

Implementation Of Protection Policy And Fulfillment Of The Rights Of People With Disabilities Perspective In G. Edward III (1980) (Study on Fulfillment of Facilities and Infrastructure Needs for Persons with Disabilities Disability in Jember Regency Green Open Space)

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Abstract

The local government's policy on the provision of public facilities with access to disability in Jember Regency is through the Jember Regional Regulation number 7 of 2016 concerning the protection and fulfillment of the rights of persons with disabilities but the implementation of the policy has not been maximally achieved due to the physical number of public facilities and infrastructure that have not been accessed by persons with disabilities. and inappropriate in completing the implementation in the field. This study uses descriptive qualitative research methods with theoretical analysis of George Edward III (1980) so that the results obtained are that the implementation of the provision of facilities with access to disability is not optimal based on the distortion of communication between the implementor and the target.

Keywords: Implementation, Public Facilities, Person with Disabilities

I. INTRODUCTION

Persons with Disabilities have been considered as one of the most marginalized and marginalized groups in society which results in not many people with disabilities getting equal opportunities in their rights which must be considered (Koh 2004:1-2, Hall 2005:1, Verdonschot 2009:2 , Overmars- Marx 2014:3). The existence of groups of people with disabilities is also part of the diversity of life of a country, their rights in life must be obtained in accessibility to achieve equality because in principle the state has placed people with disabilities in the same and equal position with other citizens (Kayyes and French 2008:4) . So it is necessary to optimize the needs of people with disabilities with the implementation of policies (Tamami, 2018:60)

Programs related to facilities and infrastructure in public open spaces (RTH), green open spaces, are those related to the development and management of open spaces where in the laws and regulations must include facilities that have cases of

disability. The provision of public facilities and infrastructure with access to disabilities has also been regulated in the Jember Regency Regulation which is implemented in the form of the Jember Regent's Regulation. The program is under the agency of the Department of Public Housing, Settlement Areas and Human Settlements.

However, in the course of after the regulations were ratified from 2011 regarding the ratification of the CRPD in Indonesia to the 2016 disability law, the 2016 Regional Regulations and the 2017 Regent Regulations in Jember Regency still found gaps and discrepancies in the data on field conditions. Several studies explain that the provision of public facilities for accessibility of persons with disabilities in public spaces in Jember Regency is still very minimal in terms of public facilities for places of worship, public facilities in urban parks, roads and accessibility at polling stations for persons with disabilities are still not in accordance with the Regent's regulations governing building standards. that can facilitate the accessibility of persons with disabilities in accordance with the provisions of the legislation, in this case the Regulation of the Regent of Jember Regency (Taqwin 2018:15., Sunarsiyani 2016:78., Mais and Yaum 2019:84). Whereas the provision of physical accessibility by providing disability-friendly public facilities that aim to fulfill accessibility in public spaces has an important role for the jargon that is raised about Disability Friendly Cities.

In a field phenomenon with a policy concept that actually clearly regulates the standard of providing public facilities with access for people with disabilities, then it cannot be translated into field studies (Grindlle in Purwanto and Sulistyastuti 2015:64) mentions the term "bridge" to connect from the world. the concept of policy into the world of reality is called implementation. The implemented policies appear to be lacking in resources with the state of the staff they have, limited facilities, the authority of the Office which is shared with other agencies, and information. The resource conditions that are easiest to find when implementation is carried out are in the fulfillment of facilities, both physical facilities in the form of tools and buildings and non- physical facilities in the form of funding for implementation. Delegation of authority, for example in the distribution of authority to other services, Based on the relationship between the concept and the facts on the ground which show that the process is less effective than communication, resources, disposition, and bureaucratic structure, it is the implementation of the regulations.

The Regent in Jember Regency raises questions from various perspectives. From this topic and background, it becomes interesting to study because of the difference between concept data and reality data, which raises questions about the implementation itself to become a scientific work with the formulation of the problem of how to implement policies in fulfilling public facilities and infrastructure in green open spaces for people with disabilities in Jember Regency.

II. LITERATURE REVIEW

A. Implementation

Etymologically, in Webster's dictionary (Rachmat 2016: 114) that implementation in English means "to implement" (implementing), means to provide the means for carrying out (providing facilities and providing something). Implementation according to Jones theory (1987) in Mulyadi (2018: 60) "those activities directed toward putting a program into effect" (a process to realize a program to show results), according to van meter (1975): "those actions by public and private individuals (or groups) that are the achievement or objectives set forth in prior policy" or commonly referred to as actions taken by the government. (Budi Winarno, 2008). According to Merilee S. Grindle in Subarsono (2005: 93) that implementation can be successful if there is policy content and the implementation environment supports policy implementation. The implementation of public policy is as an action in previous decisions. So implementation is an action taken after a decision is made. Meanwhile, the stages of policy implementation can be seen and differentiated through the logic of policy making.

Rian Nugroho in Mulyadi (2018) argues that in order for a policy to immediately achieve its goals, implementing a policy can be done through two options where the first option is to direct policy into derivative programs or policies through new policy formulations and then down to programs that will be implemented. Below can be described in general.

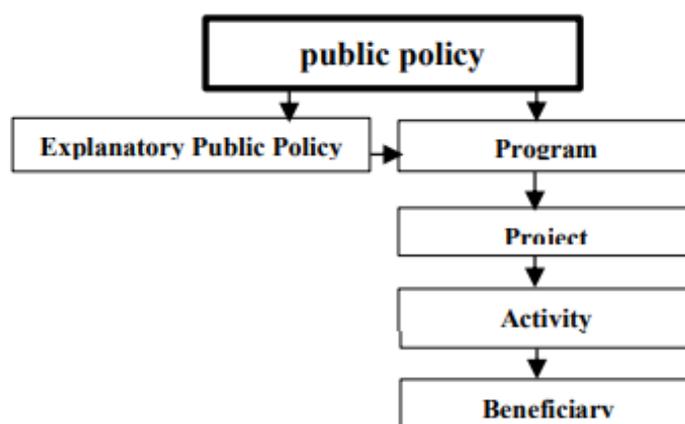


Figure 1. The Sequence of Policy Implementation. Source: Mulyadi (2018).

The implementation of the existing policies in this study based on the picture above is an implementation based on derivatives of public policies that descend as explanatory policies, then on the programs that will be implemented, in this study as public policy, which refers to the regional regulation of Jember Regency number 7 of 2016 regarding the protection and fulfillment of the rights of Persons with Disabilities, the Jember Regency Government then lowered a policy to explain in detail what policies will be implemented, the explanatory policy is the Jember Regency Regent Regulation Number 69 of 2017 concerning the implementation of the Jember Regency Regional Regulation Number 7 of 2016 on the Protection and Fulfillment of the Rights of Persons with Disabilities, then there are projects, then activities and the beneficiaries. So in this study, the policy for the protection and fulfillment of the rights

of people with disabilities is not directly implemented but is derived from an explanatory policy in the form of a Regent's Regulation.

B. George Edward III's Theory (1980)

Implementation Theory G. Edward III (1980) has a view related to the success of a policy implementation with the following approaches:

- 1) Communication
- 2) Resource
- 3) Disposition
- 4) Bureaucratic Structure

Starting from how the conditions for the success of a policy to the obstacles and success of a policy. The measure of implementation success from the four perspectives, according to Edward, is able to be relevant in answering this question, because the relationship between implementers in implementing policy programs is always in the realm of these perspectives.

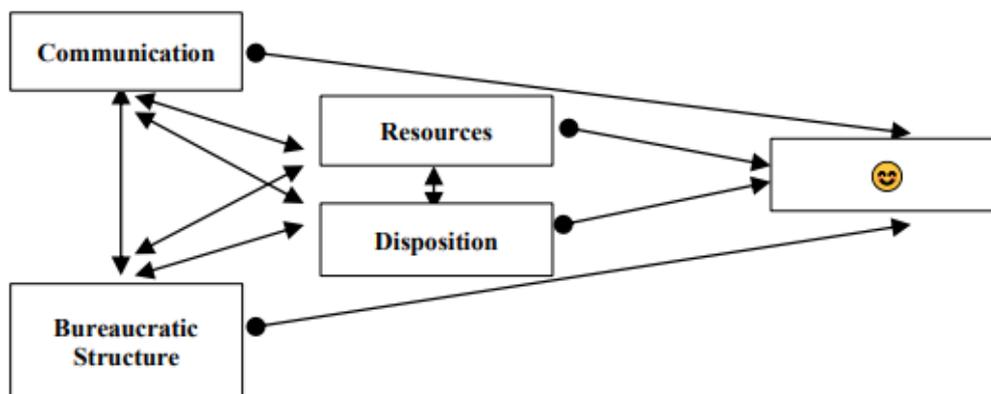


Figure 2. Relationship of one factor to another on implementation. Source: George C. Edward III (1989:148)

In the communication of instructions or directions that are not conveyed properly, unclear and inconsistent, it will certainly have an effect on the bureaucratic structure. After a deviation occurs in communication where the implementer can interpret different intentions from the contents of the policy, the disposition can also play in its implementation, because both are very influential on the attitude of the policy to be taken by the implementer. After a communication deviation occurs and affects the attitude of the policy to be taken, it will result in routine activities that are just like that so that it affects the loss of resources such as eliminating staff skills, creativity, and adaptability. In this study, the policy outputs from and communication to implementers were not clear and consistent, influencing the attitude of policy by the leadership of the implementing body which in this case was the Head of the Public Housing, Settlement and Human Settlements Service. Thus the impact of communication on implementation does not only directly but indirectly impact on resources, then disposition and bureaucratic structure on implementation.

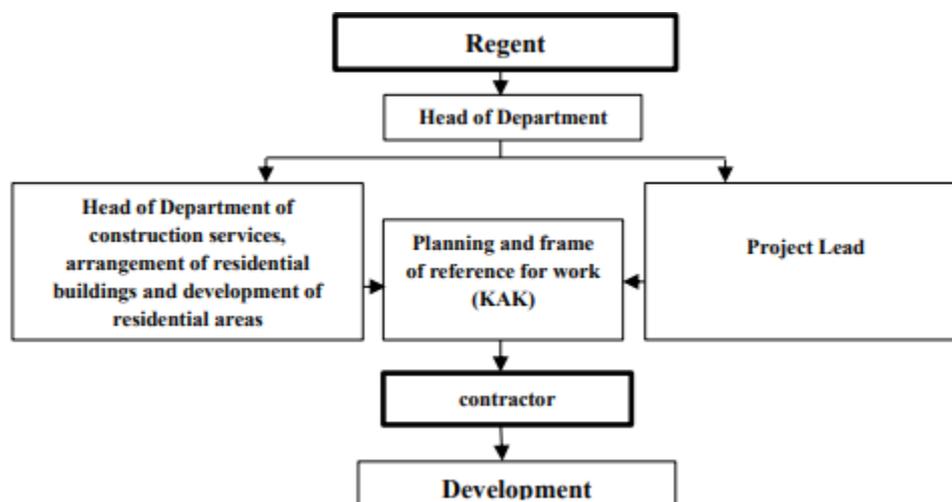
III. RESEARCH METHODS

Based on the natural setting with the data obtained, it can be interpreted as an interpretation and analysis of the study on how to implement policies to protect and fulfill the rights of people with disabilities in Jember Regency. As explained by Bungin (2001: 33) that this research uses descriptive qualitative by describing research phenomena, summarizing various conditions, situations and variables. Therefore, descriptive research is about how to find facts with precise and accurate interpretations with the aim of providing descriptions, getting a systematic picture. The research was carried out in the Jember Regency at the Public Housing, Settlement and Human Settlements Service when the COVID-19 pandemic hit the countries in the world, Indonesia was inseparable.

IV. RESEARCH RESULT

The implementation process of the policy is carried out by the government in Jember Regency, in this case the regent who is assisted by the relevant agencies, namely the Public Housing, Settlement Areas and Cipta Karya in the field of construction services, structuring housing buildings and developing residential areas with coordination and instructions by the regent to the district head. the head of the department for the implementation of the regulation. After the policy instructions for the need for facilities and infrastructure are carried out, the head of service as the head of the service gives direct instructions to his subordinates in accordance with the main tasks and functions, in this case direct instructions are submitted to the head of construction services, structuring of housing buildings and development of residential areas and officials making commitments. PPK) directly.

Instructions from the Head of the Office are carried out by preparing the completeness file and regional permits to be built by the construction services sector, structuring housing buildings and developing residential areas along with field surveys of commitment-making officials (PPK) to the submission of a working reference framework (KAK) for tendering. (auction). The implementation chart can be presented as follows:



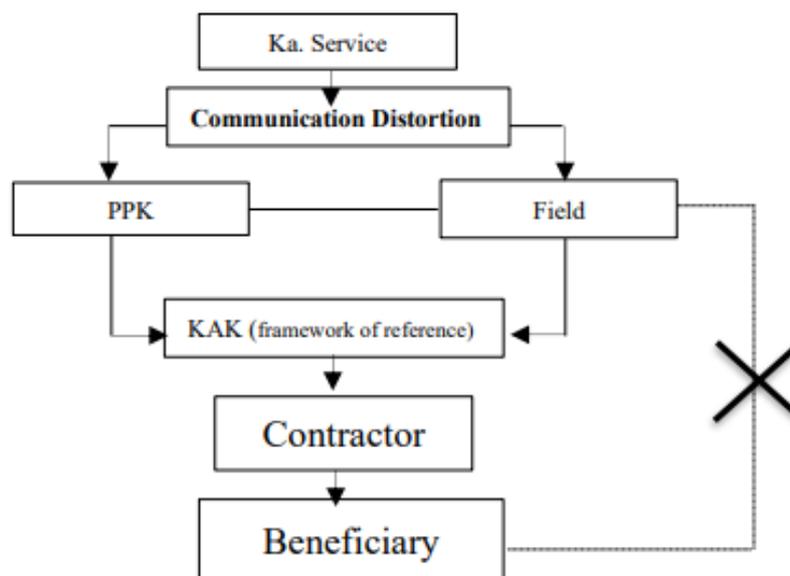
Picture 3. Policy implementation. Source: Data processed on March 23, 2021.

A. Communication Pattern

In this case, at least the implementers must know well that a decision has been made and an order for its implementation has been stipulated in the regulations. The distribution of this information will be even better if the implementers can avoid deviations due to misunderstandings in policy interpretation of a decision issued. Thus, the clearer and more consistent the implementation decisions and orders are passed on to the implementers, the higher the probability of these policy decisions and orders being implemented.

B. Communication Distortion

Communication that occurs in the field on providing access to facilities and infrastructure needs for persons with disabilities in Jember Regency is not necessarily top-down, but in practice, communication is carried out from the target group who is the beneficiary of the policy. Communication between the implementor and the target group starts with the active role of disability associations or organizations in Jember Regency by conducting hearings with government officials to listen to the aspirations of the rights of persons with disabilities in Jember Regency. The following is a communication diagram on the implementation of the policy.



Picture 4. Flowchart of communication distortion. Source: data processed 01 August 2021.

Communication occurs because both parties respond to the object being worked on. However, the implementation of the construction of public facilities and infrastructure in public open spaces does not include the beneficiaries of the policy objectives. So that development is often not on target and due to communication distortions that occur cause problems in the results of implementation. The communication that exists from the implementor based on the results of the research proves that it only works as usual procedures that occur in the institutional realm, such as from the head of service, to the head of the field and project leader, to be carried out

in the form of planning within the framework of reference. Meanwhile, communication to the target group or beneficiaries is neglected and does not participate in planning.

C. Resources

The resources owned by the implementors are inadequate from the aspect of human resources where the category of educational background and qualifications of expertise in planning so that the communication that is built is not perfect. From the results of the study, it can be seen that the staff in the construction services sector that the staff consists of 72 people, of course, in tasks related to the implementation of protection and meeting the needs of facilities and infrastructure for persons with disabilities are not all involved. Of these, the heads of construction services, housing arrangement and development of residential areas have around 17-20 staff. The lack of these resources results in performance and implementation results so that public facilities that can be accessed by persons with disabilities in open spaces are still not optimal for policy users. In this case, what has the potential to produce good policy implementation is how careful you are in looking at a policy in detail so that the policy targets that have been determined are not left behind.

D. Disposition

The disposition of the implementers in the implementation of the provision of facilities and infrastructure with access to disability in green open spaces applies to leaders in the bureaucratic structure where lowerlevel implementers as in the field only carry out projects that contain provisions that have been arranged in the working terms of reference (KAK). The applicable stipulation is the initial draft of the leaders for the development and management of green open space in Jember Regency. As the result of planning is the result of the approval of the head of service, so this tendency is about how effective an implementation of human resources is owned by an implementing team even though it is in the form of a bureaucratic structure that is able to see carefully the contents of the policies that must be carried out.

E. Bureaucratic Structure

The obstacles to the bureaucratic structure in this study arise from the division of authority that affects employee performance. The bureaucratic structure is divided into its authority makes ambiguity in the implementation of work programs. The implementation of the side by-side implementation of the task of each field becomes ambiguous when the shift of the task of the function of the field is transferred to another field.

V. CONCLUSION

A. Conclusion

The communication carried out by the implementor in the implementation of the development of facilities and infrastructure does not involve the target target (disabled) so that it has an impact on incomplete planning in accordance with Perbup Jember No. 69 of 2017 and many development revisions have been missed.

The resources owned by the implementor (Department of Public Housing, Settlement Areas and Cipta Karya) based on the quality of the staff are still few who are able to understand the complexity of the tasks given and the inconsistent authority in one field so that it has an impact on the tendency of authorized officials (disposition) in carrying out their duties.

The disposition or tendency of leadership officials to not really give top priority to development or the provision of facilities for people with disabilities is indicated by development planning that is largely overlooked in terms of public accessibility.

The bureaucratic structure on the implementer and operational standards in implementation already have complete specifications on the accessibility of persons with disabilities but cannot be carried out optimally. a period of approximately five years (2016-2021) the provision of facilities and infrastructure with access to disabilities has not been fully fulfilled.

B. Suggestions

For Government Institutions The government can use the findings of implementation problems in this study to serve as the basis for policies and the basis for evaluating policies on protection and fulfillment of facilities and infrastructure needs for persons with disabilities. Academics or further researchers can use this research as the basis for further research related to the evaluation of policies on protection and fulfillment of facilities and infrastructure needs for persons with disabilities with a more in-depth and specific study.

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