

Collaborative Governance in Building Utilization Cultural Heritage in Metro City Through the Lens of a Socio-Legal Regime

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Abstract

The paradigm of the utilization of cultural heritage is aimed at the welfare of the community. Metro City of Lampung has buildings for cultural heritage from colonization era which are in need with optimum participation of various stakeholders to keep the cultural heritage existence to improve the welfare of the people. The article analysis the implementation of collaborative governance in the utilization of cultural heritage buildings in Metro City and ways to encourage strengthening collaboration within the framework of regional regulations in the utilization. Uses a socio-legal approach, it addresses the implementation of collaborative governance offered by Ansel and Gash (2007) with regards to conditions, institutional design, leadership, and collaborative process. Despite a local research in origin, the topic addressed in this article may have wider impact to national level

in Indonesia. It is demonstrated that the use of collaborative governance through the concept of *gotong-royong* (mutual help) has proven to have an impact on the growth of various initiatives and public participation in the development of cultural heritage in Metro City. In addition, to strengthen collaborative governance, the presence of regional regulations related to The Preservation of Cultural Heritage is expected for the process of collaboration among stakeholders.

Keywords: Collaborative Governance; Cultural Heritage; Utilization

A. Introduction

Article 32 paragraph (1) of the 1945 NRI Constitution has mandated to advance Indonesian culture in the midst of world civilization by giving people freedom to maintain and develop their cultural values. Thus the government is obliged to protect and preserve all cultural objects, manifestations of the nation's culture, which are oriented towards the preservation of Indonesian identity and aim to advance social welfare.¹ Article 1 of Law no. 11 of 2010 concerning Cultural Conservation defines Cultural Conservation as material cultural heritage in the form of Cultural Conservation Objects, Cultural Conservation Buildings, Cultural Conservation Structures, Cultural Conservation Sites, and Cultural Conservation Areas on land and/or in water that need to be preserved because they have important values. for history, science, education, religion, and/or culture through a determination process. The process of determining cultural heritage itself from the beginning requires collaborative work between the government and a team of cultural heritage experts consisting of various disciplines. Thus, collaborative governance of various stakeholders is needed in the effort to preserve and utilize post-determined cultural heritage.

Metro City is one of the cities in Lampung Province was formed since the exit of Law No. 12 of 1999 concerning the Establishment of

1 Dyah Permata Budi Asri, "Perlindungan Hukum Terhadap Kebudayaan Melalui World Heritage Centre Unesco", *Jurnal Hukum Ius Quia Iustum*, Vol. 25 No. 2, Mei 2018, p. 256.

Dati II Way Kanan Regency, Dati II East Lampung Regency and Dati II Metro Municipality. Previously Metro was part of Central Lampung Regency and has a long history as a destination area for colonization during the Dutch colonial period. No doubt various legacies of the colonial era can still be found in Metro City. The intrinsic value of a cultural heritage spread in various regions in Indonesia in addition to containing the potential and academic and educational value, also contains potential that can be developed into a tourist attraction, especially the historical tourism values of Metro City.

City tourism has been the most important type of tourism destination in the world since the 1980s.² At this time Metro City began to increase efforts to find and rediscover its identity as a city formed from a long history of colonization. The existence of heritage in Metro City has actually been around for a long time but the development of this potential has not been maximally carried out by the government. This potential should be utilized as well as possible, especially in the tourism sector.

In order to realize the vision of Metro City as an educated, healthy, prosperous and cultured city, the Metro City Government seeks to capture the opportunity of the existence of heritage buildings of the era of colonization by forming a Team of Cultural Heritage Experts (TACB) in accordance with the mandate of Law No. 11 of 2010 on Cultural Heritage. Through the recommendation of TACB Mayor of Metro through Decree No. 408/KPTS/D-01/2021 dated June 2, 2021 two cultural heritage buildings have been established.

One of the buildings designated as cultural heritage in Metro City is the Doctor's House or *Dokterswoning* which has been established since 1939. *Dokterswoning* is a phrase in Dutch that means Doctor's House. This building is the residence of government doctors who served in Metro City since the Dutch east Indies era. The existence of this *Dokterswoning* building is also a marker of the initial opening and development of Metro as a city. The determination

2 Christopher M, Law. *Tourism in Major Cities*. International Thomson Business Press : London, 1996, p.131

of this status also provides an opportunity for Dokterswoning to become one of the historical landmarks of Metro City. This determination process itself is the result of long and joint work between the citizens of Metro City, the community along with the local government. It is no wonder after the establishment of a number of circles who were increasingly eager to care for and develop cultural reserves and have become the silent witnesses to the development of Metro City. On the other hand, in the era of the leadership of Metro Mayor Wahdi Sirajudin there is also a flagship program to revitalize cultural facilities.

Article 85 of Law number 11 of 2010 concerning Cultural Heritage mentions (1) the Government, Local Government, and everyone can utilize Cultural Heritage for religious, social, educational, science, technology, culture, and tourism purposes. (2) The Government and Local Government facilitate the utilization and promotion of Cultural Heritage carried out by everyone.

The participation of the community in the preservation of cultural heritage itself is regulated in several articles in Law No. 11 of 2010 concerning Cultural Heritage. Article 29 paragraph (2): Any person may participate in registering objects, buildings, structures, and locations that are suspected to be cultural heritage even if they do not own or control them. Article 56: Everyone can participate in the protection of cultural heritage. Article 63: The community can participate in securing cultural heritage. Article 78 paragraph (2): Anyone can develop a cultural heritage after obtaining a government or local government permit and the owner and/or who controls the cultural heritage. Article 99 paragraph (2): The community participates in the supervision of the preservation of cultural heritage.

Efforts to preserve and utilize cultural heritage certainly require the involvement and participation of the community in order to create a symbiosis of mutualism in aspects of culture, education, tourism, and the economy. In many places cultural heritage tends to be abandoned because of the lack of participation of the community and community. As a result, the perception that cultural heritage is considered unable to bring economic benefits to the surrounding

community so that they are ignorant of the cultural heritage areas. Therefore, the growth of participation and collaboration of government burdens as managers who have the responsibility of the existence of cultural heritage also becomes lighter with the growth of community empowerment. Conservation efforts carried out must have an impact on increasing public awareness of the importance of the existence of buildings and cultural heritage objects so that the community is more participating later, while the government only protects and supervises so as not to get out of the applicable legal corridors.³

One form of the concept of governance or governance that has recently become an important and interesting study in the context of the study of government science is the concept of collaborative governance or collaborative governance ("CG"). Ansell and Gash (2007) define collaborative governance as follows:

A governing arrangement where one or more public agencies directly engage non-state stakeholders in a collective decision-making process that is formal, consensus-oriented, and deliberative and that aims to make or implement public policy or manage public programs or assets.

Understanding governance as the basic concept of collaborative governance is certainly broad. Through the concept of governance, the government is only one of the actors and not a single actor and is not always the most decisive actor. The implementation of collaborative governance as a public innovation certainly requires synergy of various stakeholder perspectives, closer to the community, and expanding cooperation with other parties to meet resource needs, and human resource recruitment. The development of the Metro City Historical Information House (RIS) itself was initiated from the beginning to involve cooperation between various parties, namely, the government, academia, community, media and various other stakeholders.

3 Volare Amanda Irastari dan Rimadewi Suprihardjo, "Pelestarian Kawasan Cagar Budaya Berbasis Partisipasi Masyarakat (Studi Kasus: Kawasan Cagar Budaya Bubutan, Surabaya)", *Jurnal Teknik ITS*, Vol 1 No.1, September 2012, p. 61.

The involvement of various stakeholders at least certainly contains implications that tend to be complex and not easy on a practical level. The issues raised in this article itself are how the implementation of collaborative governance in the utilization of cultural heritage buildings in Metro City and how efforts to encourage collaboration through the regional regulatory framework in terms of the utilization of cultural heritage in Metro City.

B. Implementation of Collaborative Governance in the Utilization of Cultural Heritage Buildings in Metro City

The absolute prerequisite of a public policy innovation is the realization of ideas and ideas from public officials as an entry point for the implementation of various programs and policies.⁴ All Metro City stakeholders are required to develop an innovative, creative and adaptive collaborative governance model to the problems and needs of an increasingly dynamic society. Moreover, as part of the development of the concept of governance, collaborative governance requires synergy work based on a shared commitment to align understanding of a public problem with the involvement of various interests, namely government, private, academia, society and the media.

The collaborative governance approach has a significant difference with development patterns where development is fully determined from the government as a policy maker without involving other parties. The shift in development approaches that occur today has placed society as a subject at all levels and processes.

According to Ansell & Gash (2007) in CG there are several prerequisites, processes and important points in the CG model i.e. starting conditions; collaborative process; institutional design; facilitative leadership and expected outcome. Starting conditions are the process of analyzing whether there is an asymmetric power-resources-knowledge or a very high gap in power and power, resources or knowledge between various parties that will collaborate. Including

4 Ahmad Sururi, "Inovasi Kebijakan Publik," *Jurnal Sawala*, Volume 4 Nomor 3 2016

whether there is a history of the past, either in a context that supports or hinders collaboration. This is because if there is a gap that is too wide then the initial condition (starting conditions) to carry out the collaboration process will not run optimally. The next step is the collaborative process itself through a face-to-face dialogue to build the same trust and understanding as all stakeholders. Institutional design that supports collaborative processes is also important to encourage participation and transparency in the collaboration process. In addition, facilitative and democratic leadership is also needed in the collaboration process, so that in the end the expected results are also able to be achieved.⁵

After the establishment of the doctor's house as a cultural heritage building through the Metro Mayor's speech at the Metro City Anniversary, the embryonic collaboration began to appear from the involvement of various Regional Device Work Units (SKPD) in Metro City. The Transportation Department which supports the creation of cultural heritage road signs, the Environment Agency helps to carry out cleanliness, Dinas Library and Regional Archives are committed to establishing reading corners and the Education Office as the leading sector to carry out limited renovations.

Related to this Cordery, Hartman et al., in Mah & Hills also explained that Collaborative Governance is basically a process in which involves various agencies in achieving common goals.⁶ Cordery, Hartman et al., in Mah & Hills also explained that Collaborative Governance is basically a process in which involves various agencies in achieving common goals. Collaboration between SKPD is also a marker of the direction that the Collaborative Governance process begins to run. Sambodo & Pribadi explained that Collaborative Governance is one way to respond to the wishes of stakeholders involved in the implementation of development and respond to the limitations

5 Ansel, C., Gash, A., "Collaborative Governance in Theory and Practice," *Journal of Public Administration and Theory*. 18. 2007, p 543-571.

6 Mah, D. N.-y. & Hills, P., "Collaborative Governance for Sustainable Development: Wind Resource Assessment in Xinjiang and Guangdong Provinces, China. *Sustainable Development Sust. Dev.* 20, Issue 10.I002/sd.466, 2012, p. 85-97

of government funding that cannot keep up with the development of community demands for better government performance with the aim of obtaining resources to carry out development in accordance with the expectations of these stakeholders.⁷

As Junaidi explained that Collaborative Governance does not appear suddenly because it is caused by initiatives from various parties that encourage cooperation and coordination in solving problems that are being faced by the public.⁸ The emergence of Collaborative Governance can also be seen from the aspect of the need of institutions to cooperate because of the limited ability to conduct their own programs. In addition, collaboration also arises due to limited budget funds allowing for needs being met by joining budgets together.

Collaborative Governance's embryonic development is also increasingly seen in the process of making the Metro Mobile Heritage (Memotage) applications, which is a cultural heritage collection and registration application that is done jointly between the Education and Culture Office and the historical community and information technology activists in Metro City. The Cultural Director of the Education Office and Metro City explains:

Related to cultural heritage work from the beginning we strive to continue to increase the participation of various groups and community communities ranging from the data collection process to giving birth to applications that make the community can participate actively in the collection and registration of cultural heritage in Metro City.⁹

This is also supported by the *gotong royong* culture in Metro City which is relatively still maintained so that it becomes a potential to optimize the development of community participation in the preservation and utilization of cultural heritage. In addition, the role of the community is very important and strategic in the life of the com-

7 Giat, Sambodo T. & Pribadi, "Pelaksanaan Collaborative Governance di Desa Budaya Brosot, Galur, Kulonprogo, DI. Yogyakarta." *Jurnal Ilmu Pemerintahan & Kebijakan Publik*, 3(1), 2016, p 93

8 Junaidi. "Collaborative Governance Dalam Upaya Menyelesaikan Krisis Listrik di Kota Tanjung Pinang." Faculty of Social and Political Sciences: Universitas Maritim Raja Ali Haji, 2016, p. 1

9 Interview with Siti Rogayati Seprita, September 1, 2021.

munity.

The idea began when the Enactment of Restrictions on Community Activities (PPKM), we and several groups of young people utilized it with social activities in the container of Sahabat Dokterswoning. Through WhatsApp Group discussions related to the revitalization of the cultural heritage of the doctor's house or doctorswoning which has just been designated as a cultural heritage in early June 2021 along with the anniversary of the Metro City Anniversary. Those involved include graphic design, historians, journalists, economists, teachers, lecturers, the community of historical activists. The establishment of this Historical Information House itself from the beginning was planned by raising public funds.¹⁰

This idea was then realized in visual design and gained support from various circles ranging from academics, politicians, communities, private, government and mass media. Transparency in building collaboration should also be done on the basis of mutual respect between collaboration actors, mutually open communications about budgets and collaborations profit and loss. Transparent in the sense that collaboration actors must be in line. This is supported by optimal publication thanks to the support of mass media and social media makes this Historical Information House able to get a lot of public support and was completed in just two months. In its development, the presence of the Historical Information House itself is encouraged to become one of the historical tourism destinations of Metro City.

Full support was also provided by metro's Cultural Heritage Expert Team (TACB) which in fact consisted of various circles to strengthen the coordination process between the community and the government. This was stated by I Made Giri Gunadi Chairman of the Metro Cultural Heritage Expert Team (TACB):

The ideas and initiatives of community groups in efforts to use cultural heritage after the determination of its status must certainly be supported, especially the local government also happens to have a cultural vision in its governance program, especially the Metro City to be the first city in Lampung that has had a Team of Cultural Heritage Experts and also the first area in Lampung that has established a cultural heritage.¹¹

¹⁰ *Ibid.*

¹¹ Interview with I Made Giri Gunadi, September 4, 2021.

Collaboration between various stakeholders in the process of establishing the Historical Information House itself is the forerunner to encourage collaborative government on various other issues. Thus collaborative government can be one of the alternatives in developing the involvement of interest groups and failures in the managerialism of one institution or organization. Community participation is also evident from the coming support from the POTRET (Old Bicycle Association) who also participated in donating a roadster bike and helping to increase electricity in the Historical Information House.

The concept of developing a Historical Information House is quite interesting because it opens the opportunity for various circles to participate ranging from the process to complete various, of course we as one of the historical communities in Metro City are called to participate and contribute to it.¹²

Through collaborative government the Metro City Government can study the use of cultural heritage buildings are experiencing trends in various regions. The paradigm shift of preservation that was originally still interpreted narrowly as a mere duty of protection is now beginning to be seen as a system that connects the three inseparable unit elements of protection, utilization, and development. Preservation efforts are seen as the most dynamic of the elements, and each element plays a role in providing functions to other elements. Thus the presence of the doctor's house as a historical tourist destination also in addition to potentially opening the participation of various parties also increases regional original income (PAD). Thus the presence of cultural heritage is expected to encourage the growth of jobs and the growth of the economy around cultural heritage.¹³ I Wayan Ardika also said the same thing

The existence of heritage is currently being pushed aside and forgotten due to modernization taking place. However, if it is managed and utilized properly, appropriate, it does not rule out the pos-

12 Interview with Akhmad, September 3, 2021.

13 Titing Kartika, Khoirul Fajri dan Robi'al Kharimah, "Pengembangan Wisata Heritage Sebagai Daya Tarik Wisata di Kota Cimahi," *Jurnal Manajemen Resort dan Leisure*, Vol. 14, No. 2, Oktober 2017, p.37

sibility that heritage tourism can be a source of regional income that can encourage economic growth city.¹⁴

C. Draft Regulation of Cultural Heritage Preservation Area as Legal Instrument of Utilization of Cultural Heritage and Collaborative Government

The existence of heritage for the city can be seen as a development theme in the future. This potential can help control a variety of negative influences. Heritage development also aims to preserve, develop the creative economy, tourism, education, of course, also a sense of pride.¹⁵

The problem that then arises in the collaboration process is how to institutionalize collaborative government in a sustainable manner in the context of preservation and management of existing cultural heritage in Metro City. Article 96 of Law No. 11 of 2010 concerning Cultural Heritage Objects describes the granting of considerable authority to the Local Government as follows:

- a. Establish the ethics of Preservation of Cultural Heritage;
- b. Coordinate the Preservation of Cultural Heritage across sectors and region;
- c. Collect cultural heritage data;
- d. Establish the ranking of Cultural Heritage;
- e. establish and revoke the status of Cultural Heritage;
- f. Make cultural heritage management regulations;
- g. Organize cultural heritage preservation cooperation;
- h. Investigate cases of lawlessness;
- i. Managing cultural heritage areas;
- j. Establish and dissolve the technical implementation unit of preservation, research, and museums;
- k. Develop human resources policies in the field of antiquities;

14 I Wayan Ardika, "Pengembangan Pusat Kota Denpasar Sebagai 'Heritage Tourism'", *Jurnal JUMPA*, Volume 4 Nomor 1, Juli 2017.p.63

15 Gusti Wayan Murjana, *Simpul-simpul Ekonomi Penunjang Pelestarian Pusaka Kota Denpasar Pada Kawasan 'Zona Z'* '.BAPPEDA Kota Denpasar, Pelawa Sari : Denpasar, 2011 pp 71-82

- l. give appreciation to everyone who has undertaken the Preservation of Cultural Heritage;
- m. Move and/or store cultural heritage for the benefit of security;
- n. Grouping Cultural Heritage based on its importance into national ranking, provincial rank, and district / city rank;
- o. Set site and region boundaries; and
- p. Stop the process of utilization of space or development processes that can cause damage, loss, or destruction of cultural heritage, both all and parts of it.

In this context the authority given to the Local Government is to slow the loss of cultural heritage from the territory of Indonesia. The perception that cultural heritage has a favorable economic value when traded, can gradually be replaced by sustainable utilization in order to be enjoyed by future generations. The role of local government is a challenge that should be considered to achieve this purpose. Only through a holistic approach of preservation can the hopes of the people formulated into this law be realized by all stakeholders. The people of the region are able to be at the forefront of maintaining their cultural wealth as the wealth of the nation that is proud of future generations.

Related to other regulations can also be seen in Law No. 10 of 2009 on Tourism which also regulates matters related to tourist attractions including the diversity of tourist attractions that can be in the form of environment and natural and cultural events, historical and ancient relics, science and technology, religious rituals and performances that are targeted or tourist visits. Other interrelationships can also be seen in Law No. 20 of 2003 on the National Education System. Article 3 of the Law on the National Education System affirms "national education serves to develop the ability and form the character and civilization of a dignified nation in order to educate the life of the nation, aiming to develop the potential of learners to become human beings who believe and fear God Almighty, noble, healthy, knowledgeable, capable, creative, independent, and become democratic and responsible citizens." In other words, education and culture are closely related to each other because finally education is

a process of culture.

The management of cultural heritage is certainly not enough to be based only on regulation in the form of legislation. Local governments with their authority in organizing government affairs have the right to make special regulations as rules in the management of cultural heritage. Then, in the implementation of government affairs, especially regarding the management of cultural heritage, of course, funding or budget becomes very crucial. Thus the management of cultural heritage concerns two aspects, namely regulation, and budget.

The law as stated by Sudikno Mertokusumo is a reflection of the values contained in society. Instilling legal awareness means instilling cultural values.¹⁶ As long as there is no regulation that specifically regulates cultural heritage in Metro City, it will be difficult to control the occurrence of damage or destruction of cultural heritage and build public awareness. Similarly, historical relics in Metro City that have not been designated as cultural heritage will be difficult to protect. On the other hand, many historical relics in Metro City that meet the criteria as a cultural heritage items are already dismantled, re-shaped, or not maintained.

In order to make it happen, one of the strategies carried out is to draft a Cultural Heritage Preservation Raperda in the City as an implementing rule. Regional regulations are expected to strengthen the foundation of collaborative government in the issue of cultural heritage through the Draft Regional Regulation on the Preservation of Cultural Heritage. Raperda's own work process cooperates with the college. The presence of Raperda is considered important to instill understanding in the community to preserve cultural heritage as well as collaborative government reinforcement instruments that have begun to be pioneered.

The role of local governments in the preservation of historical objects is to protect and maintain them with the help of existing communities. The message of collaboration and *gotong-royong* was

16 Sudikno Mertokusumo, *Bunga Rampai Ilmu Hukum*, Liberty: Yogyakarta, 2010, p. 151.

clearly demonstrated from the Speech of Metro Mayor in 2021 regarding the proposal of the Regional Planning in the Preservation of Cultural Heritage:

This raperda also strengthens the presence of Regulation No. 8 of 2017 on The Maintenance and Preservation of Lampung Culture and Regulation No. 4 of 2020 concerning the Establishment of Museums in Metro City. However, history is not only a matter of the past but also how to reflect from history to build history in the future. Metro City as a historic city should optimize its various potentials to become an attraction not only for its citizens but also residents in other areas. The importance of the preservation of Cultural Heritage as mandated by Law No. 11 of 2010 on Cultural Heritage should be adjusted to the potential of Metro City. As we know in Metro City there are still many heritage buildings that need to be preserved and maintained and maintained. The growing awareness and participation of the community in Metro related to the preservation of cultural heritage is one of the markers of increasing community historical literacy as one of the characteristics of an educated city. The cooperation of various parties in the preservation of cultural heritage hopes to encourage not only the preservation but also the utilization of cultural heritage for the improvement of community welfare. Therefore, in the future gradually the arrangement of cultural heritage will also slowly be developed participatoryly to improve the economy and welfare for the wider community through the growth of historical, religious and cultural tourism.¹⁷

In addition, the formulation of the Raperda Preservation of Cultural Heritage has several considerations First, from the economic side, cultural heritage must be able to improve the life of many people; second, in terms of public responsibility, the preservation of cultural heritage is the "obligation" of all people; third, in terms of civilization, the preservation of cultural heritage must open opportunities for development and utilization efforts by the community; and fourth, in terms of state governance, the government "ease the burden" of preservation handled by the community.

The scope of the arrangement of the Draft Regulation of The Preservation of Cultural Heritage itself includes not only providing an understanding of the aspects of preservation and utilization of cultural heritage but also the role of the community in it. In addi-

¹⁷ Wahdi Siradjudin, "Pidato Pengantar Walikota Metro dalam Sidang Paripurna DPRD Kota Metro," A Speech Metro, 2021

tion, this Raperda also regulates the provision of compensation and incentives for people who own and/or control cultural heritage that has done its obligation to protect cultural heritage.

Through this arrangement, the hope is that Metro will not only establish a cultural heritage but also become one of the tourist destinations both historical tourism, cultural tourism, and educational tourism. Through the presence of raperda, the hope is that public legal awareness and the implementation of collaborative government related to the protection and management of cultural heritage in Metro City oriented to improving the welfare of the people can be realized.

D. Conclusion

The application of collaborative Governance in the Metro City Historical Information House (RIS) as an effort to utilize cultural heritage is an example of the success of turning a cultural heritage building that is synonymous with old and shabby impressions into historical tourist destinations. Collaboration with the gotong-royong concept among academics, private sectors, government and community is one of the keys in the success of the birth of initiatives and participation from various circles. However, to encourage collaborative governance sustainability in to reality expects regional regulations in the form of a Draft Regional Regulation on the Preservation of Cultural Heritage in Metro City which as a legal umbrella of sustainable collaboration efforts.

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