

Implementation of Good Governance Principles in Public Services at the Investment and One-Stop Integrated Services Agency (DPM-PTSP)

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Abstract. *The purpose of this study is to find out and analyze the application of the principle of public service accountability in creating good governance at the Investment and One-Stop Integrated Service Office (DPM-PTSP) of Demak Regency and to find out and analyze how the application of the principle of public service transparency in creating good governance at the Investment and One-Stop Integrated Service Office (DPM-PTSP) of Demak Regency. The approach used in this study is a sociological legal approach. The research was conducted by means of observation and interviews using dual data sources, namely primary data and secondary data. To obtain complete information in accordance with the focus of the research, the data collection techniques used are Observation, Interviews, Documentation. There are four types of data validity criteria, namely: credibility, transferability, dependability, and confirmability. The process of participation and legal certainty at the PMPTSP Office of Demak Regency is one of the tasks and functions in carrying out government duties. In carrying out the main tasks and functions for licensing services and utilizing regional potential to become a real and potential economic strength so that it can provide maximum benefits for the community in the region. Most of the regional potential is still in the form of potential and not in an effective form that can be utilized directly in order to increase prosperity, welfare and poverty alleviation of the community. The process of participation and legal certainty in integrated services to the community in Demak Regency has been realized but still needs to be improved, the participation and legal certainty provided by the service to the community, namely In the participation process carried out by the service to the community, namely providing supporting facilities for public complaints. Then from the community, it is still very rare to participate in terms of providing input, criticism or suggestions to the PMPTSP Service of Demak Regency. The PMPTSP Service of Demak Regency in issuing permits is based on the rules that have been set. One of the references for the PMPTSP Service of Demak Regency is the Minister of Home Affairs Regulation Number 138 of*

2017 concerning One-Stop Integrated Services. Each type of permit in the PMPTSP Service of Demak Regency has its own legal basis. So that the permits that have been issued will refer to the legal basis.

Keywords: Governance; Principles; Services.

1. Introduction

Since the emergence of reform, Indonesia began to present a new democratic and governmental order, as well as political, legal, economic, social, cultural and other areas of life. This seems more open and more advanced compared to the old order and new order eras.

Changes in knowledge and the increasingly critical level of public education as well as changes in the era have created a spirit of bureaucratic reform to improve governance in Indonesia to be more transparent and directed towards the interests of the community. Therefore, the community expects the government to improve its performance in various fields such as government functions and tasks so that good governance which is a good government emerges and becomes a central issue to realize a better government.¹

The government is essentially a public servant, it is not established to serve itself, but also to serve the community and create conditions that encourage every member of society to improve their abilities and creativity in order to achieve common goals.

The government as a provider of public services for the community is required to provide quality services. Quality public services are services that are able to provide satisfaction to the community. The quality in question is in terms of increasing Human Resources (HR) effectively and efficiently in order to improve the quality of public services so that it becomes a determining factor for success in providing public services.²

The government continues to strive to take concrete steps in developing and improving the quality of human resources of state apparatus. Therefore, public service is actually a manifestation of the function of the apparatus as a state servant and a public servant. The improvement of human resources must be supported by the existence of legal provisions that provide space for state apparatus in carrying out their responsibilities.³

Government In order to consistently support bureaucratic reform in the field of personnel, the government issued Law Number 5 of 2014 concerning the State

¹Dadang Juliantara ED, 2005, Increasing the Capacity of Regional Government in Public Services, Yogyakarta, Pembaruan, page 78.

²Firdasus Abdullah, 2010, One-Stop Integrated Investment, page 9.

³Haryanto, 2004, Organizing good governance, page 21.

Civil Apparatus (UU ASN). This ASN Law emphasizes the development of improving the quality of the State Civil Apparatus (ASN) through career development, namely Civil Servants (PNS) as stated in Article 69 number 1 (PNS career development is carried out based on qualifications, competencies, performance assessments, and the needs of Government Agencies), and Government Employees with Work Agreements (PPPK) as stated in Article 102 number 1 (PPPK are given the opportunity to develop competencies). These provisions provide encouragement for ASN in order to create quality services to achieve the goals of good governance and sustainable development.⁴

Role of Government To support the improvement of human resources of public service state apparatus through the ASN Law, the government issued Law Number 17 of 2007 concerning the National Long-Term Development Plan (RPJPN) 2005-2025, namely the development of state apparatus is carried out through personnel reform or bureaucratic reform to improve the professionalism of state apparatus and to improve good governance in supporting national development.⁵ However, the higher the level of public need for services, the higher the level of development of state apparatus in terms of quality and professionalism. Therefore, the government is required to be able to provide human resources who have competence in their respective fields in order to be able to carry out their duties and functions as State Civil Apparatus.

The reality of public service issues in government has long been the center of public attention along with the many cases of public services that are considered less in favor of the interests of the community. This is influenced by the competence possessed by each human resource apparatus that hinders the achievement of the process of improving the performance of state apparatus in public services. Human resources apparatus who have main duties and job functions that are not in accordance with the competence they have are still many in government institutions, so it is not surprising that in various government agencies there is still an accumulation of employees which results in inefficiency in their performance. Thus, this p. will affect the services provided with various causes and consequences that arise⁶.

The quality of public services in Indonesia is still marred by various problems, such as the difficulty of accessing services, complicated procedures when having to take care of certain permits, unclear financing, and the rampant practice of extortion (pungli) which are indicators of the low quality of public services in Indonesia. Where this is also a result of various public service problems that have not been felt by the people. In addition, there are also complaints about the lack of transparency in terms of administrative costs, as well as procedures and work

⁴Haryanto, 2004, Organizing good governance, page 21.

⁵I Wayan Gede Suacana, 2020, Models of Democracy and Governance, p. 62.

⁶M. Ismail, 2010, Excellent Service, Concepts and strategies for improving the quality of public services, page 49.

mechanisms for services that are less informative, less accommodating, as well as limited facilities, infrastructure and infrastructure that do not guarantee certainty (legal, time, and cost), as well as actions that indicate deviations and corruption. These incidents are more due to the paradigm of government that has not yet undergone a fundamental change from the conventional service paradigm. The old paradigm is characterized by the behavior of state apparatus in the bureaucratic environment who still position themselves to be served, and not to serve (to serve). In fact, according to the paradigm of excellent service, the government should serve, not be served⁷.

Strategic steps are needed to start improving governance practices. The realization of good governance will be easier if it starts with public service reform because the application of good governance values in public service practices is relatively easier than institutionalizing all of these values in all aspects of government activities. The implementation of good governance is the main requirement to realize the people's ideals in achieving the goals and values of the nation and state. In this context, the development of a real, clear, and precise accountability system is needed so that the implementation of government can take place efficiently, effectively, and responsibly.

The quality of Good Governance can be achieved if the government and other public institutions as a whole are able to be open to new ideas and concepts and responsive to the interests of the community. Responsiveness will increase if the community has complete information about the process and implementation of government and development policies.⁸. In addition, good governance will avoid mistakes in the allocation of development funds. Good Governance will also explain the budget in a disciplined manner so that people's business activities can grow well.

Poor government administration systems and policies in developing countries are major obstacles to achieving sustainable development. Good Governance should be able to further encourage and participate in regional emphasis, monitoring public service performance and increasing career incentives for civil servants in the regions with a level of sensitivity to the needs of their constituents.

The One-Stop Integrated Investment Service is included in the administrative service sector because it involves public services provided individually by a government work unit in the licensing and non-licensing sectors. In this case, the most prominent sector in the One-Stop Integrated Investment is the licensing and investment sector, the One-Stop Integrated Investment of Demak Regency was established based on Law Number 23 of 2014 concerning Regional Government.

⁷Sampara Lukmana, 2000, *Service Quality Management*, Jakarta, SETIA LAN Press, page 21.

⁸I Wayan Gede Suacana, 2020, *Models of Democracy and Governance*, page 90.

The One-Stop Integrated Investment Service in Demak Regency is so practical that it can realize Good Governance that is easily observed and researched by the community. The integrated service system is a unified process of managing services for several types of services that are carried out in an integrated manner in one place, both physically and virtually, in accordance with service standards.⁹

The One-Stop Integrated Service is regulated in Article 3 of Presidential Regulation Number 97 of 2014 concerning the Implementation of One-Stop Integrated Services, including licensing and non-licensing services that are the authority of the central government and regional governments. Article 2 of Presidential Regulation Number 97 of 2014 concerning the implementation of one-stop integrated services emphasizes that the purpose of the Implementation of One-Stop Integrated Services is to provide protection and legal certainty to the community, shorten the service process, realize a fast, easy, cheap, transparent, certain, and affordable service process, and bring and provide broader services to the community.

The local government in this case the Demak Regency Government, as one of the autonomous regions in Central Java Province, in order to organize one-stop integrated services has assisted the Demak Regency Investment and One-Stop Integrated Services Office (DPMPTSP). The Demak Regency Investment and One-Stop Integrated Services Office was established based on Demak Regency Regional Regulation Number 7 of 2016 concerning the Establishment and Composition of the Demak Regency Regional Apparatus. The nomenclature of the Demak Regency One-Stop Integrated Services Office has been adjusted to the Regulation of the Minister of Home Affairs Number 100 of 2016 concerning Guidelines for the Nomenclature of the Provincial and Regency/City Investment and One-Stop Integrated Services Office.

The establishment of DPM-PTSP Demak Regency as a real manifestation of Demak Regency's commitment to providing better services and providing integrated services so as to facilitate the community and the business world in obtaining permits. One form of public service to the community is excellent service in the field of licensing, which means excellent licensing service is a one-stop integrated service that can reflect a form of service that meets the principles of clear, simple, certain, safe, effective, efficient, transparent, accountable, participatory, economical, fair, and equitable service.

Referring to this phenomenon, the researcher is interested in studying whether the government has implemented the principles of good governance in its entirety, and in this study, several principles of good governance, namely the principles of accountability and transparency, are two choices from several other principles to be raised in this study, because the researcher believes that accountability is seen as very necessary in the implementation of government that accountability is the government's responsibility to the community, so this is

⁹Lukman Sampara, 2000, Public Service Quality Management, STIA LAN Press, Jakarta, page ...

very much needed, in order to eliminate bureaucratic pathologies as we know them, namely corruption, collusion, nepotism and so on.

The Demak Regency One-Stop Integrated Capital Service Agency is an implementing element of the regional government. The Demak Regency One-Stop Integrated Capital Service Agency is led by the Head of the Agency who is under and responsible to the Regent of Demak Regency through the Regional Secretary in accordance with his/her area of authority. The main task of the Demak Regency One-Stop Integrated Capital Service Agency is to implement part of the regional autonomous authority in the field of investment and one-stop integrated services. The main tasks and functions of the Demak Regency One-Stop Integrated Capital Service Agency are further regulated by Brebes Regent Regulation Number 122 of 2016 concerning the Organizational Structure and Work Procedures of the Demak Regency One-Stop Integrated Capital Service Agency. Thus, the purpose of the one-stop integrated service as emphasized by Presidential Regulation Number 97 of 2014 concerning the implementation of One-Stop Integrated Services, namely shortening the service process and realizing a fast, easy, cheap, transparent, certain, and affordable service process, has not been achieved.

This study aims to determine and analyze the application of the principle of public service accountability in creating good governance at the Investment and One-Stop Integrated Service Office (DPM-PTSP) of Demak Regency, and to determine and analyze how the application of the principle of public service transparency in creating good governance at the Investment and One-Stop Integrated Service Office (DPM-PTSP) of Demak Regency.

2. Research methods

Research Specification In accordance with the title and problems that will be discussed in this research and in order to provide useful results, this research is conducted with normative legal research (normative legal research method). In this research, the scope of this research will be conducted by drawing legal principles, which are carried out on written and unwritten positive laws.¹⁰

The approach used in this study is a sociological juridical approach. Data collection techniques used in this study are Observation, Interview, Documentation. The steps in the data analysis process according to (Miles & Huberman, 1992) are Data Collection, Data Reduction, Data Presentation, Conclusion Drawing.

3. Results and Discussion

3.1 Participation process in integrated services in Demak Regency

Participation is an activity where all people or citizens have equal voting rights in the decision-making process, either directly or through representative

¹⁰Ibid, p. 14.

institutions, according to their respective interests and aspirations. Participation is essential in a system of freedom of speech.

a. Participation Indicators

1) Involvement of officers through the creation of values and commitment among officers

The involvement of the apparatus through the creation of values and commitments among the apparatus at the Investment and One-Stop Integrated Service Office of Demak Regency has been running quite well. This indicator is supported by Moenir (2016:243) who argues that to fulfill their life needs, humans make efforts, either through their own activities, or indirectly through the activities of others.

So that the officers in the PMPTSP Service should participate well with each other, and one of them can be involved in decision making, so that with the involvement of the officers, values and commitments will be created among the officers. With good communication, values will be created among the officers.

The quality of the apparatus in the PMPTSP Service is also needed, considering the reliability and capabilities of each employee are different. Improving the quality of the apparatus in the PMPTSP Service, one of which is holding training on knowledge, skills, expertise, and mentality of the apparatus.

2) The existence of a forum to accommodate community participation

Participation is an equal right to vote in the decision-making process between the government and the community. Every agency or service should have a forum formed with the community or have a means of public complaints. This is something that builds the service or agency because it can be used as evaluation material for the quality of service provided to the community.

In good governance there are actors, according to Idup Suhadi and Desi Fernanda (2001:27-28) one of the actors is society where community groups in the context of the state are basically between or in the middle between the government and individuals, which include both individuals and community groups that interact socially, politically and economically. The institutions of civil society can generally be felt by the community, through community participation facilitation activities through mobilization.

The PMPTSP Service itself does not have a forum formed to participate with the community. The PMPTSP Service only has facilities for public complaints, which can be through the call center 68, providing criticism and suggestions through the suggestion box, or communicating directly with the PMPTSP Service.

3) The ability of communities to be involved in the decision-making process

Community involvement in government must have the ability of knowledge and ability in decision making. The community that participates must continue to follow the procedures and rules that have been set, and the community must

also have awareness and activeness in assessing the government, especially in terms of service.

In the PMPTSP Service, the community is not involved in decision making. The community is only given facilities to provide input, criticism and suggestions, from which the internal party of the PMPTSP Service can take and understand the aspirations of the community. So that criticism and suggestions received from the community can influence decision making in the internal part of the PMPTSP Service of Demak Regency.

4) The focus of governance is on providing direction and inviting others to participate.

The PMPTSP Service provides direction to the community to get directly involved in managing permits. The direction is in the form of advertisements that are posted or inviting the surrounding community to directly manage permits. This is one way to invite direct participation with the PMPTSP Service of Kutai Timur Regency.

In giving directions and inviting others to participate, According to Moenir (2002:190-196) there are 3 types of service forms, namely first, oral service, where the information service sector and other sectors whose task is to provide explanations or information to the public regarding the various service facilities available. Second, written service, namely services in the form of instructions, information and the like are aimed at interested people, to make it easier for them to deal with agencies or institutions. Third, service in the form of actions, namely services provided in the form of actions or results of actions, not just the ability and explanation verbally.

Based on this, the PMPTSP Service has implemented directives in accordance with existing provisions and regulations. The PMPTSP Service also provides knowledge of things that the public should not use, such as avoiding the use of other people's services (brokers) in managing permits.

5) Vision and development are based on consensus between government and society.

The vision of the PMPTSP Office of Demak Regency is to realize Demak as an independent investment destination in providing excellent licensing services. This vision is carried out through the established mission. According to the Ministry of State Apparatus Empowerment Number 63/KEP/M.PAN/7/2003, one of the standards of public service is sustainable, namely that the established service standards can be continuously improved in accordance with developments and demands for improving the quality of service.

The Demak Regency PMPTSP Service does not involve the community in decision making. The Demak Regency PMPTSP Service only provides access to the community to convey opinions, complaints or input to the Demak Regency

PMPTSP Service. The access provided by the service is in the form of a suggestion box, complaint form, call center, or via email.

3.2 Implementation of legislation in integrated services in Demak Regency

Legal certainty in terms of licensing is very much needed by the community, with legal certainty the community feels safe and gets the rights in accordance with what has been stipulated. The PMPTSP Service issues permits based on legislation and in accordance with the established foundations.

a. Legal Certainty Indicators

1) Performing an autorative solution

Carrying out an autotorive solution is providing a way out to create stability, namely providing order and peace for the parties and the community. This is supported by the opinion of Adrian Sutedi (2010:193) one of the functions of licensing is the function of order, intended so that permits or every permit or place of business, buildings, and other forms of community activities do not conflict with each other. So that order in terms of community life can be realized.

The PMPTSP Office of Demak Regency provides solutions related to licensing issues, but if the problem cannot be resolved by the PMPTSP Office, the PMPTSP Office will become a facilitator between the community and the relevant licensing office. The PMPTSP Office provides solutions to the community such as avoiding the services of other people (brokers) in carrying out the licensing process. So that with this, order and peace will be created.

2) Efficiency

Timeliness in licensing services greatly affects public satisfaction as applicants for licensing and non-licensing. The volume of workers or employees can greatly affect the timeliness of service completion to the community which in the end can also affect the success and smoothness of public services to the community. In the BMPTSP Service, licensing management is quite good, because employees complete their duties and functions as public servants in accordance with the interests and objectives set.

Similar to Adrian Sutedi's opinion (2010:2-3), namely providing services to the community is the main obligation for the government. The role of government in the service provision process is to act as a catalyst that accelerates the process according to what it should be. By playing the role of service as a catalyst, of course, it will be the mainstay of government organizations in providing the best service to the community. Therefore, the services provided by the government as a service provider to the community are very much determined by the performance of the services provided to the community are very much determined by the performance of the services provided to the community can be affordable, easy, fast, and efficient both in terms of time and financing.

Providing services to the community must have service standards, such as legal basis for services, service requirements, service procedures, service completion

time, and service costs. So that in providing services will maximize the services felt by the community.

3) In accordance with the legal objectives

By forming an agency, it has a legal purpose. The PMPTSP Agency has references and foundations. The PMPTSP Agency in creating a service procedure, service requirements, service costs, facilities and infrastructure, legal basis for services, types of services, complaint handling mechanisms, and others are made with the legal purpose that has been determined.

The PMPTSP Office has displayed an explanation of all requirements, legal basis, and tariff costs for each type of permit in the form of an x-banner in the waiting room area, so that people who come can see it directly. As stated in Decree 68 of the Minister of State Apparatus Empowerment Number 63 of 2003, it has been explained that the definition of public service is all service activities carried out by public service providers as an effort to fulfill the needs of service recipients and the implementation of statutory regulatory needs.

4) Contains equality

Services provided to the community must be fair, must have equal rights for all parties and must have equal opportunities for the parties. According to Sedarmayanti (2013:245), several expectations for the provision of public services are stated, namely easy administration for those concerned, receiving fair service, receiving equal treatment without favoritism and receiving honest and frank treatment.

The PMPTSP Service is fair in serving the community because in carrying out a permit, the community must follow the established procedures, and cannot take shortcuts because all permits must first enter the server.

The PMPTSP Service must enforce the law and be acceptable to the entire community, realize fair law enforcement for all parties without exception, uphold human rights and pay attention to the values that live in society.

3.3 Inhibiting factors in integrated services from the perspective of participation and legal provisions

a. Internal inhibiting factors

In a service there will be obstacles that must be minimized to provide maximum service. The PMPTSP Service of Demak Regency has internal obstacles, namely:

1) Lack of facilities and infrastructure

Facilities and infrastructure are important to support maximum service. Facilities in the form of physical offices also need to be improved. One of the facilities that must be improved is information facilities, where in today's era of increasingly sophisticated technology. By improving information facilities such as websites, it will facilitate the service process provided by the Demak Regency PMPTSP

Service. By improving information facilities, technical personnel are also needed to make services even better.

2) Timeliness of service is not optimal

Punctuality is a benchmark for success in public services. One of the ways to be punctual in services is by having clear procedures, not involving many parties, having standard operational procedures and being widely communicated. The 68 PMPTSP Service has not provided a definite time in providing licensing services. This can be minimized by creating a simple procedure, and if there are obstacles with the length of time the relevant service takes to issue permits because they are waiting for the Head of Service's signature, then they can create other alternatives such as electronic signatures.

3) Lack of employee direction for the public to provide criticism and suggestions

Providing criticism and suggestions from the public through the suggestion box, call center or official website of the Demak Regency PMPTSP Service is a form of public participation to the Demak Regency PMPTSP Service. However, the form of public participation to the PMPTSP Service has not been running well because the public rarely fills in the suggestion box, and also the official website of the PMTSP Service has not been running well and still needs a lot of improvement. This can be overcome by one of the ways, namely by directing employees who serve the public to ask for criticism and suggestions either verbally or in writing. So that every person who applies for a permit, the PMPTSP Service gets input or suggestions.

b. External inhibiting factors

Apart from internal constraints, there are also external constraints at the Demak Regency PMPTSP Service, including:

1) Other agencies have not yet fully handed over licensing services to the Demak Regency PMPTSP Service

The PMPTSP Office of Demak Regency is an office that handles permits from related offices in Demak Regency. However, there are still many offices that maintain their permits and have not given authority to the PMPTSP Office of Demak Regency, while the PMPTSP Office refers to Permendagri number 138 of 2017, where permits are carried out at the One-Stop Integrated Service (PTSP). The efforts made by the office are to provide a decree to each office to provide licensing authority to the PMPTSP Office of Demak Regency.

2) People still use other people's services (brokers)

The obstacle faced by the PMPTSP Office of Demak Regency is that there are still people who use the services of other people (brokers) in taking care of permits. The problem that occurs when people use these services is that people do not know about permits, their legal basis, or their understanding of the permits made.

4. Conclusion

The process of participation and legal certainty in the PMPTSP Office of Demak Regency is one of the tasks and functions in carrying out government duties. In carrying out the main tasks and functions for licensing services and utilizing regional potential to become a real and potential economic strength so that it can provide maximum benefits for the community in the region. Most of the regional potential is still in the form of potential and not in an effective form that can be utilized directly in order to increase prosperity, welfare and poverty alleviation of the community. The process of participation and legal certainty in integrated services to the community in Demak Regency has been realized but still needs to be improved, the participation and legal certainty provided by the office to the community, namely in the participation process carried out by the office to the community, namely providing supporting facilities for public complaints. Then from the community, it is still very rare to participate in terms of providing input, criticism or suggestions to the PMPTSP Office of Demak Regency. The PMPTSP Office of Demak Regency in issuing permits is based on the rules that have been set. One of the references for the PMPTSP Office of Demak Regency is the Minister of Home Affairs Regulation Number 138 of 2017 concerning One-Stop Integrated Services. Each type of permit in the PMPTSP Office of Demak Regency has its own legal basis. So that the permits that have been issued will refer to the legal basis.

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Decree of the Minister of State Apparatus Empowerment Number. KEP/26/M.PAN/2/2004 concerning Technical Guidelines for Transparency and Accountability in the provision of public services

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Demak Regency Regional Regulation No. 6 of 2014, duties and functions of the Demak Regency Investment and PTSP Service

Demak Regency Regional Regulation No. 8 of 2016 concerning the Formation of the Regional Apparatus Structure of Demak Regency (Demak Regency Regional Gazette 2016 Number 8)

Government Regulation Number 25 of 2000 concerning Government Authority and Provincial Authority as an Autonomous Region.

Government Regulation Number 5 of 2021 concerning the Implementation of Risk-Based Business Licensing

In Law No. 25 of 2010, public services are continued on the basis of criteria including characteristics of provision, sources of financing, size of costs, and network area. These criteria are very vague and can be misleading. The makers of this law appear to still be very much influenced by the understanding of public services as government services.

Law Number 11 of 2020 concerning Job Creation

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Law Number 5 of 2014 concerning State Civil Apparatus (ASN Law) Articles 69 and 102.

Presidential Regulation Number 91 of 2017 concerning Acceleration of Business Implementation

Regulation of the Minister of State Apparatus Empowerment and Bureaucratic Reform of the Republic of Indonesia Number 14 of 2017 concerning Guidelines for Compiling Public Satisfaction Surveys of Public Service Provider Units

Al-Qur'an:

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