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Government Communication and Public Participation in the Policy-Making Process in Indonesia: The Role of Constitutional Dialogue in Strengthening Democratic Legitimacy and Policy Accountability

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Abstract

Objective: This study aims to analyze the role of government communication and public participation in the policy-making process in Indonesia, with a focus on the contribution of constitutional dialogue to strengthening democratic legitimacy and policy accountability. **Methods:** This study employs a qualitative approach using a case study design, involving an in-depth analysis of policy documents, government digital communication platforms, and relevant academic literature. **Data were analyzed thematically** to identify communication patterns, participation mechanisms, and practices of constitutional dialogue. **Results:** Findings indicate that while there has been a significant increase in transparency and the use of digital technology for public participation, its implementation remains procedural in nature and is not yet fully deliberative. Public participation is often dominated by groups with better digital access, creating inequities in the deliberative process. Constitutional dialogue, although present in some policy initiatives, has not been strongly institutionalized and often does not result in substantive change. **Conclusion:** This study concludes that constitutional dialogue offers a potential normative framework for bridging the gap between government communication and public participation, but requires institutional strengthening and governance reforms to enhance democratic legitimacy and policy accountability in Indonesia effectively.

Keywords: Government Communication, Public Participation, Constitutional Dialogue, Democratic Legitimacy, Policy Accountability, Indonesia

INTRODUCTION

The dynamics of government communication in the context of contemporary democracy in Indonesia have undergone a profound transformation, driven primarily by growing demands for transparency, accountability, and public participation in the policy-making process. The reform era that began in the late 1990s has opened space for civil society to play a more active role in monitoring and influencing public policy (Rusfiana & Kurniasih, 2024). However, the transition from an authoritarian regime to a more participatory democracy has not automatically eliminated the cultural legacy of a hierarchical and closed bureaucracy (Barr et al., 2006). In this context, government communication is no longer viewed merely as a top-down channel for conveying information, but rather as a complex arena of interaction where the state and society mutually influence one another and shape policy legitimacy (Schmidhuber et al., 2020).

Advances in information and communication technology, particularly the internet and social media, have fundamentally transformed the landscape of political communication. The Indonesian government, through various initiatives such as the open data portal (data.go.id) and online public consultation platforms, has sought to improve

information accessibility and encourage citizen participation (Firmandayu & Elfaki, 2023). However, preliminary research indicates that structural openness does not automatically lead to a significant increase in public trust. The effectiveness of this openness depends heavily on citizens' democratic capacity—that is, individuals' perceptions of their ability to influence the government system (Schmidhuber et al., 2020). This indicates a gap between the ideal of equal public participation and the reality where participation is often dominated by segments of society possessing better digital literacy and access to information (Ribot, 2002).

Structural problems in policy communication in Indonesia also include the fragmentation of information across government agencies, low levels of vertical and horizontal coordination, and the dominance of political elites and the bureaucracy in the decision-making process (Holzhacker et al., 2015; Vedeld, 2003). The decentralization implemented following the New Order era, although intended to bring public services closer to the people and enhance civic participation, has created new challenges regarding policy coordination across levels of government (Barr et al., 2006; Holzhacker et al., 2015). In this context, the concept of constitutional dialogue emerges as a relevant theoretical framework. Constitutional dialogue, rooted in the principles of deliberative constitutionalism, emphasizes the importance of two-way communication grounded in constitutional norms such as justice, equality, and human rights as a foundation for strengthening democratic legitimacy and policy accountability (Berman, 2012; Harlow, 2006).

The urgency of this research lies in Indonesia's unique socio-political complexity, including ethnic and cultural diversity, a history of decentralization that is still evolving, and the rapid yet uneven adoption of digital technology. Most existing literature on government communication and public participation tends to focus on the context of developed Western nations (Radtke & Renn, 2024) or on specific sectors such as natural resources (Ribot, 2002) and forestry (Barr et al., 2006). There remains a scarcity of research that comprehensively integrates theories of government communication, digital public participation, and the concept of constitutional dialogue within a single analytical framework to understand policy dynamics in Indonesia. The novelty of this study lies in the development of an integrative framework that positions constitutional dialogue as a normative bridge between government communication practices and public participation, with the ultimate goal of strengthening democratic legitimacy and policy accountability.

Therefore, this study aims to answer the following main questions: (1) What are the current practices of government communication and public participation in the policy-making process in Indonesia? (2) What is the potential role of constitutional dialogue in strengthening democratic legitimacy and policy accountability? (3) What are the challenges and opportunities in institutionalizing constitutional dialogue within Indonesia's policy governance system?

Government Communication and Open Governance

Early literature on government communication often adopted a one-way communication model in which the government acts as an information provider and the public as passive recipients (Masango, 2001). However, the evolution of the governance paradigm has shifted the focus toward more interactive and participatory models. The open government paradigm, for example, emphasizes three main pillars: transparency, participation, and collaboration (Schmidhuber et al., 2020). Transparency refers to the

availability of public information that enables citizens to monitor government actions. Participation involves mechanisms for citizens to engage in policy formulation and implementation. Collaboration refers to partnerships between the government, the private sector, and civil society in addressing public issues.

Research by Schmidhuber et al. (2020) indicates that structural openness at the government level has a positive correlation with public trust, though this effect is partially mediated by individual democratic capacity. This democratic capacity encompasses individuals' belief that they have meaningful opportunities to participate in politics. These findings are highly relevant to the Indonesian context, where, although participatory digital platforms are available, there remains skepticism among citizens regarding whether their voices will truly be heard and influence final decisions (Meier et al., 2012).

Public Participation: From Formality to Deliberation

The concept of public participation has evolved from mere formal engagement in public consultations toward more meaningful and deliberative participation. Radtke and Renn (2024), in their study on the energy transition, identified various styles of democratic policy-making, ranging from authoritarian to inclusive. They argue that no single style is sufficient, and a hybrid approach—referred to as the “mediative approach”—is needed to address the complexities of decision-making in the sustainability transition. This approach emphasizes the interaction between top-down and bottom-up governance modes, as well as the conditions for collaboration among actors.

In the Indonesian context, Masango (2001), in his dissertation on public participation in the Municipality of Port Elizabeth, South Africa, emphasizes that effective participation requires more than just legal and constitutional frameworks. It also requires public awareness of their democratic rights, adequate participatory skills, and clear mechanisms to link public input to the decision-making process. This finding aligns with experiences in Indonesia, where the Law on the Formation of Regulations has mandated public participation. However, its implementation often remains formalistic and unresponsive to the real needs of the public (Harahap et al., 2020).

Constitutional Dialogue as an Integrative Framework

The concept of constitutional dialogue, though relatively new in policy communication studies, has strong roots in constitutional law theory and deliberative democracy. Berman (2012), in his book on Global Legal Pluralism, argues that in a world marked by legal pluralism, we must manage—not eliminate—the overlap between various legal regimes. Constitutional dialogue, in this view, is a continuous process of communication and interaction among various state institutions, civil society groups, and individuals, all of whom refer to and interpret constitutional principles.

Harlow (2006), in his analysis of the principles of global administrative law, highlights the importance of values such as transparency, participation, and accountability as the foundation for a sound administrative legal system. These values, often referred to as “good governance values,” are at the core of constitutional dialogue. Constitutional dialogue is not merely about formal compliance with the text of the constitution, but also about how constitutional norms are interpreted, negotiated, and applied in the practice of daily policymaking. In Indonesia, for example, the principles enshrined in Pancasila and the 1945 Constitution are frequently invoked in public debates on policy, although their interpretations can vary widely and be controversial (Harahap et al., 2020).

By integrating these three strands of literature—government communication, public participation, and constitutional dialogue—this study develops a conceptual framework that posits that democratic legitimacy and policy accountability are not only generated through formal electoral or legislative procedures, but also through the quality of communicative interactions between the state and society. This framework emphasizes that effective government communication must be deliberative, inclusive, and responsive to constitutional values.

METHOD

This study employs a qualitative approach using a case study design. The choice of a qualitative approach is based on the nature of the phenomena under investigation—namely, government communication and public participation in the policy-making process—which cannot be adequately understood through numerical measurements alone. These phenomena constitute dynamic social processes involving meaning, interpretation, negotiation, and the relationship between the government and citizens. Through a qualitative approach, the researcher can gain a deeper understanding of how government communication is constructed, how public participation is facilitated, and how constitutional dialogue functions in strengthening democratic legitimacy and policy accountability.

A case study design was chosen because this research focuses on contemporary phenomena that are closely tied to the real-world social, political, and institutional contexts in Indonesia. In this context, government communication and public participation do not exist in isolation. However, they are influenced by political history, the decentralization system, socio-cultural diversity, and the evolving institutional structures in Indonesia. Through case studies, researchers can thoroughly examine the relationship between policy context and practice, while understanding how dialogue between the government and the public unfolds in real, complex, and often multi-layered situations of interest.

The unit of analysis in this study is the policy communication process and public participation mechanisms at various stages of the policy cycle, ranging from agenda setting, policy formulation, implementation and evaluation. Case selection was conducted purposively, that is, by selecting cases that are the richest in information and most relevant to the research objectives. The cases examined include public policies at the national level, natural resource management at the regional level, and smart city initiatives in several regions across Indonesia. These three contexts are considered capable of illustrating variations in government communication practices and forms of public participation, thereby providing a more comprehensive picture of the effectiveness of constitutional dialogue within the policy process.

Data collection was conducted using several complementary techniques. The primary technique employed was document analysis, which included legislation, strategic policy documents, official reports from state institutions, documents from civil society organizations, as well as mass media articles and public opinion pieces. Additionally, this study utilized limited participatory observation of government-owned participatory digital platforms, such as public complaint channels, open data portals, and official social media accounts of government agencies. These observations were conducted in a non-participant manner so that the researcher could directly observe communication patterns,

types of public responses, and the level of government responsiveness without actively engaging in the interactions. To strengthen the depth of the analysis, this study was also supported by a systematic literature review of relevant scientific publications, enabling the researcher to map previous findings, theoretical frameworks, and existing research gaps.

The collected data were analyzed using thematic analysis techniques. The analysis process was conducted in stages through open coding, focused coding, theme development, and final interpretation. In the initial stage, the researcher read through all the data repeatedly to identify information relevant to the research focus, then assigned preliminary codes to those sections. Codes sharing similar meanings were subsequently grouped into more abstract categories. From these categories, the researcher identified overarching themes that describe patterns of relationships between government communication, public participation, and constitutional dialogue. In the final stage, these themes are interpreted by referring to the established theoretical framework, thereby yielding a deeper and more contextual understanding of democratic legitimacy and policy accountability.

To ensure the validity of the findings, this study employs data source triangulation and methodological triangulation. Data from documents, observations, and the literature were compared with one another to ensure that the findings obtained were more consistent and accountable. Where possible, the researcher also conducted member checking with key informants to verify the accuracy of interpretations. Additionally, the researcher maintained a well-documented audit trail, ensuring that the entire research process could be systematically traced. The researcher's reflexivity was also maintained to ensure that one's position, assumptions, and potential biases that might influence the analysis process were critically acknowledged. Thus, this research method is not merely descriptive but also analytical in explaining how government communication and public participation can strengthen democratic legitimacy and policy accountability in Indonesia.

RESULT AND DISCUSSIONS

Research findings indicate that government communication in the policy-making process in Indonesia has undergone significant changes, particularly through the use of digital technology and online participation channels. The government no longer relies solely on one-way communication. However, it has begun to open up spaces for interaction through public information portals, public feedback services, official social media accounts, and public consultation forums. However, this openness does not yet fully reflect deliberative communication. In many cases, government communication still functions primarily as a means of conveying information and legitimizing policies rather than as a truly equal dialogue between the state and citizens.

The second finding indicates that public participation is indeed becoming more visible in the policy-making process, but its quality remains largely procedural. The public is given space to express opinions, provide input, or raise objections. However, there are not always clear mechanisms to ensure that these aspirations are genuinely considered in the final decision. In other words, public participation often stops at the stage of formal consultation and has not yet fully developed into substantive participation that tangibly influences the direction of policy.

Furthermore, this study found disparities in access to and the quality of participation. Public participation is predominantly dominated by groups with better digital

literacy, more stable internet access, and sufficient knowledge of the policy process. This situation results in a participation space that is not yet fully inclusive. Indigenous communities, residents in remote areas, and vulnerable groups tend to face greater barriers to active engagement. Consequently, the aspirations emerging in the policy process do not always proportionally represent all segments of society.

Research findings also indicate that constitutional dialogue has emerged in certain policy practices, particularly when the government, civil society, and state institutions refer to constitutional principles such as justice, transparency, equality, and the protection of citizens' rights. However, such dialogue has not yet been strongly institutionalized. In practice, constitutional dialogue remains dependent on specific policy contexts, public pressure, and the initiatives of certain actors. Consequently, the role of constitutional dialogue appears more as a normative framework than as a well-established operational mechanism within policy governance.

This study also found that the democratic legitimacy of policies is significantly influenced by the extent to which the government is able to establish responsive and accountable communication. When the government opens up spaces for participation but does not clearly follow up on public input, public trust tends to decline. Conversely, when there is transparency in the process, adequate policy explanations, and feedback on public aspirations, policy legitimacy becomes stronger. This indicates that democratic legitimacy is not determined solely by formal procedures but also by the quality of communicative relations between the government and citizens.

From the perspective of accountability, the research findings show that information openness and public engagement do not automatically result in high policy accountability. Accountability is only seen as stronger when there is a clear record of follow-up actions, documentation of decision-making, and evaluation channels accessible to the public. Without these, public participation risks becoming merely symbolic and having no significant impact on policy improvement.

These findings confirm that government communication in Indonesia is moving toward a more open model, but the transformation is not yet fully complete. From an open government perspective, openness is indeed evident through data transparency, digital channels, and participatory forums. However, as the research results indicate, structural openness does not always correlate directly with substantive openness. In other words, the government has opened the door, but the processes within it do not always yield tangible benefits for the public.

Theoretically, this situation aligns with the view that meaningful public participation requires more than just consultation forums. Participation must be accompanied by the capacity to influence decisions, not merely to express opinions. Therefore, the findings of this study indicate a gap between formal participation and deliberative participation. This gap explains why many policies appear participatory on the surface but are still perceived as lacking substance at a substantive level.

The participation gap identified also indicates that the digitalization of government communication does not automatically create inclusivity. On one hand, technology expands the reach of participation. On the other hand, technology can also reinforce the dominance of groups that are better equipped in terms of access and digital literacy. This means that digital transformation must be accompanied by strategies for equitable access, capacity-building for citizens, and participation designs that are more inclusive of

vulnerable groups. Without these measures, digital participation risks merely reproducing existing inequalities.

Within the framework of constitutional dialogue, this study demonstrates that constitutional principles do indeed serve as normative references in policy discourse, but have not yet become stable institutional mechanisms. In fact, constitutional dialogue should not operate solely at the level of discourse, but also at the levels of procedure, inter-institutional coordination, and mechanisms for responding to public input. If constitutional dialogue is properly institutionalized, policy conflicts need not be viewed as disruptions but rather as part of the democratic process to improve public decision-making.

Findings regarding democratic legitimacy reinforce the argument that legitimacy cannot be sufficiently built through formal legality alone. A policy that is legally valid is not necessarily considered legitimate by the public if its communication process is closed, unresponsive, or disregards public aspirations. Therefore, democratic legitimacy depends heavily on public recognition of the policy-making process itself. When the government demonstrates openness, a willingness to listen, and a commitment to acting on feedback, public trust tends to increase.

Meanwhile, policy accountability in this study appears to be closely linked to the existence of tangible feedback mechanisms. Accountability is not sufficiently measured by the presence of reports or complaint channels, but rather by the extent to which the public can trace the rationale behind policies, observe the government's responses, and assess the outcomes of follow-up actions. Thus, policy accountability requires both procedural transparency and substantive accountability.

Overall, this study demonstrates that government communication, public participation, and constitutional dialogue are closely intertwined in determining the quality of policy democracy in Indonesia. Open communication can expand participation, inclusive participation can strengthen legitimacy, and institutionalized constitutional dialogue can enhance accountability. However, as long as participation remains procedural and dialogue has not become an established practice, the democratic potential of public policy remains unfulfilled.

Thus, this discussion underscores the need for reforms in policy communication governance that not only emphasize information transparency but also strengthen the quality of dialogue, institutional responsiveness, and equitable access to participation. Constitutional dialogue can serve as a crucial framework for bridging the relationship between the state and society. However, it will only be effective if supported by consistent institutional commitment and the political courage to genuinely incorporate the public's voice into the foundation of decision-making.

CONCLUSION

Based on the findings and discussion, it can be concluded that government communication and public participation in the policy-making process in Indonesia have shown progress toward greater openness through the use of digital channels, consultation forums, and various mechanisms for public engagement. However, this openness remains largely procedural rather than substantive. While public participation has indeed been given space, it has not always been accompanied by mechanisms ensuring that public aspirations genuinely tangibly influence policy decisions.

This study also indicates that constitutional dialogue holds significant potential as a normative framework for strengthening democratic legitimacy and policy accountability. However, such dialogue has not yet been firmly institutionalized within Indonesia's policy governance practices. Consequently, public participation remains dominated by groups possessing greater access, digital literacy, and participatory capacity, meaning the inclusivity of the policy process has not yet been fully realized.

Thus, strengthening democratic legitimacy and policy accountability in Indonesia requires more responsive government communication, more meaningful public participation, and the consistent institutionalization of constitutional dialogue. These three elements must operate in an integrated manner so that the policy-making process is not only formally valid but also truly reflects public aspirations and the values of constitutional democracy.

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