

The Role of Street-level Bureaucracy in Licensing Services for Coal Mining Management in South Kalimantan

^a Roy Rizali Anwar; ^b Falih Suaedi; ^c Kris Nugroho

^a Social Science Doctoral Program Student, Faculty of Social and Political Science, Airlangga University, Surabaya, Indonesia; ^b Department of Public Administration, Faculty of Social and Political Science, Airlangga University, Surabaya, Indonesia; ^c Department of Political Science, Faculty of Social and Political Science, Airlangga University, Surabaya, Indonesia

ABSTRAK

Setelah Undang-Undang Nomor 3 Tahun 2020 tentang Pertambangan Mineral dan Batubara ditetapkan, penelitian ini menyelidiki bagaimana pemerintahan tingkat bawah memainkan peran penting dalam pelayanan izin usaha pertambangan di Provinsi Kalimantan Selatan. Penelitian kualitatif digunakan. Hasil penelitian menunjukkan bahwa hilangnya kewenangan Pemerintah Provinsi atas pengelolaan tata kelola perizinan pertambangan di Provinsi Kalimantan Selatan menyebabkan tumpuhnya peran street level bureaucracy dalam implementasi kebijakan pertambangan khususnya dalam hal pelayanan izin usaha pertambangan batubara sebagai dampak dari lahirnya Undang-Undang Nomor 3 Tahun 2020. Implikasi ini pun turut membawa dampak pada kegiatan pertambangan yang tanpa melaksanakan kegiatan reklamasi sehingga terjadi pencemaran perairan umum dimana air tambang tanpa pengelolaan tidak sesuai dengan baku mutu lingkungan. Karena pemegang izin usaha pertambangan tidak mengikuti program pengembangan dan pemberdayaan masyarakat, efek pertambangan juga berdampak pada aspek sosial masyarakat. Untuk memastikan pelaksanaan Rencana Pembangunan Jangka Menengah (RPJMD) dan Rencana Pembangunan Jangka Panjang (RPJPD) di daerah, koordinasi antar sektor di daerah terkait kegiatan pertambangan batubara harus diperkuat. Hal ini penting untuk mengintegrasikan kebijakan strategis pembangunan terkait pertambangan batubara dan logam.

ABSTRACT

After the regulation on mineral and coal mining was appointed in 2020, the study attempts to ascertain the function of street-level bureaucracy in mining company license services. Qualitative research is the methodology employed. The findings of the study indicate that the enactment of regulation number 3 of 2020 has blunted the role of street-level bureaucracy in the implementation of mining policies due to the Provincial Government's loss of authority over the management of mining licensing governance in South Kalimantan. This implication also has an impact on mining activities without carrying out reclamation activities resulting in pollution of public waters. The impact of mining also the social aspects of society as a result of mining business permit holders' disobedience in implementing community development and empowerment programs. Coordination between regional sectors regarding coal mining activities in mining permit granting services must be strengthened. This is essential since it allows the Regional Medium-Term Development Plan and Regional Long-Term Development Plan to be implemented while integrating strategic development strategies for coal and metal mining.

ARTICLE HISTORY

Submitted: 26 03 2024

Revised: 17 05 2024

Accepted: 14 06 2024

Published: 05 10 2024

KATA KUNCI

Birokrasi Tingkat Jalanan; Pelayanan Izin Usaha Pertambangan; Implementasi Kebijakan Publik; Batubara

KEYWORDS

Street Level Bureaucracy; Mining Business Permit Services; Public Policy Implementation; Coal

INTRODUCTION

This research sheds light on the ramifications of the Central Government's acquisition of authority over the mining and coal industry from City Regional Governments, which had previously been vested with the power to authorize mining operations within their jurisdictions. Specifically, the governance of coal mining in South Kalimantan is considered. The rise of illegal mining, reclamation that is slightly worsening, lack of human resources for supervision, loss of regional authority and reduced regional original income (PAD) are chronic problems that are rooted as a result of policies that should be handled by regions that are seized by the Central Authority.

The regulation no. 3 of 2020 specifies in articles 5 and 6 concerning Mineral and Coal Mining that the central government has the right to carry out national interests through mining company activities, which serves as the foundation for the process of assuming authority. This is thought to occur because, at the regional level, there are often problems of overlapping authority, distrust of decentralization, weak licensing coordination, and the growth and development of oligarchies in the regions, so that all mining policy matters are carried out by the Central Government.

Studies that address mining policy abound. The study by Ashraf and Cawood (2019) is centered on the framework for mining policy. Next, a research by Blesia, et al (2021) focused on development and community interactions from the viewpoint of indigenous communities. Feminist circles appear to be impacted by mining policy as well, according to a study by Lutz-Ley et al (2020). A study by Gyebi et al. indicated that the surge in unlawful mining is caused by corrupt government institutions, difficult licensing processes, and inefficient government institutions (Wireko-Gyebi et al., 2020). According to Balderson's study (2023) mining rules also lead to social and environmental issues that result from the distribution of corporate social responsibility and inconsistent behavior by mining firms. Because of the possible risks posed by social, environmental, and economic factors, conversation and collaboration among stakeholders can play a positive role in enhancing the sustainability of mining operations (Matikainen, 2022).

There appears to be a common theme among the papers that have been given in this research, particularly with regard to mining policy. Nonetheless, this study focuses on the application of mining policy levels that were not discovered in earlier studies. While the empirical data on development poverty, the effects of mining, and actor behavior are consistent, there are discrepancies when it comes to the discussion of Street Level Bureaucracy, which was not included in earlier research.

Actually, a lot of research has been done on street level bureaucracy, but not much of it has addressed how mining governance policies are actually put into practice. According to a study by Guimaraes et al (2022) ,street-level bureaucracy in teachers' latitude was examined. Then, Bufat also covered street-level bureaucracy in his research, but he did so in relation to the introduction of electronic government (Buffat, 2015). In their investigation, Durose and Lowndes (2023) came to the conclusion that street-level officials exercise discretion to alter policy. Following the Covid-19 outbreak, Civinskas et al. (2021) documented the reactions and coping mechanisms employed by street-level bureaucracy, indicating an increase in their workload. Sarkisyan (2023) discovered that under government limitations, direct implementers, or street-level bureaucracy, used informal methods, forcing them to interpret ambiguous policy statements.

Two topics that have not been addressed from the literature review are as follows: first, the conversation about mining only focuses on the mineral policy framework (formulation), cross-sectoral elements of mining, community relations and development, socio-economic impacts of mining, women's mining, illegal mining, and stakeholder involvement. interests, but no one has discussed the implementation of mining policies that focus on the perspective of street-level bureaucracy. Second, in particular discussions regarding mining policy are carried out within the boundaries of a series of normative, juridical (legal) orientations and positivistic paradigms so that no one has discussed the interpretation and multilevel process of implementing policy steps from a political interpretive perspective. To fill the gap in existing research, this research discusses the Dynamics of Mining Policy Implementation (Case Study of street-level bureaucratic Power After the Transfer of Mining Governance Authority by the Central Government in South Kalimantan Province).

The following are some other ramifications of the passage of Law Number 3 of 2020 about Mineral and Coal Mining that have a strategic bearing on the area :

1. loss of the provincial government's power to control coal and minerals, with the exception of powers that have been assigned;
2. Central state government officers known as Mining Inspectors or Supervisory Officials oversee all mining operations.
3. Insufficient cooperation between regional sectors when it comes to coal and metal mining, particularly between the Energy and Mineral Resources Service and law enforcement, plantations, forestry, public works, spatial planning, agriculture, and the environment.
4. When implementing the Regional Medium Term Development Plan and Regional Long Term Development Plan, the Regional Head (Governor) is not permitted to decide on strategic development policy actions pertaining to coal and metal mining.
5. When issues arise, the province government is unable to give all parties involved and the public clear explanations of the data and information pertaining to the growth of metal and coal mining operations.
6. The lack of transparency in the licensing process at the center (distance, communication, and licensing overload at the center) reduces the assurance of investment promises;
7. An increase in the frequency of unpermitted illegal mining operations, harm to the environment (river pollution, land conflicts, damage to public facilities), and inadequate oversight by supervisory officials or mining inspectors due to a lack of resources and a convoluted licensing process at the core
8. The lengthy acceptance of reclamation documentation and assurances, which prevents holders of mining business permits from carrying out reclamation activities, is a reflection of the difficulty in implementing reclamation activities.

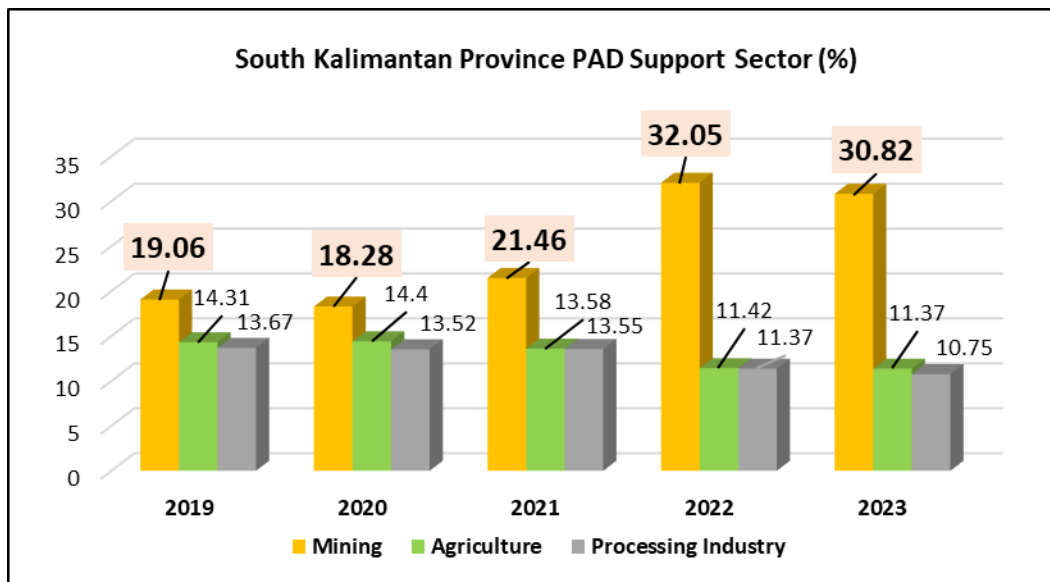
Because of the Central Government's vast authority, Law No. 3 of 2020 and its ramifications are likely to have an effect on gaps in the application of mining governance regulations, particularly those pertaining to mining business license services. Policies for mining governance that are designed to maximize productivity and effectiveness in the conduct of mining operations are unlikely to improve environmental management, particularly as they would encourage an increase in the scale of illicit mining operations.

Three (3) occurrences in South Kalimantan Province happened after the Central Government took control of mining governance policies, according to the Banjarmasin Post daily. The first is the harm that illegal mining operations do to the environment in Balangan Regency. The second is the unlawful mining operations in Tabalong Regency, which take place behind homes owned

by locals. Third, there was a national road break in Tanah Bumbu Regency that resulted in losses for businesses and the local community (Source: Banjarmasin Post, 2024).

The mining industry is currently still a priority industry supporting local revenue in South Kalimantan Province, so the implications of this policy will have an impact on the growth of regional revenue generated through mining and quarrying activities.

Figure 1.
Sector Supporting Regional Original Income South Kalimantan Province for the Last 5 Years



Source : South Kalimantan Province Central Statistics Agency (2024)

Figure 1 explains the 3 (three) main sectors contributing to South Kalimantan Province's Original Regional Income (PAD), Including the mining and quarrying industry, the agriculture, forestry, and fisheries business, as well as the processing industry, which during the last five (five) years has contributed, on average, about 50% of the PAD of South Kalimantan Province. The mining and quarrying industry is still the main sector contributing to South Kalimantan Province's PAD for the last 5 (five) years so it is still a priority industry that must be paid attention to. From this data, it can be seen that the percentage contribution of the mining and quarrying industry to the PAD of South Kalimantan Province is fluctuating (up and down) but will increase in 2022 to 32.05% and decrease in 2023 to 30.82%. According to this statistics, South Kalimantan Province's PAD increased between 2021 and 2023 as a result of the Central Government's mining policy management. Despite a surge in PAD, the issues that have emerged and are being documented indicate distinct circumstances. Therefore, in order for front-line bureaucrats to solve issues as they emerge, this component is crucial.

This study applies Michael Lipsky's approach to the execution of public policy, emphasizing street-level bureaucracy as the foundation for a bottom-up policy implementation model and a top-down policy implementation model. As a tool developed by street-level bureaucrats to effectively deal with job uncertainty and stress, routines and daily meetings of workers constitute public policy, according to Lipsky, who argued that public policy cannot be understood as something made in legislative bodies or high-level offices created by high-level administrator (Lipsky, 2010).

This research seeks to determine the extent to which mining policies have been implemented in South Kalimantan Province following the central government's transfer of mining management authority. It does this by carefully examining the background and research problems.

Literature Review

Bureaucrat Street-level Theory

Michael Lipsky has an in-depth view of street-level bureaucrats whose role is as policy implementers in the field who can determine the success or failure of a policy. This view is valuable to understand for those who doubt the role of strict management control so that policies can achieve policy targets. Lipsky considers teachers, police, welfare department employees, lower court employees, and legal services offices to be street-level bureaucrats who generally share characteristics with other bureaucrats at the executive level (Lipsky, 2010).

Lipsky's view states that public policy cannot be understood from the top levels of legislative and administrative bodies (because there is a process of policy setting and policy setting) but must be understood from street-level bureaucrats who are important actors in service delivery. These street-level bureaucrats have an extensive influence on how public policy is implemented.

In providing services, street-level bureaucrats are influenced by various pressures and challenges, namely limited resources, set targets, and relationships with clients. To overcome these pressures and limitations, street-level bureaucrats have developed patterns of activity, namely the rationing of services and ways of processing clients. The important role of street bureaucrats is because they are right in the middle between citizens and the state. The state hopes that there will be a balance between public services and a reasonable state expenditure burden. The public expects fair and effective treatment from the government through street-level bureaucrats because their role is considered to have a relatively high position, and have relative policy and autonomy from organizational authority. Nevertheless, street-level bureaucrats are the real policymakers because what they do is an effective expression of those policies, but workplace conditions present them with a dilemma (Gilson, 2015).

Mining Policy Governance

It is essential to view policy implementation from a bottom-up perspective (Sawir et al., 2023). The most significant advantage of the bottom-up approach is that it directs attention to the formal and informal relationships that make up the policy networks involved in policy creation and implementation (Wahidah & Suherman, 2022). As explained previously, the policy system consists of key actors from the private and public sectors involved in policy and have an important role in the policy process. This is implemented both in policy implementation and in its formulation. A bottom-up approach will shift the assessment of implementation away from policy decisions and return it to the policy problem; to examine all private and public actors and institutions involved in the problem (Dwinugraha, 2017; Putri et al., 2021).

The bottom-up approach considers implementation as a process of interpretation, namely finding out what to do and how to provide concrete services to recipients of programs or policies in various regions and local situations by street-level bureaucrats in different organizational environments. Consequently, policy implementation in this perspective is

multilateral and multilevel, because the implementation of a policy is no longer hegemonized by one party, the state, but by many parties at various levels of the organization. Therefore, this approach is also called an interpretive political approach.

Empirically, problems related to public policy are quite complex (Agustino, 2016). Phenomena in public policy are not only at the formulation stage where the public policy is implemented or how the substance of the public policy is stated and implemented, but are also related to the implications or impacts arising from a public policy (Anggara, 2014; Winarno, 2012). Public policy must be able to accommodate several different interests (Handoyo, 2012). Public policy must also be able to aggregate several interests into a policy product that is a priority, urgent, and becomes a reference to seeking broader structuring of interests (Nugroho, 2017).

From the perspective of interpretive politics, public policy is a collection of socially constructed realities of interpretive communities and the actions that each interpretive community wishes to incorporate into the public arena. Public policy is a construction of social reality, containing the meanings, values, preferences, and desires generated by the modern state and other interest groups towards certain public domain situations in modern society. Thus, policy studies are social research that aims to interpret and explain why certain meanings and values are marked in policy texts in the policy context and not vice versa.

Based on the interpretation and understanding revealed in the policy study, policy agents may continually engage in communication and dialogue purposed at facilitating mutual understanding, maintaining consensus, and enabling the achievement of reciprocal political solutions to the policy issue in question. Thus, public policy and policy studies are a way to facilitate the interests of mutual understanding in human communities and perhaps to reconcile conflicts.

Issues related to mining governance are certainly compelling to examine in depth (Amoah-Mensah & Darkwa, 2018; Ashraf & Cawood, 2019; Bhattacharyya & Shah, 2022; Blesia et al., 2021; Hasanuzzaman & Bhar, 2021; Kilu et al., 2021; Lauwo et al., 2016; Machanguana & Dias Sardinha, 2021; Statsenko et al., 2018; Yudarwati & Tjiptono, 2017). From reviewing the research results above, it appears that there are still many opportunities to conduct research and criticize the phenomenon of mining governance policies from the perspective of policy implementation, especially in business permit services. Unlike a number of earlier studies (Balica et al., 2018; Buffat, 2015; Civinskas et al., 2021; Durose & Lowndes, 2023; Guimarães et al., 2022; Raaphorst, 2018; Sarkisyan, 2023) that discussed the viewpoint of Street Level Bureaucracy, this study offers a chance to comprehend that in order for public policy to meet the intended goals, it is necessary to take into account the diverse networks of political, economic, and social forces that affect all parties involved. Establishing cooperative networks between the various actors engaged in public policy is essential to its successful implementation, as it takes both trust and responsibility to carry out the goals outlined in public policy. Even though there has been a lot of research conducted on mining policy governance, the originality of the theory developed in this study examines how policies are implemented from a political interpretive standpoint using the Street Level Bureaucracy perspective proposed by Michael Lipsky. So that in this way, the originality of the research conducted by the researcher can be observed.

RESEARCH METHODS

Using a qualitative approach and the case study technique, this research employs an interpretive worldview that examines social reality as something comprehensive, dynamic, complicated, full of meaning, and interacting symptom interactions (Neuman, 2011). Why is it important to use case studies; because it is a means by which program objectives and the specific conditions of their implementation can be examined and documented in detail over time. Yin (2014) revealed that case study research represents a much broader view where the empirical investigation of contemporary phenomena in their natural context uses various sources of evidence and information including secondary data, interviews, observations, and experiences.

The South Kalimantan Provincial Government and associated leading sectors, mining industry players, regional governments, the Regional People's Representative Council, and the broader public impacted by mining operations were the sources of the data used in this study. Two types of data sources were used in the collection process: 1) primary data, which came from interviews and observations combined to examine the data in detail; and 2) secondary data, which came from the results of earlier study and included publications, the media, books, regulations, and other supporting resources.

Using the snowball sampling technique, significant informants were identified in order to gather data. The selection of informants was based on their ability to communicate information regarding study objects that reflect expertise in the application of mining governance policies, such as Government Actors, Private Actors, and Public Actors, which illustrate the interaction between public policy and state actors. An interactive model is used for analysis, which entails gathering data repeatedly and choosing it based on the context of the study. After then, it is given as qualitative norms so that inferences can be made and the gathered data can be given meaning.

RESULTS AND DISCUSSIONS

Why is the Street Level Bureaucracy Policy Implementation Perspective Important ?

This study was carried out in Satui District, Tanah Bumbu Regency, South Kalimantan Province, taking into account that one of the illegal mining issues there resulted in the closure of a national road. The question is, what went wrong and why, and why the Central Government hasn't come up with a firm solution for this issue as of yet. Following the regulation number 3 of 2020, the federal government assumed governance over mining policy. These implications then have an impact on policy implementers in the regions. Torfing (2016) demonstrated that a substantial amount of contact occurs between public and private sector actors, both market and non-market. Then in another view, Durnova, et.al (2013) explore the idea that policy is the primary topic of discussion among practitioners in the policy process and that understanding the policy process and its political aspects is more important than criticizing it or suggesting new ones.

It should be emphasized that the political science approach to policy primarily focuses on the policy process. Jones (2014) developed a model of the policy process's five steps, ranging from agenda-setting to evaluation, which later became a common way to comprehend how the policy process operates. This perspective is then important to look at from the perspective of policy implementation, especially the existence of street-level bureaucracy as policy implementers in the field. In this section, we will discuss the dynamics of the role of policy implementers and their interests in the regions, considering that the key to policy success lies in the policy implementation process.

Mining Governance Policy Implications

The state certainly plays a crucial role in mining policy. The liberalization of mining businesses has weakened the realization of the country's ideals (Said, 2017). Mining governance based on Regency/City Regional Regulations often conflicts (does not comply) with UU/PP/Kepmen (implementation instructions/technical instructions) published by the Energy and Mineral Resources Ministry, resulting in many problematic Regency/City Regional Regulations. Likewise regarding the governance of the mining business permit issuance process. Many mining business permits are not based on district/city spatial plans so mining is often carried out on national roads, rivers, nature reserves, protected forests, dense settlements, and so on. Additionally, the granting of mining business permits is not dependent on technical factors (exploration), making it inappropriate for areas without reserve resources.

Due to inadequate internal and external oversight, the execution of mining activities is also not in compliance with acceptable mining practices. The lack of technical personnel who have mining skills and statutory regulations are the main obstacles to government supervision. In addition, the number of permits issued exceeds the capacity of the number of supervisors owned by the regional government. This has ramifications for costs incurred by the state as a result of illicit mining operations and the transfer of mining business permits that local governments are unaware of.

The implications also have an impact on mining activities without carrying out reclamation and revegetation activities, resulting in pollution of public waters (rivers) where mine water without management does not meet environmental quality standards. Naturally, when mining business permit holders disobey laws governing community development and empowerment, the effects of mining also extend to social aspects of society.

Likewise, there is overlap in community land which causes vulnerability to social conflict and the growth of oligarchy in the region. Departing from a series of mining problems that occurred in districts/cities, the authority for mining governance was delegated to the provincial level on the legal basis of the birth of Law Number 23 of 2014 concerning regional government. Mining business permits at the provincial level show the fact that approximately 339 permits were issued with approximately 600 business permits being revoked or expired. The reclamation guarantee has also increased to IDR. 580.- billion and 1.1 million USD. Then the post-mining guarantee is IDR. 31.5,- M and 723 thousand USD.

Table 1.
Comparison of Mineral and Coal Licensing Data In South Kalimantan

Mineral and Coal Data	Before Law No. 23 of 2014 (Managed by Regional Government)	After Law No. 23 of 2014 (Managed by the Provincial Government)
Mining license	924 IUP	339 IUP (600 Revoked/Expired)
Reclamation Guarantee	IDR. 102 M	IDR. 580 M and 1.1 M USD
Post-Mining Guarantee	IDR. 0	IDR. 31,5 M dan 723.000 USD
PNBP Arrears Data	IDR. 777 M	Not Known

Source: South Kalimantan Province Department of Energy and Mineral Resources (2023)

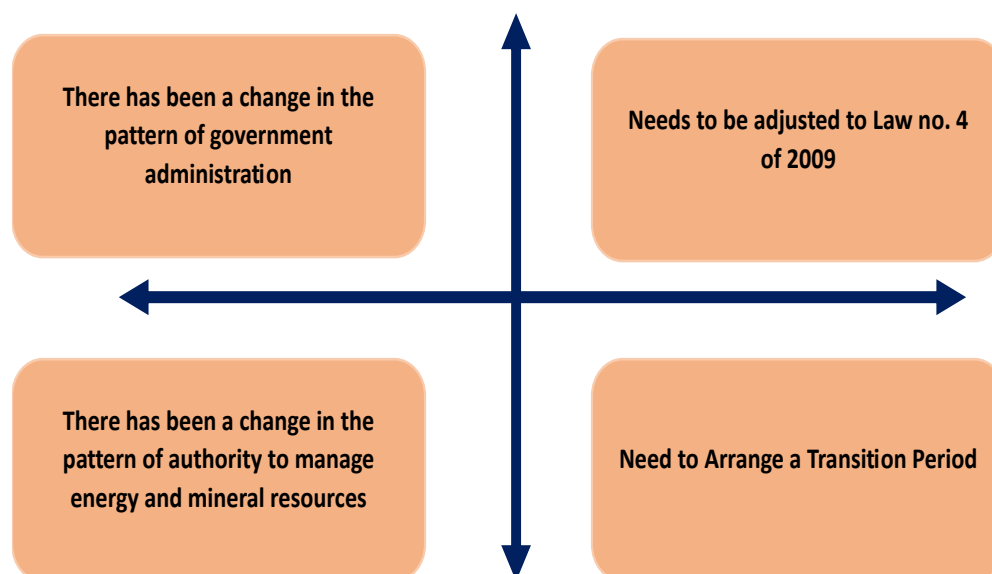
The table above shows a comparison of mineral and coal licensing governance between the Regional Government (Regency/City) and the South Kalimantan Provincial Government. This data shows better management at the Provincial Government level, which is marked by

increased reclamation guarantees and the receipt of post-mining guarantees with the adoption of regulation no. 23 of 2014 which addresses regional government. The only weakness that occurs is that Law No. 23 of 2014 does not have accompanying government regulations, making it difficult for the direct implementation process regarding the transfer of authority, particularly because the provincial government has the authority to decide on problems related to regional government in the energy and mineral resources sectors.

Since the publication of the regulation no. 23 of 2014, the Regency and City Mining and Energy Services were disbanded, resulting in weak sectoral coordination between the Regency/City and Province. A division of authority between the Provincial and Central governments was also brought about by the enactment of regulation No. 23 of 2014; the former is in charge of managing permits and conducting oversight, while the latter is in charge of supervising through the use of Mining Inspectors and Supervisory Officials.

Law Number 3 of 2020 concerning Minerals and Mining states that, in light of evolving mining issues in the regions, mining activities must be regulated nationally to inform strategic policy decisions. This is because mining activities support national strategic projects, which have an impact on the transfer of management authority over coal and minerals from provincial governments to the federal government.

Figure 2.
Implications of Changes in Mining Governance



Source: Processed by Researchers (2023)

Since the passage of Regulation Number 3 of 2020 about Mineral and Coal Mining, Figure 2 has clarified the implications of changes in mining governance in South Kalimantan Province, including the pattern of governance. In addition, it is necessary to make adjustments to regulation Number 4 of 2009 which previously regulated mining affairs that require transition as well as the pattern of authority for energy management of mineral resources in South Kalimantan. The mining sector is currently still a priority industry supporting local revenue (PAD) for South Kalimantan Province, so the implications of this policy will have an impact on the growth of South Kalimantan's PAD generated through mining and quarrying activities.

Response and Role of Street-Level Bureaucracy

Street-level bureaucracy is a bureaucratic apparatus that has direct contact with the community both in public services and public policy. Lipsky (2010) highlights the difficulties and uncertainties that frontline workers encounter while putting policy into practice at the street level, including:

1. Insufficient funding and subpar working environment;
2. Uncooperative and doubtful clients;
3. Unclear and ambiguous work specifications and guidelines

In the context of mining governance policies in South Kalimantan, The Energy and Mineral Resources Service Chief declared:

"The lack of technical personnel who have mining skills and statutory regulations has resulted in weak supervision by central government officials in the regions" (Interview October 2023)

The Kalimantan Province mineral resources energy service is a street-level employee who is entrusted with carrying out mining policies in the regions, but policy authority at the Central Government level is an obstacle for them in the implementation process. The implied meaning of the frontline workers' expressions strengthens Lipsky's prediction that inadequate resources create ambiguity and challenges in policy implementation considering that those in the regions are the ones who know the situation and conditions related to mining affairs.

Regulation no. 3 of 2020, which declares that the central government now has authority over mining concerns, serves as the foundation for the governance of mining policy. This is done when the authority between the Central Government and the Regional Government still hinders the business activities related to mining minerals and coal. This includes licensing, protecting affected communities, mining data and information, supervision, and sanctions, making the implementation of mining less efficient and unable to offer the maximum amount of added value.

According to a senior Ministry of Energy and Mineral Resources official:

"The instrument for the birth of this law is to make changes so that it can become an effective, efficient, and comprehensive legal basis for administering mineral and coal mining so that the authority lies with the central government" (Interview October 2023)

The primary foundation for the authority that formerly belonged to regional governments is Regulation Number 4 of 2009 concerning Mineral and Coal Mining. However, this policy is still unable to address developments, issues, and legal requirements in the implementation of Mineral and Coal Mining, so the government has responded by enacting Law Number 20 of 2020 to address issues related to Mineral and Coal Mining in Indonesia, particularly in South Kalimantan Province.

In terms of policy implementation, it appears that the Government is still implementing a top-down policy approach in terms of mineral and coal mining policies so that policies are seen as controlled implementation plans of previously designed policies (Cairney, 2019; Sabatier, 1988). The emphasis on technical and binding control and the recognition of the existence of mechanisms in the policy system from the Central Government ultimately has an impact on the Provincial Government which does not have the authority to manage minerals and coal. On the other hand, its implementation resulted in a decline in the spirit of regional autonomy that was promoted during the government process.

The Energy and Mineral Resources Service Chief declared:

"The effect of this law is to weaken coordination between regional sectors regarding mining activities, especially the energy and mineral resources department with other related agencies, for example, public works for spatial planning, forestry, the environment, and others" (Interview October 2023)

Weak coordination between government agencies in terms of mining policy in South Kalimantan Province ultimately does not reflect the spirit of regional autonomy due to vertical government relations (Muhamad, 2021). Sabatier and Mazmanian confirmed that policy implementation was considered a technical problem and had an impact on the law's ability to structure implementation in the form of clear and consistent objectives so that the spirit of mining policy in the region was hampered (Sabatier, 1988).

Clarity of function and division of authority in terms of mining policy must of course be resolved first before the policy is implemented so that it can bring real benefits to regional sustainability based on national interests, especially since street bureaucrats are the main actors in terms of policy implementation.

Concerning the function of lower-level bureaucrats Lipsky (2010) explains that :

"Public service workers who interact directly with citizens in the course of their jobs, and who have substantial discretion in the execution of their work are called street-level bureaucrats..... Typical street-level bureaucrats are teachers, police officers, and other law enforcement personnel, social workers, judges, public lawyers and other court officers, health workers, and many other public employees who grant access to government programs and provide services within them"

Lipsky defines lower-level bureaucrats as anyone who works in public services, where they interact directly with the public. The role of lower-level bureaucrats is very important in implementing policies because they interact directly and have direct contact with stakeholders, especially frontline workers in the implementation of mining policies in South Kalimantan Province which is supervised by the Mineral Resources Energy Service.

According to Lipsky, lower-level bureaucrats have a significant impact on how policies are implemented. Although lower-level bureaucrats can execute policies that conflict with the current strategy, policy implementation can also be done in compliance with the strategy and policy model. This depends on the perception and interests of lower-level bureaucrats regarding the policy.

The Energy and Mineral Resources Service Chief declared:

"We face challenges when the Provincial Government cannot provide accurate explanations and data regarding the development of mining and metal and coal activities to all stakeholders and the community when problems occur" (Interview October 2023)

In the case of mining policy in South Kalimantan Province, Gunn (1984) calls it a gap in policy implementation complemented by complex systems thinking based on the ideas of uncertainty, nonlinearity, and adaptability (Braithwaite et al., 2018). Complex, diverse, and multilayer elements are thought to shape and impact implementation. Public policy is always compared to a wicked problem that is resistant to change, has several potential causes, and viable remedies that vary in place and time depending on local conditions (Hudson et al., 2019).

According to a senior Ministry of Energy and Mineral Resources official:

"The spirit of law number 3 of 2020 was revealed through government regulation number 96 of 2021 to support ease of doing business, the certainty of investment, and showing alignment with national interests" (Interview October 2023)

The goal of the Mineral and Coal Policy is for the State to manage naturally occurring non-renewable mineral and coal resources to maximize public welfare and prosperity. The measuring tool for the level of welfare and prosperity is national per capita income, so national income and population are two things that influence each other on a country's per capita income, apart from that it can also be seen from the national development index indicator.

Meanwhile, the Mineral and Coal Policy Mission is to manage minerals and coal as basic capital for human resource development; mastery of science and technology as well as arts and culture; managing minerals and coal as basic capital for development that can realize industrial independence as well as energy, defense, and national resilience; and managing minerals and coal as basic capital for accelerating sustainable and environmentally sound national development to support growth, equality, and sovereignty as well as economic independence.

The laws about mineral and coal mining, Number 4 of 2009 and Law Number 3 of 2020 mandate the Mineral and Coal Policy. The national mineral and coal policy is set by the Central Government in charge of administering mining for minerals and coal, according to Law Number 3 of 2020 Article 6 Paragraph 1 Letter B.

The Indonesian Mining and Coal Policy seeks to provide guidelines for the best possible management of minerals and coal, as well as for the creation of legislation and regulations about the mining and coal industry. The main goals of Indonesia's mineral and coal management, meanwhile, are to boost the country's human resource base in terms of both quantity and quality, optimize the application of national mineral and coal management, boost the resilience, independence, and growth of its industries based on minerals and coal, raise the importance of minerals and coal from an economic standpoint, and maximize the welfare and prosperity of its citizens.

"In addition to the objectives above, of course in preparing this policy we also pay attention and take into account references, standards, and agreements as well as changes in national and global situations and conditions" " (The Director General of Coal and Minerals, 2020)

Moreover, the Minister shall establish a national mineral and coal management plan in a methodical, integrated, focused, thorough, transparent, and responsible manner, according to Article 8A paragraph 1 of Law Number 3 of 2020. The national mineral and coal management plan must, at minimum, include plans and policies related to the mining industry, as per Article 8B paragraph 1 of Law Number 3 of 2020.

"This Mineral and Coal Policy document is expected to become a guide in national mineral and coal management" (The Director General of Coal and Minerals, 2020)

The management and usage of minerals and coal, mineral and coal conservation, and mineral and coal inventory are the three (three) basic components of the mineral and coal policy. The foundation of the nation's mineral and coal inventory is aggressive and extensive exploration; managing and using minerals and coal is crucial to the development of the nation's industrial sector; and managing mineral and coal conservation to the best of its ability is necessary to ensure the prudent and sustainable use of the nation's resources.

In the context of mining governance policies in South Kalimantan Province, the Energy and Mineral Resources Service Chief declared:

"Distance constraints and the lack of clarity in the licensing process at the center result in decreased certainty of investment guarantees, not to mention when there is an overload of the licensing process" (Interview October 2023)

Monitoring and evaluation activities regarding regular implementation of coal and mineral management are necessary, comprehensively and dynamically to provide maximum benefits for national development, namely domestic industry, national resilience and defense, as well as the nation's competitiveness. Thus, by involving all relevant stakeholders in the development and improvement of the national economy and industry in an integrated manner to achieve the national development expected by the South Kalimantan Provincial Government, the goals of the mineral and coal policy in the management of minerals and coal can be optimally implemented within the nation, giving rise to new dynamics such as decreasing certainty of investment guarantees.

The spirit of the mining governance policy instruments currently in force seems to contain the principles of dynamic governance, namely a policy process from the government that is continuously refined, flexible, and fosters creative innovation (Neo & Chen, 2007). Dynamic conditions relate to government institutions which involve institutional processes that continuously or consistently make improvements and adjustments to the socio-economic environment in which society, the private sector, and government interact. This dynamic government agency influences the ongoing economic development process and various societal behaviors through policies that will ultimately strengthen the progress of the nation and prosperity.

Impact of Policy Implementation

Policies must be created in a way that links players both vertically and horizontally in a process of cooperation and shared deliberation, according to Ansel et al (2018). Finding enough common ground on the validity of the organization's rules and objectives is the goal here, so long as there is no confrontation. As a result, creating and implementing policies must be done as a cohesive process rather than as a collection of discrete steps. It is another question entirely whether policymakers possess the knowledge, abilities, capacities, and skills required to confront these systemic flaws and be successful in their endeavors (Williams, 2022).

The regional government's jurisdiction is restricted as a result of the central mining governance policy, particularly when it comes to handling the effects of harm resulting from mining operations. The Regional and Provincial Governments are unable to deal with such situations right once instead, they are awaiting directives and protocols from the Central Government, which delays road maintenance and decision-making.

As the local regional authority, the Regent of Tanah Bumbu declared :

"This 171 will definitely be stockpiled and rebuilt smoothly, the Tanah Bumbu Regency Government, the PUPR Ministry and PT. Arutmin stated after a series of discussions. (March 2024, interview)

One notable characteristic is that lower-level bureaucrats interact with society often and frequently possess discretionary powers that effectively grant them autonomy. Despite the fact that many of these actors' decisions may appear insignificant when viewed as a whole, they have the potential to drastically alter the goals of strategic policy (Hudson et al., 2019).

Given that the central government has the ability to address mining disputes, the Tanah Bumbu Regency Government, the regional administration in this instance, is powerless to take

significant action. A comparison of mining governance policies prior to and following the enactment of Law No. 3 of 2020 is provided in the following table.

Table 2.
Comparison of Mining Governance Policies Before and After the Birth of Law no. 3 of 2020

Category	Before	After
Licensing	Local government	Central government
Governance	Decentralized	Centralistic
Existence of Regional Roles	Strong	Weak
Follow-up Supervision of Cases	Can be carried out by Regional Government Agencies	Lack of Central Resources in the Region (Mining Inspector)
Affected Communities	Can Deliberate	Forced to Accept

Source : Processed by Researchers (2023)

The actuality of the mining policy instance demonstrates how decisions are made based on the dynamics of elite (state) interests while disregarding local concerns. There are distinct issues at every stage of the policy implementation process, but there is a noticeable improvement in the pull of policy authority, which first belonged to the Regency/City Government, then to the Provincial Government, and finally to the Central Government. Even while the primary goal of policy is to serve national strategic interests, regions that are the primary resource for mineral mining cannot fully control the outcomes of mining.

CONCLUSIONS

The loss of the Provincial Government's authority to manage mining licensing governance in South Kalimantan Province has resulted in the blunting of the role of street-level bureaucracy, namely the Department of Energy and Mineral Resources, in implementing mining policies, especially in terms of coal mining business permit services due to the adoption of Law Number 3 of 2020 about Mining of Minerals and Coal. Similarly, when it comes to carrying out the Regional Medium-Term Development Plan (RPJMD) and Regional Long-Term Development Plan (RPJPD), the Governor in his capacity as Regional Head is unable to decide on strategic development policy measures for coal and metal mining. These implications also have an impact on the South Kalimantan Provincial Government in ensuring the accuracy of explaining data and information regarding the development of metal and coal mining activities to all stakeholders (the community) when conflicts and problems occur.

Strengthening coordination between regional sectors is necessary when it comes to coal mining activities and mining permit granting services between the federal, provincial, and regional governments. This is crucial to regulate mining operations without permits and prevent environmental harm from resulting from the supervisors' inadequate oversight due to a shortage of personnel and a convoluted licensing process at the central level.

REFERENCES

- Agustino, L. (2016). *Dasar-Dasar Kebijakan Publik (Edisi Revisi)*. Alfa Beta.
- Amoah-mensah, A., & Darkwa, P. (2018). Leadership styles of owner-managers and employees' performance: The moderating role of age and experience. *Romanian Economic Business Review*, 13(3).
- Anggara, S. (2014). *Kebijakan Publik. Kebijakan Publik*.

- Ansell, C., & Gash, A. (2018). Collaborative platforms as a governance strategy. *Journal of Public Administration Research and Theory*. <https://doi.org/10.1093/jopart/mux030>
- Ashraf, H., & Cawood, F. (2019). A new mineral policy development framework for Pakistan. *Journal of Science and Technology Policy Management*, 10(2). <https://doi.org/10.1108/JSTPM-07-2017-0030>
- Balderson, U. (2023). Emotional subjectivities and the trajectory of a Peruvian mining conflict. *Environment and Planning E: Nature and Space*, 6(2). <https://doi.org/10.1177/25148486221113308>
- Balica, D. O., Henderson, A., & Țiclău, T. C. (2018). Romanian: Street level bureaucracy: A descriptive foundation. *Transylvanian Review of Administrative Sciences*, 2018. <https://doi.org/10.24193/TRAS.SI2018.1>
- Bhattacharyya, S. S., & Shah, Y. (2022). Emerging technologies in Indian mining industry: an exploratory empirical investigation regarding the adoption challenges. *Journal of Science and Technology Policy Management*, 13(2). <https://doi.org/10.1108/JSTPM-03-2021-0048>
- Blesia, J. U., Wild, S., Dixon, K., & Lord, B. R. (2021). Corporate community relations and development: engagement with indigenous peoples. *Sustainability Accounting, Management and Policy Journal*, 12(4). <https://doi.org/10.1108/SAMPJ-10-2018-0278>
- Braithwaite, J., Churrua, K., Long, J. C., Ellis, L. A., & Herkes, J. (2018). When complexity science meets implementation science: A theoretical and empirical analysis of systems change. *BMC Medicine*, 16(1). <https://doi.org/10.1186/s12916-018-1057-z>
- Buffat, A. (2015). Street-Level Bureaucracy and E-Government. *Public Management Review*, 17(1). <https://doi.org/10.1080/14719037.2013.771699>
- Cairney, P. (2019). Understanding Public Policy: Theories and Issues (Textbooks in Policy Studies). In *Understanding Public Policy: Theories and Issues*.
- Civinskas, R., Dvorak, J., & Šumskas, G. (2021). Beyond the front-line: The coping strategies and discretion of lithuanian street-level bureaucracy during covid-19. *Corvinus Journal of Sociology and Social Policy*, 12(1). <https://doi.org/10.14267/CJSSP.2021.1.1>
- Durnova, A., & Zittoun, P. (2013). Les approches discursives des politiques publiques. *Revue Francaise de Science Politique*, 63(3–4). <https://doi.org/10.3917/rfsp.633.0569>
- Durose, C., & Lowndes, V. (2023). Gendering Discretion: Why Street-Level Bureaucracy Needs a Gendered Lens. *Political Studies*. <https://doi.org/10.1177/00323217231178630>
- Dwinugraha, A. P. (2017). Sinergitas Aktor Kepentingan Dalam Penyelenggaraan Pemerintahan Desa (Studi pada Desa Urek-Urek Kecamatan Gondanglegi Kabupaten Malang). *Publisia: Jurnal Ilmu Administrasi Publik*, 2(1). <https://doi.org/10.26905/pjiap.v2i1.1421>
- Gilson, L. L. (2015). Michael Lipsky, Street-Level Bureaucracy: Dilemmas of the Individual in Public Service. In *The Oxford Handbook of Classics in Public Policy and Administration*.
- Guimarães, T. C. de A., Bernado, E. da S., & Borde, A. M. (2022). Street-level Bureaucracy in Teacher Discretionary Power. *Educacao and Realidade*, 47. <https://doi.org/10.1590/2175-6236110669vs02>
- Handoyo, E. (2012). Kebijakan Publik. *Kebijakan Publik Deliberatif*.
- Hasanuzzaman, H., & Bhar, C. (2021). Environmental analysis of coal mining using Bradley–Terry model. *Management of Environmental Quality: An International Journal*, 32(6). <https://doi.org/10.1108/MEQ-10-2020-0223>
- Hogwood, B. W., & Gunn, L. A. (1984). Chapter 2: Analysing Public Policy. In *Policy Analysis for the Real World*.
- Hudson, B., Hunter, D., & Peckham, S. (2019). Policy failure and the policy-implementation gap: can policy support programs help? *Policy Design and Practice*, 2(1). <https://doi.org/10.1080/25741292.2018.1540378>

- Jones, B. (2014). The policy-making process. In *Politics UK, Eighth Edition*. <https://doi.org/10.4324/9781315740720>
- Kilu, R. H., Omorede, A., Uden, M., & Sanda, M. A. (2021). Women leading change: re-shaping gender in Ghanaian mines. *International Journal of Development Issues*, 20(1). <https://doi.org/10.1108/IJDI-09-2019-0167>
- Lauwo, S. G., Otusanya, O. J., & Bakre, O. (2016). Corporate social responsibility reporting in the mining sector of Tanzania: (Lack of) government regulatory controls and NGO activism. *Accounting, Auditing and Accountability Journal*, 29(6). <https://doi.org/10.1108/AAAJ-06-2013-1380>
- Lipsky, M. (2010). Street-level bureaucracy: Dilemmas of the individual in public services. In *Street-Level Bureaucracy: Dilemmas of the Individual in Public Services*. <https://doi.org/10.2307/2392554>
- Lutz-Ley, A. N., & Buechler, S. J. (2020). Mining and women in northwest Mexico: a feminist political ecology approach to impacts on rural livelihoods. *Human Geography(United Kingdom)*, 13(1). <https://doi.org/10.1177/1942778620910901>
- Machanguana, C. A., & Dias Sardinha, I. (2021). Exploring mining multinational resettlements and corporate social responsibility in emerging economies: the case of the company VALE, SA in Mozambique. *Sustainability Accounting, Management and Policy Journal*, 12(3). <https://doi.org/10.1108/SAMPJ-11-2019-0414>
- Matikainen, L. S. (2022). Addressing Sustainability in the Mining Industry Through Stakeholder Engagement. *South Asian Journal of Business and Management Cases*, 11(1). <https://doi.org/10.1177/22779779221078673>
- Muhamad, L. O. A. (2021). Aspek Hukum Hubungan Kewenangan Vertikal Antara Pemerintah Pusat dan Daerah Dalam Tata Kelola Pemerintahan. *Halu Oleo Legal Research*, 3(1). <https://doi.org/10.33772/holresch.v3i1.16510>
- Neo, B. S., & Chen, G. (2007). Dynamic governance: Embedding culture, capabilities and change in Singapore. In *Dynamic Governance: Embedding Culture, Capabilities and Change in Singapore*. <https://doi.org/10.1142/6458>
- Neuman, W. L. (2011). Social Research Methods: Qualitative and Quantitative Approaches. In *Pearson Education*.
- Nugroho, R. (2017). Public Policy: Dinamika Kebijakan, Analisis Kebijakan, dan Manajemen Politik Kebijakan Publik. In *Jakarta: Elex Media Komputindo*. <https://doi.org/10.1017/S0033291702006190>
- Putri, N. A., Zetra, A., & Putera, R. E. (2021). Peran Dan Sinergitas Antar Aktor Badan Usaha Milik Desa (Bumdes) Tirta Mandiri, Desa Pongkok, Kabupaten Klaten Dalam Perspektif GovernancE. *JWP (Jurnal Wacana Politik)*, 6(2). <https://doi.org/10.24198/jwp.v6i2.32107>
- Raaphorst, N. (2018). How to prove, how to interpret and what to do? Uncertainty experiences of street-level tax officials. *Public Management Review*, 20(4). <https://doi.org/10.1080/14719037.2017.1299199>
- Sabatier, P. A. (1988). An advocacy coalition framework of policy change and the role of policy-oriented learning therein. *Policy Sciences*. <https://doi.org/10.1007/BF00136406>
- Said, Moh. (2017). Kebijakan Pertambangan: Regulasi untuk Siapa? *Jurnal Ilmiah Administrasi Publik*, 3(3). <https://doi.org/10.21776/ub.jiap.2017.003.03.4>
- Sarkisyan, N. (2023). Producing Kartinka: Street-Level Bureaucracy and Implementation of Russia's Tolerance Policy in St. Petersburg. *Nationalities Papers*, 51(2). <https://doi.org/10.1017/nps.2021.77>
- Sawir, M., Robo, S., Abubakar, F., & Kamaluddin, S. (2023). Implementation Of Public Services In The Digital Era As A Public Information Media Regional Government Of Jayapura

- Regency, Papua Province. *Jurnal Manajemen Pelayanan Publik*, 6(2). <https://doi.org/10.24198/jmpp.v6i2.45532>
- Statsenko, L., Gorod, A., & Ireland, V. (2018). A supply network governance framework: a case study of the South Australian mining industry. *Journal of Global Operations and Strategic Sourcing*, 11(1). <https://doi.org/10.1108/JGOSS-03-2017-0007>
- Torring, J. (2016). Collaborative innovation in the public sector. In *Collaborative Innovation in the Public Sector*. <https://doi.org/10.4337/9781849809740.00032>
- Wahidah, I., & Suherman, D. (2022). Penta Helix Collaboration in Increasing Regional Tourism Competitiveness of Bandung City. *Jurnal Manajemen Pelayanan Publik*, 6(1). <https://doi.org/10.24198/jmpp.v6i1.39986>
- Williams, P. (2022). Collaboration in Public Policy and Practice. In *Collaboration in Public Policy and Practice*. <https://doi.org/10.51952/9781447306306>
- Winarno, B. (2012). Kebijakan Publik (Teori, Proses, dan Studi Kasus). In *Caps*.
- Wireko-Gyebi, R. S., Asibey, M. O., Amponsah, O., King, R. S., Braimah, I., Darko, G., & Lykke, A. M. (2020). Perception of Small-Scale Miners on Interventions to Eradicate Illegal Small-Scale Mining in Ghana. *SAGE Open*, 10(4). <https://doi.org/10.1177/2158244020963668>
- Yin, R. K. (2014). Qualitative research: Design and methods (5th ed.). In *Thousand Oaks, CA: SAGE Publications*.
- Yudarwati, G. A., & Tjiptono, F. (2017). The enactment of public relations functions: insights from the Indonesian mining industry. *Asia Pacific Journal of Marketing and Logistics*, 29(2). <https://doi.org/10.1108/APJML-10-2016-0194>