

Different from its predecessor, revision of Law No. 32/2004 will be characterized by stronger emphasis on implementing a more effective supervisory role of governors as regional representatives of the central government.

It also means that regional governments, as central government representatives, will not only have more power in its dealing with district heads or city mayors, but they will have the power to withhold Special Allocation of Funds for district or city mayors whom they regard as failing to support national policies at the local level.

Governors will also have the responsibility for managing tasks (authorities) in dealing with natural resources. Forests and deforestation, for example, are currently among the most contested issues between the central government and local government authorities due to the different regulations between the Home Ministry and Forestry Ministry.

However, in the future it is clear. Provincial governments are in charge of issues of forestry, mining and energy, ocean resources, fisheries and plantations. District governments will simply have the benefit of revenue-sharing from those resources, but without the rights to manage them.

Civil servants at the district, municipality and provincial levels have become the target of political intimidation both by incumbents and contenders in every direct local election. Local civil servants will heave a big sigh of relief with the revised management of local government apparatus as drafted in the new revision of Law No. 32/2004.

The obsolete Law No. 43/1999 drafted immediately after the fall of the New Order regime is still legally valid until today. But a draft revision of Law No. 32/2004 on local government will not have that role.

Development of the careers of civil servants at the district and municipality levels, either by promotion or demotion, will be the primarily responsibility of the governor. Promotion and demotion at the provincial level would be the sole responsibility of national government. The secretary position at the provincial, municipality and district levels will not only be the

highest-level career civil servant in their respective region, but they will take over the regional responsibility of guardian of the well-being of civil servants.

The position of the provincial, municipality or district secretary will be occupied by career civil servants.

Having the experience of a career civil servant will help in freeing the secretary's role from the political pressures of regional elites who regard local government bureaucracy as another strategic vehicle to win direct local elections.

Freeing bureaucracy from political intermingling will also help to build more professional and service-oriented agencies that will pave the way for achieving successful implementation of regional autonomy.

However, key success in ensuring professionalism in government bureaucracy, both at the national and regional levels, lies in the harmonization of government laws and regulations.

The current revision of Law No. 32/2004 on local government will have to be harmonized with revision of Law No. 44/1999 on civil servants and the draft of a government bill on direct local elections.

Experiences show that harmonizing substantive issues is not an easy task given the fact that each ministry tends to work on their own with very few attempts to consolidate with others.

Despite attempts at improving coordination between the different levels of government, two primary challenges remain. One is the ill-defined distribution of functions that are supposed to be included in the national constitution or elaborated upon within separate laws.

But drafting new laws concerning distribution of functions among the different levels of government will always be a challenging task often necessary for the President to manage

himself.

Second, the other challenge is whether national ministries will readily agree to hand over many of their current responsibilities to provincial governments without directly engaging with municipalities and districts regarding budget allocation transfers through the governor. This is still a big question mark.

It will be an insurmountable task for the current government of President Susilo Bambang Yudhoyono to streamline the roles and functions of central government ministries. The fact that until now the bulk of the national budget remains in the hands of central government ministries is a reflection of the deep-entrenched interests of national ministries in maintaining their control over the regions.

*Cecep Effendi and Sony Sjahril are respectively deputy team leader and senior adviser of the German International Cooperation on Decentralization as Contribution to Good Governance in the Home Ministry. These are their own personal opinions.*