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**Legal Analysis of the Establishment of a New Autonomous Region of NTB
Province into Sumbawa Island Province: Between Decentralization and Regional
Challenges in NTB**

Muhsin Yusuf

University of Muhammadiyah Bima

Email: danambari88@gmail.com

Uwais

University of Muhammadiyah Bima

Email: uwaisabdullah04@gmail.com

Muhammad Al Farid

University of Muhammadiyah Bima

Email: frd.almuhammad@gmail.com

Syaifuddin

University of Muhammadiyah Bima

Email: ipilmpoa544@gmail.com

Hajairin

University of Muhammadiyah Bima

Email: hajairinbima91@gmail.com

ABSTRACT

The plan to divide West Nusa Tenggara Province (NTB) into two provinces, namely NTB Province and Sumbawa Island Province, has sparked debate in terms of constitutional law and decentralization policy. This study aims to analyze the legal basis for the formation of these new autonomous regions, while also examining the territorial challenges faced by NTB in the context of equitable development and public services. Using a normative and sociological approach, this study finds that constitutionally, the formation of Sumbawa Island Province is possible, but it must meet administrative, technical, and territorial requirements in accordance with laws and regulations. The main challenges lie in infrastructure inequality, human resource readiness, and local socio-political dynamics. Therefore, the decision to divide the province must take into account a thorough legal analysis and the real needs of the local community.

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Keywords: Legal Analysis, New Autonomous Region, Sumbawa Island, NTB, Decentralization

1. INTRODUCTION

The province of West Nusa Tenggara (NTB), with its geographical and socio-cultural diversity, has long been known as an administrative entity comprising two large islands, namely Lombok and Sumbawa. The aspiration for regional expansion and the formation of New Autonomous Regions (DOB) in Indonesia is a dynamic phenomenon, driven by various factors such as government effectiveness, equitable development, and local community aspirations. In the context of NTB, the idea of forming the Province of Sumbawa Island is an interesting discourse to analyze from a legal perspective (Muttaqin et al., 2020).

The establishment of DOBs is an implementation of the principle of decentralization mandated by the 1945 Constitution of the Republic of Indonesia. Decentralization aims to bring public services closer to the community, increase local political participation, and accelerate development in line with the potential and characteristics of the region (Bao et al., 2024). However, the process of establishing DOBs also faces various challenges, particularly in relation to territorial aspects, resource readiness, and implications for the existing administrative structure (Sugianto, 2015).

The issue of regional expansion in Indonesia is a form of decentralization aimed at promoting the effectiveness of regional government and accelerating development. The province of West Nusa Tenggara, which consists of two main islands, Lombok and Sumbawa, has long been the subject of public and academic concern due to its development disparities. The aspiration to establish the Province of Sumbawa Island as a new autonomous region (DOB) has emerged as one solution to this imbalance (Asshiddiqie, 2006).

However, these efforts cannot be separated from the constitutional dimension, particularly in terms of fulfilling constitutional requirements and laws and regulations on

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regional expansion. On the other hand, the regional conditions in NTB, which still face limitations in infrastructure, human resources, and fiscal capacity, also pose serious challenges. This study seeks to answer two main questions: (1) What is the legal basis for the establishment of the Province of Sumbawa Island within the framework of Indonesian law, and (2) what are the regional challenges that need to be taken into account in this discourse? (Hadiansyah, 2025).

This paper aims to conduct a legal analysis of the potential establishment of a new autonomous region in Sumbawa Island Province. This analysis will examine the compatibility of this aspiration with applicable laws and regulations, consider the underlying aspects of decentralization, and identify regional challenges that may arise as a result of the division of NTB Province. Thus, it is hoped that this analysis will provide a comprehensive understanding of the legal implications of the discourse on the formation of the Province of Sumbawa Island in the context of regional autonomy and territorial dynamics in Indonesia.

2. RESEARCH METHODS

This study will use a normative legal approach. This approach focuses on analyzing relevant legislation concerning the formation of new autonomous regions, particularly Law No. 23 of 2014 on Regional Government and its implementing regulations. This research is descriptive and analytical in nature. The collected data will be analyzed qualitatively to provide a systematic and in-depth description of the legal aspects of the formation of the Province of Sumbawa Island. The data is sourced from laws and regulations related to decentralization and the formation of new autonomous regions, minutes of meetings on the formation of laws, and other official documents related to the proposed formation of the Province of Sumbawa Island. Additional supporting data includes books, scientific journals, articles, and other research results relevant to decentralization, regional autonomy, regional challenges, and case studies on the formation of other new autonomous regions. The data analysis technique uses Normative

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Legal Analysis, whereby legislation data will be analyzed systematically and hierarchically to identify legal norms relevant to the issue of the formation of the Province of Sumbawa Island.

3. DISCUSSION

Decentralization and Regional Expansion Aspirations

Decentralization, as a principle of governance, gives regions the authority to regulate and manage government affairs in accordance with their respective potentials and characteristics. In Indonesia, the spirit of decentralization is enshrined in the 1945 Constitution and various derivative laws and regulations, which aim to bring public services closer to the people, increase community participation in development, and realize equitable development across all regions (Kurniawan *et al.*, 2021).

In the context of NTB Province, decentralization has been carried out through the establishment of various regencies and cities that have their own autonomy. However, over time, aspirations have emerged from various regions in NTB to form New Autonomous Regions (DOB). These aspirations are generally based on several factors, namely Accelerated Development, whereby communities in regions that feel underserved by the provincial government often believe that by becoming a DOB, they will have easier access to budget allocations and development programs that are more suited to local needs (Muqoyyidin, 2013).

Improved Public Services: The establishment of DOBs is expected to improve the efficiency and effectiveness of public services, as the new regional governments will be more focused and responsive to the needs of the local community. Third, Regional Potential Development: With greater autonomy, the DOB is expected to have more freedom in managing and developing its natural and human resources, thereby improving the welfare of the community. Identity and Cultural Affinity: In some cases, the aspiration for expansion is also driven by significant cultural or geographical differences between the region seeking separation and the parent region (Muksiin *et al.*, 2021).

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By becoming a DOB, it is hoped that local identity and wisdom can be better preserved and developed. Furthermore, political representation in the formation of DOBs can also open up opportunities for local communities to have stronger political representation at the regional level, so that their aspirations and interests can be better addressed (Suaib, 2020).

In NTB Province, several discourses and aspirations for the creation of new autonomous regions have emerged or are still ongoing, such as the Province of Sumbawa Island. The aspiration to form a new province covering the entire region of Sumbawa Island (Sumbawa Regency, West Sumbawa Regency, Dompu Regency, Bima Regency, and Bima City) has been circulating for a long time. The main reasons behind this aspiration are the significant geographical and socio-cultural differences between Lombok Island and Sumbawa Island, as well as the desire to accelerate development on Sumbawa Island (Suatrat *et al.*, 2024).

South Lombok Regency also has aspirations to divide South Lombok into a new regency, separate from Central Lombok Regency. The reason behind this aspiration is the vast area of Central Lombok and the potential of the southern region, which is considered to be able to develop more rapidly if it has its own government. However, the process of regional division is not a simple matter and requires careful consideration (Lubis, 2013).

Several things need to be considered in responding to these aspirations for division, such as the capacity of the prospective DOB region. The prospective DOB must have sufficient economic potential, human resources, and infrastructure to run the government independently. Social and political impacts of regional expansion can have both positive and negative effects, which need to be anticipated and managed properly. In addition, the efficiency and effectiveness of the government in the formation of a new autonomous region must truly improve the efficiency and effectiveness of public services, rather than creating more complicated bureaucracy (Nicky dan Munasto, 2024).

On the other hand, the financial aspect of regional expansion will have an impact on state finances, so it is necessary to consider the state's financial capacity to support the

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formation and operation of new DOBs. The expansion process must be carried out in harmony with the parent region so as not to cause conflicts or problems in the future (Putri *et al.*, 2004).

The NTB Provincial Government and the central government will certainly conduct an in-depth study of every aspiration for the expansion of new autonomous regions, taking into account various aspects and applicable laws and regulations. Dialogue and active participation from the community are also key factors in the decision-making process related to regional expansion. Thus, decentralization has opened up space for aspirations for regional expansion in NTB Province as an effort to improve community welfare and accelerate development. However, the realization of these aspirations requires comprehensive studies and careful consideration so that the objectives of decentralization can be optimally achieved.

Legal Framework for the Establishment of New Autonomous Regions in Indonesia

The legal framework for the establishment of New Autonomous Regions (DOB) in Indonesia. The establishment of DOBs is a complex process involving various legal aspects. The following is a discussion of the underlying legal framework, starting with the 1945 Constitution of the Republic of Indonesia (UUD 1945), Article 18, paragraphs (1) and (2). This article provides the constitutional basis for the division of the Unitary State of the Republic of Indonesia into provinces, which are further divided into regencies and cities, each of which has the right to regulate and manage its own governmental affairs in accordance with the law. This mandates regional autonomy and administrative division. Article 18A paragraph (1): The state recognizes and respects special or unique regional government units as regulated by law. This opens up space for the formation of DOBs with specific characteristics (Rizkika *et al.*, 2023).

The second is Law No. 23 of 2014 on Regional Government. This law is the main legal umbrella governing the administration of regional government, including the establishment, abolition, and merger of regions. Several important provisions related to

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the formation of DOBs in Law No. 23 of 2014 are contained in Article 31, which regulates the basic requirements for the formation of regions, including administrative, technical, and physical requirements (Yuhandra et al., 2022).

There are administrative requirements with the approval of the Regional Representative Council (DPRD) and the head of the parent region, as well as the approval of the majority of the Regional Representative Council (DPRD) and the heads of the regions that will be covered by the DOB. Technical requirements such as economic, socio-cultural, political, demographic, regional area, regional financial capacity, community welfare level, scope of government administration, and national strategic considerations (Yahya, 2024).

Physical requirements for regions include clear boundaries, adequate coverage, and a representative center of government. In addition, Article 32 regulates the stages of regional formation, from the proposal for formation to review, assessment, and finalization. Supported by Article 33, which stipulates that the formation of a region can take the form of an expansion of one region or a merger of several neighboring regions. Article 34 regulates preparatory regions, which are regions formed in preparation for becoming autonomous regions and are evaluated within a certain period of time. Finally, Article 35 stipulates that the formation of a region is determined by law (Yuhandra et al., 2022).

Third, Government Regulation No. 78 of 2007 concerning Procedures for the Establishment, Abolition, and Merger of Regions. This Government Regulation is an implementing regulation of Law No. 32 of 2004 concerning Regional Government (which has now been replaced by Law No. 23 of 2014). However, several provisions in this Government Regulation are still relevant and serve as a reference in the practice of establishing new regional administrative units, particularly those related to the procedures and mechanisms for submitting proposals (Rumansi & Sondakh, 2023).

Fourth, regarding the Minister of Home Affairs Regulation (Permendagri), the Ministry of Home Affairs has issued various technical ministerial regulations related to

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the formation of DOBs, such as guidelines for preparing regional formation studies, minimum service standards, and others. This Permendagri provides more detailed guidance for local governments and related parties in the DOB formation process.

Fifth, regarding Local Regulations (Perda), the parent local government and the prospective DOB can also issue local regulations related to the DOB formation process, particularly in terms of approval and allocation of assets and personnel. Important aspects in the legal framework for the formation of DOBs are decentralization and regional autonomy regarding the formation of DOBs, which are the implementation of the principles of decentralization and regional autonomy aimed at bringing public services closer to the community and improving government efficiency. Although regional autonomy is granted, the formation of a DOB must also consider national strategic interests and must not threaten the integrity of the Unitary State of the Republic of Indonesia. Ideally, the process of forming a DOB should involve the active participation of the local community, both in the proposal process and in providing input (Awaluddin et al., 2016).

Regional Challenges in NTB in the Context of Expansion

The discourse on regional expansion in NTB, such as the formation of the Province of Sumbawa Island, presents a number of regional challenges that need to be carefully considered. Some of these include:

- a. **Potential Development Disparities:** Expansion can widen the development gap between regions, especially if the new autonomous regions do not have adequate resources and infrastructure. The parent regions that are left behind also have the potential to experience a slowdown in development if they lose their superior resources (Saksono, 2013).
- b. **Division of Assets and Authority:** The division process will involve the division of assets, debts, and authority between the parent province and the new province. This requires a mechanism that is fair, transparent, and does not cause prolonged conflict.

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- c. **Social Identity and Integration:** The formation of new provinces may give rise to stronger regional identity issues. The challenge is how to maintain social integration and cohesion between regions, both within the new provinces and with the parent provinces.
- d. **Spatial Planning and Environment:** Expansion has the potential to affect spatial planning and environmental management. Development planning in the new province must take into account sustainability aspects and avoid excessive exploitation of natural resources. Coordination of spatial planning between provinces is also crucial.
- e. **Institutional Capacity and Human Resources:** New provinces require the establishment of effective and efficient institutional structures. The challenge is to prepare competent human resources to fill various government and public service positions.
- f. **Economic Implications:** Expansion can have various economic impacts. On the one hand, it can trigger local economic growth in new areas. On the other hand, it is necessary to anticipate potential disruptions to supply chains, investment, and economic cooperation between regions. Addressing these challenges requires in-depth study, active participation from all stakeholders, and comprehensive and sustainable planning so that regional expansion in NTB can truly provide optimal benefits for the welfare of the community (Satriawan & Dharmayanda, 2021).

Decentralization and Its Implications for Expansion

Decentralization can be simply understood as the transfer of some governmental authority from the central government to local governments. Its objectives vary, ranging from bringing public services closer to the community, improving the efficiency and effectiveness of local government, to accommodating regional diversity and aspirations. Decentralization can cover various aspects, including political, administrative, and fiscal authority. One significant implication of decentralization is the potential for regional expansion (Mukhlis & Makhya, 2019).

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With greater autonomy, regions have the authority to manage their internal affairs, including aspirations to form new autonomous regions. Several factors that encourage expansion in the context of decentralization include proximity to services, meaning that regions that feel too far from the provincial or district government centers often propose expansion in the hope that public services will become closer and more responsive. Furthermore, Economic Potential explains that regions that feel they have natural or economic resources that have not been optimally developed under a larger administration may take the initiative to separate and manage these resources independently (Muqoyyidin, 2013).

Cultural identity also plays a role. Ethnic, religious, or cultural differences between regions within a single administrative unit can trigger a desire to form new, more homogeneous autonomous regions. Local political elites often see secession as an opportunity to gain a greater position and influence. Dissatisfaction with the central government can also be a factor. Dissatisfaction with policies, budget allocations, or development that is perceived as uneven can also fuel aspirations for secession (Kharisma, 2013).

However, it is important to note that regional expansion as an implication of decentralization also has challenges and consequences that need to be carefully considered. Some of these include the potential for conflict between new regions and parent regions, budget inefficiencies due to the formation of new bureaucracies, and the potential emergence of new problems that did not previously exist. Therefore, although decentralization opens up opportunities for regional expansion, the process must be carried out carefully, measuredly, and based on comprehensive studies to ensure that the objectives of decentralization, namely improving community welfare and the quality of public services, can be achieved optimally (Jati, 2016).

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4. CLOSING

A legal analysis of the formation of the New Autonomous Region (DOB) of Sumbawa Island Province from West Nusa Tenggara Province (NTB) shows the complexity between the spirit of decentralization and the regional challenges inherent in NTB. The formation of this DOB is based on the aspirations of the people of Sumbawa Island for accelerated development and more independent resource management, which is in line with the principle of decentralization in the Unitary State of the Republic of Indonesia (NKRI). However, this formation process also faces various legal and territorial challenges. From a legal perspective, the formation of the DOB must meet the requirements set out in legislation, including administrative, technical, and political aspects. An in-depth analysis is needed to ensure that this division not only meets formal requirements but also considers the social, economic, and cultural impacts that may arise. From the territorial perspective of NTB, the division has the potential to bring positive effects in the form of a more specific development focus in each region (Lombok Island and Sumbawa Island). However, on the other hand, this also has the potential to create challenges related to the distribution of assets and authority, the potential for development disparities between the new regions, and the dynamics of the relationship between the parent province and the new province.

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