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# The Juridical Framework of the Pentahelix Model in the Preparation of Regional Medium-Term Development Planning

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#### **Abstract**

Regional Development Planning is a process of compiling the stages of activities involving various elements of stakeholders to improve social welfare in an area/region within a certain period. In the provisions of Article 260, Law No.23 of 2014 concerning Regional Government, it is stated that the regions under their authority shall prepare regional development plans as an integral part of the national development planning system. The pentahelix planning model is an alternative to building a participatory and partnership planning framework that emphasizes the partnership principle, that it is necessary to know the urgency of the pentahelix planning model and the pentahelix planning model in the implementation of the regional medium-term development planning (RPJMD) to realize good governance (good governance), with a normative juridical research method with a statute approach, a conceptual approach, and a cross-disciplinary approach to law to solve related problems. The Pentahelix model has five actors who play a role in it, namely academics, business actors, communities, government, and media.

Keywords: Development Planning; Good Governance; Juridical Framework; Penthahelix

#### 1. INTRODUCTION

Planning for regional development is a process that involves a variety of stakeholders to use and distribute resources in a way that will promote social welfare in an area or regional environment within a set amount of time. According to Article 260 of Law Number 23 of 2014 concerning Regional Government, "Regions prepare Regional Development plans in accordance with their authority as an integral part of the national development planning system." The planning for development in question consists of the RPJPD (Long-Term Regional Development Plan), RPJMD (Medium-Term Regional Development Plan), and RKPD (Regional Government Work Plan). The National Regional Development Planning System Law No. 25 of 2004 was created to maintain connections and consistency between planning, budgeting, implementation, and assessment. It also serves as a basis for various types of planning from the centre

to the regions. Furthermore, Regional Governments, both provincial and district/city in the context of exercising their governance, must draft development plans, according to Law Number 23 of 2014 respecting Regional Governments. According to Article 1 number 12, "Regional Governments have the authority to regulate and manage government affairs and the interests of local communities on their initiative based on community aspirations within the Unitary State System of the Republic of Indonesia," which is one way to assess the level of autonomy a Regional Government possesses.

A regional development plan is created as an essential component of the system for national development planning when local government is implemented. Starting with planning, budgeting, implementation, oversight, and assessment, the authority has the power to choose and carry out policies on its own initiative based on community desires. Since each area has a unique value, the implementation of regional autonomy must be planned and coordinated with higher government planning. A technocratic draft of the RPJMD, which is a draft 5 (five) year planning document prepared by the regional government by fully utilizing a tech platform before the election of the Regional Head and Deputy Regional Head, must be created under Regulation of the Minister of Home Affairs Number 86 of 2017 concerning Procedures for Planning, Controlling Long-Term Development Plans, Procedures for Evaluating Draft Regional Regulations, Regional Long-Term Development Plans, Regional Medium-Term Development Plans, and Regional Government Work Plans. The creation of the draft RPJMD, as mentioned in Article 42, entails a study of existing planning documents, an analysis of the general description of regional circumstances, the formulation of a regional financial overview, the formulation of regional development issues, and the construction of a regional strategy.

Moving on from the perspective mentioned above, it is necessary to alter the direction in which regional development planning is implemented concerning its methodology. This is significant in light of the fact that the development strategy currently in use—problem-based development—will only result in a work plan that is based on needs and treats issues like poverty, delinquency, a lack of land, and expensive fertilizer as problems. In light of this, developing a participative and partnership planning framework that stresses the significance of partnership principles is an alternative to the pentahelix planning model. In reality, it takes the shape of Multi-Party Cooperation (KMP), which creates room for different parties and is more often known as the pentahelix model since it unites the government, academia, business, charity, community organizations, and the media under one umbrella. For this reason, to achieve excellent governance, it is essential to understand the necessity of the Pentahelix Planning Model and how it is applied in the production of RPJMD planning.

<sup>&</sup>lt;sup>1</sup> International Association for Public Participation, "Penta-Helix Sebagai Unsur Kekuatan Dalam Pelaksanaan TPB Dan Pengelolaan COVID-19," 2020, https://iap2.or.id/penta-helix-sebagai-unsur-kekuatan dalam-pelaksanaan-tpb-dan-pengelolaan-covid-19/.

<sup>&</sup>lt;sup>2</sup> Novy Setya Yunas, "Implementasi Konsep Penta Helix Dalam Pengembangan Potensi Desa Melalui Model Lumbung Ekonomi Desa Di Provinsi Jawa Timur," *Matra Pembaruan* 3, no. 1 (March 10, 2019): 37–46, https://doi. org/10.21787/mp.3.1.2019.37-46.

The pentahelix model has been widely researched by several academics in government. First, a study entitled Pentahelix Model Collaboration in Efforts to Handle the Covid-19 Outbreak Disaster in Bojonegoro Regency was compiled by Fikky Ardiansyah and Galih Wahyu Pradana (2021) which in conclusion stated that the pentahelix model collaboration was indeed implemented in efforts to handle the COVID-19 outbreak disaster in Bojonegoro Regency, which had involved five elements, namely: government, academics, business people, community and media. This is based on the results of the study which includes interviews with samples of actors from each element and validated by the community as external validators. Second, the research entitled The Role of the Pentahelix Model in Tourism Development in the Mandalika Special Economic Zone was compiled by Widya Putri Septadiani, I. G. Oka Sindhu Pribadi, and Dwi Rosnarti (2022) which in conclusion stated that to utilize the potential of tourism development in the Mandalika SEZ, coordinated involvement between pentahelix actors (government, academics, entrepreneurs, communities, and the media) is needed. Third, the research entitled Pentahelix Model Collaboration in Accelerating Stunting Reduction in Jombang Regency was compiled by Arsyi Ananda Putri and Diana Hertati (2023) which in conclusion stated that Bappeda as the leading sector coordinates pentahelix elements well through coordination meetings that are held regularly, both large-scale coordination meetings that invite all pentahelix elements and small meetings that only involve pentahelix elements that Interested parties. The difference from some of the studies mentioned above, the new thing that the researchers wrote in this study is related to the application of the Pentahelix Model in the Preparation of Regional Medium-Term Development Planning which is an important component of the regional development planning system for the next 5 (five) years.

This research is normative legal research, with a legislation approach (a statutory approach),<sup>3</sup> conceptual approach, and stakeholder analysis method. The author also uses secondary legal materials, which include books, papers, proceedings, journals, reports on prior research findings, and pertinent position papers, as well as tertiary legal materials sourced from the Great Indonesian Dictionary, English, and Legal Dictionaries. The author also compiles a list of essential laws and rules that may be used as fundamental legal resources. Primary legal materials are gathered through an inventory of laws and regulations, while secondary legal materials are gathered through paperwork done after determining the problem's focal point. The tabulation and stakeholder mapping steps are used to manage core legal documents, whereas the legal material analysis technique consists of descriptive analysis and content analysis.

#### 2. ANALYSIS AND DISCUSSION

### 2.1 The Urgency of the Pentahelix Planning Model in the Implementation of RPJMD Preparation to Realize Good Governance

#### 2.1.1. Linkages between Good Governance in Development Planning

<sup>&</sup>lt;sup>3</sup> Peter Mahmud Marzuki, *Penelitian Hukum*, (Jakarta: Kencana, 2005), 35.

There are three main things in the basic concept of planning that need to be understood, namely the definition of planning, substantive planning regarding what will be planned and for whom to plan it and normative planning regarding how and for what reasons the planning will be prepared. Various definitions of planning have been put forward by various planning experts, and it turns out that all of them have a very broad scope, but do not pay attention to the existence of consensus. Some basic concepts related to planning include:

- 1. Viewed from the perspective of basic human activities contained in human behaviour at all levels of society, planning is a process of human thought and action that is oriented towards the future.
- 2. Viewed from a rational choice perspective, planning is a process for determining appropriate future actions through a selection stage
- 3. Viewed from a problem-solving perspective, planning is a problem-solving process aimed at very specific types of problems.

Based on the concepts above, planning is a serious community or institutional activity to develop optimal strategies to achieve a series of desired goals. The meaning of planning is defined in different ways, in the simplest sense, planning is actually a "rational" way to prepare for the future. On the other hand, planning is basically the process of determining what you want to achieve in the future (within a certain scope certain time) and determine the stages needed to achieve it.

The debate within the scope of planning theory is often characterized by a dichotomy of approaches: rational planning vs process and consensus-based planning, although beyond that there are still other planning approaches. Rationality is the main method developed by western society and thinkers since the Renaissance. Rationality can be interpreted as a way of choosing the best approach to achieve certain goals. Thus, the planning process is carried out by testing various directions of achievement and reviewing various existing uncertainties, measuring our ability (capacity) to achieve them and then choosing the best directions and choosing steps to achieve them.

The role of regional government in regional development planning is a government that has very strategic authority and this strategic position is related to its function as a "public service" to improve welfare, prosperity, security, justice and peace for the community. Because regional development planning is an activity to be carried out in the future, in this case starting from the stages of the process of preparing programs and activities which involve various elements in it, for the sake of utilizing and allocating existing resources with the aim of improving the welfare of society in general in an environment or areas planned within a certain period of time. In this sense, local government has the role of a planner to design and shape interactions in a process towards the targets to be achieved. With this, the government must play a major role in the main tasks and functions of regional government and adapt to the functions of the vision, mission, targets and objectives implemented. Meanwhile, in relation to this understanding, the government as an agency or institution that has an

<sup>&</sup>lt;sup>4</sup> Riyadi and Deddy Supriady Bratakusumah, *Perencanaan Pembangunan Daerah: Strategi Menggali Potensi Dalam Mewujudkan Otonomi Daerah*, (Jakarta: Gramedia Pustaka Utama, 2003), 86.

important role, the government should pay more attention to public peace and order, the demands and hopes and opinions of the people, the needs and interests of the community, environmental influences, regulations, communication and the role of all layers of society and legitimacy. Some of the main functions of regional government are primarily to improve and resolve community demands or aspirations.

The role of government in community development is very broad, starting from operational service matters to matters of an ideological and spiritual nature, with this the role of government will have the authority and ability of its own person to carry out the main duties and functions of a leader, because it demands its own main duties and functions can solve problems in society and government.<sup>5</sup> The implementation of good governance is always guided by the duties and functions depending on the leader himself. In this case, there are three essential functions that must be carried out or carried out, namely: service, empowerment and development," in this relationship confirms that good service will produce justice for the people of the nation and state. , while empowerment is encouraging community independence and development will create prosperity and prosperity in society.<sup>6</sup>

If we talk about development in Indonesia in general, since the issuance of Law No. 25 of 2004 concerning the National Planning System (SPPN 2004), the position of regional development planning in Indonesia has become stronger. The arguments that previously developed about the need for development not to be regulated through a planning system in the era of regional autonomy automatically no longer need to be debated. The problems that exist in our government are still being discussed by the public, especially that the system implemented is not correct and there are irregularities, this indicates that the foundation of our national development still needs to be questioned. Therefore, the government still needs to pay more serious attention to development issues in our country. So it is hoped that in the future government governance in our country, especially in sustainable community development, can be better than today.<sup>7</sup> With the existence of this Law, the preparation of planning becomes an obligation that must be carried out by every government official in carrying out activities and if it is not carried out it will give rise to certain legal implications. However, if it is felt that development has not been optimal, then it would not be wrong if the government returned to maximizing the development plans that had previously been prepared.

The goal of regional development planning is to create a development plan that local governments can use as a reference or guide to carry out development based on the capability and potential of resources (natural and human) and existing economic opportunities, making it possible to seize these opportunities quickly. The projected advantage is an improvement in the community's level of living so that everyone has a higher quality of life than they did previously and the area can grow swiftly and sustainably.

<sup>&</sup>lt;sup>5</sup> Talizuduhu Ndraha, *Pembangunan Masyarakat, Mempersiapkan Masyarakat Tinggal Landas*, (Jakarta: PT. Bina Aksara, 1987), 110.

<sup>&</sup>lt;sup>6</sup> Rasyid, Makna Pemerintah, (Jakarta: PT. Mutiara Sumber Widya, 2000), 48.

<sup>&</sup>lt;sup>7</sup> Md. Sujahangir Kabir Sarkar, Akio Takemoto, Sumaiya Sadeka, Mohammad Muzahidul Islam, and Abul Quasem Al-Amin, "Achieving Sustainable Development Goals (SDGs) among the South Asian Countries: Progress and Challenges", International Journal of Regional Development, Vol. 9, No. 2 (2022): 42-61, http://dx.doi.org/10.5296/ijrd.v9i2.19984

Regional development planning also needs to pay attention to the principles of good governance. Good Governance means good governance, good government management, good government administration, good state administration or good state administration. The application of the principles of transparency, participation and accountability is recognized as the initial foundation for the realization of good governance in general. An idea and value to regulate the pattern of relations between government, private business and society. To be able to realize Good Governance requires strong commitment, endurance and a short time, requires learning, understanding, and implementing good governance values among all stakeholders. Apart from that, there is a need for mutual agreement and a high sense of optimism from all components of the nation that good governance can be realized in order to achieve a better future for the nation and state.

Good governance can be seen as ordinary words or terms, namely good governance, but is also used as a concept label, especially in the concept of AAUPB (General Principles of Good Governance) and Good Governance 19990s. In its development, the application of the principles of the concept of good governance in the 1990s then shifted somewhat towards or was enriched by the application or best practice of various management principles that were advocated from classical management, management based on Human Behaviour, management based on the environment to the most modern management. This phenomenon is basically a dynamic aspect of state administration from time to time which is always faced with challenges to make changes or find the best way in the field of state administration in general and governance of government administration in particular. Thus, it needs to be underlined that even though in Indonesia attention is paid to the term's governance or good governance, even good corporate governance. It only emerged in the 1990s, but with varying degrees of intensity (from small to large), discourse or ideas for reform or change towards a good governance system had been carried out in the previous era or even since state administrative discipline began to develop. The style, intent and content of the reform or change discourse is influenced by or derives aspirations from developments in the strategic environment in the economic, social, cultural, political, legal and defense and security sectors.

The General Principles of Good Government/AAUPB, which in theory are the same as the fundamental principles of good governance, are one of the benchmarks used in the field of State Administrative Law (HAN) to determine whether or not the actions of the State / Government are in line with the state's objectives. There are some distinctions between the two, though. AAUPB is a precondition for the implementation of excellent Administrative Decisions (public policies/laws and regulations), just as the principles of good governance are a prerequisite for the development of a synergistic and constructive state management system. For the principles of good governance to acquire formal legal force, it is therefore a problem to identify them in a formal juridical manner. The main issue in Indonesia is changing the way public policy is developed from being "single stakeholder heavy" to "trio stakeholder heavy." This means that both the writing process and the content of public policy must really implement AAUPB and the principles of good governance. Additionally, there has

to be clarification regarding the legal penalties for disregarding the AAUPB and the fundamentals of good governance.

According to the research, successful governance requires not just coordination between three parties, but also participation from five parties in the planning process. The government, stakeholders, academics, media, and society are the five parties. This is because a good governance system will also affect these five parties, leading to the adoption of the pentahelix idea in this planning process with five parties that must work together to prepare development planning to get better outcomes. A crucial tool for achieving social welfare is community involvement in development planning. To improve the welfare of the community, the development and decision of policies in the regions should thus constantly be focused on taking into account the interests and ambitions that develop in the community. Participation in the community is beneficial for several reasons, including expediting the achievement of community welfare, fostering a feeling of government ownership, ensuring openness, accountability, and the public interest, achieving community ambitions and serving as an instrument for interest aggregation and money raising. The overbearing state's role in development planning, coupled with the state's disregard for community involvement, has led to development plans that are more focused on the political elite's interests than the ambitions of the community. Due to lax community oversight of the development process, elites have been encouraged to misuse their position of authority, which has resulted in corruption, collusion, and nepotism.8

Because the government imposes master plans (formulated centrally) on the regions or just treats the regions as mere planning objects, incidences of conflict between the centre and the regions or instances of regional "rebellion" continue to occur in Indonesia. History has also shown that many development projects, including those involving industry, mining, roads, garbage collection, electrical energy, and others, frequently encounter difficulties, leading to serious conflicts between the government and the community or the people. This is partly because planning is often only thought of as the creation of a master plan without consideration for the needs of the community or the people.

The constant pressure the community puts on the government to practice good governance since the previous forms of administration are no longer appropriate given how society is evolving. Therefore, the government—both national and regional—must respond to this need to implement measures that will lead to the attainment of good governance. Along with meeting these expectations, the government must shift from the original paradigm of government, which emphasized power and authority, to good governance, which emphasizes collaboration and interdependence. Since Good Governance cannot be implemented without changes on the part of the government, the commercial sector, and civil society, a paradigm shift must be followed by adjustments in the attitudes and participation behaviours of the community.

The Good Governance paradigm also creates a place for community involvement in the development process along with this paradigm shift. To make planning really

<sup>&</sup>lt;sup>8</sup> Ricky Wirawan, Mardiyono, and Ratih Nurpratiwi, "Partisipasi Masyarakat dalam Perencanaan Pembangunan", *Jurnal Ilmu Sosial dan Ilmu Politik* 4, no. 2 (2015): 301-312, https://doi.org/10.33366/jisip.v4i2.110

relevant and legitimate in the eyes of the people and lessen the likelihood of conflicts between the government and the people, participatory planning is necessary. In order to bring together the broad vision and purpose of the government with the ambitions and ideas of the community, planning must be used as an arena rather than a battlefield. No longer is planning a political choice made by the ruling party to be implemented by the governed. Instead, it serves as a common setting for forming alliances between the government, the community, and stakeholders.

Participation is a bridge between government policy and the interests of society as a whole, so regional planning must be carried out using the Pentahelix model or participatory development planning with all parties. Participatory planning is planning that has the aim of involving people's intelligence, and in the process involves the people both directly and indirectly. The goals and processes must be viewed as a unity. The goal is for the benefit of the people, which if it is formulated without involving the people, it will be difficult to ensure that the formulation will be in favour of the people. However, people's involvement will have meaning if there are preconditions that strengthen the people, namely people who receive political education and are well trained.

The Pentahelix model or participatory development planning involving all parties must be used in regional planning since participation is the link between governmental policy and the interests of society as a whole. Initiative planning entails both direct and indirect involvement of individuals to utilize their wisdom. Each step of the process must be considered as a whole. It would be challenging to ensure that the formulation will be in the public's best interests if the purpose is to formulate for the benefit of the people. According to Iskandar, for development planning to be considered high-quality, consideration must be given to the goals' alignment with the outcomes, the use and mobilization of resources, the ease with which the plan can be implemented, the choice of development planning techniques, and the efficiency and effectiveness of development.

## 2.1.2. Evaluation of Planning Stages in the Preparation of RPJMD in Several Regions

According to Law No. 25/2004 on the National Development Planning System, SPPN's main goal is to provide integration, synchronization, and synergy between regions, spaces, and times, as well as between the centre and the regions and between government activities. The requirement that the RPJMD pay attention to the Regional RPJP and RPJMN is reinforced further in Article 5, which states as much. Article 263 of Law Number 23 of 2014 Concerning Regional Government specifies that the RPJMD and RPJMN must serve as guidance for the RPJMD's preparation. Article 264 follows, which stipulates that the RPJMD may be modified to comply with directives issued by the national government. The review method of the Provincial RPJMD and Regency / City RPJMD, which can be examined for compliance with the RPJMN or Provincial RPJMD for Regency / City, is also included in the requirements of articles

<sup>&</sup>lt;sup>9</sup> Ricky Wirawan, Mardiyono, and Ratih Nurpratiwi, "Partisipasi Masyarakat dalam Perencanaan Pembangunan", *Jurnal Ilmu Sosial dan Ilmu Politik* 4, no. 2 (2015): 301-312, https://doi.org/10.33366/jisip.v4i2.110

269 and 271. As a result, it can be claimed that RPJM and RPJMD are two related concepts that must be combined and work in unison.

The planning process involves several drawn-out phases. The first step is to carry out research and an evaluation of the potential of the existing institutional, human, and natural resources at the time of planning; The second step is to decide the planning's aims and objectives to satisfy the agency's or company's requirements; Putting aims and objectives into macro-level policy initiatives is the third step; The fourth stage is creating policies and programs that are more provincial in terms of who will implement them, how they will be done, and when they should be changed; Implementing what has been planned is the fifth stage; the sixth stage, which involves evaluating continuing policies, projects, and programs; the seventh stage, when appropriate program planning is revised and adjusted; The eighth stage is when accomplishments and failures are identified and reported to provide input for the subsequent planning materials.

A planning unit made up of the eight steps is too large to fit into a planning stage, an implementation stage, and an assessment stage. If these steps are not synchronized, implementation may fail. Coordination of planning methodologies is the initial step in coordination of development planning. Coordination between planning tiers is the second. The third is collaboration with industry professionals. The development management cycle includes evaluation and planning as essential elements. Development must be viewed as a planned activity to be held responsible. When creating ideas for planning, the findings of evaluation must be taken into account. Without evaluation, we won't be able to differentiate between what is beneficial and what is not, between development methods that should be sustained and those that shouldn't. The evaluation's findings are a valuable tool for selecting the best concepts for further research.

The challenges in the implementation of regional development planning are mainly in the territory of Indonesia itself, which has a background of diversity of conditions. It is necessary to have more specific planning so that the development carried out can be based on the social and regional specifics of each. Every local authority, including province and district/city administrations, is expected to create a fundamental development pattern, or master plan, that integrates the vision, purpose, direction, and strategy of regional development in the long and medium term. The absence of implementation coordination and synchronization is Indonesia's development planning's main flaw. The Republic of Indonesia's enormous landmass and the dearth of infrastructure for transportation, communication, and infrastructure are the key causes. These circumstances provide an obstruction in the flow of information and commodities, which makes it difficult to carry out the planned development. To minimize discrepancies in the execution of development, coordination and synchronization are required. Decentralization of development planning and execution must be implemented in Indonesia to solve this issue. In a nation, decentralization entails either the transfer of services from the central government to the community or their delegation to local governments that are more proximate to the community being serviced by the area.

The three main areas of decision-making where citizens participate in local governance are operational procedures, financial decisions, and policy decisions. Given

that specific strategic goals that must be decided upon at the level of policy-making necessitate judgments at the budget level to finance operational procedures, the three decision domains are essentially intimately connected. Citizens must thus influence the budget for them to have power in practical practice. The power of citizens in all these decision-makingareas determines the degree of participation that occurs in agovernment. Based on these three decision-making areas, citizen participation can be divided into several levels or levels ranging from just providing information, consultation, and partnership, to the level of community control. Likewise, Law No. 23 of 2014 regulates public participation in Article 354 paragraph (3) which states that: Public participation as referred to in paragraph (1) includes: a. Formulation of Regional Regulations and Regional Policies that regulate and burden the community; b. Regional development planning, budgeting, implementation, monitoring, and evaluation; c. Management of Regional assets and/or natural resources; and d. Implementation of public services.

In contrast, the study's findings show that direct community involvement is absent during the budget decision stage and is only represented by the DPRD at the operational level, or the stage of development planning. This shows that the government still controls the procedures for budgeting and planning development in the connection between local government and residents in governance. Communities are only involved in the program planning process at the very beginning, and it is never easy to track the progress of their goals at the next level, particularly when they are turned into budget papers. Community aspirations must give way to local government units' work plans under the names of Renstra, RPJMD, and RPJPD as well as budgetary restrictions at the program plan's finalization stage after being involved in the process of developing it through the musrenbang forum. A sophisticated structural obstacle to real public engagement is present here. There is no requirement to include the community and properly consider its wants and expectations in the budget because the DPRD is already represented in the planning and budgeting process.

The following issues are those that regional apparatus frequently encounters when implementing RPJMD: One of the challenges to the presentation of accurate, timely, and precise reports is the manual filling in of the assessment format for the findings of Renja PD and RKPD. Second, it is unable to do the study because various areas submit IKU regional apparatus program performance indicators that are different from those found in Chapter 7 of the RPJMD. Third, concerning challenge number 2, the RKPD revisions that year only presented activity performance indicators, not program performance indicators, and lack of coordination. Fourth, Lack of Human Resources, because the workload exceeds the availability of human resources in the apparatus or regional apparatus. Fifth, Lack of understanding of regional apparatus in scheduling activities that have been determined in the cash budget per activity. Sixth, Lack of understanding of regional apparatus in the preparation of program or activity planning and budgeting. Seventh, the administrative process of procurement of goods or services is delayed. Eighth, Delay in performing SPJ administration. The

Saidur Rahman and Farhat Tasnim, "The role of NGOs in ensuring local governance in Bangladesh: from the perception of other actors of governance", Asia-Pacific Journal of Regional Science (2023) 7:1007–1034, https://doi.org/10.1007/s41685-023-00283-w

ninth issue was a lack of coordination between budget implementation and budget payout, which caused operations to be implemented later than planned. Tenth, strategic planning is not discussed in the determination of yearly activities. The achievement of indicators cannot be measured due to various activities' inappropriate indicators, and the appointment of the Office Spending Treasurer and Goods and Services Officer has been delayed.

A lack of coordination and synergy with all regional apparatus in enhancing the achievement of macro performance indicators, IKU of the Central Java Regional Government, and IKD is another factor that regional apparatus in various case studies in various regions, such as the Central Java Province, encounters when attempting to implement RPJMD. As a further example of obstacles in applying the principles of good governance in the medium-term development planning of the Makasar city region, the obstacle in implementing the principles of good governance lies in the application of the participatory principle where in its application public participation only occurs at the operational level, namely at the development planning stage, in this case, the musrenbang, while in the budget decision stage, direct public participation does not exist, only represented by the DPRD. Meanwhile, it has been mandated in the provisions of Article 352 paragraph (3) of Law Number 23 of 2014 which requires public participation in every government administration.

#### 2.2. Pentahelix Planning Model in the Implementation of RPJMD Preparation to **Achieve Good Governance**

#### 2.2.1. Indicators of Pentahelix Model in Local Government

The development process using pentahelix will involve other stakeholders from various aspects, namely academics, business actors, communities, government and media. It is hoped that the existence of 5 stakeholders can become a collaboration that can provide new breakthroughs in the regional development process being carried out. The presence of stakeholders from various groups of society will provide various new views and new ideas. This is because the background of an individual or group can be influenced by the environment where the individual/group is located, the habits of an individual are related to the environment where the individual is located.<sup>11</sup> The environment has an influence in shaping individual character and habits. Habits formed by the environment will have an influence on the ideas that emerge. In the regional development process, differences in stakeholder backgrounds/environments will have an influence on differences in views, perceptions and ideas related to analyzing events. In development planning, various new points of view and variations will emerge in bringing about breakthroughs in regional development planning.

In the Pentahelix Model, each stakeholder has a different background/environment. The different backgrounds of each stakeholder are an important consideration for collaboration in the Pentahelix model.

#### 1. Academics

<sup>&</sup>lt;sup>11</sup> Mangihut Siregar, "Teori "Gado-Gado" Pierre-Felix Bourdieu", Jurnal Studi Kultural, Vol (1) No.2 (2016): 79-82, http://journals.an1mage.net/index.php/ajsk.

Academics have an educational environment that is used to understanding theories and concepts and conducting research related to various fields which will have an influence in providing ideas/views related to conceptions in regional development. Apart from that, academics are also often involved in research and research activities from various fields. His experience in research activities will provide analysis and views regarding strategic models and concepts for regional governments in formulating regional development plans.

#### 2. Business Actors

Business actors who have a background/environment related to business every day will be accustomed to coming up with innovations and new ideas in maintaining and improving their business, this is really needed by local governments in planning regional development. The existence of innovative ideas will provide new breakthroughs that can lead to existing solutions in improving regional development that is currently being carried out. The existence of innovation is not only needed in the business world. However, in designing regional development and the running of regional government, the presence of innovation will help in developing and providing new breakthroughs for regional government to improve the welfare of its people.

#### 3. Community

The existence of communism has a background/environment that is closer to society. The existence of a community in the Pentahelix model will help provide insight into the conditions of society and the social conditions that exist in society. Communitieshavemoretiestosociety, so that the existence of communities can provide an overview of community problems and needs. Because the regional development planning process is aimed at improving the welfare of the community, to be able to achieve this goal the regional government needs to know the existing conditions and what problems exist in the community so that the planning determined by the regional government will help in improving the welfare of the community.

#### 4. Government

Regional government is in an environment related to policy making in a region. The progress and increase in prosperity in an area depends on the policies implemented in that area. In development planning using the pentahelix model, the presence of the government is needed because the government has wider accessibility than other stakeholders. Ownership of accessibility will help in searching for data and data needs in the collaborative process carried out in regional development planning using the pentahelix model. With the existence of the government, the collaboration process that occurs can also be accommodated directly by the government and become a reference for the government in formulating its policies.

#### 5. Media

The existence of media that is used to accessing news and various things quickly will help in providing an overview or reference for regional development, apart from that the existence of the media also helps in providing an overview of the problems

that exist in society. Not only that, currently the existence of the media is very important to measure and understand people's needs. At this time, the existence of media is very easy to access and obtain by the public, this is an important point to test public perceptions regarding plans that are being formulated by the community. So that in the planning process, the regional development plan development team can measure the suitability of policies to community needs.

From the explanation above, it can be seen that there are differences in the environment/background of stakeholders included in development planning using the pentahelix model. Not only do they have different backgrounds, but each stakeholder in the pentahelix model has different functions and roles. The functions and roles of each stakeholder will assist local governments in preparing regional development plans. The differences that exist in the development planning process will make stakeholders provide various input on the existence of communities that provide existing conditions in society, which will help academics study and formulate concepts that are suitable for regional development planning. For business people, the existing conditions provided by the community will help business people in formulating the necessary innovations. Apart from that, innovations and development planning conceptions provided by academics and business people can also be given suggestions by the community to suit community needs and can be tested through the media whether the planning and innovation is in line with society's needs. Apart from that, with the various ideas and concepts put forward by the government, it can help to provide references regarding previous policies and what things the local government wants to focus on.

Collaboration is a cooperative activity that involves a variety of agents, persons, groups, or organizations in an effort to achieve certain objectives. 12 The pentahelix model of planning cooperation will define how innovations and new breakthroughs in development planning are raised by integrating the skills and talents of each participant. The collective power of all participating stakeholders is a crucial component of the collaborative process. In the collaborative process, collective intelligence will aid in balancing views and promoting shared goals.

In the collaborative development planning process, there are 4 important indicators needed in carrying out planning using the pentahelix model, namely Face-to-Face Dialogue, face-to-face dialogue is needed to bring up stakeholder communication that is directly involved in the collaboration process. Communication is often formed through direct discussion (face-to-face). Open communication further affects the formation of trust between actors. 13 Building trust takes time and demands dedication over the long term to produce collaborative outcomes. Gaining trust among parties will facilitate effective collaboration.<sup>14</sup> The level of dedication to the collaborative process might affect how much one actor values the other. 15 Shared Vision, the collaboration process will allow for debates and differences in perception in formulating the objectives of

Mochamad Rozikin, "Kolaborasi Antar Stakeholders Penta Helix dalam Pengembangan Kota Kreatif (Studi di Kota Malang)", PANGRIPTA 2 (2) (2019):49-57. https://jurnalpangriptav3.malangkota.go.id/pangripta/article/ view/66.

<sup>&</sup>lt;sup>13</sup> Rozikin, Kolaborasi Antar Stakeholders Penta Helix, 49-57.

<sup>14</sup> Rozikin

<sup>15</sup> Rozikin.

development planning. In this case, a common understanding is needed from each stakeholder involved. Shared Vision can also be interpreted in various terms including common mission, common purpose, common objectives, and shared vision.<sup>16</sup>

# 2.2.2. Juridical Framework for the Implementation of the Pentahelix Model in RPJMD Preparation

Regulations on the procedures for preparing the Regional Medium-Term Development Plan (RPJMD) are currently regulated specifically in the Regulation of the Minister of Home Affairs Number 86 of 2017 concerning Procedures for Planning, Controlling and Evaluating Regional Development, Procedures for Evaluating Draft Regional Regulations Regarding Regional Long-Term Development Plans and Regional Medium-Term Development Plans, as well as Procedures for Amending Regional Long-Term Development Plans, Regional Medium-Term Development Plans, and Regional Government Work Plans. The flow of this preparation includes the following:

Figure 1. The flow of RPJMD (Medium-Term Regional Development Plan) preparation:



Source: Article 16 of the Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 86 of 2017 concerning Procedures for Planning, Controlling and Evaluating Regional Development, Procedures for Evaluating Draft Regional Regulations Regarding Regional Long-Term Development Plans and Regional Medium-Term Development Plans, as well as Procedures for Amending Regional Long-Term Development Plans, Regional Medium-Term Development Plans, and Regional Government Work Plans.

The participatory approach is one of the approaches used in the regional development planning process, as stated in Article 7 letter b, and as further explained in Article 8 paragraph 2: "The participatory approach as referred to in Article 7 letter b is implemented by involving various stakeholders." Participation that is carried out by involving various stakeholders has the meaning listed in Article 18, namely "parties who directly or indirectly benefit or have an impact on the planning and implementation of regional development, including elements of the provincial and district/city DPRDs, TNI, POLRI, Attorney General's Office, academics, NGOs / CSOs, provincial and district/city/village community leaders, the business world/investors, the central government, provincial, district/city governments, village and kelurahan governments and women's representation (such as PKK, Kewanitaan Organizations) and marginalized vulnerable

<sup>16</sup> Rozikin.

community groups". In light of the research's findings, it appears that direct community involvement is absent from the budget decision-making process and is only represented by the DPRD at the operational level, or the stage of development planning. This raises the question of whether the current laws or legal framework have made provision for community involvement in regional planning, particularly during the creation of the RPJMD. As a result, we must investigate the rules governing the RPJMD's creation. Articles 41 to 72 lay out the steps for creating the RPJMD itself. The RPJMD preparation process involves numerous steps, including the following:

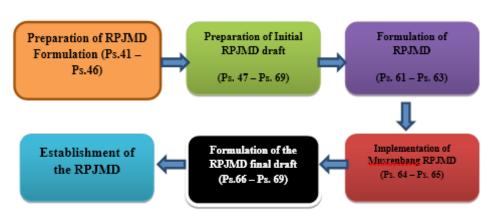


Figure 2. The flow of RPJMD preparation

Source: Articles 41 - 72 of the Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 86 of 2017 concerning Procedures for Planning, Controlling, and Evaluating Regional Development, Procedures for Evaluating Draft Regional Regulations Regarding Regional Long-Term Development Plans and Regional Medium-Term Development Plans, and Procedures for Amending Regional Long-Term Development Plans, Regional Medium-Term Development Plans, and Regional Government Work Plans.

At the stages above, the use of community participation is found at the stage of preparing the initial draft of the RPJMD. This has been mandated through Article 48 which reads (1) The initial draft of the RPJMD as referred to in Article 47 paragraph (4), is discussed with stakeholders through a public consultation forum. (2) The public consultation forum as referred to in paragraph (1), shall be held no later than 30 (thirty) days after the initial draft of the RPJMD is prepared and shall be coordinated by BAPPEDA. (3) The provincial public consultation forum involves the district/city BAPPEDA, provincial Regional Apparatus, and stakeholders. (4) The district/city public consultation forum involves district/city Regional Apparatus and stakeholders. (5) The public consultation forum aims to obtain input to improve the initial draft of the RPJMD. (6) The results of the provincial public consultation as referred to in paragraph (3), are formulated in the minutes of the agreement signed by the district/ city BAPPEDA, the Provincial Regional Apparatus, and each element representing stakeholders. (7) The results of the district/city public consultation as referred to in paragraph (4), are formulated in the minutes of an agreement signed by each element

representing the stakeholders. (8) The initial draft of the RPJMD is refined based on the minutes of agreement as referred to in paragraph (6) and paragraph (7).<sup>17</sup>

The pentahelix model is one method of unravelling current issues so that these structural barriers may be removed. It is an alternative and new breakthrough in the implementation of public consultation forums in the preparation of RPJMD. Existing options may not always be able to overcome these structural obstacles. For authorized officials to appropriately execute current options during public consultation forums using the Pentahelix Model, a rule and implementation procedures are required. Regional legal products provide the regulations that can use the Pentahelix Model as a platform for public engagement while creating the RPJMD. According to Article 1 Point 19 of the Regulation of the Minister of Home Affairs Number 80 of 2015 concerning the Formation of Regional Legal Products, regional legal products come in the form of regulations or decisions. Regional legal products in the form of regulations include regional regulations or other names, Perkada, PB KDH, and DPRD regulations. 18

Legalproducts that may be chosen to implement the Pentahelix Modelinastakeholder attended public consultation forum held per the Regional Head Regulations, which are outlined in the Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 80 of 2015 concerning the Formation of Regional Legal Products. <sup>19</sup> Article 19 paragraph (1), which states that "Planning the preparation of Perkada and DPRD regulations is the authority and is tailored to the needs of each institution, commission, or agency," is the foundation for choosing the Regent/Mayor rules. This is in keeping with the objectives of the RPJMD preparation at the stage of developing the preliminary RPJMD and implementing the RPJMD Musrenbang under BAPPEDA's direction. Article 7 paragraph 1 of Law Number 12 of 2011 About the Establishment of Laws and Regulations states that the choice of regional legal goods also complies with the legal system's hierarchical structure: <sup>20</sup> 1945 Constitution of the Republic of Indonesia; Decrees of the People's Consultative Assembly; Laws/Government Regulations instead of Laws; Government Regulations; Presidential Regulations; Provincial Regulations and Municipal District Regulations.

The implementation of public consultations with stakeholders and Musrenbang with stakeholders is part of the preparation of RPJMD. The procedure for preparing the RPJMD itself is specifically regulated in the Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 86 of 2017 concerning Procedures for Planning, Controlling, and Evaluating Regional Development, Procedures for Evaluating Draft Regional Regulations Regarding Regional Long-Term Development Plans and Regional Medium-Term Development Plans, and Procedures for Amending Regional Long-Term Development Plans, Regional Medium-Term Development Plans, and

<sup>&</sup>lt;sup>17</sup> "Peraturan Menteri Dalam Negeri Nomor 86 Tahun 2017 Tentang Tata Cara Perencanaan, Pengendalian Dan Evaluasi Pembangunan Daerah, Tata Cara Evaluasi Rancangan Peraturan Daerah Tentang Rencana Pembangunan Jangka Panjang Daerah Dan Rencana Pembangunan Jangka Menengah Daerah, Serta Tata Cara Perubahan Rencana Pembangunan Jangka Panjang Daerah, Rencana Pembangunan Jangka Menengah Daerah, Dan Rencana Kerja Pemerintah Daerah" (n.d.).

<sup>&</sup>lt;sup>18</sup> "Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 80 Tahun 2015 Tentang Pembentukan Produk Hukum Daerah" (n.d.).

<sup>&</sup>lt;sup>19</sup> "Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 80 Tahun 2015 Tentang Pembentukan Produk Hukum Daerah" (n.d.).

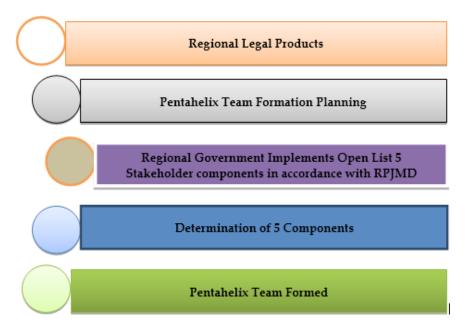
<sup>&</sup>lt;sup>20</sup> "Undang-Undang Nomor 12 Tahun 2011 Tentang Pembentukan Peraturan Perundang-Undangan" (n.d).

Regional Government Work Plans. This legal product in the form of a ministerial regulation has been recognized by Article 8 paragraph 2 of Law of the Republic of Indonesia Number 12 of 2011 concerning the Formation of Legislative Regulations which states that the Legislation as referred to in paragraph (1) is recognized and has binding legal force as long as it is ordered by higher Legislation or formed based on authority. This Ministerial Regulation is an implementing regulation of the Law of the Republic of Indonesia Number 23 of 2014 concerning the Regional Government. So it is very appropriate in the implementation of public consultations with stakeholders and Musrenbang with stakeholders in the preparation of RPJMD with the Pentahelix Model to use legal products of regional head regulations to meet the needs of RPJMD preparation.

The regional head regulation to accommodate the RPJMD preparation process with stakeholders using the Pentahelix Model requires 2 implementation guidelines. The first guideline is the implementation guideline for the initial draft of the RPJMD and the second guideline is the implementation guideline for the RPJMD Musrenbang. The guidelines are compiled by the Regent/Mayor of each region which are adjusted to the conditions of each region to facilitate the preparation of the RPJMD so as to create an orderly state administration and realize good governance. Basically, the formation of regional heads to accommodate the Pentahelix Model is by the formation of applicable laws in accordance with the Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 80 of 2015 concerning the Formation of Regional Legal Products.

#### 2.2.3. Pentahelix model in RPJMD preparation

Figure 3. Development Planning Stages of Pentahelix Model



The planning process for forming the Pentahelix Team was based on the existence of regional legal products regarding guidelines for implementing public consultation forums. This legal product contains a collection of rules. These existing rules are generally binding, this is in accordance with Article 1 number 2 of Law Number 12 of 2011 "Written regulations containing legal norms that are generally binding and are formed or determined by state institutions or authorized officials through established procedures in the Legislative Regulations". The existence of this regional legal product is one of the legal bases that supports its implementation in accordance with procedures. The suitability of procedures in implementing this public consultation forum is in accordance with the obligations of state officials as public servants as stated in article 15 letter f of Law of the Republic of Indonesia Number 25 of 2009 concerning Public Services "to carry out services in accordance with service standards". It is hoped that this legal product can move Indonesia towards a country with good governance.

The Pentahelix team in the implementation guidelines emphasizes the elements involved. The involvement of the 5 Pentahelix components cannot be directly chosen by the government. This is because the RPJMD is not for the government but for the continued welfare of the people in an area. In accordance with Pierson's third opinion regarding State welfare, which states that "State welfare, which refers to the guarantee of social welfare services through agents of the state". The obligation of the regional government as a state agent in planning to form the Pentahelix Team is to look for stakeholders which consist of 5 stakeholders, namely government, academics, business actors, community groups, media that are in accordance with the needs of the RPJMD so that future policies in the plan will bring social prosperity to the community, regional people. The government also has the right to directly invite stakeholders in an area that are in accordance with the needs of the RPJMD. What we can find out about the needs of the RPJMD is through the Attachment to Minister of Home Affairs Regulation Number 86 of 2017 concerning Procedures for Planning, Controlling and Evaluation of Regional Development, Procedures for Evaluation of Draft Regional Regulations Concerning Regional Long-Term Development Plans and Regional Medium-Term Development Plans, as well as Procedures for Amendments Regional Long Term Development Plans, Regional Medium Term Development Plans, and Regional Government Work Plans include a general description of regional conditions, an overview of regional financial management, regional strategic problems and issues, vision, mission, goals, suggestions, strategies, policy direction, regional development programs, development funding and regional apparatus programs, development of Regional Owned Enterprises and performance of regional government administration.

Local governments may also have open lists that are publicized in newspapers, radio, television, and other forms of mass media. For the public to learn about the state administration with proportionate distribution, the function of the mass media is to act as a channel of information. The openness of the administration in organizing public comment sessions is demonstrated by the open list itself. The idea in public services that states "Every service recipient can easily access and obtain information about the desired service" is adhered to by this openness.

<sup>&</sup>lt;sup>21</sup> Nieminen K., Sarasoja L, "Epistemic othering: the interplay of knowledges in legislative drafting", Journal of Law and Society (2023): 50: 322–343. https://doi.org/10.1111/jols.12443

<sup>&</sup>lt;sup>22</sup> "Undang-Undang Republik Indonesia Nomor 25 Tahun 2009 Tentang Pelayanan Publik" (n.d.).

After the local government discovers the pentahelix model's five stakeholder components, the government and the community must commit to working together For the public consultation forum to be successful. The Regional Head Decree, a regional legal product in the form of a stipulation, serves as the vehicle for this binding. The Law of the Republic of Indonesia Governing Government Administration, in article 60 paragraph (1), states that "Decisions have binding power since they are announced or accepted by the party mentioned in the Decree." With the help of the Pentahelix Team, this binder is anticipated to keep the government committed to setting up a public consultation forum for the RPJMD. Additionally, it stops the government from citing a lack of resources or activities that are progressing backward as an excuse for not inviting the community, ensuring that everyone in the community is protected by the law. The provision also creates the Pentahelix Team for the RPJMD preparation.

#### 3. CONCLUSION

The urgency of using the Pentahelix planning model in RPJMD to realize good governance is due to the overly dominant role of the state in development planning, where the state does not value community participation, resulting in development policies that are more oriented towards the interests of political elites rather than community aspirations. As a result, weak community control over the development process has encouraged elites to abuse power, leading to corruption, collusion, and nepotism. People often demand that the government implement good governance. This demand requires the government to change its governance paradigm, from the initial concept of government that emphasizes authority and power to Good Governance, which emphasizes cooperation and interdependence. Multi-party cooperation (KMP) provides space for various parties or what is known as the pentahelix model, namely by embracing the Government, Academics, Business Actors, Community Groups, and the Media. Thus, community participation is expected to produce effective development planning.

The Pentahelix Planning Model in the implementation of RPJMD preparation to realize good governance can be optimized through regional legal products in the form of regional head regulations that emphasize the elements involved, namely the 5 Stakeholder Components containing Government, Academics, Business Actors, Community Groups and Media. This regional legal product is the legal basis for guiding the implementation of consultative forums on the initial draft of the RPJMD and the RPJMD musrenbang. Then the use of the Pentahelix model in preparing the RPJMD needs to be prepared with very careful planning. There are various steps to this planning process. First, regional legal products were created in the form of Regional Head Regulations. Secondly, the Regional Government created the Pentahelix Team. Third, the local government uses the media to conduct an open list of the five stakeholder components according to the requirements of each region. The fourth step is using a Regional Head Decree to tie the government with the Pentahelix Team. The creation of the Pentahelix Team is the fifth.

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