

Abstract

Good Governance and its the Implementation In Local Government of Bali

This research is aimed at trying to answer three legal issues: firstly, whether the good governance principles ruled in Law Number 28, 1999 implemented in local legislation and regulation in the running of the local government. Secondly, whether the procedures in enforcing the local legislation products has been performed in accordance with the principles of good governance. Thirdly, whether the governmental official behavior principles regarding public services have been applied by governmental official in performing their duties.

The three legal issues are variously approached. From the first issue to the second one categorized as normative research are seen by statute and case approaches. The approach will be carried out in three steps, ie: description, systemization and explanation. The step of description is the step of describing the content of law by using grammatical, authentic and historical interpretation techniques. The second is analyzing the content and the legal norm structure and the relation between the two. The last step is the step of describing the meaning of legal norm which are logically cohesive. The third issue is analyzed by using the empirical legal research using a functional approach. The approach finds out how the behavior of government apparatus is in serving the public. The approach is using document study and interview technique. The result is done by using inductive reasoning.

The result of the study shows that based on the theoretical analysis which analyses good governance in three perspectives: From politics perspective, good governance is a democratic government which has three basis: government, private sector, society and they synergize each other. But in reality, they shows different faces which make the democratic government chaos. This is due to the lack of government roles. Therefore it is necessary to review the concept of good governance. From management perspective good governance is wider than good management. From law perspective (administrative law) good governance is actually a democratic government which is based on supremacy of law.

In the running of the local government it has not been found any regional law product either in the form of legislation or regulation in which is describing directly the principle of state running from the regulation number 28, 1999. This becomes logical consequence of its position as principle not as formulated norm. Therefore there will be no law consequence if the principle is not implemented. There is no fixed normative procedure in the local legislation product concerning the enforcement procedure of local legislation product, so that the implementation of law enforcement depends on the policy of officials who have authority to run the law enforcement. The society thinks that the performance of the government in carrying out public services is good enough. This society perception is in accordance with the fact that there is no public report delivered to National Ombudsman Commission concerning local government it self.

Key Words: good governance, democracy, participation, procedure, local legislation and regulation , law enforcement, official behavior norm, maladministration