

**PUBLIC SERVICES RESPONSIBILITY:
HANDLING OF *UNDOCUMENTED CITIZENS* BY SANTIAGO SUB-
GOVERNMENT IN SANGIHE ISLAND REGENCY**

Katerina Bataha

Public Administration Department,
Faculty of Social and Political Science,
UPN Veteran Jawa Timur, Surabaya
katerina.bataha.adneg@upnjatim.ac.id

Diana Hertati

Public Administration Department,
Faculty of Social and Political Science,
UPN Veteran Jawa Timur, Surabaya
diana_hertati.adneg@upnjatim.ac.id

Dandi Darmadi

Public Administration Department,
Faculty of Social and Political Science,
UPN Veteran Jawa Timur, Surabaya
dandi.darmadi.adneg@upnjatim.ac.id

Binti Azizatun Nafi'ah

Public Administration Department,
Faculty of Social and Political Science,
UPN Veteran Jawa Timur, Surabaya
binti.azizatun.adneg@upnjatim.ac.id

ABSTRACT

The government of Santiago Sub-District, Tahuna District has found that there are undocumented citizens who have been working and living in the Santiago Sub-District, Tahuna District for years. Refers to the 1945 Constitution Article 26 Paragraph 2, undocumented citizens who have worked and live in the area of the Santiago Sub-District are citizens who are entitled to public services as described in Law Number 25 of 2009 Article 1. This study aims to determine the responsiveness of the Santiago Sub-District government in handling undocumented citizens in the Santiago Sub-District, Sangihe Islands Regency. The type of research used is qualitative with a case study approach to explain the phenomenon related to the responsiveness of the Santiago Sub-District government in dealing with the problem of undocumented citizens by using 3 responsiveness indicators, namely the ability to respond, speed of service, and accuracy of serving. The results showed that the responsiveness of the Santiago Sub-District government in handling undocumented citizens was going well and was right on target.

Keywords: *Responsiveness, Public Service, Undocumented Citizens*

A. INTRODUCTION

Protecting the country's border areas is an important thing that must be done by the government and the community because this is related to state sovereignty. The border areas are undeniably full of various problems such as border crossing, *illegal fishing*, smuggling, terrorism, arms sales, narcotics, and human trafficking (Muradi, 2017; Marihandono, 2016; Marwasta, 2016; Pratiwi, 2020; Bataha et al., 2021). The Sangihe Islands Regency as a border area of the Unitary State of the Republic of Indonesia and the State of the Philippines also inevitably faces problems as mentioned above. From the results of research conducted by Bataha et al (2021), in the Sangihe Islands Regency, there are still many border-crossing activities that enter and exit Indonesian territory illegally without going through the Marore Cross-Border Post. The Marore Cross-Border Post is the official route in and out of border crossers from the Republic of Indonesia to the Republic of the Philippines and vice versa.

On the other hand, the community has different views regarding the issue of illegal border crossers in the Sangihe Islands Regency. Research conducted by Makahingide (2021) related to the Marore border area, which includes the Sangihe Islands Regency and the Philippines, explains that basically border communities view this cross-border relationship as a relationship between tribes and relatives who are only geographically separated by national borders so that many border crossers who have lived for many years in these two areas of the country without having residence or immigration documents proving their citizenship (*undocumented citizens*). According to Enriquez (2014), undocumented citizens can be understood as people living without legal status who do not have residence or immigration documents that prove citizenship.

This has the potential to create status uncertainty and inequality in access to public services. *Undocumented citizens* or settlers without documents referred to in this study are illegal border crossers from the Philippines who have long lived in Santiago Village, Sangihe Islands Regency because of their work. They have lived long enough to bring their families moved from the Philippines. Data from the Regional Government Section of the Sangihe Islands Regency and the Population Data Collection Team for *undocumented citizens* or *stateless* in 2015 showed that there were approximately 100 *undocumented citizens* scattered in several villages or sub-districts in the Sangihe Islands Regency.

According to the Deputy Governor of North Sulawesi, Steven Kandouw, the problem is *undocumented citizens* of Sangihe-Filipino and Filipino-Sangihe descent based on UNHCR data there are around 8,500 people living in the Southern Philippines (RRI, 2019). This reality is certainly a public problem that must be immediately addressed by the Indonesian government and the Philippines because it is related to the management of border areas and state sovereignty. In 1956, the governments of Indonesia and the Philippines held a bilateral meeting to reach an *Agreement on Immigration Between the Republic of the Philippines and the Republic of Indonesia* to discuss the issue of "border crossers". From this meeting, an agreement was created which was signed on July 4, 1956, in which the Government of the Philippines ratified this agreement as *Senate Resolution*

number 94, 1957 (*Resolution Expressing the Concurrence To and Approval of The Senate of The Philippines of The Agreement Between the Republic of The Philippines and The Republic of Indonesia on Immigration Signed at Jakarta on July 4, 1956*). Likewise, the Indonesian government ratified it into Law Number 77 of 1957 concerning the Act on Consent Concerning Citizens Illegally residing in the territory of the Republic of Indonesia and the Republic of the Philippines. From this agreement, there are two islands that become special areas of the two posts of Indonesia and the Philippines, namely the *Border Crossing Agreement* (BCA) for the Marore and Miangas units (Pristiwanto, 2015; Makahingide, 2021; Bataha et al., 2021). Border crossers are required to pass through these two Indonesian and Philippine Cross-Border Posts with a residence permit for 59 days as stipulated in Law no. 77 of 1957.

The government of Santiago Village, Tahuna Sub-district found that there were *undocumented citizens* who had worked and lived in the Santiago sub-district, Tahuna Sub-district for many years. Referring to the 1945 Constitution Article 26 Paragraph 2 which stipulates that residents are Indonesian citizens and foreigners residing in Indonesia, *undocumented citizens* who are already working and living permanently in the Santiago sub-district are residents who are entitled to public services. Public service has always been an interesting and strategic issue because it relates to the activity of providing services to the public which is full of complexity. In simple terms, public service can be defined as the provision of services to people or communities who have an interest in the organization in accordance with the basic rules and procedures that have been established (Dwiyanto, 2014). The *Undang-Undang Nomor 25 Tahun 2009* concerning Public Services Article 1 explains that public services are activities or series of activities in the context of fulfilling service needs in accordance with laws and regulations for every citizen and resident of goods, services, and/or administrative services provided by the organizer public service.

From the two definitions above, it can be concluded that public service is the fulfilment of the service needs of citizens or residents including *undocumented citizens* by service providers, in this case, the government. In providing services, government responsiveness is needed to deal with various situations and demands for public services in their area. According to Ratminto & Atik Septi Winarsih (2005) in Meisya Kusumaningtyas et al (2018), responsiveness is the ability of service providers in this case the government to recognize community needs, develop service agendas and priorities, and develop service programs according to community needs and aspirations. From this understanding, it can be said that responsiveness is one of the indicators to determine service quality. Responsiveness of service quality is certainly very much determined by the responsiveness of the apparatus to the community's needs for services, anticipating new changes or developments. The responsiveness of public services in this study talks about the ability or responsiveness of the Santiago Village Government, Tahuna District to public problems, the existence of *undocumented citizens* who have worked and lived permanently in the Santiago sub-district, Tahuna District for many years. Government responsiveness in this study will be measured from 3 indicators based on the theory of Zeithaml et al in Hardiansyah

(2011:46), namely: the ability to respond to the community, speed of service, and accuracy of service.

The problem of *undocumented citizens* is interesting and important to study because it is closely related to public services in the border area which incidentally is a reflection of the nation. Previously, many studies have shown that the issue of *undocumented citizens* has the potential to add to public problems such as the increase in homelessness and limited social benefits rights al (Vargas, 2018; Nordling et al., 2017). In education, students who are not documented or *undocumented citizens* face significant financial obstacles, psychological and social burden that is unique to the legal status and lack of access to social capital can facilitate the success of post-secondary (Peter Bjorklund, 2018). Research by Rodriguez (2019) shows how the status of undocumented parents shapes family negotiations and the penalties that the state makes for children of adult citizens that were not previously accounted for in immigration and family scholarships. Research by E. D. Vargas & Ybarra in 2017 found that there is a gap in obtaining health services for families of mixed-status compared to citizens of the United States. From the explanation of the problems against the background above, it can be concluded that the problems of *undocumented citizens* are related to public services. This research is important to do in order to determine the responsiveness of public services carried out by the Santiago Village government, Tahuna, Sangihe Islands Regency in handling the problem of *undocumented citizens* in the Indonesia-Philippine border area.

B. RESEARCH METHODS

This research uses qualitative research methods with a case study approach to explain phenomena related to the responsiveness of the Santiago sub-district government in dealing with the problem of the existence of *undocumented citizens* by using 3 indicators of responsiveness according to Zeithaml et al in Hardiansyah (2011), namely the ability to respond to the community, speed of service, service accuracy, and accuracy. The data collected is the result obtained through data collection such as interviews with 7 informants in this case the Santiago sub-district government and *undocumented citizens*, then literature studies, and existing archives/documents or written literature are closely related to the research title. The data analysis process is carried out through the stages of identification according to the research objective group, managing and interpreting the data, then abstracting, reducing and checking the validity of the data.

C. RESULTS AND DISCUSSION

The implementation of public services is the duty of the government as the executor of public services as regulated in the *Undang-Undang Nomor 25 Tahun 2009* Article 1 paragraph 5. In the implementation of public services, the government must carry out tasks based on guidelines that contain obligations and rights for each party implementing the service public and recipients of public services. In the Law on Public Services, it is explained that the recipients of public services are people, both citizens and residents as individuals, groups, or legal entities that are domiciled as beneficiaries of public services, either directly or

indirectly. With the existence of an *undocumented citizen* in the Santiago Exit area, the Santiago Village government as the executor of public services is required to be responsive or responsive in handling this problem. To find out the responsiveness of the Santiago Village government in handling *undocumented citizens* in Santiago Village, the authors discuss based on the following 3 indicators:

1. Ability to Respond to the Community

The provision of services to the community with various characters certainly provides a certain complexity and certainly requires public servants to be responsive by building communication with the community. According to Rahmayanty (2010), indicators for responding to the community include good attitudes and communication from service providers. In dealing with this problem, the Santiago sub-district government as a service provider takes a persuasive approach to *undocumented citizens* and involves them in several sub-district activities such as community service. It is known from the Santiago Village government that there are 3 *undocumented citizens* who live in Santiago Village; 2 people are a couple who have lived together for about 30 years but have not been married because there are no documents and 1 young man who already has a partner, a resident of Santiago Village but cannot get married because the young man does not have a document showing his citizenship. Before deciding to settle in Santiago, they lived on Kawio Island, one of Indonesia's outer islands bordering the Philippines and worked as fishermen.

Well-developed communication between the two parties makes *undocumented citizens* do not hesitate to express their desire to become Indonesian citizens. This desire was conveyed directly by 3 *undocumented citizens* to the sub-district government and was immediately responded well by the sub-district government considering their limited access to public services because they were constrained by not having citizenship documents. It is known from the sub-district government that they cannot receive government assistance because they are not registered while from an economic point of view they are very eligible to receive assistance. Their daily work as sand miners. This condition was addressed by the Santiago sub-district government by facilitating a meeting with the Class II Immigration Office of TPI Tahuna and the Sangihe Dukcapil Service so that they immediately obtained the status of Indonesian citizens as they requested. The responsive attitude of the Santiago sub-district government opened access for 3 *undocumented citizens* to get public services.

2. Speed of Service

The positive response from the Santiago sub-district government who swiftly facilitated a meeting between the TPI Tahuna Immigration Office and the Sangihe Dukcapil Office with 3 *undocumented citizens* after submitting their application to become Indonesian citizens, showing the sub-district government's commitment to open access to public services to all levels of society. According to Yulinda Mawarni (2014), the fast service provided includes the alertness and sincerity of the officers in answering customer questions or requests. Departing from this Mawarni thought, the sub-district government is sincere and quick to find a solution or provide a way out for this population problem. The population

problem is very important to be addressed immediately because this problem is very crucial and can have an impact on various aspects of people's lives (Thomas, 2018). The coordination of the three related agencies, namely the Santiago Sub-district government, Immigration and *Dukcapil* Office, went well with the division of tasks in handling this problem. The first phase begins with an interview process with 3 *undocumented citizens* conducted by the Lurah and the sub-district Secretary. The initial interview process was carried out by the sub-district government in digging deeper information from 3 *undocumented citizens* before carrying out all the naturalization processes. The information extracted relates to the requirements to become an Indonesian citizen as regulated in Law no. 12 of 2006 Article 9.

3. Accuracy in Serving The

cooperation of Santiago Village, Immigration, and *Dukcapil* Service as public service providers is the right step. Because the request for naturalization came from three residents who needed clarity on their citizenship status. The positive response and quick action taken by the public service providers is the right service because of the urgency of citizenship status which has a wide impact on the personal lives of the three *undocumented citizens* and other communities. It is known that this 1 couple has been living together for about 30 years and they are 60 years old. This condition is certainly very worrying when at this age they still do not have citizenship status so they cannot legally marry in the eyes of religion or the state. More or less the same thing was experienced by 1 young *undocumented citizen* who was already living with his partner who was a resident of Santiago Village. The decision to live together with a partner without a legal marriage bond because they do not have documents will certainly harm their children in the future because their status cannot freely access public services such as education or health, for example.

This is in line with several previous studies which showed that an *undocumented citizen* has very limited access to public services such as access to health and education (E. D. Vargas & Ybarra, 2017; Rodriguez, 2019). The steps taken by the Santiago sub-district government in dealing with this problem are appropriate because the services provided by the Santiago sub-district government are in accordance with the wishes and needs of the community, in this case, 3 *undocumented citizens* so that no one feels disadvantaged for the services they get. This is in line with the thoughts of Yulinda Mawarni (2014), which emphasizes the importance of providing public services in accordance with the urgency of the needs of the community as service recipients so that there are no errors in serving in the sense that the service is appropriate.

D. CONCLUSION

The services provided by public service providers to public service recipients should not only be fast services, but also appropriate services. Based on the results of the study using the three responsiveness indicators that have been described in the discussion on the responsiveness of public services of the Santiago Village government in dealing with the problems of *undocumented citizens* in their area. it can be concluded that the Santiago Sub-district

Government is very responsive in addressing this problem and builds a good approach or communication with district *undocumented citizens* as residents in Santiago sub-and act quickly and appropriately. Considering that the Sangihe Islands Regency is a border area, it is certain that problems like this still exist in several islands or other areas. There must be a follow-up from the local government to data on *collect undocumented citizens* and then take the next step to do naturalization. In the future, there needs to be coordination of local governments in border areas with vertical agencies related to border area management, especially issues of *undocumented citizens*.

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