fairness and effectiveness in governance.

V. Conclusion

Based on the discussions related to the issue, the following conclusions can be drawn:

First, Granting the position of Head of the Batam Concession Agency to the Mayor of Batam ex-officio has significant implications for the principle of checks and balances in the governance of Batam. Such a structure can reduce the effectiveness of internal and external oversight, potentially enabling the abuse of power and affecting the integrity of decision-making. Furthermore, consolidating these two roles creates the potential for overlapping authority, confusing, and hindering administrative processes. Moreover, by holding both strategic positions, the risk of conflicts of interest increases, considering that the priorities and responsibilities of the two entities can differ and, in certain situations, may even conflict with each other.

Second, the policy of granting the position of Head of the Batam Concession Agency to the Mayor of Batam ex-officio raises critical questions about its consistency with regional autonomy and decentralization principles, as emphasized in the 1945 Constitution and other laws and regulations. Regional autonomy aims to empower local governments to manage and regulate their community interests without excessive interference from the central government. However, consolidating these two crucial roles in one individual can impact the depth and diversity of perspectives in decision-making and reduce the potential for accountability and transparency. Ultimately, this can hinder the realization of the fundamental principles.

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