INDONESIAN JOURNAL OF MULTIDISCIPLINARY SCIENCE

P-ISSN: 2808-5957
E-ISSN: 2808-6724
ijoms.internationaljournallabs.com

FULFILLMENT OF THE RIGHT TO DISCLOSURE INFORMATION IN REALIZING GOOD GOVERNANCE

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ARTICLE INFO

Published: December 20th, 2022

Keywords: *rights fulfillment, information disclosure, good governance*

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ABSTRACT

This study would like to reveal the implementation and strategies used by public officials in the policy process related to dam construction in Lampung Province. The research method used is qualitative with a descriptive analysis approach. Within the scope of Lampung Province, the policy of the Kementerian Pekerjaan Umum dan Perumahan Rakyat (PUPR) through the Balai Besar Wilayah Mesuji-Sekampung (BBWS) is to complete the construction of the Margatiga Dam, one of its duties is to ensure the implementation of public and legal communications as well as complaints from the local community. The study results indicate that information disclosure has been seen in planning and performance transparency. This is evidenced by the involvement of the community through indigenous community forums, community coordination with implementing public relations, and holding socialization for each village.

INTRODUCTION

Based on data from the Lampung Province BPS on social livelihood indicators, during 2014 to 2019, the percentage of poor people in Lampung Province tends to decrease. The poverty percentage continued to move until it touched 12.62 percent in March 2019. The government has succeeded in reducing the number of poor people from 1.14 million or 14.28 percent in March 2014 to 1.06 million people or 12.62 percent in March 2019 (BPS Provinsi Lampung, 2022).

The factors that contributed to the decline was the development of economic infrastructures, such as the rice assistance program for the poor (*Raskin*, *Beras Miskin*), the Family Hope Program (PKH, *Program Keluarga Harapan*), and the Joint Business Group (KUBE). However, sociologically, there are contradictions. The number of poor people in March 2019 in the country reached 831.80 thousand people. Meanwhile, the poor population in urban areas in March 2019 was 231.860 people. Factors causing the increase are: a) Lack of inequality in supporting infrastructure, b) Limited population access to transportation, health, and education infrastructure, c) Villagers consume a lot of goods produced in the city, and there is a retail purchase system, which makes the price of goods more expensive, d) Lack of adequate human resources, and e) Lack of understanding of access to information and communication technology.

In this regard, the problems that can be identified are related to the fulfillment of rights for the community, especially the fulfillment of the right to information disclosure on development projects faced by the BAPPEDA Lampung Province in 2019 during the implementation of the development program. They are:

a) There is still a lack of coordination between provinces and districts/municipalities, so there is no synergy between provincial development programs and activities and district/city development programs/activities;
b) Not yet appropriate and in compatibility with the central government's programs and local needs;
c) Uneven distribution of quality and quantity of human resource planners at the district/city level seen from the aspects of planning, control, data, information, and mastery of technology; and
d) The development data and information have not been used optimally.

A country must serve its citizens by fulfilling basic rights and needs in public services. Openness or transparency must be one of the main foundations in the practice of governance (Flyverbom, 2016). Everyone's right to obtain information is also relevant to improving the quality of services and also involving the community in the public decision-making process (Gao & Yu, 2020). Thus, all government agencies, in carrying out their functions and duties, are formally required to be transparent and accountable because public service itself is one of the main tasks of the government. In addition, as the duties of the state apparatus in the Decree of the Minister of Empowerment of State Apparatus concerning Guidelines for the Development of Cultural Works of State Apparatus, it has been indicated that the cultural value of openness must be able to color people's behavior. Good governance covers all aspects of life in the form of law, politics, economy, and society (Wright et al., 2013). Good governance is also closely related to the implementation of state power in executive, legislative and judicial aspects (Addink, 2018). State apparatus have to improve the performance and quality of public services in a sustainable manner oriented to the realization of good governance as a vision of bureaucratic reform (Moonti, 2019).

Some research discussed the implementation of good governance, especially in Indonesia. Jatmiko and Lestiawan (2016) revealed that it affects the government's performance, although in some aspects the effects are insignificant. On the other hand, Novita et al. (2022) stated that Jakarta has implemented good governance rather properly through public information disclosure. Another research by Wijaya et al. (2019) unveil the requirement of good governance in terms of logistics. However, further research regarding how good governance, especially information disclosure, affects government performance in handling social issues. One of the issues might be the construction of public facilities such as a dam.

With the construction of the Marga Tiga dam in Marga Tiga District, East Lampung, it is necessary to see how the rights of the community, especially the people of Marga Tiga Sub-district, must be fulfilled for the construction of the dam. Fulfillment of the right to information disclosure for the community can be made possible later on dam construction activities are carried out on what is needed by the local conditions and what is expected by the community. It is to get full support from the community in carrying out its activities. Hence, with the construction of the Marga Tiga dam in Marga Tiga Subdistrict, East Lampung, it is necessary to see how the fulfillment of the rights of the community, especially the people of Marga Tiga Subdistrict, for the construction of the dam should be seen.

To increase economic growth, one of the efforts is through equitable distribution of infrastructure and facilities in the agricultural sector. Lack of infrastructure support will lead to a decline in production (Kelly, 2015; Srinivasu et al., 2013). For example, people who work as farmers still use a rain-fed system. The results are not necessarily optimal, this is because farmers only hope for the change of weather. As is the case in Lumbokseminung District, West Lampung Regency, about 10 hectares of rain-fed land are threatened with crop failure due to drought. Most of the farmers have resigned and hope for an effort from the government to help meet the water supply. In addition, the shift from traditional agriculture to modern agriculture also has a significant impact on increasing production.

The Ministry of Public Works and Public Housing (PUPR) is intensifying the construction of new dams in several provinces to support national water and food security. One of the provinces that are being built a dam is Lampung Province which is planned as one of the national foods. In the program, there are 2 dams to be built, namely Way Sekampung Dam in Pringsewu Regency and Marga Tiga Dam in Marga Tiga District. In the construction of the Marga Tiga Dam, it has a total capacity of 147.94 million m3 in the lower reaches of the Way Sekampung River which will irrigate an irrigated area of 10,950 hectares and as a water source with a capacity of 830/second. The dam will cover 4 sub-districts in East Lampung Regency, namely Marga Tiga, Sekampung, Batanghari, and Metro Kibang District. This dam is included in the area of the South Metro District of Metro City. The existence of the dam is expected to improve agriculture, as water conservation, flood dampening, raw water source, grow the local economy, and as a tourist destination in East Lampung.

Therefore, issues related to the use and guarantee of protection for the fulfillment of community rights in the use of the dam must be carefully considered, focusing on the surrounding communities near the dam whose livelihoods are agrarian. In terms of citizenship, the right to information relates to what citizens can access and do with the information. The use of information technology aims to bring together an understanding of the role of technology as well as to provide effective practical lessons. Considering these conditions, there is a need for the role of local governments to handle problems and provide legal certainty and guarantee rights according to their functions when the dam has been completed.

METHOD

This study uses a qualitative method. As for the research approach using case studies. The research approach is a method used by researchers to organize research to understand the discussed problem and solve it.

1) Descriptive is intended to provide data related to humans, circumstances, or symptoms that will be faced. It is to describe the characteristics of individuals, groups, circumstances, or symptoms that exist at the time of conducting research.
2) Comparative, namely comparing the state of development carried out in Lampung and other areas. The application in this study is used to compare the current development

process with the dam construction process in other areas that have implemented the program.

Data collection techniques were carried out by interview and observation. The respondents including Mesuji-Sekampung River Basin Center (BBWS), the Administration of BBWS (Employment Sub-Section and public communication), and the General Implementer of Dam Development and Public Relations (HUMAS) for Marga Tiga dam construction. In addition, other informants to be interviewed are village officials consisting of village officials and community leaders, residents affected by land acquisition, and several residents affected by dam construction. The reason for selecting respondents is that the development that is being carried out is very closely related to many parties, especially the village as the stall for the development. The village party can provide a lot of information because it has involvement in monitoring, deliberation, or licensing issues related to access to the development. The role of respondents, namely those who are responsible for the development and have a role to convey information to the public related to any situation that is important to convey. It is to ensure the public's right to obtain information.

Analysis of the data used in this study using qualitative data analysis proposed by Miles and Huberman (2014) was carried out interactively and continued to completion so that the data became saturated. Data analysis activities are data reduction, data presentation, and conclusion drawing/verification.

RESULT AND DISCUSSION

Information rights relate to the rights of individuals or communities whose purpose is to know about the collection, use, or disclosure of information. Furthermore, the right to information extends to various areas of a person's life including freedom of opinion, workplace supervision, compensation rights, and so on. The term “information systems” usually denotes certain field focusing on the use of information technology in an organization that aims to bring together social expertise (Dhillon & Torkzadeh, 2006). Regarding this, the main purpose of public information disclosure in every country is to ensure that public institutions will be more accountable and credible by providing information and documents according to public requests (Worthy, 2010).

The right to know has been guaranteed by the constitution, namely Article 28 F of the 1945 Constitution that "Everyone has the right to communicate and obtain information to develop their personal and social environment, and has the right to seek, obtain, possess, store, process, and convey information using all kinds of information. available channels." Article 28 F became the basis for the birth of the regulation governing the freedom to obtain public information (UU KIP) which was ratified and promulgated on April 30, 2008, and came into effect on April 30, 2010. Law no. 14 of 2008 concerning Public Information Disclosure emphasizes in Article 2 paragraph (3) that any public information must be obtained quickly and on time. The law confirms that public information is information that is generated, stored, managed, transmitted, UU KIP has a purpose to guarantee the rights of citizens. At least in the construction of the Marga Tiga dam, it has contained 4 (four) things that are by its objectives, namely:

1) Knowing the plans for making public policies, public policy programs, and the public decision-making process, as well as the reasons for making a public decision. Based on the research that has been done in the construction of the clan dam, this principle has been applied, namely that the community knows about public policy-making plans. This is evidenced by the public consultation held 2 years before the implementation of the dam construction. This consultation confirmed the development plan and the location plan to be occupied.
2) Increasing the active role of the community in public policy and good management of public bodies. Community participation is evidenced by the community's participation in the negotiation process, the land measurement process, the issue of compensation that has been implemented, and prioritized labor recruitment by the affected community. So far, some communities have played an active role and provided support in every process of the Marga Tiga dam construction.
3) Knowing the reasons for public policies that affect the lives of many people. The dam construction policy has been included in the national project strategy. This is seen in the Lampung area which is referred to as the second national food barn after the island of Java. Therefore, it is hoped that the construction of the Marga Tiga dam, can improve the standard of living and the economy, especially for the affected areas.
4) There is an improvement in the management and service of information within the Public Agency to produce quality information services. Public agencies always strive to improve information services. In particular, the Mesuji-Sekampung River Basin Center applies an open system through its public relations officers who go into the field to provide information. So the information that is disseminated is not only through socialization and mass media, but face to face has been carried out in the field. In the case of public complaints through village representatives, they can send a written letter addressed to the Mesuji-Sekampung River Basin Center for follow-up regarding their complaints.

Infrastructure facilities (technology or infrastructure) must also be equipped, especially now in the era of electronic systems that can be accessed anytime and anywhere, so that people can find it easy to get the information they need at any time. What is very important related to the implementation of public information disclosure, is the commitment from all aspects of government administration, because no matter how good regulation is formed, if there is no commitment to implement it, it becomes a mere display.

Governance includes 3 dominants, namely state, private sectors, and society. Krina (Krina, 2003) states that governance includes all mechanisms, processes, and institutions through which citizens and community groups express their interests, exercise legal rights, fulfill obligations, and bridge differences between them. There are at least 5 characteristics of good governance that appear in the construction of the Marga Tiga dam, as follows:

1) Every citizen has a voice in decision-making, either directly or through the intermediation of legitimate institutions that represent their interests;

2) The legal framework must be fair and implemented indiscriminately, especially in Law and Human Rights.
3) Transparency is built based on the free flow of information. Processes, institutions, and information are directly accessible to those who need it. The information must be understood and can be monitored.
4) Good governance mediates different interests to obtain the best choice for the wider interest, both in terms of policies and procedures.
5) All citizens, both men, and women have the opportunity to improve or maintain their welfare.

Therefore, several models of policy implementation are heavily influenced by community support factors, because they are closely related to community participation as one of the stakeholders in the program implementation process. In general, the implementation of the public information disclosure policy has been carried out as mandated in the Public Information Disclosure Act. There are several basic principles for policy implementation put forward by Riant Nugroho (2011). The basic principles are divided into several types of accuracy, namely accuracy of policies made based on needs, target accuracy, and accuracy in the implementation process. The implementation of the policies described in the Marga Tiga dam construction process is further explained as follows:

1) Community Satisfaction in Receiving Information: The Mesuji-Sekampung River Basin Center is the agency responsible for all issues related to the construction of the Marga Tiga dam. Accountability includes all aspects, both construction, and non-construction or social relations in the Affected Village. Public officials have not used information satisfaction measurements and satisfaction surveys aimed at the public. People can be said to be satisfied because a lot of information has been circulated from all media. The state's responsibility to fulfill the right to public information remains as open as possible with strict and limited exceptions. It aligns with the principle of maximum disclosure which means providing the widest possible access to public information with strict and limited exceptions (Abdulai, 2022). Most of the information received came from village officials who held several socializations. Important information obtained by the community is regarding road access and order related to signs, project vehicle access, information on vacancies or labor needs, land measurement information, and information on the replacement of affected land.

   Village officials who were affected by the construction of the Marga Tiga dam considered that the community did not question the lack of acceptance of general information. It's just that the public makes a problem if there is a lack of information that is related to their rights or personal interests. For example, information on compensation for the benefits of the affected community's land. The number of obstacles is usually due to a lack of conformity or incompleteness in administrative matters.

   Communities sometimes seek the information they need from the Foreman or Public Relations as representatives of the dam construction managers who are directly involved

with their work. In addition, they also obtain information from village officials, RT heads, and from each group or community leader. Information is also sometimes received from school leaders or teachers in the village environment. Very few people use information sources, such as magazines, libraries or community reading parks, or websites. Although not in large numbers, some people use social media such as WhatsApp or Facebook group info as a source of information.

Table 1. Implementation of the Marga Tiga Dam Construction Policy

No	Stakeholders	Observed aspects	Yes	Not
1.	Key Stakeholders (Development Executor of the Dam and Locals)	- Socializing all dam construction processes;	✓	
		- Regulating the form and role of the community in the construction of dams;	✓	
		- Increase the role of the community.	✓	
		- Adhering to what has been decided or determined together;	✓	
		- has the right to obtain appropriate compensation for the loss suffered;	✓	
		- Maintain environmental quality for dam sustainability;	✓	
		- Behave orderly in the role of implementation of dam construction.	✓	
2.	Supporting Stakeholders (Village/Sub-district Apparatus, Public Relations, and Private/Business Entity)	- Become a facilitator, communicator, motivator, and mediator between the Government, Regional Government, and the community;	✓	
		- Helping to do social mapping, and compiling social profiles;	✓	
		- Delivering problem-solving to key stakeholders;	✓	
		- Facilitating the establishment of dialogue forums and working groups;		✓
		-Monitoring and evaluating development decision-making and implementation;		✓
		-Improve the education of the people who are directly affected by the dam construction.		✓
3.	Policy Stakeholders (Government, DPR, and Local Government)	- Issue a decision on the dam construction plan;	✓	
		- Monitor and evaluate all dam construction activities;	✓	
		- Giving awards for the services of the parties in the construction of the dam.		✓

People do not use recorded sources of information much because they find it difficult to obtain information that is not conveyed directly. Therefore, most people are used to getting information orally. Community human resources are still less than optimal, making it easier for people to accept and understand information that is conveyed directly than recorded information. So that more people seek information that is delivered directly. Although this verbal information is difficult to measure and sources of information like this are not officially managed, the community still needs this type of verbal information more because they find it difficult to obtain information from recorded sources, especially regarding the subjects they need. They need direct explanation guidance and see firsthand its application. Only a few of them make use of recorded sources.

2) Accuracy of Regional Needs: Dam construction policies include the Dam Development and Management Policy, which is based on meeting the needs of food, energy, and raw water (food, energy, and water). Increasing the use of water resources, saving water, and controlling water damage must be protected for environmental safety and security, as well as sustainability.

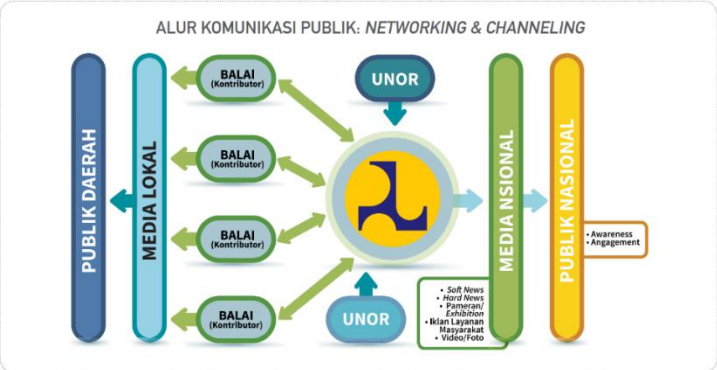
   The construction of the dam, then continued with the management of the dam and its reservoir is an effort to improve the standard of living of the community. Dam construction in addition to bringing great benefits can also cause environmental and social impacts that are often unacceptable to the community. Therefore, the construction and management of the dam that is being implemented have taken into account the safety of the dam. The sustainable construction and management of dams require the Government to prepare for the construction of dams.

3) Accuracy of Public Communication: There are several communications made in the implementation of public information disclosure policies carried out by some public information service officials. The first is communication with policymakers. The form of communication carried out by socialization is considered effective by officers because by doing so officers directly get information from policymakers. To minimize the occurrence of misinformation.

   Direct communication is also carried out between officers and sub-district and village officials who manage the public relations department. Officers socialize related policies to make it easier for the public to get information. This is certainly the right solution to provide satisfaction to the community, considering that people have not felt satisfied with the information obtained through the media. In addition to certain information, officers also communicate directly with the community if the public wants to get information that is not disseminated by officers on the media that have been used. One of them is when the community asks for information related to the construction of the dam. In this case, the information requester must provide complete personal data and explain to the officer what the information will be used for. The goal is that the public or the requester for the information does not use the information for negative things or harm certain parties.

The last is the communication between the officers and the journalists, here the officer performs one of the duties and functions of Public Relations, namely doing media relations. Communication is made personally by making friends with journalists so that between the two parties a good relationship has been established. So that officers can use local electronic and print media as a means of communication to disseminate public information.

In practice, the implementation of the Public Communications Ministry of PUPR is faced with various challenges. First, the dynamics of infrastructure issues in the community, which are sourced from various policies and development programs that are no less dynamic. Second, the transformation of community culture which in turn changes the habits of Ministries/Institutions must be aware of the media, and actively show the hard work and performance of the Government to the public according to their duties and functions. Third, the development of communication and information technology has an impact on changes in the media habit of the audience when consuming mass media and personal media. Fourth, various crises and changes in situations that occur at any time require correction, and adaptation, even at certain times so that sometimes they require changes.



Source: PUPR Public Information Disclosure Window 2020

There are several strategies used by the Ministry of PUPR through the Mesuji-Sekampung River Basin Center, namely as follows:

1) Approach to community aspirations and culture: The implementation of dam construction must be carried out in a participatory, dialogical manner and pay attention to the aspirations of the community by placing the community both individually and in groups as subjects, determinants, and main actors in development. In addition, the implementation of dam construction must consider the socio-cultural and economic aspects of the community in an integrated and synergistic manner so that more optimal results can be achieved. For this reason, all decision-making and action plans are based on the will and agreement of the group.

Table 2. The Approach Strategy for the Construction of the Marga Tiga Dam

No	Observed Aspects	Yes	No
1.	Forward-looking means that social engineering in dam construction must have a clear and directed vision, mission, and implementation strategy;	✓	
2.	Open means that all policies, regulations, and detailed dam construction plans must be known to the public and can be accessed easily to get a response from the public;	✓	
3.	Being responsible/accountable means that all activities starting from pre-construction, construction to post-construction must be accountable both administratively, legally, and professionally so that trust will grow from the public to government officials;	✓	
4.	Effective and efficient, especially those that are highlighted by the public, namely in terms of financing, use of funds, and accuracy in determining formulations with technical and economic principles that meet and are environmentally and socially appropriate		✓
5.	Democratic, in the context of dam construction, development actors must actively respond. Every input and proposal must get a response quickly. Decisions concerning the public interest should be published after consultation with the local DPR or DPRD	✓	
6.	Community participation means that community participation in every decision-making process can be realized. So that the community feels partly responsible and has a sense of ownership of the benefits of the dam.	✓	

The community-based social engineering approach adheres to the following principles:

a) From people's aspirations: This approach is based on the needs, ideas, and desires of the community, discussed and accommodated the most rational voices, and can be accepted by the community.
b) From the public interest: This approach prioritizes the fulfillment of common needs above other interests, thus providing benefits to the community.
c) From the community's ability: This approach considers the level of community capacity as a basis for planning the targets, methods, and amounts of development financing.
d) From community collaboration together: This approach considers the need for and on behalf of community groups, to be able to realize strong and deep-rooted collaboration in the community.

2) Mass Media Coverage: Recognizing the importance of the mass media as an extension to reach the public, the Public Communication Bureau of the PUPR Ministry has

implemented several strategies. Among other things, analyzing the results of media monitoring, to understand the fluctuations in infrastructure issues among the public, as reported and perceived by the mass media. The results of the analysis then become recommendations for formulating editorial policies for public communication products that are released to the press/mass media. The mass media that have been embraced by the PUPR Ministry include newspapers, magazines, TV, and radio.

Public information disclosure is sometimes still difficult to do because public agency officials assume that involving the public can affect a bad assessment of the performance of public bodies. The process of realizing public information disclosure tends to be influenced by the willingness and commitment of the authorities and providers of public information. Are public officials politically open so that public access to information in the governance of public affairs can be carried out

CONCLUSION

The implementation of public information disclosure is quite optimal. This proves the transparency of information regarding planning, performance appraisal, and community satisfaction that has been carried out. However, the information that is spread seems very general, it is better if the information provided is not only through the website, but also personally. There are still many people around the dam who are not yet proficient in using information and communication technology.

Procurement of land for development by the laws and regulations concerning land acquisition and its technical instructions. The implementation of the principle of transparency in land acquisition for the construction of the Marga Tiga dam, especially in the procedures for assessing compensation, deliberation on compensation determination, and payment of compensation is less than optimal.

In the compensation assessment process, the deliberations to determine compensation for compensation payments for residents were not given an explanation of the appraisal process as well as details of the price per meter of land and buildings, as well as the price of land and buildings. their crops are subject to land acquisition, but only the total amount of compensation is delivered. Practically, the locals holding rights to the affected land can access information easily because, in public consultations that have been carried out more than once, the community is also given booklets related to the land acquisition process. In addition, there are also local print media and the official website of the public relations agency providing information and news related to development planning and land acquisition.

At the public consultation stage, checking and initial socialization were also carried out to the community holding land rights affected by land acquisition so that the community knew from the start and directly with the Sekampung-Mesuji Regional Center (BBWS), and the competent government.

The compensation mechanism is considered to be less impartial to the community, this is because the principle of openness collides with professional adjustments or the confidentiality of

the assessment standards owned by the Assessment Team. The community holding land rights affected by land acquisition cannot know in detail the price of the land meter. Community members whose land was subject to land acquisition also witnessed the process of measuring, delimiting land, and collecting data. Not only that, in the plant data collection process, community members count the number of plants on their land affected by land acquisition. This will then be reported to the Land Procurement Officer.

The researchers realize that there are still gaps to fill regarding the implementation of good governance, especially in Indonesia. Therefore, more research regarding this topic is expected to emerge in the future with more in-depth discussion in various contexts.

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