

## Good Governance and Sustainable Development: Case of Ecology Crisis in Singingi Hilir District

Raja Muhammad Amin and Wazni<sup>1</sup>

<sup>1)</sup> Lecturers at Governance Science Department, University of Riau

### ABSTRACT

This paper describes the relationship between good governance and sustainable development which good governance is essential to sustainable development. Well-functioning legal institutions and governments bound by the rule of law are, in turn, vital to good governance, especially in order to solve and minimize the ecology crisis in Singingi Hilir cause of illegal gold mining (PETI) in Singingi River. Local Government of Kuantan Singingi Regency has the duty to promote and ensure the rule of law which includes a balance development between economic, social and environmental aspects.

*Keywords: Good Governance, Sustainable Development, The Rule of Law, Local Government.*

### INTRODUCTION

It is widely recognized that good governance is essential to sustainable development. Well-functioning legal institutions and governments bound by the rule of law are, in turn, vital to good governance. Weak legal and judicial systems — where laws are not enforced and non-compliance and corruption are the norm — undermine respect for the rule of law, engender environmental degradation, and undermine progress towards sustainable development.

To date, local government of Kuantan Singingi Regency has concentrated on developing new laws (Rancangan Peraturan Daerah tentang Pertambangan Mineral dan Batu Bara) for solving and minimalizing the effect of illegal gold mining in Singingi River, rather than building capacity for ensuring compliance with existing rules. Yet without compliance, laws and regulations are meaningless — or worse, they undermine respect for the rule of law — and cannot promote sustainable development. As a result, Singingi Hilir District as a part of Kuantan Singingi Regency still suffer from weak legal and judicial systems, lack investment, and have poor development prospects, sustainable or otherwise.

## FINDING AND DISCUSSION

### The Rule of Law, Good Governance and Sustainable Development

In this paper, the term "rule of law" is used to mean independent, efficient, and accessible judicial and legal systems, with a government that applies fair and equitable laws equally, consistently, coherently, and prospectively to all of people. Good governance is generally characterized by accessibility, accountability, predictability and transparency. This paper treats "good governance" as having openness, participation, accountability, and transparency as key elements.

While many factors play an important role in development, good governance is now recognized as playing an essential role in the advancement of sustainable development. Good governance promotes accountability, transparency, efficiency, and rule of law in public institutions at all levels. In addition, it allows for sound and efficient management of human, natural, economic, and financial resources for equitable and sustainable development. Moreover, under good governance, there are clear decision making procedures at the level of public authorities, civil society participation in decision-making processes, and the ability to enforce rights and obligations through legal mechanisms.

These aspects of good governance do not in themselves ensure that society run well nor do they guarantee sustainable development. However, their absence severely limits that possibility and can, at worst, impede it. Without proper functioning institutions of governance based on the rule of law that promote social stability and legal certainty, there cannot be investment and assumption of risk that form the basis of market economy development, let alone sustainable development. Indeed, the strength of the rule of law is the best predictor of a local economic success. Furthermore, deficiency in the rule of law encourages high rates of corruption, with further devastating consequences on the confidence of economic actors. This lack of investment, in turn, slows economic growth and consequently deprives the governments of resources to invest in education, social safety nets, and sound environmental management, all of which are critical for sustainable development.

Introduction of good governance and rule of law, however, cannot be done overnight. The process is often a gradual one, involving changes to long-standing practices, entrenched interests, cultural habits, and social and even religious norms. A significant step was taken in this endeavor in 1998 when countries adopted the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters ("The Aarhus Convention"). The Convention recognizes that sustainable development can only be achieved through the involvement of all stakeholders and seeks to promote greater transparency and accountability among government bodies by guaranteeing three pillars for the public:

- 1) the rights of citizen access to information;
  - 2) citizen participation in decision making.
- In other words, the environment, gives information, and provides for

recourse to judicial and administrative remedies when these rights are denied by state authorities.

Despite a growing body of environmental law both at the national and international levels, environmental quality has been declining in many countries. Furthermore, even after more than ten years and hundreds of millions of dollars in aid, many judicial and legal systems in the world are still functioning poorly. One reason for these trends is the inadequate investment in enforcement and compliance efforts. This situation is happening in Kuantan Singingi Regency. Thus, the need to strengthen enforcement and compliance has been widely recognized. We all have a duty to do whatever we can to restore respect for the rule of law, which is the foundation for a fair and sustainable society...Sustainable development cannot be achieved unless laws governing society, the economy, and our relationship with the Earth—both international, national and local—are put into practice and connect with our deepest values. Law must be enforced and complied with by all of society, and all of society must share this obligation.

Various institutions efforts, including those mentioned above which are helping advance rule of law and good governance. However, it is insufficient to point out a legal obligation and to invest in institutional reforms if the culture of law abidingness has not replaced the culture of corruption. In other words, if the local government is receiving the aid do not work to make the internal changes and do not actually implement the legal and judicial reforms, their legal and judicial systems will continue to struggle to improve, their economic development will continue to falter, and there will be no progress towards sustainable development.

Therefore, the donor agencies need to focus more on those reforms aimed at the deeper goal of increasing governments' compliance with the laws. This requires tools that empower citizens to participate in governance, including access to justice, with opportunities to pressure the judicial and legal systems. It is increasingly recognized that the fundamental changes that are needed for rule of law and sustainable development require the support and commitment of the key people within the system, and this core group needs to be given enabling assistance to help build the essential internal political will these reforms require. Donor assistance is critical, but so is the will to reform, which must be fostered from within.

On the capacity building front, institutions such as NGOs have produced guidelines to facilitate implementation and compliance with certain multilateral environmental agreements (MEAs). They highlight several compliance assistance strategies, including sharing experiences, evaluating the effectiveness of technology transfer, and drafting model legislation. In addition, public agencies and researchers have begun collecting empirical data to analyze the effectiveness of different policies and strategies in inducing compliance with various environmental regulations.

comprehensive data  
gathering and validating  
increased support, all of

these efforts – those addressing the rule of law and good governance issues, environmental compliance assistance, and empirical data collection and analysis – will help expedite progress towards sustainable development.

### SUSTAINABLE DEVELOPMENT IN KUANTAN SINGINGI DISTRICT

There are many definitions of sustainable development, Drexhage and Murphy (Budi Winarno, 2013: 154) wrote: ***"Development that meets the needs of the present without compromising the ability of future generations to meet their own needs."***

People concerned about sustainable development suggest that meeting the needs of the future depends on how well we balance social, economic, and environmental objectives--or needs--when making decisions today.

- **Economic:** An economically sustainable system must be able to produce goods and services on a continuing basis, to maintain manageable levels of government and external debt, and to avoid extreme sector imbalances which damage agricultural or industrial production.
- **Environmental:** An environmentally sustainable system must maintain a stable resource base, avoiding over-exploitation of renewable resource systems or environmental sink functions, and depleting non-renewable resources only to the extent that investment is made in adequate substitutes. This includes maintenance of biodiversity, atmospheric stability, and other ecosystem functions not ordinarily classed as economic resources.
- **Social:** A socially sustainable system must achieve distributional equity, adequate provision of social services including health and education, gender equity, and political accountability and participation. (Jonathan M. Harris, 2000)

As described in the SDSN's *Action Agenda for Sustainable Development*, the Sustainable Development Goals (SDGs) will be complementary to the tools of international law, such as legally binding global treaties and conventions, by providing a shared normative framework that fosters collaboration across countries, mobilizes all stakeholders, and inspires action. Indeed, as has been demonstrated by the MDGs, well-crafted goals will:

- **Unite the global community and inspire coherent public and private action at local, national, regional, and global levels.** Sustainable development must be pursued at all levels of government (local, national, regional) and by public and private stakeholders, including business, civil society, academia, and research. Well-crafted, outcome-focused goals will foster a unity of purpose across public and private actors. Such goals can be applied at local, national, and regional scales, and

- **Help guide the public's understanding of complex sustainable development challenges, including neglected ones.** Just like the MDGs familiarized decision makers with maternal mortality and other development challenges, the SDGs will lay out an agreed list of priority challenges, which will educate heads of government, mayors, business leaders, scientists, and other stakeholders about the complex issues that must be addressed in combination. Children everywhere should learn the SDGs to help them understand the challenges that they will confront as young adults.

- **Promote integrated thinking and put to rest the futile debates that pit one dimension of sustainable development against another.** The challenges addressed by the SDGs are inherently integrated, so sustainable development will require that the goals be pursued in combination, rather than individually or one at a time. As a result, SDGs cannot be ordered by priority. All are equally important and work in harmony with the others.

- **Support long-term approaches towards sustainable development.** The goals, targets and indicators will allow public and private actors to chart out long-term pathways to sustainable development, which can be shielded from day-to-day politics, short electoral cycles, and short-term business imperatives.

- **Define responsibilities and foster accountability.** The SDGs will also mobilize governments, businesses, civil society, and the international system to strengthen measurement and monitoring for sustainable development. In particular, the goals will empower civil society to ask governments and the private sector how they work towards every one of the new goals. The new set of goals for sustainable development must also be bolstered by significant improvements in local, national, and global data collection and processing, using new tools (GIS, remote sensing, social networking, etc.) as well as existing ones.

- **Inspire active problem solving by all sectors of society.** Just like the MDGs have spurred problem solving, particularly in health and agriculture, the Local Government of Kuantan Singingi goals can promote active problem solving by governments, the private sector, and civil society on the challenges of ending poverty, promoting economic growth, strengthening social inclusion and trust, maintaining environmental sustainability, and improving governance.

*"...action-oriented, concise and easy to communicate, limited in number, aspiration global in nature and universally applicable to all countries while taking into account different national realities, capacities and levels of development and respecting national policies and priorities"* United Nations (2012).

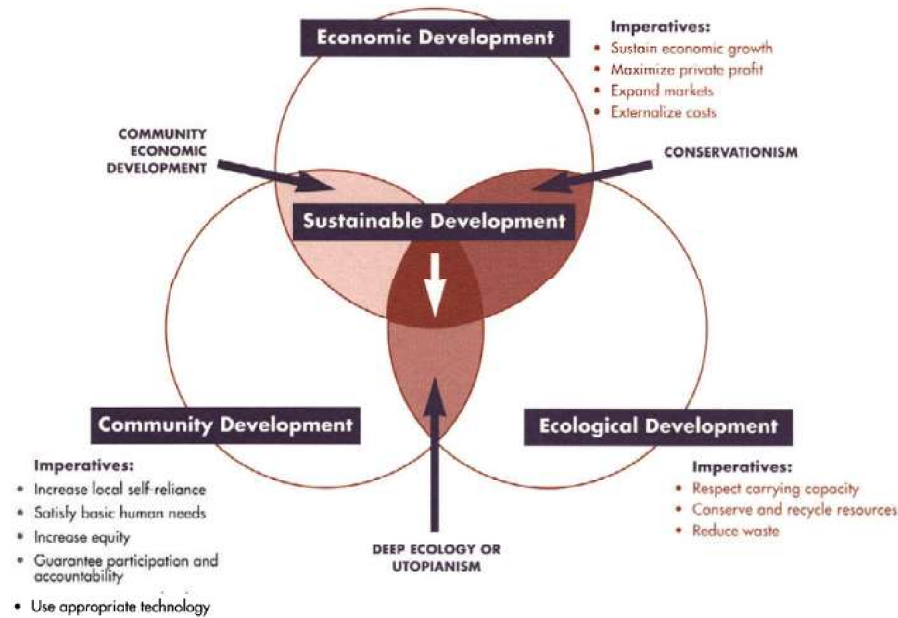
Based on this decision and the experience from the MDGs, we suggest 10 principles for the Local Government of Kuantan Singingi goals:

- 1 **One set of ambitious but achievable goals that will stand the test of time:**  
ess the full range of  
only the ones it faced

over previous decades. In 2040 the children of today should applaud the goals for being relevant, bold, ambitious, and inspirational!

2. **Universal application:** The Local Government of Kuantan Singingi goals should challenge and inspire all district to act, including the high-income local and emerging economies. This does not mean that every goal must be a “stretch goal” for district. Many high-income local will have met the economic goals, but not the social and environmental goals. Poor district that cannot meet the goals out of their own domestic resources should receive national and financial support to do so.
3. **Set normative standards:** The SDGs are a critical operational tool for governments and other stakeholders, but they must also set clear normative standards around which international cooperation for sustainable development is to be organized. The SDSN proposes to anchor the fight against extreme poverty as a global norm together with a right to development for all countries that respects environmental constraints (planetary boundaries).
4. **Small number of concise goals:** Like the eight MDGs, the Local Government of Kuantan Singingi should be few in numbers and easy to learn. We believe that there should be no more than ten concise goals and thirty targets. A good test of conciseness is whether the goals fit easily on the back of a business card.
5. **Motivational and easily understandable:** The goals must be worded so that they mobilize key communities of stakeholders and the general public. To mobilize the public, the goals need to employ direct and simple language that avoids jargon, “negotiators’ speak”, or excessive scientific precision. For example, the term “cities” is not uniformly defined across the world, but it is well understood by all stakeholders and preferable to more lengthy but precise alternatives. Yet, in some places the SDGs may need to include scientific concepts like ecosystems to educate decision makers and the general public.
6. **Operational and applicable to all stakeholders:** The goals should be outcome-focused and framed in such a way that they can be defined and applied in every country, and ideally at sub-national levels as well (e.g. at the city-level). Businesses and civil society organizations should be called upon to share responsibility with local government in achieving the goals. Likewise, giving the poor a voice will be a critical part of operational sustainable development. Any process for implementing the sustainable development challenges will need to ensure the participation and voice of all people, particularly the poor, in decision-making.
7. **Integrated or “systems-based” goals:** Actions to achieve economic, social, and environmental sustainability are interdependent, and the goals should emphasize the need for integrated approaches that tackle synergies and trade-offs. To ensure these outcomes, mechanisms are needed to devise sustainable range and ecosystem

8. **Based on international consensus:** Importantly, the SDGs cannot resolve issues around which no international consensus exists. The goals can take up existing international agreements, even if such a goal does not translate easily to the country level. They can then be updated once agreement has been reached on country-level targets. Thus, the outcomes of trade negotiations are consistent with achieving the SDGs as a whole.
9. **Dynamic goals:** The MDGs were expanded after their initial adoption (e.g. to include targets on sanitation and reproductive health). The Local Government of Kuantan Singingi goals should be similarly dynamic to incorporate new and more ambitious international agreements (e.g. on climate change) and to account for new scientific evidence and technological breakthroughs. Such a periodic updating of the Local Government of Kuantan Singingi goals could be part of 5-year review summits.
10. **High-quality and consistent measurement:** The MDGs have suffered from a massive time lag in reporting and patchy data. The Local Government of Kuantan Singingi goals should be based on easy-to-measure indicators and should require annual reporting on progress. Where possible, indicators should be obtained from integrated data systems, such as systems of national accounts and system of environmental-economic accounts, in order to analyze synergies and trade-offs using international statistical standards.



Picture 1. The Local Agenda 21 Planning Guide  
 Source: World Bank. The Local Agenda 21 Planning Guide (Budi Winarno, 2013, 157)

## CONCLUSION AND RECOMMENDATION

There is a consensus that the rule of law and good governance are the foundation for achieving sustainable development goals. However, despite these efforts and the growing number of environmental laws and regulations, environmental quality and public health continue to deteriorate due in significant part to lack of implementation, enforcement, and compliance with existing laws. A strengthened focus on compliance and enforcement efforts could overcome these problems and would be a critical investment for advancing sustainable development.

Secure ecosystem services by adopting policies and legislation that address drivers of ecosystem degradation, and requiring individuals, businesses and local government to pay the social cost of pollution and use of environmental services. All governments and businesses commit to the sustainable, integrated, and transparent management of water, agricultural land, forests, fisheries, mining, development and the



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