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Not Privatization but Partnership: Government Policy in Providing Public Service Infrastructure in Indonesia

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Abstract: This study aims to determine the use of partnership patterns by the Indonesian government in providing public service infrastructure. The method used in this research is exploration; the writer examines the facts in-depth, then analyzes them with the relevant theoretical approach. The results show that this partnership puts forward the Tripatrit concept, which protects the interests of the state, corporations, and society without superiority. From 2015 to 2016, infrastructure development increased by 60% (154.7 to 256.1 Trillion) and by 71% (269.1 - 379.7 trillion) from 2017 to 2018. In addition, this study shows that the concept of Public-Private Partnerships is based on the equity in the provision of public service infrastructure to the private sector through State-Owned Enterprises. Therefore, a cooperation agreement was made by the government in collaboration with the private sector. That is what is called Government Cooperation with Business Entities, not privatization. The government regulates that the private sector does not exercise monopoly, so common interests between the government, society and companies are established. This partnership pattern is right in Indonesia, not privatization.

Keywords: privatization, partnership, government cooperation with business entities.

不是私有化而是伙伴关系：印度尼西亚提供公共服务基础设施的政府政策

摘要: 本研究旨在确定印度尼西亚政府在提供公共服务基础设施方面使用伙伴关系模式。本研究采用的方法是探索；笔者深入考察事实，然后用相关的理论方法加以分析。结果表明，这种伙伴关系提出了三国理念，保护国家、企业和社会的利益，没有优越感。从 2015 年到 2016 年，基础设施发展从 2017 年到 2018 年增加了 60%（154.7 到 256.1 万亿）和 71%（269.1 - 379.7 万亿）。此外，这项研究表明，公私伙伴关系的概念是基于通过国有企业向私营部门提供公共服务基础设施的公平性。因此，政府与私营部门合作达成了合作协议。这就是所谓的政府与企业合作，而不是私有化。政府规定私营部门不得垄断，从而建立了政府、社会和公司之间的共同利益。这种伙伴关系模式在印度尼西亚是正确的，而不是私有化。

关键词：私有化、伙伴关系、政府与商业实体的合作。

1. Introduction

In developed countries, the building of public infrastructure is independently conducted with resources from the government [1]. The types of public services that dominate the citizens' interests are entrusted to the private sector to encourage their participation in improving the country. However, in developing countries, the government does not entrust

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the provision of services and infrastructure to the private sector because there is a possibility of losing its revenues during retribution [2]. The privatization policy towards state-owned enterprises (SOEs) is common in various countries. The main reason for privatization is to streamline the performance of SOEs to achieve their objective, such as to fulfill public services for the community and generate profits [3]. In Indonesia, public services and infrastructure are provided by employing a partnership pattern and assigning a State-Owned Enterprise to determine an investor or developer [4]. These collaborations are directly between the government and state-Owned Enterprises. It establishes business cooperation with domestic and foreign private sectors and a manifestation that partners with the Government.

In Indonesia, the facts show that partnerships create mutual success, the state contributes, the community gets benefits, and the private sector gets a profit. The technical provisions of public services involve the following private sectors Build Operate Transfer (BOT), Build Lease Transfer (BLT), Build Own Operate Transfer (BOOT), etc. However, in Indonesia, the cooperation between the government and the private sector mostly uses the BOT, which is a type of agreement to build and manage for 10 to 20 years or more based on the agreement of both parties [5], [6]. After this period, the assets are handed over to the government to be managed; therefore, it becomes state property. The Indonesian government prefers partnership because the private sector manages the infrastructure during this period while it receives levies or taxes. When the management period expires, these assets become capital. However, the community obtains the benefits, while the environment obtains the crowd and progress. Furthermore, the Public-Private Partnership (PPP) approach is conducted in financing the development of infrastructure in various countries. In essence, PPPs is developed according to the specific needs of the project [6].

2. Research Methods

This research uses the descriptive qualitative method. Data were obtained from related agencies and in the field. Previous research is used as a comparison to the results of research that has been done. The analysis is carried out to solve the problem formulation.

With the choice of the Indonesian government to make Partnerships as a form of choice to improve people's welfare, as well as accommodate private interests who want to seek profit, and the government is here to make policies, the following hypothesis emerges:

H1: It’s true that privatization creates a business monopoly so that the corporate that gets the profits.

H2: It’s true that partnerships can guarantee welfare for the community.

H3: It’s true that the state and society get benefits from this partnership.

3. Research Results and Discussion

This research showed that the Indonesian government's provision of public services and infrastructure are not conducted by privatization, rather by the partnership through the intermediaries of State-Owned Enterprises. The government does not need state assets owned by private companies but domestic and foreign organizations. Furthermore, State-Owned Enterprises are a manifestation of the private sectors with a partnership agreement (MOU). SOEs, privatization is the sale of shares to the public, which reduces the percentage of ownership by the government [7].

Furthermore, in providing public services and infrastructure, the government partners with the State-Owned Enterprises. Therefore, the partnership pattern is the best choice in Indonesia.

3.1. Privatization

Many researchers have widely defined the term privatization. J.A. Kay and D.J. Thomson defined it as "a means of changing the relationship between the government and the private sector." Furthermore, [8] defined it as a way to alter the alliance between the government and the private sector. C. Pas, B. Lowes, and L. Davies defined it as denationalization of industry, from the government to private ownership. [9] stated that it is the collaboration between the government and the private sector, capital management, and profits. Communities receive the benefit and enjoy it, while the government receives tax and retribution. According to Law No. 59/2009, privatization is the sale of shares through an Initial Public Offering (IPO) and the issuance of convertible bonds and other equity securities. It is also the sale of shares directly to strategic investors with a private placement mechanism sold to the management and the employees of SOE companies. Furthermore, the law regulates the requirements of the SOE to carry out privatization through assistance, technical expertise, and the use of large funds for business development. However, this is hindered by limited government resources and encourages the continual build-up of assets through strategic partnership. That means that the Government need does not need to utilize privatization [10]. In addition, a thorough analysis relating to the privatization plan was previously carried out, which showed an increase in the value of SOE following the objectives of the law. Therefore, the value of government investment in SOEs increases with its progress after providing funds and assistance by strategic investors.

In addition, in developing countries, privatization leads to an increase in privatized companies' operational and financial performance [11]. However, in China, the privatization of SOEs influenced employment, wages, profits, and other aspects of economic performance at the company level [12] to obtain efficient institutional changes [13]. Furthermore, in Ireland, which is in the European region, the financial crisis, led to a strategy and bailout requirement from the International Monetary Fund. The European Union was offered an impetus for transferring public assets to the private sector [14]. In contrast to Romania, a group of companies was explicitly prohibited from privatization [15]. In the UK, privatization increases income by reducing excess staff and preventing losses [16] and is carried out by the management of private prisons, which is over half of the federal state [17].

Furthermore, in Victoria, prisons are privatized on the pretext that management is cheaper [18]. That is not applied in Indonesia, where privatization experienced failure in planning and implementation [19]. The failure of privatization in the British energy sector in the early 80s was far from potential benefits [20].

Furthermore, after establishing the Office of the Minister (State) of SOEs in Indonesia, the term "privatization" became very popular and referred to broad ideas, policies, and programs. However, privatization at a macro level means reducing the role of the state in business activities. While on the micro side, it means the transfer of state ownership to society. SOE privatization has invited pros and cons from society. Some people stated that it is a state asset that needs to be retained by the government, even though it does not bring benefits and continues to suffer losses. However, some people reported that the government does not need to own the SOEs; instead, it needs to provide better benefits to the country. The term privatization is often interpreted as transferring industrial ownership from the government to the private sector, which has implications over the dominance of shares transferred to the private shareholders. Furthermore, it is also described as a term that consists of changes in the relationship between the government and the private sector. The most significant alteration is the denationalization of the sale of public ownership [21]. From the various definitions above, privatization is defined as transferring assets previously controlled by the state into private property. This understanding is under Law Number 19, the Year 2003, on SOEs, which stated that the sale of shares of state-owned companies improves company performance, benefits society, and expands share ownership by the community [3]. It is seen in the following figure: a figure of Privatization Capital Structure.

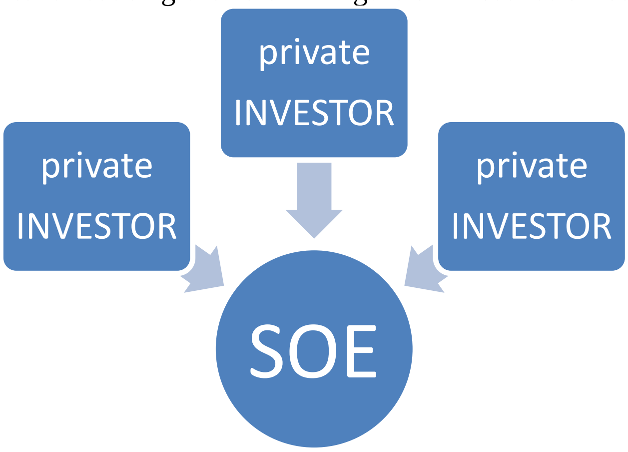

Fig. 1 Structure of private investment to SOEs

Industrial privatization provides opportunities for non-governmental organizations to generate profits [22]. The government receives a small portion of the public service product. Therefore, SOEs become informal coordinators of investments in public service activities [23]. However, the existence of public services and infrastructure managed by SOEs creates an impact on the increasing welfare of the community [24].

3.2. Partnership

Many partnership patterns are practiced in developed and developing countries. In developing countries, partnerships are prioritized to increase the public interest [25], [26], [27], [28]. This type of partnership is one of the popular mechanisms for developing infrastructure worldwide [29], [30], [31]. Conversely, capital is acquired either from the private sector or partly from it and partly from the government. Usually, land assets owned by the government are built by private entities and managed by them for a long time, after which they are left to the government [32]. However, communities earn profits and enjoy other services, while the government receives taxes and retributions [33]. It is seen that the government obtains tax and retribution, shares the profit, and transfer management (Build Operate Transfer) after the agreed time between the state and the private sector. The partnership pattern is shown as follows:

Fig. 2 Illustration of partnership

The figure above shows the partnership pattern. The red figure shows the ability of the SOE, which is a manifestation of the government, involving the private sector as investors to provide public services and infrastructure jointly [34]. The provision includes buildings, bridges, shopping centers, crowds, health facilities, technology, information, etc. [35]. The unification of investors by state-owned enterprises is the Indonesian version of the partnership. Therefore, the unity of investors supports Indonesia's development, and the goal of public service is achieved.

Furthermore, this achievement means that people are at the peak of satisfaction in getting public services from their government. However, the private sector receives profits from its business. With this partnership pattern, three parties benefit, namely the community, corporate, and government, and they are often called *tripartite.* The Indonesian government refers to it as a partnership other than privatization.

Industrial privatization benefits investors, with little retribution of approximately 20%, provided for the state [36], [37]. Also, the community needs to contribute greatly to the buying of public services. Therefore, the government feels it is more appropriate to use the term *partnership.*

However, in Australia, collaboration between the government and the private sector carried out critical and complex infrastructural projects with a pattern [38]. While in Indonesia, the type of cooperation practiced is a partnership that emphasizes the equality of benefits and mutual symbiosis. This form of mutual benefit is characteristic of the pattern of the Indonesian government in the implementation of the concept of Public-Private Partnerships (PPPs) in providing public services and infrastructure.

3.3. Public Services Partnership in Indonesia

The type of partnership used in Indonesia is the Public-Private. It is the cooperation between the government and the private sector [39], [40], [41]. Initially, it was called the Public-Private Partnership (PPP). However, it was changed to Government Cooperation with Business Entities (KPBU). The following is a figure of the synergy of public service partnerships in Indonesia [42].

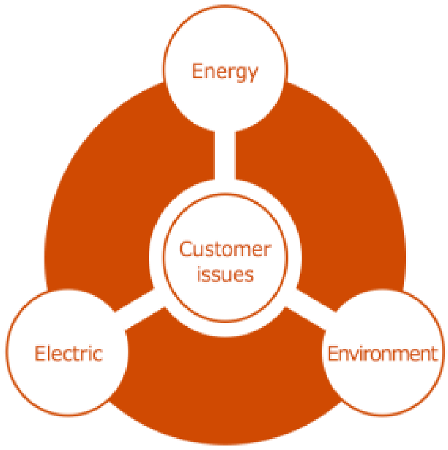

Fig. 3 Partnership synergy in Indonesia (Own research)

Some of the key factors for the success of the PPP scheme in infrastructural development include good communication, cooperation, balanced risk-sharing, investment return guarantee, as well as clear and measurable key performance indicators (KPI) for parties involved in cooperative relations [43], [44]. It is shown in Table 1 below:

Table 1 Key factors for the success of the PPP scheme [43]

No	Key Factors of Success	Source
1	Trust and equality between the parties	Grimshaw [55], Koppenjan [56], Love [57]
2	Good communication and solid cooperation between the parties	Deloitte Research Development [58], Fosler & Berger [59]
3	Strong communication and support from decision-makers	Flinders [60]; Deloitte Research Development [58]
4	Selection of the parties based on performance and expertise	Grimsey and Lewis [61]; Treasury [62]; Koppenjan [56])
5	Continuous benchmarking and supervision	Grimsey and Lewis [61]
6	Clear and measurable key performance indicators (KPI)	Deloitte Research Development [58], Grimsey and Lewiss [61]
7	Balanced risk sharing	Love [57], Takashima et al. [63]
8	Investment return guarantee	Takashima et al. [63] Guasch [64]

3.4. The Partnership Mechanism Taken

The government does not issue capital funds. However, it delegates that to state-owned enterprises to create opportunities for local and foreign private entities to contribute and participate in developing and providing public services and infrastructure [45]. Public services and infrastructure include roads, government buildings, bridges, ports, terminals, airports, transportation facilities, electricity supply, and other public services [46]. Initially, the mechanism was signing an agreement with the government and the State-Owned Enterprise [47]. Also, the private sector reaches a cooperation agreement with the State-Owned Enterprises and the government known as KPBU. [48], defined it as networked climate governance. Therefore, the government does not directly enter into agreements with private entities but looks for relevant domestic and foreign shareholders through SOE. According to [49], such partnerships are often praised, and their impact on shared values is frequently ignored. However, this is unavoidable because of the public demand to face the public policy and large financing through the private sector [50]. Partnership in Indonesia is shown in the figure below:

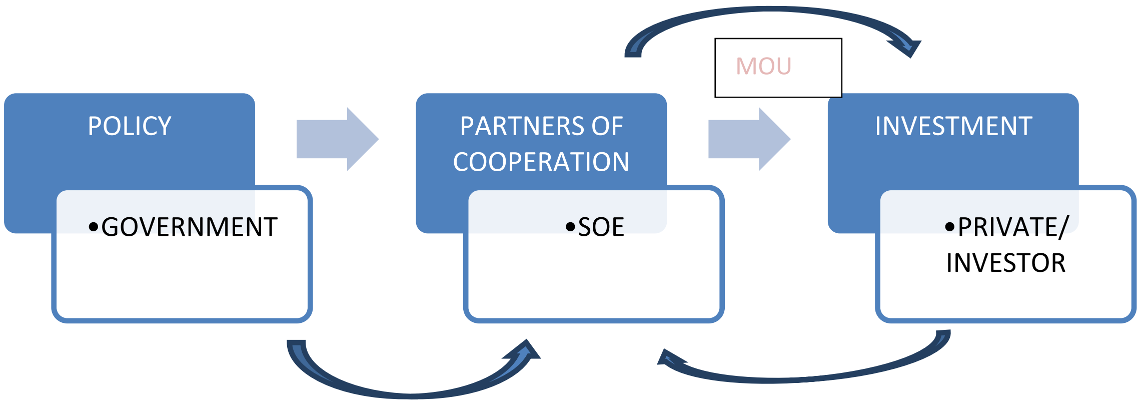

Fig. 4 Partnership mechanism

Fig. 4 shows that the government needs to provide the capital required to construct public services and infrastructure by cooperating with the SOE to determine relevant investors. It is an effort to avoid the diversion of business by the private sector. Therefore the SOE searches for investors to help provide public services and infrastructure while the government obtains taxes and retributions.

The figure showed that the partnership between the Government and SOE does not include the private and foreign sectors. Furthermore, the government seeks state revenue and contributes to the State Budget (APBN).

3.5. Relationships between State–Owned Business Entities and Private Ones

There is a mutual relationship between state-owned business entities and private organizations. The private sector issues capital, while the SOE is an embodiment of the government that determines state revenue and investors willing to execute the project [51]. Therefore, the private sector does not need to lose money or acquire profits because it only deals with SOEs. Furthermore, it is involved in a business relationship through privatization because it is confined within its supervision. Therefore, its strategy is similar to the transportation on roads and airports in America [52].

3.6. Relationship between State-Owned Business Entities and the Government

The government utilized KPBU to master the techniques used by foreign investors in Indonesia following assets, taxes, and retributions managed by investors [53]. Furthermore, when the transfer period between parties, usually 10, 20, 30 years or more, has ended, the private sectors transfer assets to the central and regional governments using the Bill Operate Transfer (BOT). This policy is passed to the Provincial and District Governments to engage in private collaboration with regional states.

However, the government is not burdened with the contribution of the working capital. Instead, it analyses an opportunity to collaborate with investors through SOEs.

Furthermore, the last 6 years budget is seen in the following figure:

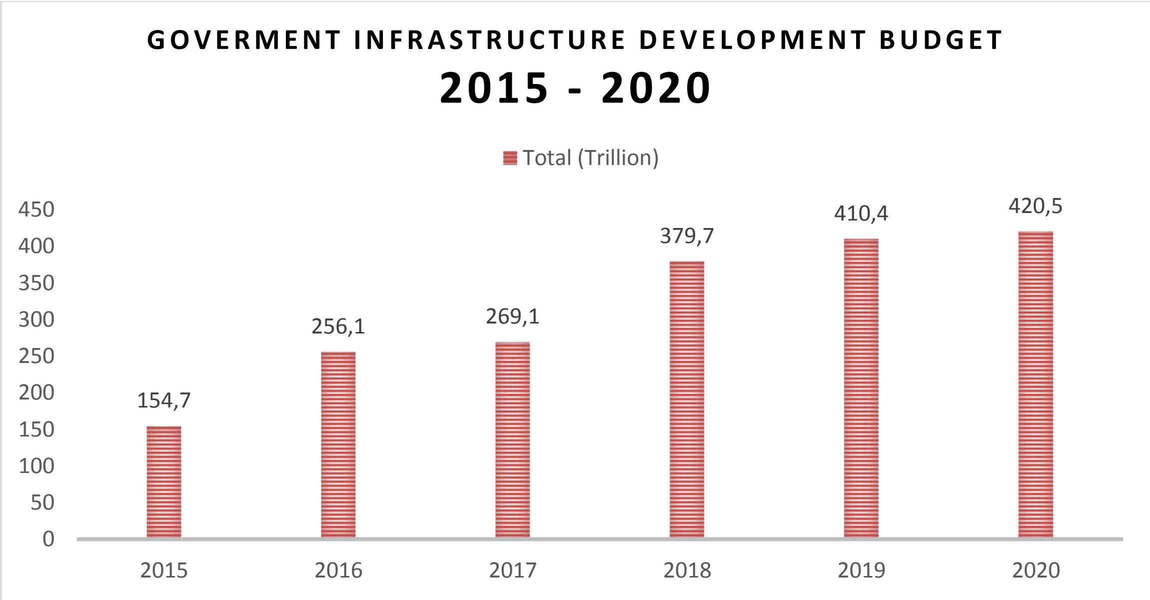

Fig. 5 Government infrastructure development budget for the past 5 years [54]

The graph shows that from 2015 to 2016, infrastructural development increased by 60% (154.7 to 256.1 Trillion) from 2015 to 2016 and by 71% (269.1 - 379.7 trillion) from 2017 to 2018. The increase in budget showed that the public services and infrastructure developed in harmony with public demands.

3.7. Relationship between the Government and the Community

The government collaborates with private organizations to provide services and infrastructure for the community. Therefore, the correlation between government, corporate, community, basic needs, administrative, and Infrastructure is shown in the following matrix below:

Table 2 Correlation matrix of public services with shared benefits (Own research)

Correlation	Government	Corporate	The community
Basic needs	Obligation to provide	Investment / business	Right
Administrative	Service	Tax / Retribution	Services of population, security, information, etc.
Infrastructure	Social welfare	Profit Oriented	Usefulness

From this matrix, it is interpreted that the relationship between the government and the public is based on citizens' basic needs such as clothing, food, shelter, health, housing, sports, and recreation. In comparison, the relationship between the government and the administrative processes produces s goods and services by Law number 25 of 2009, on Public Services. Furthermore, the relationship between the government with infrastructure produces social welfare, which led to the production of social welfare.

The concept of a corporation that meets the basic public needs produces investment and business. Therefore, the private or corporate contributions motivate the private sector to create business opportunities that generate taxes and retribution opportunities. Finally, the corporate concept and infrastructure created opportunities for profit that need to be obtained by the public. In addition, the correlation between society and administration produced public services such as population, security, telecommunications networks, information technology, etc. At the same time, the correlation between the community and infrastructure produced expediency. Therefore, the existence of infrastructure helped people to benefit from the Tripartite correlation, shown as follows:

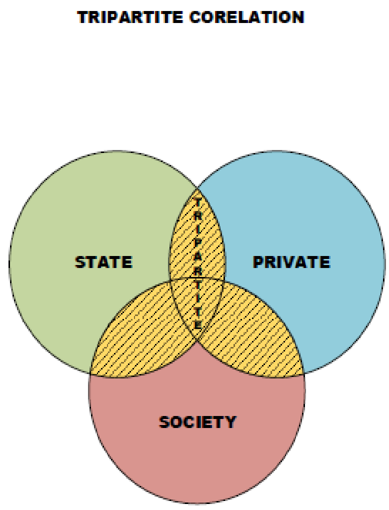

Fig. 6 Interrelated relationships between government, private, and society (Tripartite) (Own research)

4. Conclusion

In conclusion, the procurement of public services and infrastructure in Indonesia, at the central and regional levels, used the partnership pattern to mutually satisfy investors, government, and the society (tripartite). However, privatization is considered satisfactory to some parties. At the same time, the grand theory of Public-Private Partnership is carried out for the benefit of the private sector (corporate), government (state), and society. These sectors received profit, retribution due to corporate businesses, and benefits from existing public services and infrastructure.

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