Slums Prevention from A Policy Perspective in Indonesia

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ABSTRACT

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Many studies on aspects of slums area improvement and the causes of slums settlements have been carried out, but studies that focus on aspects of slums prevention are still challenging to find. One reason for the emergence of slums is the Government’s failure of policies and their implementation. This article aims to examine the prevention of slums settlements in the policy perspective of Law Number 1 of 2011 concerning Housing and Settlements Areas and the Regulation of the Minister of Public Works and Public Housing Number 14/PRT/M/2018 concerning Prevention and Quality Improvement of Slums. They are analyzed using a qualitative method with a normative juridical approach. The results of the analysis show that the slums prevention policy has several weaknesses; namely, prevention policy should start from planning not directly to control and supervision, slums prevention settlements is still focused on urban areas, slums prevention is not considered urgent, and there are some biases in the prevention of slums measurement of slums criteria which has the potential to make the policy of preventing slums settlements, not on target. For these reasons, the Government needs to make policies that are more operational in preparing plans of slums prevention; considering aspects of the causes of slums in policymaking; synergizing slum area improvement policies with slum prevention policies; campaigning for the importance of preventing slum in both urban and rural areas; refining slums criteria or indicators; involving stakeholders in the formulation and implementation of slum prevention policies; and increasing community social capital.

Introduction
Having a place to live and a good environment is a right for everyone. These rights are basic human needs that play a very strategic role in shaping the character and personality of each individual. This unity of character and personality will reflect the nation's life and become a hallmark of the successful development of Indonesian people who are entirely independent, productive, and have an identity. It is the responsibility of the State to provide a proper place to live and a proper environment. This effort was strengthened juridically by the Government by issuing the Law of the Republic of Indonesia Number 1 of 2011 concerning Housing and Settlements Areas.

As a form of responsibility in providing a livable residential environment, the Government, through the Ministry of Public Works and Public Housing, issued Regulation of the Minister of Public Works and Public Housing Number 14/PRT/M/2018 concerning Prevention and Quality Improvement of Slums. From the perspective of this regulation, one of the characteristics of decent settlements is that it is not slum. Meanwhile, the slums is a relative and subjective concept where what is considered slums in one place is not necessarily considered slums in another. Those who live in areas perceived as slums think that their residential environment is comfortable and livable.
The causes of the relative slums are not only because of differences of opinion about what is the primary determinant of slums settlements but also because of several features of the concept, namely:
1. Slums are too complex to be defined according to a single parameter;
2. Slums are a relative concept, and what is considered a slum in one city will be deemed appropriate in another – even in the same country;
3. The local variations among slums are too wide to define universally applicable criteria;
4. Slums change too rapidly to make any criteria valid for a sufficiently long time;
5. The spatial nature of slums means that the size of a particular slums area is vulnerable to changes in jurisdiction or spatial aggregation.

Amid the relativity of the definition of slums, the researchers tried to provide an appropriate definition even though it is local. It aims to make it easier to quantify things related to slums. Thus, the process of handling slums areas will be more focused, both through short-term activities and medium and long-term programs.

Slums are inadequate settlements for habitation due to irregular buildings, high levels of building density, and the quality of buildings and facilities and infrastructure that do not meet the requirements. These requirements include technical requirements, administrative requirements, and ecological requirements. Technical requirements include building structure, security, safety, health, and comfort related to design. Administrative requirements include licensing, designation, and status of land rights. The ecological requirements, among others, are related to environmental analysis. A similar definition states that slums are unsuitable for living in settlements due to the high density of buildings, inadequate clean water facilities, poor sanitation and roads, almost no open space, and not supporting social facilities.

In perspective above, there are keywords regarding slums settlements, namely unfit for habitation, settlements density, irregularity of buildings, availability of facilities and infrastructure, and quality of buildings. Apart from ageing, the decline in the quality of buildings can also occur due to disasters caused by nature and human activities such as floods, conflicts, and wars. The exciting thing is that all these keywords are a form of physical and spatial embodiment that the open eye can see. For this reason, slum settlements can be interpreted as:
1. uninhabitable settlements that are formed due to high density and building density conditions so that they give the impression of irregularity;
2. inadequate or unavailability of residential environmental infrastructure; and
3. declining quality of buildings due to ageing or damage both physically and mentally natural or human activities.

Many kinds of research on slums management have been carried out. However, these studies are carried out on programs or policies that improve slums areas and do not discuss preventing slums areas. For example, a study on collaboration in the program to improve the quality of slums in Bajak Village, Teluk Segara District, Bengkulu City shows that

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2 Indonesia, Law Number 1 of 2011 concerning Housing and Settlements Areas, Article 1
collaboration plays a very influential role. Then, the results of a study on the evaluation of slums improvement policies in Nusukan and Semanggi villages stated that the slums improvement program succeeded in reducing slums.

Many studies on the causes of the emergence of slums settlements have been carried out. For example, slums can be caused by flood inundation, poor building conditions, high distances between buildings, and inadequate environmental infrastructures such as environmental roads, drainage, clean water, wastewater, and solid waste. Slums can also be caused by globalization, policy failures, and economic instability. Meanwhile, rapid urbanization also causes various problems, one of which is the provision of housing and its facilities, leading to the birth of slums settlements. The factors that cause the emergence of slums settlements can be grouped into two factors, namely physical factors and social, economic, and cultural factors. Physical factors include building density, drainage conditions, clean water network, wastewater network, solid waste, and road network. Social, economic, and cultural factors include education level, in-migration, income, type of work, dependents, and extended family system. However, studies on the prevention of the causes of slums settlements are still tricky to find. Policies, programs, and activities for the improvement and prevention of slums areas should be based on the possible causes of the slums themselves. Based on these considerations and considering that policy can cause the emergence of slums areas, the research question is formulated: How are aspects of slums prevention reviewed from a policy perspective in Indonesia? What can affect the successful implementation of slum prevention policies in Indonesia?

Research Methods
This study uses a qualitative method with a normative juridical approach. Data collection was taken from secondary data obtained from kinds of literature studies. The policy sources in this study are the Law of the Republic of Indonesia Number 1 of 2011 concerning Housing and Settlements Areas and the Regulation of the Minister of Public Works and Public Housing Number 14/PRT/M/2018 concerning Prevention and Quality Improvement Slums Housing and Slums Settlements. The data were analyzed descriptively according to the study’s concepts and theories and explained the relevant problems.

Results and Discussion
1. Slums Perspective According to Policy in Indonesia
Slums are inadequate settlements for habitation due to irregular buildings, high levels of building density, and the quality of buildings and facilities and infrastructure that do not

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9 Dika Ardiana Fitri and Sulistinah, “Faktor-Faktor Penyebab Munculnya Permukiman Kumuh Daerah Perkotaan di Indonesia (Sebuah studi literatur)”, Jurnal Swara Bhumi, Vol 1 No. 02, Tahun 2021, p. 8
According to this law, the keywords slums include unfit for habitation, irregular buildings, the density of buildings, and residential infrastructure. Slums can be identified from several slums criteria, namely:

a. Buildings include building irregularities, high levels of building density, and building quality that do not meet the requirements.

b. Environmental roads include the lack of services from the environmental road network and the poor quality of environmental road surfaces.

c. Provision of drinking water, including safe access to drinking water that is not available, or the drinking water needs of each occupant are not met according to standards.

d. Environmental drainage, including inundation due to the inability of environmental drainage to drain rainwater runoff, unavailability of drainage, non-integration of the drainage network with the urban drainage system, accumulation of solid and liquid waste in the drainage network, or poor quality of drainage construction.

e. Wastewater, including non-compliance with the technical standards of the wastewater management system or non-fulfilment of the technical requirements for wastewater management facilities and infrastructure.

f. Waste management, including non-compliance with the technical requirements of waste facilities and infrastructure, non-fulfilment of the technical requirements of the waste management system, or non-maintenance of waste facilities and infrastructure, causes the surrounding environment to be polluted.

g. Fire protection, including the unavailability of fire protection facilities and infrastructure.

The criteria used to assess slums, as mentioned above, are more in terms of physical aspects. It is natural because the slums are a picture of the physical manifestation visible to the naked eye due to social and economic activities. These activities include not being able to build a decent house, not repairing damaged buildings, wanting to be neighbours, wanting to live close to family, and so on.

Slums level can be obtained by filling out checklist data that has been given an assessment weight of 0, 1, 3, and 5 on each of the assessment parameters determined. After all the scores were added up, the settlements were grouped into the categories of not slums (scores 0-15), light slums (scores 16-37), moderate slums (scores 38-59), and heavy slums (60-80). Thus, according to this perspective, the emergence of slums areas is something that is multilevel and has a process where the level of slums can develop from non-slum conditions, increasing to light slums, then increasing to medium slums, to increase again to heavy slums.

In addition to the process, the perspective of slums settlements according to the Regulation of the Minister of Public Works and Public Housing Number 14/PRT/M/2018 also gives the impression that slums settlements can occur not only in villages with urban characteristics but also in villages with rural characteristics. These are very likely to happen because, with the naked eye through the appearance of satellite imagery, many villages have experienced settlements densification. Densification of settlements can be interpreted as increasing the density of settlements from time to time, including population density and building density due to the increasing need for space to be used as a place to live cause...
population growth. The settlement densification will lead to areas that are uninhabitable and very dense and slums.\textsuperscript{13}

With the Minister of Public Works and Public Housing Regulation Number 14/PRT/M/2018, each region in Indonesia can identify the existence of slums settlements, including the seeds of slums settlements in their respective areas. The seeds of slums settlements can be defined as settlements that can develop into slums in the future if preventive interventions are not carried out. Locations of settlements that have been identified as slums also need to be followed up with improvement and prevention efforts.

Based on the description above, in the perspective of policy in Indonesia, slums settlements are not only dirty and smelly. Still, they are also a physical manifestation of the result that settlements do not have the slums criteria that have been determined in the Regulation of the Minister of Public Works and Public Housing Number 14/PRT/M/2018. Thus, because slums are a process, whether gradual or not, slums should be prevented. Prevention is done by intervening in the developmental process that appears or is likely to appear in the future.

2. Slums Prevention Perspective According to Policy in Indonesia

The Law of the Republic of Indonesia Number 1 of 2011 concerning Housing and Settlements Areas explicitly states that the implementation of urban settlements development includes preventing the growth of slums housing and slums settlements.\textsuperscript{14} Still, the context of this prevention is not used in implementing rural settlements development.\textsuperscript{15} Prevention of slums settlements is an action taken to avoid the growth and development of new slums.\textsuperscript{16} This definition textually states that prevention is aimed at residential areas that have not experienced slums. However, the term prevention is also used in the context of slums improvement.\textsuperscript{17} In this case, prevention is done so that slums settlements that have been handled thoroughly do not grow back into slums in the future. Thus, prevention of slums settlements is all processes and actions taken to prevent the occurrence of new slums settlements and prevent the occurrence of post-upgrading slums.

In practice, efforts to improve slums are not thoroughly carried out based on the cause because it requires a large amount of money. For example, efforts to improve slums in Indonesia are more focused on changing the facial appearance of settlements than widening neighbourhood roads or reducing the density and density of buildings. These are reflected in the emergence of efforts to decorate settlements with gravity or give a colourful impression using variations of colour paint on the walls and roofs of houses. Currently, efforts to improve slums settlements are more accurately viewed as an effort to reduce the level of slums.

In the context of prevention, the above efforts are steps to prevent the increase in slums in settlements identified as light or medium slums and prevent the expansion of existing slums. For this reason, the definition of slums prevention can be expanded into all processes and actions taken
a. to prevent the occurrence of new slums,
b. to prevent the increase in slums in settlements identified as light or moderate slums,

\begin{itemize}
\item[\textsuperscript{13}] Dika Ardiana Fitri and Sulistinah, \textit{op.cit.}, p. 2
\item[\textsuperscript{14}] Law Number 1 of 2011 concerning Housing and Settlements Areas, Article 59 letter e
\item[\textsuperscript{15}] Ibid., Article 61 paragraph 2
\item[\textsuperscript{16}] Indonesia, Minister of Public Works and Public Housing Regulation Number 14/PRT/M/2018 concerning Prevention and Quality Improvement of Slums, Article 1
\item[\textsuperscript{17}] Ibid., Article 41 paragraph (1)
\end{itemize}
c. to prevent the expansion of existing slums, and
d. to prevent the occurrence of slums settlements after improvement.

Prevention is carried out through supervision and control; and community empowerment.\(^a\) Prevention begins to be carried out in the scope of housing and settlements, starting from the housing development permit process until the houses are used.

a. Supervision and Control

Supervision and control are carried out by looking at the suitability of housing and settlements with permits, technical standards, and functional feasibility. Compliance with licensing and technical standards is carried out at the planning and development stages, while conformity to functional feasibility at the housing and settlements utilization stage.

Supervision and control of the growth and development of slums areas are carried out by monitoring, evaluating, and reporting. Supervision and control activities are the responsibility of the Local Government by involving the community. Monitoring is carried out directly and directly. Direct monitoring is carried out through field observations at locations indicated to have the potential to become slums. In contrast, indirect monitoring is carried out based on data and information regarding the existing condition of housing and settlements areas and complaints from the public and the mass media.

The results of monitoring are used as material for a measurable and objective assessment in the evaluation. The evaluation can be assisted by experts who have sufficient experience and knowledge in the housing and settlements areas. The results of the evaluation are then followed up with reporting. The evaluation report includes recommendations for preventing the growth and development of new slums areas.

Reporting on the monitoring and evaluation results is used as the basis for the Local Government to carry out efforts to prevent the growth and development of new slums areas as needed. Local governments can submit reports to the central Government if there are discrepancies whose resolution is under the Central Government’s authority. Regulation of the Minister of Public Works and Public Housing Number 14/PRT/M/2018 does not explain in more detail the form of the discrepancy in question.

b. Community Empowerment

The Central Government or Local Government carries out community empowerment through assistance and information services. Mentoring is intended to increase the capacity of the community through the facilitation of the formation and facilitation of capacity building of Non-Governmental Organizations. Meanwhile, information services are intended to open access to information for the public in the form of reporting and providing information on matters related to the prevention of housing and slums, such as providing information on spatial planning, building and environmental arrangement, permits, and other matters related to housing and residential areas.

Assistance to the community is carried out in the form of counselling, guidance, and technical assistance and is carried out with the following procedures:

1) carried out by the Local Apparatus in charge of Housing and Settlements areas;

\(^a\) Ibid., Article 4
2) carried out regularly to prevent the growth and development of new housing and slums;
3) carried out by involving stakeholders such as academics, experts, or relevant community leaders;
4) is carried out by determining the location of housing and settlements that require assistance;
5) carried out by first considering the reporting of monitoring and evaluation results that have been prepared both routinely and incidentally; and
6) carried out based on the implementation plan and budget allocation that has been determined previously.

3. Policy Weaknesses That Can Affect the Success of Slum Prevention

a. Prevention should start with planning

Prevention policies should start from planning because planning will be the basis of supervision, control, and empowerment. Currently, there are still many residential areas that do not yet have a regional development plan document. Residential area planning is mainly based on spatial plans even though the spatial plans are still macro and not yet operational to be implemented in the Settlement Area.

Based on the formality, settlements consist of formal settlements and informal settlements. Formal settlements are settlements built according to applicable formal legal procedures, while informal settlements are settlements that, for various reasons, do not meet formal legal procedures. Formal settlements are also called planned settlements because they have a clear plan, while informal settlements are unplanned. Formal settlements are usually built by housing developers, while informal settlements develop according to the abilities and needs of the community for housing.

In housing or informal settlements, because they are not planned, the development of informal settlements will follow the ability and desire of the community to build houses. If no intervention is carried out, informal settlements are vulnerable to slums, even mild or moderate. The Government needs to encourage every residential environment to have clear planning documents to facilitate the management of settlements. The prevention of slums settlements must answer questions such as what will be monitored and controlled, the need for housing and settlements, who will be empowered, and how much budget is needed.

b. Prevention of slums settlements is still focused on urban areas

As described above, according to the Law of the Republic of Indonesia Number 1 of 2011 concerning Housing and Settlements Areas, the context of preventing slums settlements is only within the scope of implementing the development of urban residential environments. One of the programs to prevent and improve slums areas that the Government is currently running is the City Without Slums (Kotaku) program. As the name implies, the program is intended for urban or urban areas. Even though the prevention aspects of the growth and development of housing and slums settlements are very suitable to be applied in rural settlements, such as:
1) prevention of irregularity and high building density;
2) prevention of incomplete infrastructure, facilities, and public utilities;
3) prevention of deterioration in the quality of houses, housing, settlements, and infrastructure, facilities, and public utilities.

c. **prevention of slums settlements is not yet considered urgent**

The emergence of slums can happen quickly or slowly. However, the process of the occurrence of slums areas is dominated by a slow process. It affects the speed of efforts to improve slums areas and prevent the emergence of slums areas. Processes that occur quickly, for example, occur because of conflicts or wars that result in rapid destruction of buildings, damage to drinking water and sanitation facilities and infrastructure, decline in environmental quality, and encourage large-scale migration to evacuate. For example, what happened in Beirut, Lebanon, due to the Israeli military invasion (1978 and 1982) and the Israeli occupation of South Lebanon (1978-2000), led to most of the open spaces on the southern outskirts Beirut into sprawling slums.\(^{19}\)

Currently, there is very little interest in studies on the prevention of slums settlements. It is the cause of the lack of input for the Government in tackling the problem of slums settlements from the aspect of prevention. The lack of studies on the prevention of slums settlements is mainly due to the slums process, which is generally slow and lasts for a long time. These processes are the ageing process of buildings and settlements densification (Bourne in Rindarjono, 2012).\(^{20}\) Both of these processes can take decades.

The slow process makes anyone unaware of the development of slums. Its existence is known when the condition of settlements is dense. Finally, the Government found it challenging to build settlement facilities and infrastructure because land and access were no longer available. If left unchecked, this will accelerate the occurrence of slums in a settlement.

The age factor causes the ageing process in buildings. The older the building, the lower its quality will lead to slums in the settlements. Meanwhile, settlement densification is defined as increasing and expanding population settlements, both regular and irregular, due to the increasing need for space.\(^{21}\) The densification process includes two stages: first, population compaction inside residential buildings, and second, population compaction outside residential buildings. Thus, it can be concluded that the settlement densification process includes increasing household density and increasing building density in settlements.

Population growth, both naturally and due to urbanization, has led to an increasing need for space for housing. It causes an increase in the tendency of people to occupy existing vacant land without considering the technical requirements for settlements, as discussed in the previous sub-chapter. This process can run continuously, resulting in vacant land being no longer available and settlements are getting denser.

The problem of settlements densification also impacts public open spaces, waste services, wastewater management, environmental drainage, and fire protection.


\(^{20}\) Bourne (2012) in Muhammad Gamal Rindarjono, op.cit.,42

Densification is a disease that must be addressed immediately, both through preventive and curative efforts. When settlements have already occurred densification, the provision of adequate housing facilities and infrastructure becomes increasingly difficult. These are because the space to build it is very limited or not available at all. Efforts to demolish buildings require high economic and socio-political costs, even though if left unchecked, it will push settlements into slums. For this reason, the policy of preventing slums settlements should be implemented in synergy with the policy of improving slums settlements.

d. There are still biases in determining the criteria for slums

According to Law Number 1 of 2011 concerning Housing and Settlements Areas, the level of regularity and building density is the suitability of the basic building coefficient (Koefisien Dasar Bangunan/KDB) and building floor coefficient (Koefisien Lantai Bangunan/KLB) with the requirements set by each region. Meanwhile, according to the Regulation of the Minister of Public Works and Public Housing Number 14/PRT/M/2018 concerning Prevention and Quality Improvement of Slums, building regularity is measured based on the criteria for conformity with the provisions of the building layout in the Detailed Spatial Plan (Rencana Detail Tata Ruang/RDTR) and Building and Environmental Planning (Rencana Tata Bangunan dan Lingkungan/RTBL). In contrast, the density of buildings is measured based on the criteria for conformity with KDB and KLB that exceed the provisions of the RDTR or RTBL. Regions that do not yet have an RDTR or RTBL can use evidence of a building permit (Izin Mendirikan Bangunan/IMB) as a tool for assessing building irregularities. However, suppose the IMB is not yet available. In that case, the region can ask for consideration from the Building Expert Team (Tim Ahli Bangunan Gedung/TABG) to assess the irregularity of the building.

This regulation has not considered the provisions for low density, medium density, or high-density housing zones. If the houses in the low-density zone do not comply with the provisions in the RDTR or RTBL, are the settlements categorized as high density? On the other hand, if the houses in the high-density zone are following the provisions in the RDTR or RTBL, are they categorized as low density?

According to the Regulation of the Minister of Public Works and Public Housing Number 14/PRT/M/2018, the size of the building density is obtained by comparing the number of building units with the available land area. Building density is a measure of the ratio between the number of residential buildings and the available land.

The calculation of building density above has weaknesses, namely:

1) Comparison area, If the comparison area used is the administrative area, the calculation will produce a picture of apparent density, mainly used in areas that still have rural characteristics.

2) Building size, The calculation does not consider building size because regardless of the area of the building in the settlements, it will be considered homogeneous or the same.

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The above biases impact the emergence of the opinion that the problem of building density is not so urgent in areas that still have many rural characteristics. The reality is that residential areas considered not congested based on the calculations above are already crowded and filled with many buildings to no longer leave open space. For this reason, the calculation of building density should be done by comparing the existing KDB of each building with the total area of the existing settlements. A calculation model like this can obtain an accurate picture of the density of buildings in settlements. With valid data, policies issued to prevent slums settlements will be appropriate.

Conclusion
From a policy perspective in Indonesia, slums settlements are not merely dirty and smelly. Still, they are also influenced by the appearance of the buildings and the availability of adequate housing facilities and infrastructure based on specific criteria. In other words, slums are not necessarily smelly and dirty. For this reason, slums are divided into several levels, namely, not slums, light slums, medium slums, and heavy slums.

The Government has issued a policy in preventing slums settlements, but this policy has several weaknesses; namely, prevention should start from planning. Planning is the primary operational policy of preventing slum settlements. The other weaknesses are preventing slums settlements is still focused on urban areas, preventing slums settlements is not considered urgent, and there are biases in the measurement of slums criteria that can potentially make prevention policies not right on target.

Suggestion
The Government needs to make more operational policies in preparing plans for the development of residential areas. It is intended that the prevention of slum settlements has a straightforward implementation basis. Slums are multidimensional, so prevention policies also need to consider various aspects, especially those that cause slums. These aspects include economic, socio-cultural, and physical.

The Government needs to implement policies to improve slum areas and policies to prevent slum areas from synergy. The Government also needs to campaign for the importance of preventing slum settlements in both urban and rural areas. Because it is complex, slum prevention activities need to involve various parties. Each party needs to be invited to participate and collaborate to prevent the occurrence of slum areas.

To be more targeted, the Government needs to refine criteria or indicators considered biased in calculating slums. Another thing that is no less important is to invite stakeholders to formulate and implement slum prevention policies. The Government also needs to increase the community’s social capital through education, advocacy, awareness-raising, capacity building, empowerment, and mentoring activities.

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