



Government Bureaucratic Behavior in Optimizing Institutional Investment Licensing Services (Case Study in Garut Regency)

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ABSTRACT: To improve the economic capability of a region, one of them is by investing in the Endogenous Development paradigm, the strategy is to harmonize natural forces with the strength of human resources. However, we still find many problems when we will make this investment, one of the problems is related to licensing which is still very complicated, requires a very long bureaucratic path, and buys complicated. This is what encourages researchers to research the problem of the still difficult licensing path. Researchers conducted this study using qualitative research methods which analyzed data from interviews through informants related to investment. The results obtained in this study show that there is still a high gap between investment interest and investment realization, which is one of the causes is still There are weaknesses in bureaucratic behavior in implementing policies on investment.

Keywords: Bureaucratic Behavior, Institutional, Investment Licensing Services



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INTRODUCTION

One important aspect of regional development planning is building a regional economy that is capable of generating high leverage and being able to become a catalyst for other sectors to grow and develop (Purwanto, 2018). Regional development becomes very meaningful for regional development when the government implements regional autonomy which is followed up by Law Number 23 of 2014 concerning Regional Government (Muin et al., 2020; Zauhar et al., 2020). This policy is a major decision that brings about fundamental changes in the governance of relations between the central and regional governments, due to the delegation of authority and financing which has previously been the responsibility of the Central Government (Bjorna & Synnone, 2006; Kameda et al., 2022). The enactment of this law requires regional governments to implement decentralization and spur economic development to improve community welfare and increase regional independence (Cheshire et al., 2014).

In line with the regional economic development paradigm, namely the Endogenous Development Strategy which combines endowment factors (development capital/secondary resources) with human resource capabilities that are developed sustainably (Harangozo et al., 2018). This strategy

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aims to open investment opportunities and create investment interest in various fields. With the influx of investment, it is hoped that it can create a multiplier effect in forward-backward linkage, which leads to social welfare ([Dai, 2016](#); [Joseph, 2019](#)). Endogenous Development Strategy is a development strategy that strengthens regional characteristics combined with natural resource development, by exploring, discovering, and determining regional development potential (leading sectors and superior products) which can become a strength and push factor for development. Exploring this potential is very important because it is hoped that development will be more focused on developing existing potential ([Serano, 2012](#)). Besides that, all this potential can be "sold" to investors.

Investment development still has obstacles or problems. Among them are in terms of improving policies and implementing investment ([Hundsbaek Pedersen & Bofin, 2019](#); [Islam et al., 2020](#)). This phenomenon can be seen, firstly, because there are still inconsistent investment regulations and implementation, one of which can be seen from the main duties and functions of the Investment and Integrated Services Service, whether as a "one-stop services center" or as an investment promotion agency ([Eraqi, 2014](#); [Sukwadi & Caesar, 2022](#)). This has the potential for misunderstanding from investors/potential investors ([Nugroho, 2011](#)). Second, what is still a problem in implementing investment policies are bureaucratic problems and obstacles associated with bureaucratic behavior in resolving problems related to investment. Based on preliminary research, based on information from the Investment Coordinating Board (BKPM), until now regional licensing issues have always been a complaint for investors. It was stated that the span of bureaucracy in the regions was too long, resulting in; 1). Expensive costs, 2). There are opportunities for corruption or illegal levies which could result in a poor investment climate in Indonesia. If this problem continues, investment competitiveness will always decline due to low investor interest in investing in the region ([Aritenang, 2021](#); [Cui et al., 2020](#); [Mendoza-Velázquez et al., 2021](#)).

Licensing in the Garut Regency has a very important role. This is adapted to the vision of Garut Regency ([Arjaya & Budiarta, 2021](#); [Sattar et al., 2013](#)). Licensing is an entry point for investment which should be an important priority for the region ([Priyadi & Kim, 2022](#)). Looking at the various existing data, it can be concluded that one of the problems causing the low performance of DPMPT in the field of licensing services in Garut Regency is that the implementation of investment policy in Garut Regency has not been supported by the arrangement of mechanisms and procedures, authority and hierarchy, as well as employee management. which supports the implementation of policies ([John, 2012](#)). Based on the facts described above, the researcher also carried out mapping of previous research, based on the Systematic Mapping Study. In this mapping process, the researcher obtained 33 articles that met the inclusion criteria based on database searches from Scopus, the Indonesian Public Index, and the Unpad library.

After mapping 33 articles by searching the Scopus, IPI, and Unpad Library databases, researchers found that 17 previous studies were relevant to the title to be researched, but which specifically discussed institutional aspects, one of which highlighted the problem of bureaucratic behavior regarding investment settlement. There is only 1 article, and there are 9 articles discussing Investment Policy Implementation and 7 articles relating to the role of management in investment. This article is very relevant as a theoretical basis for realizing ideal institutions in the investment

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sector. This is because realizing an ideal institution is strongly supported by good management and strengthened by the existence of capital investment policies ([Lecovic, 2011](#)).

Based on this, the results of previous research focus on a condition where investment management is largely determined by the extent to which each country implements investment policies and the management system implemented ([Setiandy, 2021](#); [Xue et al., 2021](#)). So this is the difference between these studies and this research. is where the problem that will be analyzed in this research is related to analyzing how the bureaucracy behaves in investment services to optimize investment institutions in Garut Regency.

METHOD

Research on Government Bureaucratic Behavior in Investment Licensing Services. Optimizing the Institutional Licensing and Investment Service is motivated by the fact that there is still a fairly large gap between investment interest and realization, especially in the Garut Regency. Based on this phenomenon, this shows that the Garut Regency government is not yet optimal. in terms of attracting investors to Garut Regency. There are several reasons why there are obstacles in attracting investors, including institutional factors, social-political factors, regional economic factors, and infrastructure factors. In this case, the researcher decided in this study to focus on institutional factors ([Campisi & Caprioni, 2017](#); [Matafonova & Gordeeva, 2017](#)).

This is the reason why the author conducted research in institutional matters because institutions are a corridor for the implementation of a policy. If the institutions are good, then the policies will be implemented well too. Institutions are like the blood in the human body, and organizations are the anatomy of the human body. If the blood is blocked then how can the anatomy work properly in the human body? Many things are discussed in this institution, one of which is how the bureaucracy behaves in terms of carrying out licensing services in the investment sector, or how the intelligence of bureaucrats in implementing licensing issues for investment goes well. The phenomenon that occurs in Garut Regency related to capital investment is not optimal, and this phenomenon is attempted to be explained with the help of theories about institutions from Nort, Olila, Van Horn Van Meter, and the concept of capital investment which will help researchers in carrying out analyzes regarding Institutional Aspects, in addition to This is also assisted by other sciences such as sociological theory which highlights the problem of bureaucratic behavior in running these institutions, economics which discusses capital investment.

From the research question that has been determined by the researcher and is based on the researcher's desire to obtain comprehensive data by collecting complete information on what will be researched and mastering the object being researched the researcher determines that the research method used is a qualitative method.

The qualitative method was chosen because it can describe complex settings and interactions, explore types of information, describe phenomena, understand processes, and obtain clarity on the meaning of each pattern of behavior shown by policy-formulating and policy-implementing actors in the implementation of decentralized investment ([Moleong & J., 2014](#)). The data and

information required in this research relate to government symptoms, data, and facts regarding the implementation of decentralized investment in Garut Regency as the research locus.

RESULTS AND DISCUSSION

From the perspective of a modern state, government bureaucracy is an administrative instrument that plays an important role and is very much needed to fulfill the interests of society ([Sumarto, 2021](#)). Therefore, there are at least three reasons why the presence of regional government bureaucracy is very necessary, namely: First, service. The presence of government bureaucracy with a service function aims to create conditions that guarantee that citizens can carry out their lives in a reasonable manner. Second, the Empowerment, function aims to create an independent society. Third, development in the development function contains the intention of gradually improving the welfare of society. Rasyid (1999). Based on these reasons, the presence of government bureaucracy is considered important and very necessary because bureaucracy is the only formal institution that has the political legitimacy of society to carry out service, empowerment, and development functions. Having the most complete network structure, allows the bureaucracy to become an institution capable of reaching various community interests. Apart from that, the presence of bureaucracy is seen as a solution to all problems that often arise related to government services and development. Typically an important and strategic public organization, the face of the administration of public affairs, the government bureaucracy is required to have clear functions and authority as legally regulated through formal regulations. When reform rolls in with the emergence of the good governance paradigm, the government bureaucracy is required to change its attitudes and behavior and be able to provide professional, accountable, and transparent public services as the public desires. As a formal institution that plays an important role, it seems that the current government bureaucracy has not changed substantially, especially in public services. Bureaucratic reform, which requires changes in individual and organizational aspects, is a logical consequence of a bureaucratic reality that is still far from society's expectations. Even though there has been a shift from an authoritarian bureaucratic model to a pluralistic bureaucratic model, the problem of bureaucracy as a public servant has not changed much, in fact, more time is still needed to create a government bureaucracy that prioritizes the principles of good governance. Since the implementation of decentralization and regional autonomy policies, the government bureaucracy has been given broad authority along with full responsibility for carrying out services to the community ([Amin, 2022](#)). This policy has become a good momentum for regional governments in manifesting the duties and functions of government, namely service to the community so that community welfare can be realized. Law Number 32 of 2004 concerning Regional Government outlines that public services are mandatory affairs of regional governments in addition to various other matters. This indicates that regional governments are obliged to improve the quality of public services by the principles of state administration and is also an embodiment of the main principles of decentralization and regional autonomy policies. The research results found in the field related to licensing services in Garut Regency to increase investment were not optimal. The results of this research mean that for several years the public services provided by the government bureaucracy have not shown a change for the better. Even

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though the government has issued various policies related to improving the quality of services, to date there are still many who think that the services provided to the public are still not good. Many cases of public licensing services in Garut Regency show that there is still service discrimination and there is no certainty of service. This kind of phenomenon is the cause of corruption, collusion, and nepotism (KKN) because service users tend to choose to pay high fees to the government to obtain services. The assumption is that by bribing, things will become easy, fast, and smooth. In this regard, the central government has issued policies, including requiring licensing services at one door so that the bureaucratic chain is not long and is more efficient. This still happens in the Garut Regency. Currently, many regions have adopted policies to implement one-stop licensing services as an effort to reform bureaucracy. Some regions implement this with high enthusiasm and creativity so that services are optimal and ultimately community welfare can be realized. However, many regions have implemented a one-stop service policy but it is acknowledged that it has not been implemented optimally. The results of the Corruption Eradication Commission survey in 22 regencies/cities show a decline in service quality and the average service provided is still poor. Garut Regency is an autonomous region that has growth that is still in the developing region category, however, based on research that has been conducted, Garut Regency has investment potential based on available resources. To utilize the existing potential for economic and development opportunities, the Garut Regency government has issued its vision, namely to create a dignified Garut Regency. And one of the stated missions is to realize good governance through efforts to improve higher-quality public services. With the established vision and mission, of course, the Garut Regency government is committed to implementing the established policy, namely one-stop licensing services to support the economic recovery strategy. In its development, the Garut Regency government since 2017 has established an integrated Investment and Licensing Service. The formation of this Department as an agency that provides direct services to the community is an effort or breakthrough in developing public service practices based on the principles of good governance. In this context, the licensing service policy has been issued by the Garut Regency government with the hope that the processing of all permits will be fast, cheap, and efficient so that all community needs will be met and can have a positive impact on economic growth. However, despite the policy taken by the Garut Regency Government through regional regulations issued, it turns out that the implementation of licensing services is not what was expected. The results of the 2020 North Sulawesi Provincial Ombudsman survey show that the licensing services provided by the government are considered to be still not good. This fact shows that the government does not care and is not responsive to the wishes of the people who expect a form of quality service. Based on research that occurred in the field related to the implementation of permits for investment in Garut Regency, the author still obtained several findings based on interviews in the field regarding violations of informal rules. Namely, there is still a habit of paying a certain amount of money in connection with technical recommendations required in formal regulations. This habit occurs because formal rules require technical recommendations for a business and/or activity. The involvement of this technical team occurred in processing several permits, including principle permits, location permits, IPPT, IMB, HO, IUI, as well as waste processing permits. To provide recommendations, the technical team by the licensing SOP must carry out verification in the field and then discuss the permit proposal submitted by the entrepreneur. The consequence of this visit and discussion was that the company had to prepare meals, transport money, and pocket money for each technical team. From the results of the

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interview, the author was able to identify the habit of using the services of technical service staff to fulfill the technical requirements that must be completed by the company. There is one habit that employers must not violate in dealing with technical services, namely to assign technical work to the technical service staff concerned. If this is violated then technical recommendations and other technical aspects will never be correct. For example, in making an IMB, official personnel must be involved in making a site plan. One investor revealed that every licensing process involves money. As told him: "When you want to go to the IMB, you have to have a site plan, and you have to draw a picture, the picture doesn't match what he said, but if we use their draftsman, we'll pay one million and then it's correct." Another problem found related to violations of informal rules is that the use of brokers' services for various purposes between companies and government agencies has become a "must" so that all matters related to bureaucracy can be resolved quickly. Even though there is no guarantee from the broker that everything can be completed in a short time, at least this gives certainty to entrepreneurs that their interests have been represented by the broker. The widespread use of broker services is due to the lack of certainty from service officials about when a matter can be resolved. The government's appeal for entrepreneurs to take care of their own needs seems to be hampered by the reality on the ground that this convenience is very difficult for entrepreneurs to obtain. It seems that the bureaucratic motto "if it can be complicated, why make it easier" is still often found in government agencies. Dealing with bureaucracy is "actually not complicated, but it gives the impression that it does so that we give ourselves a headache. If that's the case, wouldn't we say, "So how good is it"? If that's the case, they will offer their good services to us." This statement came from one of the investors stating that dealing with bureaucracy tends to be complicated. "Even though they say there are SOPs, the implementation is not always like that. What happened next was that the authorities doubled as brokers. The fact that there are officers who double as brokers is also visible in observations made at the Garut Regency DPMPT. This is known from licensing service users who always meet one of the service staff when they come. If the staff in question is not available then they will wait or contact them by telephone. This indicates that the staff in question is bound by an unwritten contract that he will "help" with someone's licensing process. Delays in permits always occur. This effort is made by the authorities to give the impression that the matter they are working on is not simple and requires a long time to be resolved. The body language used must reflect that the officers are better informed (Bos, 2001). The more frequently entrepreneurs ask about developments in the licensing process, it shows the level of interest entrepreneurs have in these permits. This opens up opportunities for officials who double as brokers to force entrepreneurs to spend more funds. However, this does not mean that the more money disbursed, the faster the permit completion process will be. The greater the entrepreneur's potential to spend funds, the longer their relationship will continue. This happened because the authorities thought that he should be compensated by a much higher income (Bos, 2001). 280 Regarding bureaucratic costs, as has been explained, the official fees imposed on the community by formal regulations are not large. The large expenditure of entrepreneurs is not because the permits are expensive but rather the process of obtaining these permits. This is due to the high uncertainty factor (Williamson, 1981) which is described by officials or brokers, and the tendency of unscrupulous officials to take advantage of this uncertain situation. The uncertainty factor in dealing with government bureaucracy is so high that officials as agents do not want to take the initiative to ask entrepreneurs directly for tariffs for their good services. "They don't want to ask but are waiting for the entrepreneur's initiative. As

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long as there is no money there is no effort to speed up service. Investors must understand. "Things won't work if there's no money. There are too many unclear costs that we have to incur when it comes to government bureaucracy. Everything nowadays is based on money, there are social costs, otherwise, we wouldn't have access to. Moreover, if they know that it is a businessman who is coming, then the amount of money that is expected to flow will be even greater. In this licensing service, what one of the investors does is to make contact with one of the staff. Using existing staff in an agency as an extension and source of information for companies is not something new in the practice of relations between companies and government bureaucracy. The possibility of asymmetric information ([Ferriero & Serrano, 2011](#)) among staff and lack of information requires companies to have "insiders" in various government agencies. For this reason, investors must spend a certain amount of funds to maintain good relations with these "insiders" both in material and other forms. This is as stated by North (1990), "the high cost of information is the key to transaction costs.

CONCLUSION

From the discussion that has been carried out, it can be concluded that investment institutions in Garut Regency have not been able to reflect an effective institution for implementing investment policies in Garut Regency, this has implications for the low realization of investment or investment in Garut Regency. There are still many problems that occur, especially in the investment licensing service process which requires a long bureaucratic stretch, one of the causes is that it is not supported by policy-making actors who are not yet optimal or not supported by the behavior of bureaucrats who do not understand implementing policies regarding investment. capital, this results in the implementation of investment policies not being fully successful or investment policies in Garut Regency not being implemented properly, resulting in low investment realization in Garut Regency. The licensing service process which is considered to be still complicated with unclear costs and completion times has led to the emergence of brokers in processing permits. All this happened because, in the implementation of formal regulations, opportunistic behavior emerged from both entrepreneurs and officials, resulting in the realization of investment in the Regency still being low, not by what was targeted.

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