

Pick Your Own Rubbish: An Analysis of Target Group Compliance in Public Policy Implementation

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ABSTRACT

The purpose of this research is to analyse the implementation of Local Government Act Bandung Municipality Number 11/2005 about Orderliness, Cleanliness and Fineness of Bandung City (Ketertiban, Kebersihan dan Keindahan). The study focuses on a target-group compliance perspective. By analyzing the level of public compliance, this research will contribute to the understanding of factors contributing to the success of public policy implementation. An analysis of the non-compliance behaviours of the target group is based on three concepts: (1) Factors affecting the level of compliance by Weaver; 2) organizational compliance factors for Economic Co-operation and Development/OECD; and 3) The failure of policy implementation (Patton and Sawicki, 1993)). An early observation showed that the low level of public compliance were caused by several factors such as 1) problem of reward and punishment; (2) low level of law enforcement by internal investigator or *Petugas Satuan Polisi Pamong Praja*, 3) The lack of autonomy within the public to comply the legal regulation; 4) the lack of information about the policy and its implementation and (5) the value hold by the society that cleanliness is not the society responsible, that it is acceptable to throw any waste anywhere, and 6) The lack of resource to enable the society to comply with the policy. This research evaluates whether such factors also present among the target group of this policy.

Keywords: public policy implementation, target group compliance. level of compliance, enforcement.

ABSTRAK

Penelitian ini mengeksplorasi pelaksanaan Peraturan Daerah Kota Bandung No 11 Tahun 2005 tentang Ketertiban dan Kebersihan dari perspektive kepatuhan. Terdapat tiga konsep yang digunakan dalam penelitian yaitu faktor yang mempengaruhi kepatuhan; faktor kepatuhan organisasi dan kegagalan pelaksanaan kebijakan (Patton dan Sawicki, 1993). Hasil penelitian menunjukkan bahwa rendahnya tidak kepatuhan pada peraturan tersebut.

Kanta kunci: pelaksanaan kebijakan publik, kepatuhan, tingkat kepatuhan dan penegakan hukum

INTRODUCTION

In Indonesia society, garbage or rubbish is something that unwanted and has no economic value. Adding to this belief is low quality of waste management provided by the local government of Bandung City. Bandung as one of the biggest cities in Indonesia is also facing the problem of poor waste management. This has created a severe problem that according to VoA Indonesia was mentioned as 'the city of garbage' in 2005 and again in 2013. Bandung was awarded the dirtiest city and calamity took place in 2005 when there was a garbage (not a land) slide in temporary dumpster in Leuwigajah temporary dumpster (Tempat Penampungan Sampah Sementara) in which 156 people injured¹.

This has become a fundamental reason of the local government of Bandung City to be seriously adressed the problem of low quality of waste management. Moreover, not-picking-your-own-rubbish have become a culture in Indonesia, as somebody else (mostly labor with cheap wage) will do it for you. This needs to be changed as it will be very damaging to the environment.

The local government of Bandung City address this problem through the creation of local government act related to waste management (local government act number 11 year 2005) which focus on the Orderliness, Cleanliness and Fineness of Bandung City. Further, on December 1st, 2014, the local government of Bandung City has started to implement strict law enforcement of that act. From December 1st littering in Bandung city is punishable by fine or charge and also by administrative punishment such as a temporary detainment of ID card or family card and further public shaming.

It is evident from the researchers' observation that the introduction of fine and punishment as the key of low enforcement is not effectively implemented. This is shown by news from media and result of observation. A news from SindoNews.com dated Thursday February 3rd 2015, it is stated that 19 drivers had been find to pay 250.000 because they don't have trashbin in their

car.² Further, researchers' observation in Cicadas where there are lots of people throw the garbage into Cidurian river. The people who lived in the edge of the river are unable to stop their bad habit. Some of the people had known about the rules but the others don't.³ Another evident can be found in Superhero park in Bandung City, one of several public parks in Bandung City.

Those evidents show the low level of compliance of target group of Local Government Act number 11/2005 is very low. This paper will elaborate more on what factors affecting the low level of target group compliance to comply with the implementation of local government act on Orderliness, cleanliness and fineness. By understanding the level of compliance, a better understanding of successful factors of public policy implementation is able to be gained.

RESEARCHMETHOD

This research uses a mixed method (qualitative and quantitative method). For the quantitative part, an explanatory survey method was done through the collection of quantitative data using questionnaires and then data was analyzed using the statistic descriptive analysis. Once the quantitative study ended, the qualitative study was conducted through interviews with key persons and also through observations. The researchers collected data from our population (community live in 30 sub-municipalities in Bandung city).

The sample selection was purposive sampling technique. We categorized the target groups of the policy implementation into three categories: local people (community who lives in that locality), people who live in the riverbank, and car users. Hence, our sample for this study consists of these three categories and make up 90 people as our respondents. As an addition, we interviewed 10 key persons (the law enforcement officers) who are also the target group of the policy implementation.

LITERATURE REVIEW

To understand the level of compliance of the target group of the public policy implementation being studied, we employed three concepts of compliance approach for this research. The first concept is the factors affecting the compliance of the target group based on Weaver (2009). Second is the concept of factors matter in compliance by Organisation for Economic Cooperation and Development (OECD) (2000). The third, we used factors leading to the failure of policy implementation suggested by Patton and Sawicky (1993).

Weaver (2009) identified several factors affecting the level of compliance of the target groups in public policy implementation. These factors are:

A. INCENTIVES AND PUNISHMENTS

Several punishment and lack of incentives can trigger the non-compliance behaviour of target groups to the public policy implementation. Policy makers should understand that the target groups will behave rationally and maintain the balance struck between the cost (punishments) and the benefit (incentives). Hence, imposing severe law enforcement for designated policy may result in non-compliance behaviour among the target groups. Further, providing decent incentives will enable the target groups to consider their rational to comply with the public policy.

B. MONITORING

It is agreed that to do monitoring is costly because it comes with law enforcement, which required abundant resources. It is common knowledge in Indonesia that it is easier to create policies than ensuring the success of those policies' implementation through law enforcement. Critique to the low quality of governing in Indonesia evolve around the lack of the law enforcement and how street-level bureaucrats favor on more rent-seeking rather than enforcing the laws and regulations. Certainty in law enforcement is very much needed in such situation. Consistency

and certainty in monitoring and the application of firm punishment and incentives will help to reduce the non-compliance behaviour.

C. RESOURCES

Weaver (2009) argued that the lack of resources may lead to non-compliance behaviour among the target groups. These resources are needed to enable target groups to comply with the public policy implementation. The resources needed can be found in various forms such as money, good health, human capital, and strong social commitment or social capital.

D. AUTONOMY

Similar to resources, Weaver (2009) argued that having a sufficient level of autonomy will enable the target group to comply with the public policy implementation. Related to autonomy, there are two ways of affecting the target groups to comply with the public policy implementation; 1) to influence the group with the decision power and 2) to empower the target group to gain the autonomy to comply with the policy.

E. INFORMATION

Other obstacle of the target group compliance is when the target group experience a lack of information. The lack of information made the target group further lack of relevance and sufficient information to comply with the policy implementation.

F. NORMS AND VALUES

Norms and values held by the target groups can be very influential for their compliance. In this study, the example of value is the belief of the people in Indonesia that the back part of the house is the place where dirty and unwanted stuffs are kept. This kind of value will makes it harder for people to obey the local government act on orderliness, cleanliness and fineness.

Patton and Sawicki (1993:365) provided us with the second

concept to understand as to why certain public policies are failed to be implemented. They further argued that the failure of policy implementation is caused by:

- a. The formal implementing agency (it is normally one of government agencies) do not have enough capacity and commitment needed

The capacity and commitment of the implementer will be needed so that they fully understand what is the policy, what are the problems to be addressed by the policy and what are to be expected of the target groups. In return, when the implementer fully know the detail of the policy and commit to the success of the implementation, the target group will also behave the same and comply to the policy implementation. This is similar to what Weaver (2009) said that the important factor of target group compliance is the availability of the needed resources.

- b. Rigid and Heavy Mechanism for the Public Policy Implementation

When the mechanism of the public policy implementation is too rigid and heavy, it will lower the flexible autonomy of target group policy hence eliminate the opportunity over the decision to comply with the policy. This is in-line with what weaver said that the lack of opportunity and flexible autonomy to show the norm can be a factor of the group of society not comply to the policy itself.

- c. The society ignores the program issued by the government

This relates to the level of the acceptance of the society to the government policy or program. If the society ignored the policy program issued by the government, it can be sure that the society will not comply to the policy or program implementation.

- d. There is a little incentive to support the compliance.

As Weaver (2009) argued that the level of compliance of the target groups will be improved when a good system of incentive and strict punishment is in placed, Patton and Sawicky

believed that when government is in a difficult situation to enforce the punishment for non-compliance behaviour, the option for the government is to implement incentives for good compliance behaviour.

- e. The target groups involved in the program implementation but do not understand what they need.

Most of the time the target groups do not understand what they need due to the lack of relevance information regarding the policy. This will increase the level of non-compliance behaviour of the target group. A non-compliance behaviour is also a result of the lack of understanding toward the need of the society, hence the policy or program implemented will not meet people's need. In weaver (2009) argument, this relates to the value and norms held by the target groups. When a policy or program implementation is not compatible with the value and norms of the target group, they will believe that the policy or program implemented is not what they need.

According to OECD (*Organisation for Economic Co-operation and Development*), *regulatory compliance* is defined as a form of compliance conducted by the target population to the regulation.⁴ There are several factors needed to establish a compliance behaviour.

A. AWARE OF THE RULE AND UNDERSTAND IT.

The target group should be aware and understand the rule. Unclear regulation will cause non-compliance behaviour. This is relevant to what weaver (2009) and Patton and Sawicki (2003) argument. They argued that the implementer of the policy or program should fully understand it, which will enable good law enforcement toward the target group. On the other hand, the target group should understand how the policy or program will meet their needs, hence will enable them to comply with the rule. Both target group and implementer will understand the rule (policy or program) when they have sufficient knowledge of

that policy or program.

B. WILLING TO COMPLY

According to OECD, the availability of an economy incentive can motivate the compliance behaviour of the target groups. Further, strong law enforcement will reduce a non-compliance behaviour. Further, incentive and punishment enforcement (Weaver, 2009) will affect the level of compliance among the target groups.

C. ABLE TO COMPLY

According to OECD the target groups will comply to the rule when sufficient information and other technical supports are provided by the government. When one of these provision is missing, non-compliance behaviour among the target groups will occur. Weaver (2009) agreed with this. According to him sufficient level of information supply will enable the target groups to comply with the rules.

DISCUSSION

From the research finding it can be concluded that the level of compliance of the people in Bandung (the target groups) to local government act (perda) number 11/2005 is still low. It is showed by the number of respondent (53.3%) of the target groups showed non-compliance behaviour. Hence, the 46.6% showed compliance behaviours. A good compliance level will be that 100% of the target groups comply with the rules. The table 1 show the result of the survey.

Further it is found that the low level of compliance is caused by:

- a. The lack of information received by the people related to the implementation of the local government act (Perda) number 11/2005 about littering fines.
- b. The absence of incentive and strict punishment conducted by the government
- c. Insufficient resources to enable target groups to comply with

the regulation.

- d. The absence of strict and consistent monitoring conducted by the government
- e. Insufficient autonomy of the target groups.

TABLE 1. LEVEL OF COMPLIANCE

	Compliance	percentage
	Non	3,3 %
45	Rarely Comply	50%
	Sometimes Comply	2,2%
38	Often Comply	
2	Always Comply	2,2%
90		100%

TABLE 2 ACCESS TO INFORMATION THROUGH NEIGHBOURHOOD FORUM

	Access to Information	Frequency	%
57			63,3
13	Rarely hear the information	a year	14,4
12	Sometimes hear the	year	13,3
	Often hear the		8,9
		year	
90			100

The next section will discuss each of the factors influencing the low level of compliance.

A. THE LACK OF INFORMATION RECEIVED BY THE PEOPLE RELATED TO THE IMPLEMENTATION OF THE LOCAL GOVERNMENT ACT (PERDA) NUMBER 11/2005 ABOUT LITTERING FINES.

Local government of Bandung City does not provide sufficient information to the society eventhough the government pro-

vided various forms of media information.

We have identified several means of media to channel the information to the citizen:

1. Information delivered through neighbourhood forum such as RT, RW, Kelurahan and Kecamatan.

From table 2 it can be understood that majority of the target groups (63.3%) claimed that they did not get any information about littering fines from the neighbourhood forum.

The table 3 shows other non-verbal media to channel the information about littering fine.

TABLE 3. VARIOUS FORMS OF MEDIA

Form of Media	Number of respondents	Accessed	Not accessed
Social Media	24/90	26.7	73.3
Printed Media	44/90	48.9	51.1
Promotion	52/90	57.7	42.3

From the table above, we can see that the most effective media of information is the promotion media. Promotion media covered flyers, banners, posters which are placed in spots near main road and the target groups surrounding.

It is also evident from our observation that it is important that the local government provide information about the volume of garbage produced by Bandung city in total everyday. Bandung produces 1500M³ of garbage everyday. This amount of garbage makes it hard for the local government of Bandung City to manage. To reduce the level of waste management problem, the citizen of Bandung need to be informed with the huge volume of garbage everyday. By doing this, the citizen can be expected to support the waste management by reducing the amount of garbage they produced. This need to reduce the amount of garbage will affect the behaviour change among the target groups,

the citizen of bandung city.

This is relevant to what Patton and Sawicki (1993) said that the failure of policy is caused by the low level of understanding of target group toward the problem of the policy that is trying to be addressed. Further, for the target groups need to be aware of rule and understand it, and able to Comply (OECD, 2000), the need to have sufficient information related to policy implementation.

B. THE ABSENCE OF INCENTIVE AND STRICT PUNISHMENT CONDUCTED BY THE GOVERNMENT

According to Weaver (2009) the provision of incentive and strict punishment will increase the level of compliance of target group. Local government act (perda) number 11/2005 does not at all provide any incentive but there is a punishment scheme such fines/charges or administrative punishment. This will demotivate people not to comply to the regulation. This is relevant to what Weaver (2009) and OECD (2000) argued that people are rational human beings, who will do something if there are feedbacks, either negative or positive. The punishment and the incentives are the forms of the feedbacks.

Below is the table that show about the number of respondents who experience incentives and punishment.

TABLE 4 INCENTIVES AND PUNISHMENT

	Regarding about Incentive and Punishment	Percentage
4		4.4
86		95.6

C. INSUFFICIENT RESOURCES TO ENABLE TARGET

GROUPS TO COMPLY WITH THE REGULATION

It is evident in one of the study area in this research (Kecamatan Cidadap, Kelurahan Hegarmanah, in which there is no temporary dumpster nearby and rubbish collectors are not able to collect the target groups rubbish because of the geographical character (it is a hilly, and steep area in the river bank) of the area. This geographical character makes it very difficult for the rubbish collector to collect the rubbish. Adding to that, the rubbish collectors are not given any wage for their works. Hence, there are no rubbish collectors willing to collect the rubbish. As the result, people in this area throw their garbage to Cipaganti river which is very near and much more convenient for them than waiting for the rubbish collectors.

Another observation revealed that the temporary dumpsters are always full of rubbish that it is impossible to pile any more rubbish there. Further, the trucks to transport the rubbish from the temporary dumpster to the final dumpster do not have enough capacity to load all the rubbish.

Temporary dumpster in Antapani is one of the example of the mention problem. Everyday, an amount of 24^{m³} rubbish are dumped in this temporary dumpster but only 20^{m³} rubbish are being transported to the final dumpster. Hence, there is always a left out of rubbish accumulated every day.

Data from the questionnaire showed that only 18.9 % of the target groups claimed that they are provided with a rubbish bin. 91.1% of the target groups claimed that they do not have any access to rubbish bin. The above elaboration showed that resources provided by the government to enable the compliance behaviour of the target groups are very scarce.

D. THE ABSENCE OF STRICT AND CONSISTENT MONITORING CONDUCTED BY THE GOVERNMENT

As Weaver (2009) argued, the absence of monitoring to the law enforcement of the public policy implementation will make the target group shows non-compliance behaviour. Low level of

law enforcement (punishment or fines for littering) will also affect the compliance behaviour of the target groups.

TABLE 5 MONITORING OF THE POLICY IMPLEMENTATION

Number of Respondent	Percentage of Respondents	
7	7.8	Yes, there is monitoring by the government.
83	92.2	<u>No, there is</u> no monitoring by the

E. INSUFFICIENT AUTONOMY OF THE TARGET GROUPS

The absence of sufficient autonomy of the target groups will affect the ability of the target groups to enable them to comply with the implementation of littering fines. This is showed by the fact that there are limited number of community association in waste management such as rubbish banking the neighbourhood level (RT, RW, Kelurahan).

Our data showed that there is only 18.9% of the target groups claimed that there is a community association that will enable them to have autonomy to comply with the regulation. Seventeen (17) people from the target groups have the knowledge of the community association existence, but they do not involve actively in that association.

CONSLUSION

Understanding the low level of compliance, the local government of Bandung City has a lot of homework to better implemented the local government act (Perda) Number 11/2005 about littering fines. We have set up an action plan for the local government of Bandung City related to the waste management.

1. Local government of Bandung City need to give continuous information about the volume of garbage produce in Bandung daily.

2. Local government of Bandung City must inform the citizen about the implementation of littering fine through promotion media.
3. Local Government of Bandung City must apply strong law enforcement and strict punishment of the littering fine. This has to be done in conjunction with the activities such as impromptu checking of the law enforcement.
4. Local government of Bandung City should give incentives to compliance behaviour of the target groups. this should be established in the form of legal law.
5. Local government of Bandung City should provide more resources to enable target groups to comply with the regulation. These resources could be more temporary dumpster, more rubbish bin, more trucks to transport the rubbish to the final dumpster.
6. Local government of Bandung City need to monitor the citizen, either direct monitoring by government or electronic media such as CCTV installed in the location.
7. Local government of Bandungcity must encourage activities in the community to reduce the amount of garbage through the creation of rubbish banks, recycling centres, and the provision of composters.

ENDNOTES

- 1 <http://www.voaindonesia.com/content/bandung-kembali-jadi-lautan-sampah/1578882.html>, diakses tanggal 30 April 2015 pukul 8.16 WIB
- 2 <http://daerah.sindonews.com/read/959246/21/tak-miliki-tempat-sampah-19-pengemudi-mobil-dipaksa-bayar-denda-1422939359>, Diakses pada hari Kamis, 19 Februari 2015 pukul 16:33 WIB
- 3 <http://news.babe.co.id/2733138>, Diakses pada hari Kamis 19 Februari 2015, pukul 16:39 WIB
- 4 Organisation for Economic Co-operation and Development. Reducing the Risk of Policy Failure: Challenges for Regulatory Compliance. 2000.

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