



STRENGTHENING RESILIENCE, ENRICHING PARTNERSHIPS

Memperkasa Ketahanan, Memperkaya Perkongsian

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**UNIVERSITI
MALAYA**

THEME ONE: MEDIA DAN BUDAYA (MEDIA AND CULTURE)

Arham Selo, Prof. Madya Dr. Fauziah Ahmad, Dr. Maizatul Haizan Mahbob & Dr. Ali Salman (Universiti Kebangsaan Malaysia, Malaysia) (1)

KHALAYAK DAN MEDIA: PEMBERITAAN KONFLIK ANTARA INDONESIA DAN MALAYSIA (*MEDIA AND AUDIENCE: NEWS ON CONFLICTS BETWEEN MALAYSIA AND INDONESIA*)

Nur Shafiza Binti Che Ismail, Dr Adzrool Idzwan Bin Haji Ismail, Sabki Bin Mohd Noh (Universiti Teknologi MARA (UiTM), Malaysia) (9)

MEDIA SENI SEBAGAI KAEDAH PENGAJARAN DALAM PENDIDIKAN SEKOLAH RENDAH – KAJIAN KES KEPADA SUKU KAUM ORANG ASLI CHE WONG, KUALA GANDAH, PAHANG, MALAYSIA (*MEDIA ART AS A METHOD IN PRESCHOOL EDUCATION - CASE STUDY ON CHE WONG TRIBE KUALA GANDAH, PAHANG, MALAYSIA*)

Dra. Noviatry (Andalas University, Indonesia) (15)

ABREVIASI YANG DIGUNAKAN DALAM SURAT KABAR “PADANG EKSPRES” (*ABBREVIATION USED IN “PADANG EXPRESS” NEWSPAPER*)

Inda Maryani, (FKIP Universitas Sriwijaya) (39)

USE OF MEDIA USED BEVERAGE PLASTIC PACKAGING TO INCREASE (*INTERESTS AND LEARNING ACHIEVEMENT IN ENGLISH SPEAKING CLASS IX STUDENTS OF SMP NEGERI 2 SEKAYU*)

Noorhazalen Saad, Prof Madya Dr. Hamed Mohd Adnan, Maszuraini Miswan (Universiti Malaya, Malaysia) (46)

PERKEMBANGAN KARTUNIS WANITA DI MALAYSIA (*THE DEVELOPMENT OF WOMEN CARTOONISTS IN MALAYSIA*)

Profesor Isnawijayani Amin Sarwoko (Sumatra’s Baturaja University, Indonesia) (53)

INTERNET SEBAGAI MEDIA BARU YANG MENGHASILKAN BUDAYA POSITIF DAN NEGATIF (*Kajian Mahasiswa di Fakultas Ilmu Sosial dan Ilmu Politik Universitas Baturaja Sumatera Selatan Indonesia*) (*INTERNET AS A NEW MEDIA WHICH PRODUCE POSITIVE AND NEGATIVE CULTURE (Studies in Social Science and Politic Science Faculty Students, Baturaja University, South Sumatra Indonesia)*)

Dr. Junaidi (Universitas Lancang Kuning, Indonesia) (59)

PEMBINGKAIAN PEMBERITAAN KABUT ASAP PADA MEDIA ONLINE TERPILIH DI INDONESIA, MALAYSIA DAN SINGAPURA (*FRAMING COVERAGE OF HAZE NEWS ON SELECTED ONLINE MEDIA IN INDONESIA, MALAYSIA AND SINGAPORE*)

NorhudaSalleh (Universiti Malaysia Sabah, Malaysia) (68)

TEPAK SIRIH: TINJAUAN AWAL WARISAN BUDAYA MALAYSIA – INDONESIA (*BETEL BOX: AN OVERVIEW OF THE MALAYSIAN – INDONESIA CULTURAL HERITAGE*)

Dr. Yuliawan Kasmahidayat (Universitas Pendidikan Indonesia, Indonesia) (79)

PEWARISAN TARI MELINTING SEBAGAI PERWUJUDAN INTEGRASI MASYARAKAT DESA WANA KECAMATAN MELINTING LAMPUNG TIMUR (*THE INHERITANCE OF MELINTING (ROLLING) DANCE IN THE WANA COMMUNITY OF MELINTING SUB-DISTRICT IN THE PROVINCE OF EAST LAMPUNG*)

Syafrida Hafni Sahir (KOPERTIS, SUMUT dan NAD, Indonesia) (85)

PERILAKU KONSUMEN, BUDAYA DAN PERGESERAN KELAS DALAM MASYARAKAT (*CONSUMER BEHAVIOUR, CULTURE AND SHIFTING SOCIAL CLASS IN SOCIETIES*)

Prof Dr. Oktavianus (Universitas Andalas, Indonesia) (94)

KEBUDAYAAN MINANGKABAU DALAM PERIBAHASA MINANGKABAU (*MINANGKABAU CULTURE IN MINANGKABAU PROVERBS*)

Prof. Dr. Herwandi (Universitas Andalas, Indonesia) (102)

YANG BARU DAN YANG INKAR: POLA HIAS MINANGKABAU YANG LARI DARI FILOSOFI ADAT (*THE NEW AND THE RELUCTANT: MINANGKABAU ADORNMENT PATTERNS ESCAPING FROM ADAT PHYLOSOPHY*)

THEME TWO: EKONOMI DAN PEMBANGUNAN (ECONOMICS AND DEVELOPMENT)

Farida Nurul Rahmawati, Nikmah Suryandari, Netty Dyah Kurniasari (Universitas Trunojoyo Madura, Indonesia) (116)

PEMBERDAYAAN KOMUNITAS PEREMPUAN DI MADURA (DESAIN KOMUNIKASI KESEHATAN SEBAGAI UPAYA MENEKAN TINGGINYA MALNUTRITION DI MADURA) (*EMPOWERING WOMAN COMMUNITY (DESIGN OF HEALTH COMMUNICATION TO DECREASE THE HIGH RATE OF MALNUTRITION IN MADURA)*)

Dr. Bintoro Wardiyanto (Airlangga University, Indonesia) (122)

INSTITUTIONAL STRENGTHENING OF THE HEALTH CENTER IN ORDER TO INCREASING SERVICE FOR THE POOR IN EAST JAVA

Hastuti (State University of Yogyakarta, Indonesia) (130)

IMPROVING FOOD SECURITY POST-MERAPI ERUPTION 2010: STUDIES IN THE SLOPES OF MERAPI KARANGKENDAL PERMANENT RESIDENCE, UMBULHARDJO, CANGKRINGAN, SLEMAN, YOGYAKARTA SPECIAL REGION

Ria Arifianti (Universitas Padjadjaran, Indonesia) (137)

PROMOSI PENJUALAN PADA HYPERMARKET KOTA BANDUNG INDONESIA (*SALES PROMOTION IN HYPERMARKET, BANDUNG INDONESIA*)

Amrullah Maraining, Emilia R & Ramli Dollah (Universiti Malaysia Sabah, Malaysia) (151)

SEKTOR 'RASMI' DAN 'TIDAK RASMI' DALAM EKONOMI PERBATASAN: PULAU SEBATIK SEBAGAI PUSAT 'TRANSIT' DAN DILEMA NEGARA (*'FORMAL' AND 'INFORMAL' SECTORS IN BORDER ECONOMIC ACTIVITY: SEBATIK ISLAND AS A TRANSIT POINT FOR INDONESIA-MALAYSIA AND NATIONAL DILEMMA*)

Siswantari, M.Hum (Universitas Indonesia, Indonesia) (169)

PERKEMBANGAN KOTA KEBAYORAN BARU SEBAGAI KAWASAN PEMUKIMAN, 1950-2000 (*THE DEVELOPMENT OF CITY KEBAYORAN BARU AS REGION SETTLEMENTS, 1950-2000*)

Dr. Ervayenri (Universitas Lancang Kuning, Indonesia) (178)

PRODUKTIVITAS KEBUN KELAPA SAWIT RAKYAT DI PROVINSI RIAU (*PRODUCTIVITY OF SMALL OIL PALM PLANTATION IN RIAU PROVINCE*)

Dr. Sri Endah Nurhidayati (Airlangga University, Indonesia) (187)

THE FACTORS THAT AFFECT THE IMPLEMENTATION OF COMMUNITY-BASED AGRITOURISM IN BATU TOWN, EAST JAVA, INDONESIA

Imas Emalia (Islamic State University Syarif Hidayatullah, Indonesia) (195)

MOHAMMAD NATSIR AND PEOPLE'S ECONOMY IN 1950-1960

Prof. Isbandi Rukminto Adi, Ph.D (Universitas Indonesia, Indonesia) (208)

MEMBUMIKAN ILMU KESEJAHTERAAN SOSIAL DALAM PROSES PEMBANGUNAN DI JAKARTA

THEME THREE: ISU-ISU SOSIAL DAN KOMUNITI (SOCIAL AND COMMUNITY ISSUES)

Dra. Ety Rahayu, Msi (Universitas Indonesia, Indonesia) (222)

PEMBERDAYAAN KELUARGA DAN MASYARAKAT MELALUI PELATIHAN KOMUNIKASI DALAM KELUARGA YANG MENGEDEPANKAN KEPENTINGAN ANAK: STUDI KASUS DI KELURAHAN JATINEGARA, JAKARTA, INDONESIA (*FAMILY AND COMMUNITY EMPOWERMENT THROUGH TRAINING OF THE COMMUNICATION IN FAMILY EMPHASIZING ON CHILD'S BEST INTEREST: CASE STUDY IN KELURAHAN JATINEGARA, JAKARTA, INDONESIA*)

Mohammad Faizal Rashid & Ramli Dollah (Universiti Malaysia Sabah, Malaysia) (235)

MEMAKNAI KESEJAHTERAAN PEMBANGUNAN MASYARAKAT PULAU SEBATIK DARI SUDUT PANDANG *EVERY DAY DEFINED* (*UNDERSTANDING PULAU SEBATIK BORDER COMMUNITY THROUGH 'EVERYDAY DEFINED' PERSPECTIVE*)

M. Rezaul Islam (University of Malaya, Malaysia) (252)

RESEARCH PARTNERSHIP BETWEEN MALAYSIA AND INDONESIA: A CASE OF LABOUR WELFARE

Muhamad Fadhil Nurdin, Ali Maksum, Mohd Haizzan bin Yahaya (Universiti Sains Malaysia, Malaysia) (262)

WHY ILLEGAL MIGRANT WORKERS IN JAIL? AN INTERNATIONAL SOCIAL WORK PERSPECTIVE

Erna Setijaningrum (Airlangga University, Indonesia) (272)

THE DEVELOPMENT MODEL OF PUBLIC SERVICES FOR THE POOR IN URBAN AREA OF INDONESIA

Bintarsih Sekarningrum (Universitas Padjadjaran, Indonesia) (279)

HEALTHY BEHAVIOR: THE CASE STUDY OF CIKAPUNDUNG RIVERBANK, BANDUNG, INDONESIA

Siti Hajar Abu Bakar Ah, Noralina Omar, Siti Balqis Mohd Azam (Universiti Malaya) (287)

EKOLOGI KELUARGA DAN KEHAMILAN LUAR NIKAH DALAM KALANGAN REMAJA MELAYU: KAJIAN KES DALAM KALANGAN PELATIH DI TAMAN SERI PUTERI, JABATAN KEBAJIKAN MASYARAKAT DAN SEKOLAH HENRY GURNEY, JABATAN PENJARA MALAYSIA (*FAMILY ECOLOGY AND UNWED PREGNANCY AMONG MALAY TEENAGERS: CASE STUDY IN TAMAN SERI PUTERI AND SEKOLAH HENRY GURNEY*)

Eko Prayitno Joko & Ramli Dollah (Universiti Malaysia Sabah, Malaysia) (308)

SUMBER LISAN DALAM PENGAJIAN MASYARAKAT SEBATIK: RUANG DAN PELUANG (*ORAL TRADITIONS IN THE STUDY OF SEBATIK SOCIETY: SPACE AND OPPORTUNITIES*)

Siti Balqis Binti Mohd Azam, Haris Abd. Wahab & Siti Hajar Abu Bakar Ah (Universiti Malaya, Malaysia) (328)

CIRI PENGADILAN RESTORATIF DALAM PROGRAM PEMULIHAN SOSIAL INSTITUSI: KAJIAN KES DI TAMAN SERI PUTERI, MALAYSIA (*CHARACTERISTICS OF RESTORATIVE JUSTICE FOR JUVENILE OFFENDERS: A CASE STUDY OF AN INSTITUTION BASED REHABILITATION PROGRAMME IN KUALA LUMPUR*)

Nur Khairul Nisha Roslan & Haris Abdul Wahab (Universiti Malaya, Malaysia) (338)

PERSEKITARAN PEMBELAJARAN DAN PENCAPAIAN AKADEMIK PELAJAR KURANG UPAYA PENGLIHATAN YANG MENGIKUTI PROGRAM PENDIDIKAN KHAS: KAJIAN DI KUALA LUMPUR (*THE LEARNING ENVIRONMENT AND ACADEMIC ACHIEVEMENT OF STUDENTS WITH VISUAL DISABILITIES SPECIAL EDUCATION PROGRAM: CASE STUDY IN KUALA LUMPUR*)

Wan Suzita Wan Ibrahim, Siti Nor Awang, En. Kamal Solhaimi Fadzil, Juli Edo & Rosilawati Zainol (University of Malaya, Malaysia) (349)

ANALISIS SURVEI: PRASARANA DAN PERKHIDMATAN ASAS MASYARAKAT PRIBUMI DI RPS AIR BANUN (*SURVEY ANALYSIS: BASIC INFRASTRUCTURE AND SERVICES TO THE PEOPLE IN RPS AIR BANUN*)

Tini Ismiyani, M.Hum (Universitas Indonesia, Indonesia) (371)

ANALISIS PERSEPSI MASYARAKAT INDONESIA TERHADAP PRO DAN KONTRA PEMBERIAN VAKSINASI KEPADA BAYI: STUDI KASUS MASYARAKAT DI DKI JAKARTA SEBAGAI MASYARAKAT URBAN (*ANALYSIS OF INDONESIAN PUBLIC PERCEPTIONS TOWARD THE PRO AND CONTRA OF GIVING VACCINATIONS TO INFANTS: COMMUNITY CASE STUDIES IN JAKARTA*)

Siti Khadijah Taharah Syed Idris (pembentang), Rosila Bee Mohd Hussain (Universiti Malaya, Malaysia) (383)

GANGGUAN SEKSUAL: PENILAIAN ISU DALAM LAPANGAN AKADEMIK (*SEXUAL HARASSMENT: ADDRESSING THE ISSUES IN THE ACADEMIC FIELD*)

Subandri & Handaka Tatag (Universitas Trunojoyo Madura, Indonesia) (392)

COMMUNITY EMPOWERMENT BERBASIS CBO (COMMUNITY BASED ORGANIZATION) DALAM UPAYA MENEKAN PENYEBARAN HIV/AIDS DI USIA PRODUKTIF (*COMMUNITY EMPOWERMENT ON COMMUNITY BASED ORGANIZATION TO DECREASE THE SPREAD OF HIV/AIDS FOR PRODUCTIVE AGE*)

Sabri Bin Sulaiman & Siti Hajar Abu Bakar Ah (University of Malaya, Malaysia) (399)

SOCIAL DEPRIVATION INDICATOR: MEASURING CHILD PERCEPTIONS AND EXPERIENCES OF DEPRIVATION IN MALAYSIA

Bambang Syaeful Hadi (Universitas Negeri Yogyakarta, Indonesia) (409)

A COMPARATIVE STUDY ON THE BEHAVIOR OF ENVIRONMENTAL CARE AMONG THE GROUPS OF STUDENTS WHO ATTENDED DIFFERENT ENVIRONMENTAL EDUCATION IN THE FACULTY OF SOCIAL SCIENCES, YOGYAKARTA STATE UNIVERSITY

Rose Fazilah BT Ismail & Haris Bin Abd. Wahab (Universiti Malaya, Malaysia) (419)

STIGMA MASYARAKAT TERHADAP INDIVIDU YANG MENGALAMI MASALAH GANGGUAN MENTAL (*SOCIAL STIGMA TOWARD PEOPLE WHO ARE DEALING WITH MENTAL DISORDER*)

Haryana Rozana Binti Abdul Rahim (Universiti Malaya, Malaysia) (428)

DILEMA WANITA BERPENDIDIKAN TINGGI: FAKTOR-FAKTOR WANITA BERHENTI BEKERJA DAN TIDAK BEKERJA (*HIGHLY EDUCATED WOMEN DILEMMA: WHY WOMEN QUIT?*)

Nurzaimah Asalal, Haris Abd Wahab (Universiti Malaya, Malaysia) (437)

KEBOLEHLAKSANAAN INTERVENSI KERJA SOSIAL SEKOLAH DALAM MENANGANI MASALAH SOSIAL PELAJAR DI MALAYSIA (FEASIBILITY OF SCHOOL SOCIAL WORK INTERVENTION IN ADDRESSING SOCIAL PROBLEMS STUDENTS IN MALAYSIA)

THEME FOUR: SEJARAH, POLITIK DAN GOVERNAN ((HISTORY, POLITICS AND GOVERNANCE)

Abu Hanifah Haris & Mohammad Redzuan Othman (Universiti Malaya, Malaysia) (449)

PERANAN MASYUMI DARI INDONESIA DALAM PENUBUHAN HIZBUL MUSLIMIN DI TANAH MELAYU, 1947-1948 (*THE ROLE OF MASYUMI FROM INDONESIA ON THE ESTABLISHMENT OF HIZBUL MUSLIMIN IN MALAYA, 1947-1948*)

Rozaini Ahmad & Suffian Mansor (Universiti Malaya, Malaysia) (458)

PENGLIBATAN ORANG CINA DALAM PEMBANGUNAN KEDAH SELEPAS CAMPUR TANGAN BRITISH (*CHINESE INVOLVEMENT IN THE DEVELOPMENT OF KEDAH AFTER THE INTERVENTION OF BRITISH*)

Iqbal M.Mujtahid, S.IP, M.Si & Anita Marianata, S.I.A (Universitas Terbuka Indonesia) (468)

PERJANJIAN-PERJANJIAN PEKERJAAN DUA NEGARA (INDONESIA-MALAYSIA) DILIHAT DARI SEJARAH, POLITIK DAN PEMERINTAHAN (*EMPLOYMENT AGREEMENTS TWO COUNTRIES (INDONESIA-MALAYSIA) SEEN FROM HISTORY, POLITICS AND GOVERNMENT*)

Adiasri Putri Purbantina, S.IP, M.Si (Universitas Pembangunan Nasional "Veteran" Jawa Timur, Indonesia) (477)

REPRESENTASI WANITA DALAM POLITIK: DILEMA PENERAPAN KUOTA 30% KANDIDAT WANITA DI INDONESIA (*WOMEN'S POLITICAL REPRESENTATION: THE DILEMMA OF THIRTY PERCENT QUOTA FOR WOMEN CANDIDATES IN INDONESIA*)

Baiq L.S.W.Wardhani (Universitas Airlangga, Indonesia) (487)

MUSLIM NUU WAAR: (UN) COMMON IDENTITY RECONSTRUCTION IN PAPUA, INDONESIA

Syafrizal, Drs., M.Hum (Universitas Andalas, Indonesia) (495)

KEMUNDURAN POLITIK ALIRAN DI SUMATERA BARAT PADA AWAL ORDE BARU: PARTAI PERTI SEBAGAI PERBANDINGAN (*THE DEGRADATION OF "POLITIK" IN WEST SUMATRA AT THE BEGINNING OF ORDE BARU: THE PERTI PARTY AS A COMPARISON*)

Nabila binti Sheikh Jaffar & Yanin Wongmai (University of Malaya, Malaysia) (502)

SINGORA: IT'S COMMERCIAL AND POLITICAL ROLE ON THE NORTHERN MALAY PENINSULA FROM THE 17TH TO 19TH CENTURIES

Md Rozimi Mohd Nasir (Universiti Malaya, Malaysia) (508)

PERISYTIHARAN DARURAT DI MALAYSIA, KESAN KEPADA KESELAMATAN NEGARA (*DECLARATION OF EMERGENCY IN MALAYSIA, EFFECT TO NATIONAL SECURITY*)

Nik Afifah bt Nik Mustafa & Ahmad Kamal Ariffin Mohd Rus (Universiti Malaya, Malaysia) (519)

KESEDARAN MASYARAKAT MELAYU KELANTAN TERHADAP ASPEK KESIHATAN SEBELUM KEDATANGAN BARAT (THE HEALTH AWARENESS AMONG THE KELANTAN MALAYS BEFORE THE COMING OF THE WESTERNERS)

Sitti Asmah Ammituh, Suffian Mansor & Ho Hui Ling (Universiti Malaya, Malaysia) (533)

PENGANGKUTAN DI SABAH DI BAWAH PENTADBIRAN KOLONIAL BRITISH 1946–1963: SATU KAJIAN AWAL (*TRANSPORT IN SABAH UNDER BRITISH COLONY ADMINISTRATION, 1946 – 1963: A PRE-LIMINARY STUDY*)

Wan Mohd Rahimi Bin Rahim, Dr Ahmad Kamal Ariffin Mohd Rus (Universiti Malaya, Malaysia) (542)

KAWALAN JANGKITAN CACING DI PERSEKUTUAN TANAH MELAYU, 1948-1976 (*WORM INFECTION CONTROL IN MALAYA, 1948-1976*)

L.R.Retno Susanti (Universitas Sriwijaya, Indonesia) (551)

PENINGGALAN MEGALITIK DI PASEMAH SEBAGAI MEDIA PEMBELAJARAN SEJARAH (*MEGALITHIC REMAINS IN PASEMAH: MEDIA AS A LEARNING HISTORY*)

Noor Ain bt Mat Noor & Dr. Ahmad Kamal Ariffin Mohd Rus (Universiti Malaya, Malaysia) (559)

KEDUDUKAN DAN PENGARUH ORANG MELAYU DALAM PENTADBIRAN DAERAH DI KEDAH, 1923-1941 (*MALAYS RANK AND INFLUENCE IN KEDAH DISTRICT ADMINISTRATION, 1923-1941*)

Dr. Ho Hui Ling (Universiti Malaya, Malaysia) (567)

KEBANGKITAN SEMULA ANCAMAN KOMUNIS BERSENJATA DI SEMENANJUNG MALAYSIA, 1968-1989 (*THE RESURGENCE OF ARMED COMMUNISM IN PENINSULAR MALAYSIA, 1968-1989*)

Dr. Mhd. Nur, M.S. (Universitas Andalas, Indonesia) (578)

SEJARAH KUNO MINANGKABAU DI SUMATRA (*ANCIENT HISTORY OF MINANGKABAU IN SUMATRA*)

Mohamad Badrul Adzham Bin Baharudin, Dr. Ahmad Kamal Ariffin Mohd Rus (Universiti Malaya, Malaysia) (588)

PENGURUSAN AIR DI SELANGOR, 1874-1941: ORGANISASI DAN DASAR (*WATER MANAGEMENT IN SELANGOR, 1874-1941: ORGANIZATION AND POLICY*)

Junaidi Awang Besar (pembentang), Rosmadi Fauzi & Amer Saifude Ghazali (Universiti Malaya, Malaysia) (596)

PERUMAHAN DAN IMPAK GEOPOLITIK DALAM PRU 1995 HINGGA PRU 2013: KAJIAN KES DI KAWASAN PARLIMEN BANDAR TUN RAZAK, KUALA LUMPUR (*IMPACT OF GEOPOLITICS (HOUSING) IN THE GENERAL ELECTIONS OF 1995 TO 2013: A CASE STUDY IN THE PARLIAMENTARY CONSTITUENCY OF BANDAR TUN RAZAK, KUALA LUMPUR*)

Eddy Asnawi (Universitas Lancang Kuning, Indonesia) (625)

THE POSITION OF ISLAM: COMPARATIVE STUDY ON THE CONSTITUTION OF MALAYSIA, BRUNEI DARUSSALAM AND INDONESIA

Taat Wulandari (Universitas Negeri Yogyakarta, Indonesia) (635)

PEMAHAMAN KULTURAL DAN PENCIPTAAN MASYARAKAT HARMONIS ANTAR NEGARA (PERAN PEMBELAJARAN ILMU PENGETAHUAN SOSIAL) (*CULTURAL UNDERSTANDING AND CREATION OF HARMONY BETWEEN THE STATES (THE ROLE OF LEARNING SOCIAL STUDIES)*)

Rionaldi & Ho Hui Ling (Universiti Malaya, Malaysia) (639)

GOLKAR DAN PEMERINTAHAN ORDE BARU DI INDONESIA (*GOLKAR AND NEW ORDER RULE IN INDONESIA*)

Dr. Dwi Budi Windyastuti Hendrarti (Universita Airlangga, Indonesia) (648)

KONFLIK DALAM PEMILUKADA DI INDONESIA: STUDI PEMETAAN DAN RESOLUSI KONFLIK (*ELECTION CONFLICT IN INDONESIA: STUDY OF MAPPING AND CONFLICT RESOLUTION*)

Prof. Madya Dr. Sivachandralingam Sundara Raja & Pushpavalli A.Rengasamey (Universiti Malaya, Malaysia) (657)

PENGAMBILAN BURUH JAWA DI BAWAH *SOUTH INDIAN LABOUR FUND*: KONFLIK ANTARA HAK PERUNDANGAN PEKERJA DAN KEPENTINGAN EKONOMI BRITISH (*THE RECRUITMENT OF JAVANESE LABORERS UNDER THE SOUTH INDIAN LABOUR FUND: LABORERS LEGAL RIGHTS VERSUS BRITISH ECONOMIC INTEREST*)

Dr. Linda Sunarti (Universitas Indonesia, Indonesia) (662)

PENYELESAIAN DAMAI KONFRONTASI INDONESIA-MALAYSIA, 1964-1966 (*PEACE SETTLEMENT OF THE INDONESIA-MALAYSIA CONFRONTATION, 1964-1966*)

Rohani Hj. Ab Ghani (Universiti Utara Malaysia, Malaysia) (682)

MALAYSIA-INDONESIA NEGARA BERTETANGGA YANG DITAKDIRKAN (MALAYSIA-INDONESIA: DESTINED NEIGHBORING COUNTRIES)

Abdurakhman (Universitas Indonesia, Indonesia) (691)

DINAMIKA GERAKAN TARBİYAH 1980-2010: RESPON ORMAS ISLAM TERHADAP GERAKAN ISLAM *TRANSNASIONAL* TARBİYAH MOVEMENT 1980-2010: RESPONSES OF ISLAMIC ORGANIZATIONS AGAINST ISLAMIC TRANSNATIONAL MOVEMENT

Hisyam Mohd Hashim & Ahmad Kamal Ariffin Mohd Rus (Universiti Malaya, Malaysia) (702)

PERKEMBANGAN PENTADBIRAN JABATAN PENJARA MALAYSIA, 1957 – 2007 (*THE DEVELOPMENT OF PRISON DEPARTMENT ADMINISTRATION OF MALAYSIA, 1957 – 2007*)

I Gede Wahyu Wicaksana (Airlangga University Surabaya, Indonesia) (712)

THE POLITICS OF HUMAN PROTECTION IN ASEAN RESPONSE, CONSTRAINT AND PROSPECT

Muhammad Ichsan Kabullah (Radboud University, Netherlands) (727)

AN INTRODUCTION FOR IDENTIFYING A GAP OF ACCOUNTABILITY CONCEPT INTO PRATICE AT INDONESIA LOCAL GOVERNMENT LEVEL

THEME FIVE: HUBUNGAN ANTARABANGSA (INTERNATIONAL RELATIONS)

Praja Firdaus Nuryananda, Resa Rasyidah & Rizal Baktiar (Universitas Pembangunan Nasional “Veteran” Jawa Timur & Universitas Airlangga, Indonesia) (735)

INDONESIA-MALAYSIA: MEMBANGUN KOMUNIKASI LINTAS NEGARA, MEMATANGKAN PERSIAPAN WILAYAH ASIA TENGGARA (*INDONESIA-MALAYSIA: SUPPORTING INTERNATIONAL COMMUNICATION, MAKING BETTER PREPARATION FOR SOUTH-EAST ASIA REGION*)

Didik Pradjoko (Universitas Indonesia, Indonesia) (851)

DARI “PERAHU TERDAMPAR” HINGGA “MANUSIA TERSERET ARUS”: KAJIAN TENTANG TRADISI LISAN MARITIM SEBAGAI SUMBER PENULISAN SEJARAH MIGRASI DI KAWASAN LAUT SAWU NUSA TENGGARA TIMUR (*FROM ‘STRANDED PRAOS’ UP TO ‘PEOPLE TRAILED BY THE SEA STREAM’: A STUDY ABOUT THE MARITIME ORAL TRADITION AS A SOURCE IN THE WRITE ABOUT THE MIGRATION HISTORY IN THE REGION OF THE SAVU SEA IN THE LESSER SUNDA ISLANDS*)

Desfina (Universitas Pendidikan Indonesia, Indonesia) (868)

PEMBELAJARAN KONSTRUKTIVIS MEMENINGKATKAN INTERAKSI PELAJAR DI DALAM PENGAJARAN TARIAN KREATIF DI SEKOLAH MENENGAH PERTAMA NEGERI (SMPN) JAWA BARAT INDONESIA (*LEARNING CONSTRUCTIVM IMPROVE INTERACTION OF STUDENTS IN TEACHING CREATIVE DANCE IN SELECTED SECONDARY SCHOOLS, WEST JAVA, INDONESIA*)

Hasriati (SMP N 2 Sigli (Secondary School-Indonesia) (878)

TEHNIK MEMBANGUN CONFIDENCE SPEAKING PADA PEMBELAJARAN BAHASA INGGERIS DI SEKOLH MENENGAH PERTAMA NEGERI (SMPN) SIGLI ACEH (‘TNO’ TEHNIK MEMBANGUN ‘CONFIDENCE SPEAKING’)

Muhammad Nursa’ban, Mukminan & Suparmini, (Yogyakarta State University, Indonesia) (888)

THE READINESS OF GEOGRAPHY EDUCATION DEPARTMENT STUDENTS TO BECOME TEACHERS OF SENIOR HIGH SCHOOL

Afriadi Bin Sanusi (Universiti Malaya, Malaysia) (896)

APLIKASI PEMBERANTASAN KORUPSI MENURUT ISLAM DAN PERIBAHASA MELAYU (APPLYING ISLAM AND MALAY PROVERBS ON CORRUPTION ERADICATION)

THEME SEVEN: ALAM SEKITAR (ENVIRONMENT)

Helena Muhamad Varkkey & Euston Quah (University of Malaya & Nanyang Technological University, Singapore) (913)

THE STAKEHOLDERS’ RESPONSIBILITY APPROACH IN MITIGATING FOREST FIRES AND TRANSBOUNDARY HAZE IN SOUTHEAST ASIA

Falih Suaedi (Universitas Airlangga, Indonesia) (922)

PENGEMBANGAN MODEL *INTERGOVERNMENTAL NETWORK* DALAM MANAJEMEN PENANGANAN BENCANA BANJIR KABUPATEN BOJONEGORO, TUBAN DAN LAMONGAN

AN INTRODUCTION FOR IDENTIFYING A GAP OF ACCOUNTABILITY CONCEPT INTO PRACTICE AT INDONESIA LOCAL GOVERNMENT LEVEL

By Muhammad Ichsan Kabullah (Radboud University & Andalas University)

Abstract:

The theoretical analysis about development of accountability conception in public administration has increased significantly in the last five years. On the one hand, this can assume that accountability conception invite scholars' attention to look at accountability from a wider perspective to discover different result. On the other hand, it remains to be seen that accountability conception is difficult to bring into praxis because of poorly understood and bias concept. Based on extensive literature review, the major weaknesses of this problem is because discussion of accountability too often focuses on the characteristics of formal mechanism in general rather than informal in particular case. The consequence has brought about a gap between concept and practice.

Same problem was seen in Indonesia. In Indonesia public administration view, a lack of accountability concept into practice is still one of serious debate. It is real problem because developed of accountability as a complex and heterogeneous concept has not following accountable government result. This is indicated by evidence of corruption at most of Indonesia local government. Therefore, this paper attempts to analyze a gap between concept and practice by identifying mechanism of accountability in Indonesia's local government and the attempts local government to fix that gap in practice.

The paper is an introduction of early exploration of the literature on accountability theory within my PhD research project about Accountability in Indonesia local government. The paper concludes that some local governments have been doing well on developing accountability mechanism based on heritage aspects. Unlike most of provinces which implemented accountability mechanism only on formal way, Yogyakarta Province adopted local heritage to encourage accountability mechanism.

Key Words: *accountability, local government, corruption*

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1. Introduction

In public administration we have seen a sharp increase in attention for the academic experiment about accountability conception in government particular. Such research ranges from accountability practice at some countries (de Vries, 2007; Dunn & Legge, 2001); decentralized model (Henberger, 2008); horizontal accountability (O'Donnell, 1998; Schielman, 2008); democratization effort to accountability (Behn, 2001; Godin, 2003) and public accountability (de Vries & Sobis, 2012; Cammeron, 2004). Furthermore, most of academic institution of thought in public administration are arguably about accountability and all major debates about government reforms are related to accountability (Yang, 2011). This made a strong reason study in accountability area is urgent to learning. As a consequence, scholar should be aware to follow developed accountability conception.

I argued research about the accountability is a well investigated topic. At least on last five years the publication on accountability concept has increase significantly. It means scholars have big expectation to explore accountability in various perspectives. Regardless of increased publication of accountability, scholars also faced difficulties to interpreting accountability term thus potentially impeding a develop accountability concept. It will made negative consequences because accountability will be wide concept with bias and ambiguity characteristics. For example, in accountability conception for public, at least five negative side effects indicate a missing accountability concept are respectively; improve in administrative costs, a less information in accountability processes, the potential bias in the accounts, the impossibility to sanction the responsible actors and not accommodate value and norms as accountability motive. (de Vries, 2013).

In Indonesia case, one of negative consequences has been shown by failure of accountability concept to create acceptable mechanism for prevent corruption action at local government level. It seems that the failure came from abuse of power which mean accountability are faced exigency to corruption phenomenon (Ackerman, 1999; Behn, 2001). Hence, a failure of accountability is important issue at most of Indonesia local government indicate corrupt. I believe it is serious issue because accountability as a response to the corruption practice could be an unessential concept on practice. A phenomenon like that bring a question to us "Can an accountability concept be define on practice at Indonesia local government?" The first question relates to an how local government attempts to define and interpret various typologies about accountability concept into mechanism. I also conducted an extensive research search of the scholarly literature about accountability theoretical perspective and accountability implementation by local government.

The second question is "How Indonesia's local government have been developed accountability mechanism?" The second question relates government attempts to prevent a weaknesses of accountability implementation at Indonesia local government. This also discuss experience some local government to fill a lack accountability concept into practice. In this case I choose Yogyakarta Province because indicated a good rank on corruption perception index on three times surveys by Transparency International Indonesia.

What is useful for this paper is future research should take different position to analyzing accountability in particular case rather than focus on general phenomenon. This paper can also be of great value to society. Through this research we can determine if there are any barriers in accountability innovation by local government and how to manage accountability to create more efficient and effective. We begin by reviewing the accountability term in Public Administration literature.

2. Accountability in a Brief

Since accountability concept has become increasingly complex issue in public administration, the developing of conception following with a high number of publication. As evidence, I used a key word "accountability" in every article title at prestigious academic journal in public administration. A little survey has compare at least fourth journals. That journal is International Review of Administration Sciences (IRAS), Public Administration Review (PAR), Public Administration (PA) and Public

Management Review (PMR). All of journal is leading journal so it is good as reference to see developing accountability concept in publication during 2007 until the middle of 2013.

Table 1
Number of Publication by IRAS, PAR, PA and PMR, 2007-June 2013

	2007	2008	2009	2010	2011	2012	2013
IRAS	1 / 47	0 / 45	0 / 44	1 / 50	2 / 38	0 / 44	7 / 23 (June)
PAR	1 / 152	2 / 168	1 / 174	1 / 193	3 / 176	3 / 182	1 / 113 (July)
PA	2 / 96	1 / 111	3 / 94	0 / 98	1 / 121	1 / 94	1 / 46 (June)
PMR	0 / 38	3 / 56	0 / 55	1 / 57	3 / 68	3 / 66	0 / 25 (March)
Total	4	6	4	3	9	7	9
Total of Article	333	380	367	398	403	386	207

Table 1 demonstrates clearly the total number of publication since 2007 until July 2013 is 2,474 titles. In general, the number of publication about accountability has increased gradually in all of journals sample. On 2007, only 1.2% accountability theme has published in journals. Moreover on 2013 (July), the percentage was increase until 3.97% with the high number has publishing in International Review of Administration Sciences (IRAS). This number probably will high if we searching other concept related with accountability such as responsibility and transparency. The table clearly show that a concern of scholar in accountability concept more higher than previous time.

There are several reasons why accountability conception so urgent and invite many scholars attention. First, accountability is basic concept to control for the abuse of power especially corruption (Behn, 2001). This argument is relevant because corruption is one of challenges for government especially in developing country at this time (de Vries, 2013). Second, although accountability have a possibility to present on different relations because the conditions for accountability very different on each case, accountability is democracy pillar between public and government on every case (Hanberger, 2008). Two of major purposes are commonly understood as a instrument if the accountability concept was clear in operational stage. Nevertheless, the concept of accountability faced seriously challenged to define by scholars.

In short, the explanation of accountability term should be set from history and literally discourse. On historically view, the concept of accountability has closely related to common practice at religion. Since ancient time, several religions manuscript such as ten commandments in Christian, the Shari'a in Islam and Golden rules in Buddhism containing accountability concept was interpreted by transcendental approach who all person must accountable and have sanction as punishment (de Vries, 2007). However, at that time a concept only described implicitly. Since 17 BC, the first explicit accountability concept was released on Hammurabi Code. That code was used in Sumerian at 17 BC. This is a prototype for accountability in modern era because Hammurabi code is guidance for Babylonia people at that time.

On the literally view, accountability was apparently used with the meaning to account. This definition was influence based on most accountability activity has focus to financial accounting activity by government especially since 15 century. At that time United Kingdom have effort to calculated people income with purpose collection of tax (Sharma and Sadana 2000; Bovens, 2010). In the traditional dictionary, regards accountability as quality or state of being accountable, liable, or responsible (Behn,

2001). In reality, the focus of accountability holder is government because accountability is often used as one of criteria for good governance. The impact is accountability definition has tend to formal measurement by government with characteristic contract relationships, specific contract, performance measures, reporting relationships and stipulated consequences. This characteristics represent classic accountability boundary which emphasizing formal mechanism.

Yet, the accountability term has multiple interpretations and consistently more wider over the years (Pollit *et al.*, 1998; Armstrong, 2002; Van Putten, 2008; Jabra & Dwivedi, 1989). It is important to note, more than 21 accountability indicators has explained by ten scholars during 1987 until 2009 (Willems & Van Doren, 2011). It seems, the elaboration on accountability has explain a large number of research publications were inspired to defining accountability on practice.

Further away, public administration scholars have tried to define an accountability on practice using a various perspectives that generates all the mechanism on government. Therefore, we need understanding accountability mechanism debate before how it can be understood in practice at Indonesia local government level. A discussion to defining accountability into mechanism is essential point to see for us.

Most of scholars agree accountability mechanism is core components to create accountable government. The functions as a mechanism is make decision-makers comply with the preferences of those who have delegated power to them, as well as it ensures that decision-makers do not exceed their competences (Bovens, 2007). Without accountability mechanism, the decision-makers would be corrupt and might lead to irresponsible actions. In my opinion, the explanation of accountability mechanism should be started from classic debate on early 1940 between American scholar, Carl Friedrich and England scholar, Herman Finer. Friedrich argue that professionalism was the best way to ensure accountability. He believe the professionalism values in administator such as specialized knowledge and technical expertise is a value added and make different with general people. Friedrich suggested there are two aspcts of this responsibility in administator respectively: personal and functional (Denhardt and Denhardt, 2006). Personal responsibility refers to the administator being able to justify his or her actions according to orders, recomendations, and so forth. Functional responsibility involves the administator looking to his or her function and professional standards for guidance. In spite of Friedrich, Finer believe external control is acceptable and best accountability tools to make administrative more effective and effecient. In this argument, he defined external control as elected representative of public have a strong legitimize to control public servant. A strong control has occuring in democratic government. Besides that, Finer emphasized that hierarchy, rules, and sanctions is additional tools to supported accountability (Dunn & Legge, 2001). Finally, there are three important components to support Finer ideas. Firstly, he suggested change paradigm in public servants from work for the public based on their sense of what public needs to what the public wants. Secondly, the institutions must be in place, most particularly an elected body, to express and exert the public authority. Thirdly, the elected institutions not only express and channel public wants, but also have the authority to decide and enforce how these wants are to be satisfied.

Classic debate between Friedrich and Finer inspire most of scholars to developed accountability concept. Scholars has continue to explore accountability occur in government mechanism. Romzek and Ingraham (2000) proposed a classification system for accountability has composed of a matrix with the two dimensions of source of supervision and level of self-supervision. These model still have weakness which only focus on accountability to supervision fungtion. Realizing of that Romzek (2000) improved her model by developing an instrument fitting the New Public Management (NPM) paradigm. NPM have a big influence to support developing a accountability measurement. Furthermore, the other expert, Schwartz (2002) categorized public administration and NPM accountability schemes as either hierarchical, professional, political, or legal. However, Koppel (2005) proposed five conceptions of accountability. The five conceptions respectively; that are transparency (did the organization reveal the facts of its performance?), liability (did the organization face consequences for its performance?), controllability (did the organization do what the principal?), responsibility (did the organization follow the rules?), and responsiveness (did the organization fullfill the substantive expectation?).

Compared with several accountability explanation, only a few scholars are exploring accountability mechanism at local government. A little attention made scholars have a space to explore intensively accountability at local government case. In United State case, although the media may not devote much attention to local government matters which would make it a less important consideration than the other factors, local government have a central position to define accountability concept on practice (Dunn & Legge, 2001). Other case in Swedish, few empirical studies of public review concluded local government have important role rather than other actors such as central government, state inspectors, evaluators and NGOs/Citizens to improve accountability mechanism in decentralized model (Hanberger, 2008). In Indonesia case, the study on accountability conceptual is relatively new. Therefore local government should aware defining accountability conceptual on practice. It is challenging because accountability may not always be something easily define at local government.

3. Accountability Definition at Local Government Context

Concerning the condition for accountability at Indonesia local government, there are serious problem when accountability concept interpreted in practice. Corruption poses a particularly serious challenge in this problem. According to Transparency International's Indonesia Corruption Perception Index on 2006, 2008 and 2010, 85 % sample of the local government got a score less than 5 which can define 0 which mean highly corrupt until 10 which mean cleanest. The other data also strengthening these situations. On 2011 the Minister of Home Affairs' publication was released from 33 governors in Indonesia, 17 governors indicated suspect in corruption cases (Kompas, 2011). Similar with that, 84.8 % governor tend to corrupt rather than 48.5 % mayor (Sobari, 2013). Several evidences explain most local government on province level obtained a high number of corruption.

The local corruption trend also assume there are big gap between accountability mechanism on concept and result practice at local government to prevent corruption action. Because of that, it is important to know how local government stakeholder define accountability on practice. From this angle, I demonstrate a capacity of local government to defining accountability concept on practice. I try to focusing on the two aspects respectively regulation and agency. Each aspects explain how local government actually make sense and order of the accountability.

3.1 Law Tend to Financial Audit

The scholars believe accountability can defining law as basic tool to control government (Jos & Tompkins, 2004; Schwartz, 2002). Law is important part of the institutional measurement to against corruption. As important part, law will eradicating corruption from several kinds respectively stronger legal rules, regulating political and administrative behavior, anti-corruption laws, and civil service reform (Smith, 2007). Law also has legalized local government accountability based on constitutional rights. The principal in this perspective placing law into local government accountability mechanism. It means the local governments have integrated instituted accountability in the form of regulations.

Achieving stronger accountability as a part of local government should support by regulation enforcement. In this sense, the accountability mechanism is confined to that part of the regulation (Mulgan, 2000). Therefore, accountability mechanism at local government are dealt with regulation, in which the local government scrutinize and measure the degree of accountability. Actually there are several kind regulations which arrange accountability for local government. For instance, Act 17 in 2003 and Act 15 in 2004 stated all agency should reporting finance report every term to external agency. It is represent traditionally accountability were external agency concerned with audit and certifying the accounts of local government under regulation. The other regulation such as Act 14 in 2008 obligate local government should providing access information for public.

Vries (2013) argued that several procedures on accountability miss the essence of being accountable. The line between the number of legal product and the quality of accountability can become blurred. The cost of produce regulation has not equal with local government commitment to improve accountability mechanism. Regulation is likely to be administrative procedures rather than trigger for eradicating corruption. It can be seen by corruption case at local government still high even though government has attempts to reformulate regulation. According evaluation result by Indonesia Home Affair Ministry there are 294 governor/vice governor and major/vice major has suspect corruption crime during 2005 until May 2013¹ even though at the same time at least five act has produced as responses for eradication corruption escalation at local government².

The importance of several evidences can define corruption cannot eradicating by regulation. Insufficient regulation made accountability gap between concept and practice. Local government should aware that the regulation not only procedural activity. The regulation must present a real sense to combine monitoring, control, and sanction, by agency into accountability mechanism.

3.2 Ineffective Control by Multi-Agency

Accountability is necessary for agency because agency have discretion and authority. Many study conclude that agency have strategic position to participate in designing accountability mechanism (Yang, 2011). Agency can use their discretion and authority to make dynamics relationships between public agent and different audiences or accountability forums. This conceptual is encourage public agent role in three mainly jobs respectively provide information, facilitate discussion and give sanction (Brandsma & Schillemans, 2012). Further away, in the local government context, it is important give a space for several agencies to control local government.

The local government accountability mechanism are divide in two levels agency. On the local level, a local government got control by local inspector and local legislative. Local inspector have a function as internal control for local government. However local inspector have minimum ability to control public agent at local government. The problem is coordination and coherence between local inspector and other public agents at local government usually difficult in the practice. Act 32 in 2004 explain only governor/mayor and vice governor/ vice mayor have direct authority doing internal control for public agents at local government. It means local inspector don't have strong power implementing direct control.

In contrast, Act 32 in 2004 places local legislative on the local accountability actor as a external agency for control of the local government. In this act, local legislative have control function besides legislation function and budget function. Therefore, local government should be responsible and accountable to the local legislative. That scrutiny also involves the possibility of sanctions from local legislative. However control function by local legislative can appears ambiguity and abuse of power to local government. The phenomenon is many local legislative make control function as political bargaining rather than develop accountability at local government.

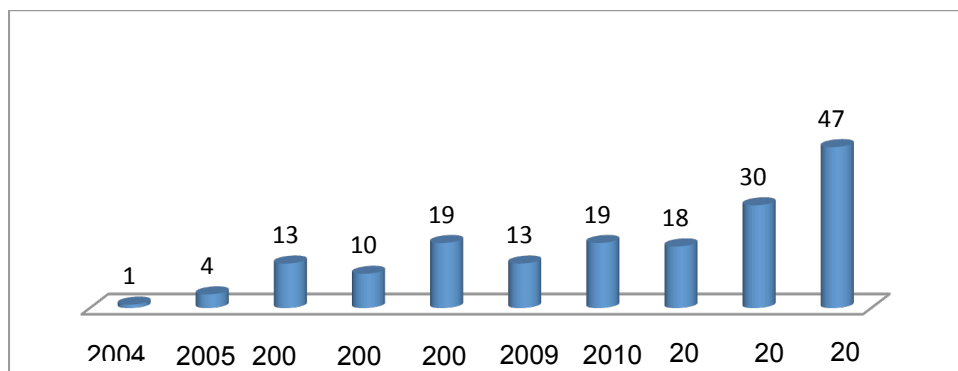
On the national level, accountability for local government often used vertical approach. The vertical approach involved several agencies at central level to control local government. BPK/ The Audit Board and BPKP/ The Finance and Development Audit Agency is independent audit agency which a mainly duty to audit local government financial data. Tracing the government expenditure is more likely to reveal theft and fraud rather than bribery (Smith, 2007). To some extents, local government have a possibility receiving law investigation and prosecution by Attorney General and Police Department when indicate corruption crime. Moreover, regulation also configured structural system by create new institutions to endorse fight on corruption. As a reform response at that time, since 2002 Commission Eradication Corruption has built in investigation and prosecution function. In 2008, Ombudsman also complemented previous agencies in public advocacy function.

¹ <http://www.republika.co.id/berita/nasional/hukum/13/06/01/mnps0a-wow-kepala-daerah-korupsi-meningkat>

² Act 31 in 1999, Act 20 in 2001, Act 17 in 2003, Act 15 in 2004, and Act 14 in 2008.

It is important to note that the regulation places a great deal of reliance on the multi-actor as a mechanism for control of the local government. The advantage of multi-actor is that the condition for democratic accountability are clear which all of kind involved on accountability mechanism. On many occasion, the multi-actor has shown a significant role can play as watchdog for local government.

Chart 1
Number of Investigation and Prosecution Corruption Case at Local Government
by Commission Eradication Corruption, 2004-August 2013



One good example agency as watchdog for local government is Commission Eradication Corruption. Chart 1 showed Commission Eradication Corruption started investigation and prosecution on local government corruption crime only one case on 2004. However, the investigation corruption case at local government by Commission Eradication Corruption has increased significantly since 2004 until August 2013. It means as new agency, Commission Eradication Corruption showed a serious commitment eradicating corruption at local government.

Interestingly, investigation and prosecution under new agency like Commission Eradication Corruption got more public appreciation rather than Attorney General and Police. Based on Indonesian Corruption Watch polling on 2009, 65% respondent satisfied with Commission Eradication Corruption performance rather than 32.6% respondent satisfied Police Department performance and 24.3% satisfied Attorney General performance (Indonesia Corruption Watch, 2009). A low performance by other agency can be defined multi-actor approach on accountability mechanism need to be evaluate.

It is often argued that multi-actor approach in accountability mechanism for local government also made dilemma. It is very complicated problem because accountability mechanism involved many hands. This problem becomes more acute in the uncertain government environment which power is shared by multi-actor (Yang, 2011). Multi-actor control are considered weak and not highly prioritized. Some agency have a big chance involve conflict interest with others agency. The impact is accountability mechanism by multi-actor resulted insignificant effect to reduce corruption at local government.

4. Local Government Response

Surprisingly, the weakness of accountability is don't give much attention to local government for evaluate certain accountability mechanism. What is implied in all level about accountability is the measurement of accountability at local government usually tend used formal approach. This approach made each actor at local government has defining accountability only report and control activity. ~~In other words, local government is categorize accountable if local government can follow administration report and responsible for all of financing activity on that report.~~ However, formal accountability has limitations

in preventing irresponsible behavior, because formal rules set general parameters for behavior, but they cannot cover all contingencies (Romzek, 2012).

In this sense, local government should be change accountability definition. Local government actor must realize the important part of accountability is how accountability can positioning as trigger to reduce corruption. Interestingly some provinces has identified some characteristic to show good accountability in their local government system. In fact, not many provinces hold their activity by accountability principle. In this regard, most of local governments need to learn from best practice province. The Transparency International published corruption perception index at capitol of province government regularly every two years since 2006. The survey got a sample from local people about perception corruption in their area. The chart 2 showed us the level of corruption perception index with a range 0 which mean highly corrupt until 10 which mean cleanest.

Chart 2

Corruption Perception Index in Province on 2006, 2008 and 2010

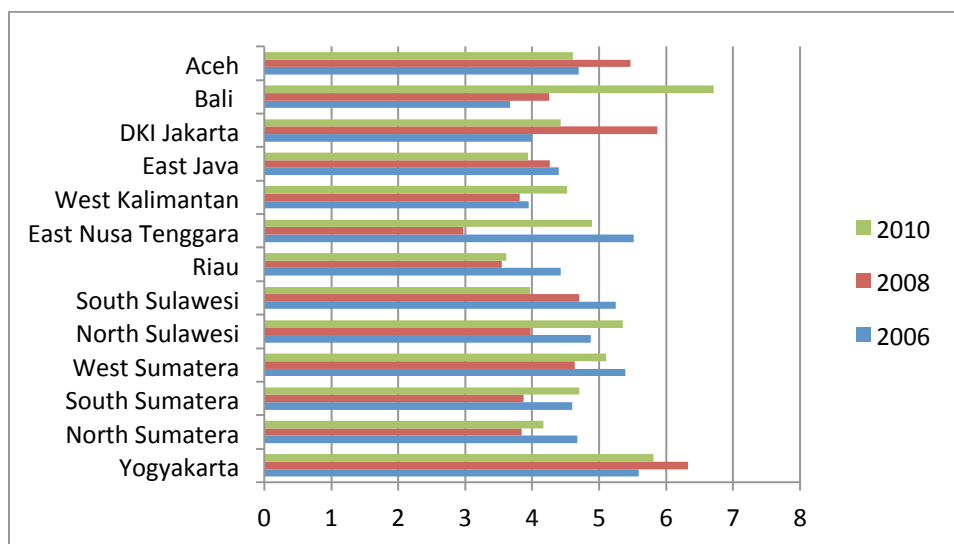


Chart 2 is compilation Corruption Perception Index (CPI) in three time respectively 2006, 2008 and 2010. The index show us if Yogyakarta and Bali Provinces is indicated high score regions with clean and low corruption in local government level. It means local perception at Yogyakarta Provinces have a good opinion to local government. Similar with that, integrity survey by Commission Eradication Corruption gave high rank to regions at Yogyakarta Province such as Yogyakarta City 5 in 2008, 3 in 2010, and 4 in 2011. This score indicate Yogyakarta Province has been made effective accountability system for regions.

Further away, it is invite scholars attention how Yogyakarta Provinces developed accountability mechanism. It is interesting because other provinces have same accountability mechanism on formal way. However, Yogyakarta Provinces can combine other ways to develop accountability. This argument based on two reasons.

First, Yogyakarta Provinces have heritage characteristic on their government. One of local heritage in Yogyakarta is government use monarch. Yogyakarta is the only local government in Indonesia headed by a monarch. The significant difference between the Yogyakarta Province and other provinces is the position of the governor and vice governor in Yogyakarta Province is derived automatically from the Sultanate of Hamengkubuwono and Paku Alam clan. This implies there are no elections as in other provinces. And it implies that elected mayors/ heads of regions and local legislatives in Yogyakarta Province cannot oppose the Sultan even though their position is legitimized by elections. The other

unique characteristic is seen in the recruitment of heads of departments. All heads of departments in the province and at the regency/ city level must follow an open selection in province level. This situation is different in other provinces, because the regency/ city government does not have the obligation to involve the province in the appointment of heads of departments.

Second reason is trust from public to local government. Trust is a necessary condition for the effectiveness of the accountability at government (Kim, 2010). The system based on trust and reputation can be invaluable during periods when formal state institutions are weak and ineffective. Trust also representing the lack of competency and legitimacy of government to solve government problem. As one of the crucial problem, public trust in corruption issue will play a significant role in legitimacy of government at this time. Thus, trust can be representation of successful performance in organization

5. Conclusion

In conclusion, local government should be finding other mechanisms to solve lack of accountability. Formal accountability has indicated ineffective mechanism to prevent corruption for Indonesia local government case. Yet, local heritage experience at Yogyakarta could be lesson for us. Therefore, one of the next tasks of scholars is explaining how local heritage are influenced accountability mechanism at local government.