



RESEARCH ARTICLE

Partial Existence Border Area Management Agency in West Kalimantan Province-Sarawak

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ABSTRACT

Border area is the guard of a country which is has a significant role in a development country. One of border area in across by Sarawak East Malaysia, and during this time the institution establish had not significant impact on border area development. This research is intended to analyze partial existence border area management agency in West Kalimantan Province Indonesia-Sarawak East Malaysia. The method used in this research was qualitative research method with sociolegal approach. Data were collected by conducting interviews and conducting secondary data tracking, either from books, journals, or internet sources. Used Lawrence M. Friedman on Legal Theory, the research found that so far, management of border areas has not been optimal due to partial existence border area management agency. It proved by : (1) There is a complex overlap of institutions given authority to manage border areas by National Border Management Agency, Regional Border Management Agency of West Kalimantan Province, and Regional Border Management Agency for Bengkayang, Sanggau, Sintang, and Kapuas Hulu Regency, while in Sambas Regency a separate management body has not been formed; (2) There is inconsistency and disharmony in legal regulations State Territory Act, Presidential Regulation on the National Border Management Agency and Regional Government Act followed by the legal regulations changing in a rapid period of time; and (3) The culture of positivity in government bureaucracy is proven by the high sectoral ego of authority by the central government in the regions and the tendency towards neighboring countries. In order to achieve a fully existence border area management agency in West Kalimantan Province-Sarawak, it can be done through implementing Community Governance concept hich will strengthen the capacity of government and society at the local level, through participatory government empowerment based on the perspective municipalist, network, and citizen.

INTRODUCTION

Territory as one of the important elements of a sovereign country often has direct borders with other countries. As an archipelagic country, there are three islands in Indonesia that border other countries, including the islands of Kalimantan-Sarawak, East Malaysia, Papua-Papua Nugini, Nusa Tenggara-Timor Leste.



Picture 1. Peta Wilayah Provinsi Kalimantan Barat

Source: Statistics Indonesia, West Kalimantan Province

West Kalimantan Province is one of the areas has a border land with Sarawak, East Malaysia, with the length of approximately 966 km including 5 district spread across 14 sub-districts, i.e.:

Sambas Regency: Paloh, and Sajingan Besar Sub-Districts;

Bengkayang Regency: Jagoi Babang, and Siding Sub-Districts;

Sanggau Regency: Entikong, and Sekayam Sub-Districts;

Sintang Regency: Ketungau Hulu, and Ketungau Tengah Sub-Districts; dan

Kapuas Hulu Regency: Empanang, Puring Kencana, Badau, Batang Lupar, Embaloh Hulu, Putussibau, and Kedamin Sub-Districts.



Picture 2. Border Area of West Kalimantan-Sarawak Province

Source: Official Website Regional Border Management Agency of West Kalimantan Province

Note: Yellow (Sambas), Blue (Bengkayang), Red (Sanggau), Purple (Sintang), Green (Kapuas Hulu

The conditions in the border area of West Kalimantan Province are different from other border areas in Indonesia because from a territorial aspect, the district has the some borders with other countries is West Kalimantan Province. Besides of that, from a historical aspect, Timor Leste acrossed by Nusa Tenggara due to separating into its own country in 1999. On the other hand, parallel diplomacy (Fidhirza, 2022) applied in handling border areas in Papua due to the interdependent relationship between the Central Government limiting the diplomatic authority of the Regional Government in Papua.

As impact of that, development approaches used are not the same, adapted to each condition. The problem in West Kalimantan Province -Sarawak border area is economic disparity. (Mas'ud Said, 2013), where the Malaysian border area is more developed than Indonesian border area, Indonesian people in the border area are generally under poverty line, while neighboring countries are relatively more prosperous (Said, 2011).

People in West Kalimantan Province border areas tend to shop in Sarawak for daily necessities, take advantage of free facilities from Malaysia, including education, health, electricity and clean water, and have greater opportunities to obtain employment, which results in the orientation of people in the border areas of West Kalimantan-Sarawak Province being higher in economic and social aspects (Ningtias et al., 2018); Sudagung & Rezasyah, 2020; Mubarak, 2009; National Border Management Agency, 2011).

This is due to the lack of proper management of border areas. (Shakeri et al., 2022) in the Indonesian border region seen from the aspect of the nature of backwardness and isolation of border region. The pattern of regional backwardness can be seen from the minimal basic infrastructure available, the low level of community welfare (Maulana et al., 2019), the poor quality of education and health services, and the isolated nature of border areas can be felt from the difficulty level in accessing West Kalimantan Province-Sarawak border areas (Sholihah, 2016).

The attention on border areas management has emerged since the reign of Joko Widodo as President of the Republic of Indonesia, he was outlined in the third point of Nawa Cita (Alunaza & Sudagung, 2020). Land border area management is all efforts made by the Central Government and Regional Governments to guarantee state sovereignty (Mexasai Indra, 2013) aimed at providing legal certainty and clarity regarding the boundaries of the country's territory (Manik Dare Noviayanti Jeanne, 2018). He changed the previous development paradigm was initially centralistic to decentralized, in the sense of spreading to all corners of Indonesia, known as "develop from the periphery".

Meanwhile, in Malaysia it was formed Malaysia Border Security Agency formed to secure all smuggling activities or other illegal activities on Malaysia's borders land. Based on Malaysia and Indonesia agreement in 1981 and 1928 conventions (Itasari, 2020) they agreed to align the survey and boundaries of the territories of Indonesia and Malaysia.

The authority in the field of defense and security and management of border areas by the Central Government is not immediately able to provide significant changes to improve the welfare of the community in the border area of West Kalimantan-Sarawak Province. The policy of managing border areas should be the domain of the Regional Government considering the span of control held by the Central Government to the regions is limited. In addition, considering the implementation of Nawa Cita, border management is carried out through the principle of decentralization, meaning the transfer of government affairs by the Central Government to autonomous regions based on the principle of autonomy. This paper aims to provide further analysis regarding the existence and co-existence of the management body for the West Kalimantan-Sarawak border area using Lawrence M. Friedman's theory. Through his book entitled *The Legal System: A Social Science Perspective*, he stated that law must be seen as a system containing three components, namely legal structure, legal substance, and legal culture. The results of the analysis of these three components will be used to generate ideas for managing border areas in West Kalimantan Province -Sarawak.

RESEARCH METHOD

This research was a qualitative research with sociolegal approach. The data sources used in this research were indepth interviews, statutory regulations, scientific reference books, seminar papers, written texts in mass media, archives and dictionaries related to this research.

RESULT AND DISCUSSION

Overlapping of Authorized Institutions

Border area management includes a complex structure, includes government institutions involved in border area management implementation. The involvement of government institutions in border area management is formed comprehensively, not only consisting of one government institution, but also consisting of several institutions or agencies that have roles that are interrelated with each other. World Customs Organization states the border area management system which is called Coordinated Border Management, referred to a coordinated

approach by border control agencies, both domestic and international (Aniszewski, 2009). CBM implementation in Indonesia in the form of coordination and cooperation across ministries and government institutions that have the management authority (Rusdiyanta, 2017).

The authority to manage West Kalimantan Province -Sarawak border area involves institutions as the authority organizers. This legal institution is also called a legal structure in Lawrence M. Friedman's legal system theory, legal structure includes various institutions created by the legal system with various functions in supporting the functioning of the system.

Until this article was written, the management of border areas in West Kalimantan Province was divided in two levels, management at the central level was held by the National Border Management Agency, while in the regions it was classified again where the provincial level was held by the West Kalimantan Provincial Border Management Agency, and the district area bordering the West Kalimantan-Sarawak Province as in the table below:

Table 1. Border Management Agency in West Kalimantan Province-Sarawak Border Area

No	Region	Institution
1	Sambas Regency	Regional Secretariat Administration Section of Sambas Regency
2	Bengkayang Regency	Regional Border Management Agency of Bengkayang Regency
3	Sanggau Regency	Regional Border Management Agency of Sanggau Regency
4	Sintang Regency	Regional Border Management Agency of Sintang Regency
5	Kapuas Hulu Regency	Regional Border Management Agency of Kapuas Hulu Regency

Among those five districts bordering Sarawak, one of them has not established a Regional Border Management Agency, i.e. Sambas Regency. Through indepth interview could be concluded that the reason is because Sambas District Government considers the weak authority and will only increase budget waste considering that budget effectiveness and efficiency are important factors in the implementation of government.

The relationship between government institutions is connected in levels from the Central Government, Provincial Government and Regency/City Government. The relationship between the Central Government, Provincial Government and Regency/City Government regarding the management of border areas is based on the authority held by each institution.

The government institutions were established to carry out the task of organizing government in the context of managing border areas jointly. However, the authority held by each institution in reality does not run as expected. The National Border Management Agency has the task of determining border development program policies, determining budget needs plans, coordinating implementation and carrying out evaluation and supervision of the management of State Borders and Border Areas. On the other hand, the technical implementers are the Ministry, Non-Ministerial Government Institutions, Provincial Governments, and Regency/City Governments.

Neither Provincial Government and Regency/City Government position are disconnected because Regency/City Government is not included in National Border Management Agency

membership of the, it means there is a disconnected institutional system between the two of them.

Lawrence M. Friedman said that structure is a real element of the legal system, the structure of a system is the framework of its body in the form of a permanent institution. The structure will keep the process flowing within its boundaries (Friedman, 1975). The National Border Management Agency, the Ministries, Non-Ministerial Government Institutions, Provincial Governments, and District/City Governments all together are the legal institution formed to ensure that the actions of each related government element are within their respective main tasks and functions.

A system like this has proven to be unable to run optimally because it was discovered that there was a legal vacuum in the legal structure that was formed which had an impact on the failure to fulfill basic services in the border area of West Kalimantan-Sarawak Province.

In the concept of asymmetric decentralization, there is a top-down relationship, one power and divided to the regions below it. The implementation of the management of the West Kalimantan Province -Sarawak border area positions the National Border Management Agency as having a position at the top as a policy maker regarding the management of state borders and border areas and as an implementer carried out by the Ministry, Non-Ministerial Government Institutions, Provincial Governments, and Regency/City Governments.

The form of Provincial Government and District Government are manifested in a Regional Border Management Agency, however the institutional form recognized in the membership structure of the National Border Management Agency is only the Provincial Government. This condition weakens Regional Government capabilities which creates a legal vacuum that has an impact on the weak authority of one of the institutions whose role cannot be ignored in reality. Moreover, as in Sambas Regency, which has not yet formed a Regional Border Management Agency, the task regarding border areas included in Regional Government Administration Section of the Sambas Regency Regional Secretariat main tasks and functions.

The impact of border management institutional imbalance in West Kalimantan Province - Sarawak is the existence of misunderstanding. The misunderstanding that occurs between the border management institutions at the central and regional levels have an impact on institutions limited capabilities at regional level to carry out regional government basic services duties. The low level of basic services can be provided by Sambas Regency Government Governance Section, Bengkayang Regency Border Management Agency, Sanggau Regency Border Management Agency, Sintang Regency Border Management Agency, and Kapuas Hulu Regency Border Management Agency have an impact on the low level of local communities welfare in the West Kalimantan Province -Sarawak border area.

Regional Government Law emphasizes that there are 6 basic services i.e. education; health; public works and spatial planning; public housing and residential areas; public order, security, and community protection; and social.

Region limitations in realizing basic services have resulted in low levels of local community welfare (Asyhabuddin, 2022) local in the border area of West Kalimantan-Sarawak Province.

Inconsistency and Law Disharmony

The investigation and analysis of various laws and regulations results that both central and regional Indonesian Government levels have been issued by the inconsistency and law disharmony.

The authority rules content classified as legal substance, which in Lawrence M. Friedman's theory is stated as the actual product of the legal system, which means that the substance of law includes legal rules, including unwritten legal rules. The National Border Management Agency as part of the central government, as well as Regional Border Management Agency as part of regional government. The implementation of Regional Border Management Agency duties and functions cannot be underestimated because without Regional Border Management Agency existence,

whereas National Border Management Agency will not be able to carry out the tasks and functions entrusted optimally.

First, the disharmony of the regulation of the authority of the District Government between Law Number 43 of 2008 concerning State Territory in Article 9, Article 10 verse (1), Article 11 verse (1) also Article 12 verse (1) and Presidential Regulation Number 12 of 2010 concerning the National Border Management Agency in Article 3 and Article 4 of Article 17. The questioned disharmony in State Territory Law stated that Central Government and Regional Governments together have the authority to regulate the management and utilization of the state territory and border areas, while in the Presidential Regulation only stated that the Regional Government is one of the technical implementers based on the master plan and action plan determined by the National Border Management Agency.

Second, the inconsistency of the authority to manage border areas as regulated by Law Number 43 of 2008 concerning State Territory in Article 9, Article 10 paragraph (1), Article 11 paragraph (1) and Article 12 paragraph (1) and Law Number 23 of 2014 concerning Regional Government in Article 361 paragraph (2), (3), (4), (5), (6), (7), (8). The regulation in State Territory Law states that the Central Government and Regional Government together have the authority to regulate the management and utilization of state territory and border areas as mentioned in the previous phrase, however the presence of the Regional Government Law states that all authority to manage border areas belongs to Central Government.

Law Number 43 of 2008 concerning State Territory clearly outlines the state territory is one element of the state which is a unity of land area, inland waters, archipelagic waters and territorial seas along with the seabed and land beneath it, as well as the airspace above it, including all sources of wealth contained therein. For border areas, specifically stated as part of the state territory located on the inside along the border of the Indonesian state with other countries, in the case of land boundaries being in the sub-districts.

The role of the Central Government and Regional Government in managing border areas is stated in Article 9-Article 12. Article 9 states that "The Government and Regional Government have the authority to regulate the management and utilization of the State Territory and Border Areas". Article 10 states that the Government's authority in managing border areas includes: determining policies for management and utilization state territory and border areas; holding negotiations with other countries regarding the determination of state boundaries in accordance with the laws and regulations provisions and international law; building or making signs of state boundaries; recording and naming islands and archipelagos and other geographical elements; granting permission to international flights to cross territorial airspace on routes determined in laws and regulations; granting permission for peaceful passage to foreign ships to cross territorial seas and archipelagic waters on routes determined in laws and regulations; carrying out supervision in additional zones as needed to prevent violations and punish violators of laws and regulations in the fields of customs, fiscal, immigration, or sanitary in the state territory or territorial sea; determining airspace that is prohibited from being crossed by international flights for defense and security; create and update maps of the country's territory and submit them to the People's Representative Council at least once every five years; and maintain the integrity, sovereignty and security of border areas.

Law Number 43 of 2008 concerning State Territory in Article 11 and Article 12 explained one by one as follows:

Policy Determination. The Central Government has the authority to determine policies for managing the use of state territory and border areas, while the Provincial, Regency/City Regional Governments implement these policies and determine other policies. The Central Government, in this case the National Border Management Agency, is entrusted with the mandate to prepare programs and policies for the development of transportation facilities and infrastructure and other facilities in border areas and to prepare development budgets based on priority scales.

Cooperation with Third Parties. The Central Government has the authority to hold negotiations with other countries regarding the determination of State Territorial Boundaries, so that the

involvement of the Provincial Government and the Regency/City Government in this case is more on the presence and following the agenda of the government in question, because the cooperation in question is Government to Government or what is commonly called G to G.

Coordination between Governments. The Central Government coordinates with the Provincial Government and the Regency/City Government to obtain data.

Building Boundary Markers. The Central Government has the authority to build and create state boundary markers, which are then guarded and maintained by the Regency/City Government.

Supervision. The Central Government supervises the additional zones to prevent possible violations in the fields of customs, fiscal, immigration or sanitation. Meanwhile, the Provincial Government supervises the development of border areas carried out by the Regency/City Regional Government.

Different things are regulated in Law Number 23 of 2014 concerning Regional Government which shows inconsistency. Law Number 23 of 2014 concerning Regional Government has undergone several changes. Many changes were made to the rules contained in Law Number 23 of 2014 concerning Regional Government, but no changes were made to the provisions concerning border areas. The definition of Border Areas contained in Article 361 paragraph (2) and (3) of Law Number 23 of 2014 concerning Regional Government outlines "(2) The authority of the Central Government in border areas includes all authority regarding the management and utilization of border areas in accordance with the provisions of laws and regulations regarding state territory; (3) In addition to the authority as referred to in paragraph (2), The Central Government has the authority to: determination of detailed spatial planning; control and licensing of spatial use; and development of regional facilities and infrastructure.

Strictly speaking, the authorities held by the Central Government in terms of managing border areas as mentioned above indicate that there is no space given to the Regional Government to take part in managing border areas, including in this case the West Kalimantan Provincial Government in organizing border area management in the West Kalimantan Province-Sarawak border area. Regional government administration principle application in this case the principle of autonomy is obscured.

Previous authority still provided space for Regional Government was declined and placed West Kalimantan Provincial Border Management Agency (Regional Government) in a powerless position. West Kalimantan Provincial Border Management Agency role in carrying out its duties and functions is limited.

The coordination function concluded the opportunity for other authorities held by West Kalimantan Province Regional Border Management Agency, Governance Section of the Sambas Regency Government, Bengkayang Regency Regional Border Management Agency, Sanggau Regency Border Management Agency, Sintang Regency Regional Border Management Agency, and Kapuas Hulu Regency Regional Border Management Agency.

If compared "toothless tiger", for example, Regional Government weak authority in managing border areas. Regional autonomy becomes crippled and meaningless due to Central Government strong authority in managing border areas. The limited authority at the "coordination" level makes the Regional Border Management Agency only as data collector and then submits it to the National Border Management Agency through an annual coordination meeting held with a visit by the West Kalimantan Provincial Border Management Agency to the National Border Management Agency. The agenda for submitting this report also seems to be only symbolic because agenda form does not involve various related parties and working visits form are not accommodated in a Forum Group Discussion cuts off various information from the border areas with the Central Government.

Culture of Legal Positivism of Government Bureaucracy and Tendencies with Neighboring Countries

Talking about legal culture will describe attitudes regarding law, more or less analogous to political culture (Almond & Verba, 1963). Lawrence M. Friedman emphasizes that legal culture is an important component in a legal system:

Structure and substance are real components of a legal system, but they are at best a blueprint or a design, not a working machine. The trouble with traditional structure and substance was what they were static; they were like a still photograph of the legal system—a lifeless image and dissorted of that. The picture lacked both motion and truth. The legal system, described solely in terms of formal structure and substance, is like an enchanted courtroom, petrified, immobile, under some odd, eternal spell. What gives life and reality to the legal system is not insulated or isolated; it depends absolutely inputs from outside. Without litigants, there would be no courts. Without issues and the will to pursue them, there would be no litigants. These social elements unfreeze the film and start the system in motion. Social forces are constantly at work on the law—destroying here, renewing there; invigorating here, deadening there; choosing what parts of “law” will operate, which parts will not; what substitutes, detours and bypass will spring up; what changes will take place openly or secretly. For want of a better term, we can call some of these forces the legal culture. It is the element of social attitude and value. The phrase “social forces” is itself an abstraction; in any event, such forces do not work directly on the legal system. People in society have needs and make demands; these sometimes do and sometimes do not invoke legal process—depending on the culture. Whether a trade union will go on strike, start a revolution, file a lawsuit, bargain collectively, or build a political party depends on many factors. The values and attitudes held by leaders and members are among these factors, since their behavior depends on their judgement about which options are useful or correct. Legal culture refers, then, to those parts of general culture—customs, opinions, ways of doing and thinking—that bend social forces toward or away from the law and in particular ways.

Attitudes and social values that influence the co-existence of border area management include the community, central government and local government and the Sarawak community. The results of field observations and interviews with local communities found many facts proved that border areas community of Sambas Regency and Kapuas Hulu Regency are more supportive and accepting Malaysian culture. This has an impact on the interaction process that occurs between the community in the border area, which tends to be more with the Sarawak community as a neighboring country compared to Indonesia.

On the other hand, when socialization and national insight are carried out in the border area, the people in the border area still uphold a sense of love for the homeland, but due to the many interactions of dependence on Malaysia in everyday life, it has an impact on the bias of the people in the border area, which tends to be towards Malaysia. This tendency can be seen from the high use of the Ringgit currency as a means of exchange for shopping in the border area markets of Sambas and Kapuas Hulu Regency, the ease of finding Malaysian goods in the border area. This condition is also influenced by the food price ingredients offered by Malaysian production is relatively cheaper than domestic production.

There are similarities in race, culture and character between border areas community in Sambas or Kapuas Hulu Regency and Malaysia. It can be seen from skin color similarities, facial features, and other physical characteristics make the community in this border area able to live side by side with Malaysian community. In addition, the climate, weather and geographical aspects are the same. In the world of education, bias/unacceptance is often proven by many health workers or educators who refuse to be placed in remote villages in border areas of Sambas and Kapuas Hulu Regency on the grounds that it is difficult to fulfill access to adequate facilities and infrastructure. In fact, it shows that there is still a low level of awareness to serve the country and side with one's own country. Therefore, this problem must be addressed as well as possible so that health workers and educators/education personnel who are placed there also have the willingness to build and advance education and health in the border areas of Sambas Regency and Kapuas Hulu Regency.

On the other hand, the culture of legal positivism of government bureaucracy tends to show the sectoral ego of the central government in managing border areas.

Regional Government Law, central government affairs are divided into one of which is defense and security. However, it cannot be denied that the development of border areas cannot be separated from the fulfillment of basic service aspects which are the domain of the regional government. Therefore, this should be a consideration in strengthening the authority of the border management agency in the region which must be balanced with maximum funding in all border areas of West Kalimantan Province.

West Kalimantan-Malaysia Border Area Management based on

Community Governance

Mobility or movement that occurs in border areas creates a number of negotiation interests and contestation, ideology, status, and identity. Borders produce new social spaces (both real and imaginary); borders also divide social spaces. Borders can be defined as state interventions in overlapping social areas, such as family business, religion, and livelihoods, in order to build and validate sovereignty. Quoting from the writing:

“Border-crossing mobility necessarily incurs a pantheon of space that evokes negotiation and contestation of interest, ideologies, status, and identity. Borders generate new social spaces (which can be real or imagined); borders also split social spaces. A border can be defined as a state’s intervention into overlapping social domains, such as family business, religion, and livelihood, for the sake of establishing and validating sovereignty”.

All of this, both negotiation and contestation, ideology, status, even identity, leads to a relationship that occurs because of continuous interaction, both directly and indirectly, so that each individual in it feels bound to one another (Chan & Womack, 2016).

The existence of society cannot be separated from governance system that makes society the object of achieving the goals of the government itself, which of course is in the form of the realization of community welfare. A society welfare in the border area demands high participation from the government.

So far, the span of control held by the Central Government, in this case the National Border Management Agency, in management border areas organizing has created a development gap between the border areas of West Kalimantan Province-Sarawak. The border areas of West Kalimantan Province, such as Sambas and Kapuas Hulu Regency, most of which are still areas with underdeveloped, outermost and innermost. So that a concept of governance is needed that focuses on strengthening the capacity of local government, namely the West Kalimantan Provincial Border Management Agency, and the Regency/City Government in this case the Governance Section of the Sambas Regency Regional Secretariat and Regional Border Management Agency, Kapuas Hulu Regency Border Management Agency and the local community.

Community Governance is a governance concept whose main focus is strengthening the capacity of government and society at the local level, through participatory government empowerment (Lay & Masudi, 2005). Participatory governance can be encouraged by increasing the capacity of community participation in the policy process, and by increasing the capacity of accountability and transparency from the government side. Thus requiring political alliances between actors, or more simply called cooperation between actors in one community.

There are three community governance perspectives identified: municipalist, network, and citizen, which in West Kalimantan Province-Sarawak border area management are as follows:

Municipalist

The municipalist perspective emphasizes the form of associative democracy, where voluntary associations handle the provision/delivery of services to civil society.

In the implementation of the authority to manage border areas, Central Government in this case the National Border Management Agency, Provincial Government in this case the Governor together with the West Kalimantan Provincial Border Management Agency, and Regency/City Government in this case Sambas Regency Regional Secretariat Governance Section and Kapuas

Hulu Regency Border Management Agency are associations based on the principles of togetherness, family and mutual cooperation. The entire structure is built in collective action for the benefit of the border area community in Sambas Regency and Kapuas Hulu Regency, especially in the field of fulfilling basic needs such as accessibility and availability of education, health services and adequate infrastructure.

Network

The network perspective sees how classically hierarchical governance is run with a new pattern that emphasizes aspects of networks and cooperation involving various institutions in the community, both markets and civil society. Relational relationships between governance domains thus become the key word.

The Central Government in this case the National Border Management Agency, the Provincial Government in this case the Governor together with West Kalimantan Provincial Border Management Agency, and Regency/City Government in this case the Sambas Regency Secretariat Regional Government Section and Regional Border Management Agency of Kapuas Hulu Regency Border Management are hierarchical. West Kalimantan Provincial Border Management Agency, the Regional Government Section of Sambas Regency Secretariat and Regional Border Management Agency of Kapuas Hulu Regency Border Management exercise the authority to determine policies in the management of border areas based on the principle of delegation, so that the delegator, namely the Central Government, remains responsible for supervising the implementation of the authority delegated to the Regional Government both at the provincial and district/city levels.

Citizen

The citizen perspective refers to the ability of a community to control its own government institutions, with the assumption that the community is built on a neighborhood basis. West Kalimantan Province community in general and the people in the border area of Sambas and Kapuas Hulu Regency, including the Indonesian people in neighboring Sarawak, to provide control over the determination of policies set by the Provincial Government, namely the West Kalimantan Provincial Border Management Agency and the Regency/City Government, namely the Government Section of the Sambas Regency Regional Secretariat and Kapuas Hulu Regency Regional Border Management Agency. The strong relationship held by the community in the border area, both in Sambas and Kapuas Hulu Regency, does not rule out the possibility of forming a solid community and having an impact on every policy set by the border area management agency, both by West Kalimantan Provincial Border Management Agency, Sambas Regency Regional Secretariat Government Section and Kapuas Hulu Regency Regional Border Management Agency.

All of the institutions mentioned above should jointly determine border development program policies, determine budget needs plans, coordinate implementation, and carry out evaluation and supervision of the management of state borders and border areas in West Kalimantan Province-Sarawak.

Equality in managing border areas like this will accelerate the realization of local community welfare in West Kalimantan-Sarawak Province. In addition, so far the span of control owned by the National Border Management Agency with the regions is quite far. The National Border Management Agency located at the State Border Crossing Post (PLBN) has a coordinating task with the National Border Management Agency in Jakarta (Central). As a result, the National Border Management Agency at the PLBN carries out its main tasks and functions tend to be formal and only carries out tasks based on habits.

CONCLUSION

Based on the discussion above, it can be concluded that border area management in West Kalimantan Province-Sarawak is not fully optimal yet proved by the partial existence border area management agency in West Kalimantan Province-Sarawak. A governance concept is needed that focuses on strengthening local government capacity through the implementation of Community

Governance. Community Governance is a governance concept whose main focus is strengthening the capacity of government and society at the local level, through empowering participatory governance based on municipalist, network, and citizen perspectives.

All institutions of the National Border Management Agency, West Kalimantan Provincial Border Management Agency, Bengkayang, Sanggau, Sintang, Kapuas Hulu Regency Border Management Agency and even the Sambas Regency Government Administration Section jointly determine border development program policies, determine budget needs plans, coordinate implementation, and carry out evaluation and supervision of the management of state borders and border areas in the West Kalimantan Province -Sarawak.

REFERENCES

- Almond, G. A., & Verba, S. (1963). The Civic Culture. In *The Civil Society Reader*. <https://doi.org/10.30570/2078-5089-2010-5859-3-207-221>
- Alunaza, H., & Sudagung, A. D. (2020). Kebijakan Nawa Cita sebagai Dasar Pembangunan di Kawasan Perbatasan Kalimantan Barat. *JRP (Jurnal Review Politik)*, 10(2), 167–189. <https://doi.org/10.15642/jrp.2020.10.2.167-189>
- Aniszewski, S. (2009). Coordinated Border Management: a concept paper. *Wco*, 2, 1–19. <http://www.wcoomd.org/en/topics/research/activities-and-programmes/~media/07A938B0E7E74757B0DE18557FDF35BB.ashx>
- Asyhabuddin, A. (2022). Welfare Society Dalam Sistem Kesejahteraan Sosial Di Indonesia. *ICODEV: Indonesian Community Development Journal*, 3(1), 31–39. <https://doi.org/10.24090/icodev.v3i1.6232>
- Chan, Y. W., & Womack, B. (2016). Not Merely a Border: Borderland Governance, Development and Transborder Relations in Asia. *Asian Anthropology*, 15(2), 95–103. <https://doi.org/10.1080/1683478X.2016.1214352>
- Fidhirza, N. A. (2022). *Paradiplomasi Papua Di Perbatasan Papua Nugini*. December. <https://www.researchgate.net/publication/366581738>
- Itasari, E. R. (2020). Border Management between Indonesia and Malaysia in Increasing the Economy in Both Border Areas. *Jurnal Komunikasi Hukum (JKH) Universitas Pendidikan Ganesha*, 6(1), 219–227.
- Lay, C., & Masudi, W. (2005). Perkembangan Kajian Ilmu Pemerintahan. In *Jurnal Ilmu Sosial dan Ilmu Politik* (Vol. 9, Issue 2, pp. 225–240).
- Manik Dare Noviayanti Jeanne. (2018). *Jurnal Hukum Progresif: Volume XII /No.1/Juni 2018 Jeanne Darc Noviayanti Manik: Pengaturan.... XII(1)*, 2015–2027.
- Mas'ud Said, M. (2013). *Kajian Model Internalisasi Ideologi Kebangsaan Di Daerah Perbatasan*. 1(1), 17–25.
- Maulana, M. I., Sutrasna, Y., & Halkis, M. (2019). Potensi pembangunan kawasan perbatasan Kabupaten Sambas Provinsi Kalimantan Barat dalam perspektif ekonomi pertahanan (analytical network process (ANP)). *Jurnal Ekonomi Pertahanan*, 5(1), 165–192.
- Mexasai Indra. (2013). Urgensi Pengelolaan Wilayah Perbatasan Dalam Kaitannya Dengan Kedaulatan Negara Kesatuan Republik Indonesia. *Selat*, 1(1), 1–6.
- Ningtias, K., Sudagung, A., & Darajati, M. (2018). Society Security Vulnerability In Indonesia-Malaysia Border, Sajingan Besar District, Sambas Regency. *Indonesian Journal of International Law*, 15(3). <https://doi.org/10.17304/ijil.vol15.3.733>
- Rusdiyanta. (2017). Collaborative Border Management as the Strategic Revitalization of State Border Management in Indonesia Rusdiyanta¹ ¹Lecturer of Faculty of Social Sciences *International Journal of Pure and Applied ...*, 116(November), 415–426. https://www.researchgate.net/profile/Rusdiyanta-Rusdiyanta/publication/328900646_Collaborative_Border_Management_as_the_Strategic_Revitalization_of_State_Border_Management_in_Indonesia/links/5bea54dd92851c6b27ba4eb9/Collaborative-Border-Management-as-the-
- Shakeri, M., Sadeghi-Niaraki, A., & Choi, S. M. (2022). Augmented reality-based border management. *Virtual Reality*, 26(3), 1123–1143. <https://doi.org/10.1007/s10055-021-00611-5>

Sholihah, I. (2016). Kebijakan Hukum Pembangunan Kawasan Perbatasan. *Rechtsvinding*, 5(3), 305–320.