



Public Participation in Public Policy Implementation: Legal Analysis and Challenges in Indonesia

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ABSTRACT

This study aims to determine the implementation of public policy in the theoretical realm. In addition, this study also aims to identify the obstacles to the implementation of public policy in applying community participation. This study is a qualitative study whose data was obtained through literature study. The approaches used include theoretical and conceptual approaches. The results show that community participation has a very significant influence on policy implementation. The success of public policy is determined by the community's willingness to participate in the policy. In addition, the government needs to play a role in increasing community participation in the implementation of public policy by providing access to information, increasing community capacity, and strengthening participatory mechanisms. Therefore, it is necessary to improve the methods used to encourage public participation in the process of formulating, implementing, and evaluating public policy.

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INTRODUCTION

In modern countries, the implementation of public policy aims to provide public services. The state implements these policies to improve the quality of life of the community. Public policy must accommodate the community's interests to achieve its main objectives (D. S. K. Dewi, 2022; Gedeona, 2019). In practice, policies are more than just regulations. Legal rules serve as guidelines to ensure that policies provide justice for the community (D. S. K. Dewi, 2022: 3).

According to Sihombing & Noor (2024: 5), there are at least three hierarchical groups of public policy in Indonesia. The first is macro-level public policy, which includes laws and government regulations, such as presidential and regional regulations. Second are meso-level policies, such as ministerial, governor, regent, and mayor regulations. Third are micro-level public policies, which are regulations established by public officials under the minister, governor, regent, or mayor.

Implementing public policy requires public participation. However, obstacles are often encountered (Nelly, 2024). First is limited access to information on public policy formulation.

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Second are economic barriers that prevent underprivileged communities from participating in the process. The government must play an active role to overcome these obstacles because public participation is important for policy implementation.

The impact of a policy is seen during its implementation. A policy is considered good if it brings positive changes to society. If people's lives improve with the implementation of a policy, then it can be said that the policy is being implemented well (Desrinelti et al., 2021). Therefore, community participation is essential to understanding the community's needs and desires.

This research aims to examine the implementation of public policy in theory. This is important for developing public knowledge about public policy. Additionally, the research aims to identify obstacles to implementing public policy through public participation. Public participation is a key issue in this study because of its central role in policy implementation.

Several previous studies are related to this research topic. For example, Ghaida Shaumi Manganti (2023) examined the level of community participation in public policy using a cross-sectional survey method. Another study by Sri Rahmaayu Dewi Permatasari et al. (2025) examined the role of the community in the public policymaking process and the extent to which community participation has been incorporated into it. This study also examines the obstacles hindering the application of participatory democracy principles in policy formulation. Additionally, Fanila Kasmita Kusuma's (2024) research examines the role of community participation in policy formulation at the local government level.

Although this research shares a similar theme with previous studies, it has a different focus. It examines the importance of community participation in public policy and specifically analyzes community participation in the implementation stage, identifying various obstacles encountered. Thus, this study is expected to enrich the study of the relationship between community participation and successful public policy implementation.

RESEARCH METHOD

This research uses a normative legal method based on statutory regulations. This research employs two approaches: a theoretical approach and a conceptual approach. Data were obtained through a literature review in the form of secondary data consisting of primary legal materials (e.g., legislation), secondary legal materials (e.g., books and journal articles), and tertiary legal materials (e.g., the internet). The study has several stages. First, the issues to be discussed in the study are formulated. Second, it identifies relevant legislation. Third, reference books and journals related to the study, as well as other internet sources, are collected. Finally, it analyzes each piece of legislation, legal theory, and other obtained data, processing and presenting it qualitatively through narrative explanations.

ANALYSIS AND DISCUSSION

Public Policy

As a set of rules, law is the foundation of national and state life. As it develops, law becomes a restriction on government action while also becoming the basis for policy implementation. Policy implementation must be based on law to provide legal certainty for society. The existence of law prevents the government from acting arbitrarily in its administration of the state.

Law and public policy are like two sides of a coin: interconnected and inseparable. According to Van Kan, as quoted by Muchsin & Putra (2002: 17), law is defined as rules that exist to protect the interests of individuals in society. Public policy, meanwhile, is defined as

government action in response to social problems (2013: 3). Therefore, law is the foundation of public policy.

According to Budiman (2017), the government needs laws to protect society's interests from various social problems. Resolving social problems aims to improve welfare, a task carried out by the government. Laws play an important role in shaping public policy, including technical regulations. Although laws and public policy implementation go hand in hand, weaknesses in implementing institutions and a lack of resources often hinder achieving the desired goals (Asbari et al., 2026).

The existence of various public policy challenges requires a holistic approach to ensure equitable community development (Muhammad et al., 2023). Therefore, public law and policy must be based on communication between the government and the community. This ensures that legal products and policies do not conflict with the desired outcome of justice (Yolanda, 2022). According to Anyebe (2018), a policy must be flexible in its application of legal regulations and implementation to provide justice for the community. This flexibility supports the ongoing development.

According to Kristian (2023), public policy is theoretically always aimed at creating societal welfare. This is because public policy is the government's plan for carrying out its programs and activities. Well-formulated policies serve as the basis for government activities, optimizing implementation and justifying resource allocation (Kristian, 2023). In practice, the law is at the forefront of providing legal certainty, justice, and benefits.

In practice, the government creates a conducive political and legal environment. Subsequently, the private sector becomes the entity that fosters job creation and income generation within the community (Kusumawati, 2019). At the regional level, for example, public policy and law are interrelated in achieving effective and sustainable governance (Huda, 2024). Various challenges, such as the absence of quality public policies, must be addressed immediately to achieve the goal of community welfare.

Public Policy Implementation

Essentially, the government acts as a public servant that fosters the development of the community. To create good governance, it is necessary to involve all relevant elements, including the internal bureaucracy and the community (Fauzi et al., 2023). Carl J. Frederick emphasizes that policies contain obstacles and opportunities when implementing proposals to achieve certain goals (N. L. Y. Dewi, 2019). These goals benefit not only the government, but also the community.

To implement public policies that improve societal welfare, political will alone is insufficient; political action is also required (Suryono, 2014). At a minimum, public policy covers five aspects (Eldora et al., 2023). First is the field of activity, which is part of the general objectives to be achieved. Second are specific proposals reflecting government decisions. Third is formal authority standardized in legal regulations. Fourth are programs consisting of activities, plans for the use of resources, institutions, and strategies to achieve objectives. Fifth, outputs are products resulting from specific activities.

According to Ramdhani (2017), there are two aspects of policy. First, policy is a social practice through which the government addresses problems in society. Second, policy is a response to an event. Therefore, policies are directed at achieving certain objectives that serve as a means of solving problems. Thus, policy implementation is a system whose mechanisms and actions impact certain problems (Ramdhani & Ramdhani, 2017).

Implementing public policies that serve the community's interests will produce solutions to problems. Complex problems require a deeper understanding to comprehend the policy implementation process. An in-depth assessment is necessary to ensure that the

objectives prioritize problem solving and the interests of the community (Desrinelti et al., 2021). For instance, policies aimed at reducing smoking require extra effort because, even after implementation, many people still smoke in public places (Alamsyah, 2016: 4).

The pace of development is often hindered by various challenges and obstacles in policy implementation. This is evident in the construction of the monorail and the flooding of the eastern canal. While these policies seemed promising at first, they proved ineffective in practice. The decision-making process significantly impacts the outcome, so quick decisions are needed. This ensures that public policies are implemented properly. Don't allow obstacles such as cost-benefit analyses to hinder implementation (Alamsyah, 2016: 4).

Other common problems include economic interests influencing the implementation of environmental policies. In many cases, environmental sustainability is neglected in favor of short-term economic interests. This is evident in the number of companies that ignore environmental laws and exploit them for financial gain. This is a fundamental problem, especially given the low risk of enforcement. The result is a disregard for environmental policies (Wijayanti et al., 2024).

The resolution of issues through several government policies tends to be directed at solving poverty problems. Some examples include handling the impact of fuel price increases, resolving issues related to the availability of LPG for the community, and so on. Meanwhile, at the regional level, policies are directed at advancing the interests of the community in the region. Examples include the formulation of regional regulations and regional head regulations governing licensing (Iskandar, 2017).

These various policies require integration between political infrastructure and political superstructure. When a policy is perceived as unfair by the public, it must be treated as a form of aspiration that is followed up with efforts to improve the policy. Political interests should not be prioritized, as this will further undermine the sense of justice among the public (Risnawan, 2017). The government must carry out bureaucratic reforms so that policy implementation issues can be addressed as quickly as possible. In addition, public policy innovations aimed at modern community development are also needed (Putri & Mutiarin, 2018).

Public Participation in Policy Implementation

Current constitutional developments emphasize the central role of society in directing policies that align with its needs. Community participation creates a relationship between the government, the private sector, and the community as part of the policy planning, implementation, and evaluation process. The community is positioned as the foundation for directing development policies. This is expected to prioritize the interests of the community over those of individuals or groups (Manshur, 2012).

According to Huntington & Nelson, as quoted by Arkana & Firdaus (2022), community participation emphasizes expressing values that develop in society and are formulated in policies and regulations. Community participation is based on the community's active involvement in policymaking and state administration. The existence of community rights also means that the government has direct obligations. Therefore, clear rules are required to fulfill the right to community participation in public policy (Manshur, 2012).

Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia states, "*Sovereignty resides with the people and is exercised in accordance with the Constitution.*" This affirms that the people hold sovereignty within the dynamics of Indonesia's constitutional system. Furthermore, Article 28D paragraph (1) states, "*Every person has the right to recognition, guarantees, protection, and fair legal certainty, as well as equal treatment before the law.*" This article affirms public participation in the implementation of public policy as a

right that must be recognized, guaranteed, and protected in order to create legal certainty that is legitimized by the public and, ultimately, can provide broad justice for the people.

The goal of development is justice. Therefore, when development does not involve the community, injustice arises. Participation is defined as the connection between the government, which holds power, and the community, which is granted rights by law (Sutisna, 2013). Community participation indicates a strong desire among community members to be involved in implementing public policy. It will help expand public access to resources and services. Ultimately, this will lead to an improvement in the community's quality of life and a reduction in social inequality (Riyanto & Kovalenko, 2023).

There are various ways for the public to participate, such as through surveys, community meetings, and online platforms. All public input will be integrated into the budget policy draft. This process enables interaction between government officials and the public. This interaction will then be considered when implementing public policy. Effective public participation in policy implementation results in responsive policies, targeted development, and collaboration between the government and the public (Nurakhmadi et al., 2024).

According to Annisa and Fadli (2024), active community participation in the public policy process will bring out the community's potential, including its local resources, and result in more inclusive and sustainable policy formulation. In the early stages, planning serves as a guideline for implementing public policy. Therefore, plans must be implementable and address every aspect of community life. When the community is involved in every process, from the planning stage onward, it indicates that the government has performed well in accepting the community's aspirations. Ultimately, this instills a sense of responsibility in the community for every program implemented (Latif et al., 2019).

According to Sastropetro, as quoted by Kusmanto (2014), there are three types of participation. First, there is participatory action based on thought. Second, participation in the form of labor. Third, participation in the form of expertise. Implementing policies requires a symbiotic relationship between the government and the community to evaluate policies and impact community welfare. Philosophically, public policy requires the community's involvement in every stage, from planning to evaluation. Because of this, the government acts not only as an administrator, but also as a facilitator of public policy objectives (Sururi, 2016).

Implementation of Community Participation in Policy Implementation

Community participation is a form of interaction between democracy and public policy. Indonesia's diverse social culture makes it difficult to formulate and implement policies. Therefore, a deep understanding of the community's culture and social life is necessary (Hanisa & Firdaus, 2023). Central and local governments must encourage community involvement to ensure the success of public policy. Without community participation, there is a significant chance that the policy will fail. This synergy requires mutual understanding between the government and the community to ensure successful policy implementation.

In practice, strengthening public participation requires community empowerment. This empowerment takes the form of effective human resource development. At the regional level, for example, effective community empowerment increases the success rate of policy implementation. Participation is largely determined by factors such as trust in the government, political stability, and effective communication between the government and community. If the community perceives the government as merely going through the motions, the level of participation decreases. Therefore, building public trust is essential to policy implementation (Mahlella, 2025).

There is a lack of community participation in the implementation of public policies in Pekanbaru. The government initiated a waste bank to reduce community waste. However, due

to the community's lack of knowledge, this policy has not been effective. Littering and other similar problems cause an unsanitary environment and affect public health. The government's lack of information dissemination and socialization has resulted in policies that are merely formalities and have not been successfully implemented (Saputra et al., 2022).

In Gorontalo City, waste management policies have been implemented to encourage community participation through socialization, poster campaigns, and social media. However, according to Handayani and Agussalim (2023), these methods have not entirely succeeded in raising public awareness. Nevertheless, the policy has been supported by the enactment of Regional Regulation No. 12 of 2017, which formalizes community participation. The success of the policy depends heavily on the level of community participation in waste management. Therefore, the local government cannot implement this policy alone; community involvement is also required to achieve the desired objectives (Handayani & Agussalim, 2023).

Based on these two examples, it's clear that there are challenges ahead. First, participation is purely procedural and symbolic. Participatory forums are held only to fulfill administrative requirements, offering no meaningful opportunity for deliberation. Second, there is an imbalance of knowledge regarding human resources. The community tends not to understand the technical implementation of policies. Third, community involvement is low from the very beginning of policy formulation. This makes the community skeptical of the effectiveness of implemented policies (Kusuma, 2024).

Strengthening community participation is essential to implementing policies at the national and regional levels. Several efforts must be formulated to achieve this. First, the community must be directly involved in policy formulation. This ensures the community understands how the policy will be implemented in advance. Second is the government's direct role in community involvement. This role can take the form of direct socialization with the community, covering all areas where public policies are implemented. Third, the community's knowledge of normative legal rules and empirical knowledge must be increased through human resource development.

CONCLUSION

From the above explanation, it can be concluded that public policy is an important instrument for the government to use in resolving various social problems and creating public welfare. In its implementation, a policy cannot be separated from the legal system, which is intended to create legal certainty, justice, and benefits for the wider community as a normative institution. In other words, the success of a policy depends on how it is formulated, implemented, and supported by the relevant institutions.

Community participation is an important element in the implementation of public policy. Participation is key to successful implementation. Through it, the government can understand the community's needs, aspirations, and circumstances. In other words, participation enables policymakers to create responsive, inclusive, and sustainable policies. Participation can take various forms, including providing ideas, energy, and expertise.

In practice, however, various obstacles reduce the effectiveness of public participation. These obstacles include limited access to information, low public knowledge of policies, and formal or symbolic participation without meaningful dialogue. Additionally, a lack of public awareness and involvement in the early stages of policy formulation can lead to public skepticism of implemented policies.

Therefore, the government must make more systematic efforts to strengthen public participation in the implementation of public policies. This can be achieved by increasing information transparency, disseminating policies widely, empowering the community, and involving the community in every stage of policy implementation and evaluation. By working together, the government and the community can implement public policies that are more

effective, responsive to community needs, and capable of realizing equitable and sustainable development.

AUTHOR CONTRIBUTION

DUA acted as the lead author and was responsible for developing the research concept, collecting data, and writing the main manuscript. AM contributed by compiling the literature review section and assisting in revising and refining the manuscript. DSH and TH contributed by revising and refining the manuscript.

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