

Reconstruction of the regulation of community participation in the formulation of regional regulations in Indonesia based on the value of justice

Nursid Warsono Setiawan¹, Gunarto², Widayati³

¹ Doctorate Student of Faculty of Law Sultan Agung Islamic University Semarang, Indonesia

^{2,3} Faculty of Law Sultan Agung Islamic University Semarang, Indonesia

Abstract

Ever since the regional autonomy system was implemented in Indonesia, the democratic process in Indonesia has seen signs of a return to an anti-democratic regime. The decline in democratic practices is due to the actions of the power-holding elites in the regions. Research by Demos (Institute for the Study of Democracy and Human Rights) in early 2005 detected the development of oligarchic democracy, which is a democracy in which all decisions are taken by a group of elites who are completely separate and do not represent the aspirations of the bottom. This problem encourages the author to examine it more deeply into a study with the subject matter of what are the problem that arise in community participation in the formulation of regional regulations in Indonesia currently and how to reconstruct community participation in the formulation of regional regulations in Indonesia based on the value of justice. The study was conducted in the perspective of the Constructivism paradigm with the type of socio-legal research and qualitative approach methods. Data used in this research are from interviews and questionnaires supported by literature, legislation and various public documents, while the data analysis was carried out by the method of qualitative critical analysis.

The results showed that the problem of the formulation of local regulations in Indonesia based on the results of the research by the author is still not aspirational even though by comparing it to other countries the result are still quite good. Even so, the current process of forming regional regulations still needs some improvements in order to maintain a good value of justice considering social conditions as the community always changes as it develops. therefore, in order to adapt to the changes, the law that needs to be reconstructed are the law number 45 of 2017 concerning community participation in the administration of regional government, in article 3 and is related to the provisions on Regional Regulation or *Perda* which are regulated in law number 12 of 2011 concerning the formulation of laws and regulations in article 96.

Keywords: reconstruction, community participation, regional regulation

Introduction

Since the regional autonomy has been implemented in Indonesia, the existence of regional regulations or *Perda* as a legal means of regional policies has become one of the central issues and a controversy that has yet to end ^[1]. The Central Government has repeatedly published regional regulations deemed incapable of accommodating national interests and the local social context, contradicting higher laws and regulations and public interests, and not aspirational both from the public and business dimensions as seen by the high demand for some regional regulation or *Perda* to be canceled and / or revised. This regional regulation even became popular in the community with the term of "problematic regional regulation" or "non-aspirational regional regulation".

This condition prompted the Ministry of Home Affairs (Kemendagri) during 2002 to 2009 to cancel 2,246 regional regulations (*Perda*). It did not stop there, between 2010 and 2014 the Ministry of Home Affairs canceled 1,501 *Perda*, then from November to May 2015 there were 139 regional regulations canceled. In total as of May 2015, at least 7,029 *Perda* have been canceled. The cancellation of the regional regulations was again carried out by the Ministry of Home

Affairs in June 2016, at which the current president at that time, President Joko Widodo announce that 3,143 regional regulations were canceled. Of the more than 3,000 regional regulations that were canceled, 1,765 were provincial and district / municipal regulations as well as 100 regulations / decrees of the Minister of Home Affairs and which were revoked / revised by the Minister of Home Affairs (Mendagri); and 1,267 Regency / City *Perda* revoked / revised by the governor (Ministry of Home Affairs of the Republic of Indonesia 2016) ^[2].

Robert Endi Jaweng ^[3] categorized the thousands of regional regulations made during the regional autonomy into four families, namely: (1) government organizations; (2) civil administration; (3) business activities; and (4) social life. With the exception of the first clump, the last three clumps of regional regulations almost always generate criticism, because they do not reflect the aspirations of the community or the business world. The results of research by the Regional Autonomy Monitoring Committee (KPPOD) for the past five years shows that business actors feel less involved in the deliberation of the draft of regional

¹ Trijono, Rachmat. (2019). "Centralization Of The Forming Of National And Regional Regulations, Is It Possible?". UNTAG Law Review. 3. 120. 10.36356/ulrev.v3i2.1330.

² Indonesian Cabinet Secretary, (2016), "Kemendagri Resmi Umumkan 3.143 Perda Yang Dibatalkan", <https://setkab.go.id/kemendagri-resmi-umumkan-3-143-perda-yang-dibatalkan/>, accessed on september 2019.

³ Robert Endi Jaweng,(2006), "*Ihwal Perda Bermasalah*". Kompas. 24 Maret 2006, p.6.

regulations, or that their involvement is very minimal, both institutionally and procedurally. If involved, that is only when the *Perda* has been passed / disseminated and not at the stage of drafting.

Previously, research findings from the Diponegoro University Regional Autonomy Research Center in 2012 concluded that almost all post-regional autonomy regions formed local regulations that were elitist in nature, that is, only a handful of executives and legislatures made without public involvement^[4]. Its main characteristics are: (1) the absence of academic transcripts containing sociological, political, and juridical reasons regarding the importance of the Regional Regulation; (2) there are no public complaints about the process of forming a regional regulation; and (3) aspirations can be conveyed, but there is no guarantee that can affect the legal product that is born.

The products of the Regional Law Formulation Process which then present problematic or non-aspirational regional regulations when implemented may have negative impacts on the public interest, such as creating a high cost economy. In addition to the above problem, the Anti-Discriminative *Perda* Coalition reports that there are around 6 *Perda* which are suspected of discriminating against certain groups of society and violating human rights (HAM). The formulation of an elitist regional law that has an impact on regional legal products that are not aspirational is truly surprising, considering that the law underlying the legislation has formulated provisions that support democratization in the process on the one hand, and at the same time the political and constitutional system in Indonesia in the era of regional autonomy which as widely as possible, it is considered quite democratic too when compared to the Centralistic and totalitarian New Order era.

The question arises, how is it possible that the political system in Indonesia which has been considered democratic, but in fact the *Perda* legislation does not reflect democracy? Several research results conclude that the democratic process in Indonesia is experiencing signs of a return to an anti-democratic regime. The decline in democratic practices is due to the actions of the power-holding elites in the regions. Research by Demos (Institute for the Study of Democracy and Human Rights) in early 2005 detected the development of oligarchic democracy, which is a democracy in which all decisions are taken by a group of elites who are completely separate and do not represent the aspirations of the community.

The results of the research by the LIPI Political Research Center also concluded that the interaction of officials in the regions with the democratically elected people disappeared once the general elections were over. If this is true, it could result in an undemocratic process of forming a regional regulation. The legislative practice in these elitist regions can be interpreted as the fact that the people's sovereignty has been reduced by political sovereignty. This clearly injures and distorts the meaning of democracy as government by the people. According to Indria Samego this is because the people are considered passive and lay in regard to politics, so they have to delegate their political rights to the elites even though it may result in the

neglect of their right"^[5].

Based from all the explanation above, it is not an exaggeration to have an understanding that the *Perda* is not aspirational, of course, it does not appear suddenly. Its emergence cannot be separated from the background that preceded it, namely when the regional regulation was formed through a legislative process carried out by the regional government and the Regional People's Representative Council (DPRD) in their respective regions. Thus, legislation in the regions should receive special attention, considering that legislation is the earliest process in the process of regulating local communities through law. The explanation above shows that *Perda* as one of the most widely issued types of legislation in Indonesia has many dimensions. Not only with a legal dimension, but also an economic dimension, social dimension and political dimension therefore the emergence of problematic regional regulations can also be examined from these four dimensions.

A problematic regional regulation arises because law makers are unable to capture the aspirations of the business world and do not reflect the aspirations of the local community. They are strictly undemocratic, contrary to higher laws, and full of considerations of political interests that may not be in line with the aspirations or interests of the public. Therefore it is very urgent to carry out further studies through a research to see political interactions in the process of forming a regional regulation from a democratic perspective after the promulgation of Law No. 12 of 2011 which is amended by Law No. 15 of 2019 and Law No. 23 of 2014 amended by Law No. 9 of 2015 concerning Regional Government concerning Regional Government.

According to the Author, the above problems are interesting to be studied further in a research with the following issues:

1. What problems arise in community participation in the formulation of regional regulations in Indonesia currently?
2. How is the reconstruction of community participation in the formulation of regional regulations in Indonesia based on the value of justice?

Method of Research

The paradigm that is used in the research this is the paradigm of constructivism which is the antithesis of the understanding that lay observation and objectivity in finding a reality or science knowledge^[6]. Paradigm also looked at the science of social as an analysis of systematic against *Socially Meaningful Action* through observation directly and in detail to the problem analyzed.

The research type used in writing this paper is a qualitative research. Writing aims to provide a description of a society or a certain group of people or a description of a symptom or between two or more symptoms.

Approach (approach) the research is to use the approach of *Normative-Juridical*^[7], which is based on the norms of law and the theory of the existing legal enforceability of a law viewpoint as interpretation.

⁵ Indria Samego, in Poltak Partogi Nainggolan, (2011), "Peran DPR Dalam Menjalankan Kontrol Demokratis Atas Pembaruan Sektor Keamanan", *Jurnal Politica*, Vol.2 No.1, DOI: <https://doi.org/10.22212/jp.v2i1.285>.

⁶ Faisal, (2010), "Menerobos Positivisme Hukum", Rangkaian Education, Yogyakarta.

⁷ Johnny Ibrahim, (2005), "Teori dan Metodologi Penelitian Hukum Normatif", Bayumedia, Surabaya.

⁴ Adissya Mega Christia, (2019), "Desentralisasi Fiskal Dan Otonomi Daerah Di Indonesia", *Law Reform* Volume 15, Number 1, 2019.

As for the source of research used in this study are

1. Primary Data, is data obtained from information obtained from literature review derived from the existing regulation, credible news and data obtained from interested parties.
2. Secondary Data, is an indirect source that is able to provide additional and reinforcement of research data. Sources of secondary data in the form of: Primary Legal Material and Secondary Legal Materials and Tertiary Legal Material.

In this study, researchers uses data collection techniques, namely literature study, interviews and documentation. In this study, the researcher is a key instrument that is the researcher himself who plans, collects, and interprets the data ^[8].

Research Result and Discussion

1. Problems That Arise In Community Participation In The Formulation Of Regional Regulations In Indonesia Currently

In the formulation of regional regulations there is a regional legislation planning stage. Until now, the regional legislative program which was later called *prolegda* in the Regional people's representative council or DPRD has not had a firm and clear regulation regulating the proposed Regional Regulation based on the *Prolegda*. The Draft of Regional Regulation is prepared based on the regional legislation program without regulating in detail the materials included in the *Prolegda* and the importance of the *Prolegda*. It is different from the national legislation program which already has adequate regulations regarding its substance, preparation and management procedures. In the formulation of regional regulations. Explicitly in Article 39 of Law Number 12 of 2011 amended by Law Number 15 of 2019 it is stated that planning for the preparation of Regency / City regional regulations is carried out in the Regency / City's *Prolegda*.

As previously stated, the existence of academic papers is still very minimal in the process of establishing regional regulations in Pati and Rembang Regency. According to Sad Dian Utomo ^[9], public participation in public policy-making, including in the making of regional regulations can actually provide four benefits, first, the guarantee of a better foundation; second, ensuring a more effective implementation; third, increasing public trust in the executive and legislative branches; and fourth, human resource efficiency. Academic papers must examine 3 (three) substance problems, namely being able to answer the question of why a new *Perda* is needed, the scope of the content and main components of the *Perda*, and the process that will be used to formulate and ratify the *Perda*. These three things are the most basic things in the process of forming regional regulations. In addition, an academic paper describes the reasons, facts or background about the things that drive the formulation of a problem so that it is considered very important and urgent to be regulated in regional regulations. The benefit of the data or

information set forth in the background for the formers of the regional regulations is that the forming parties can know with certainty about why it is necessary to make a regional regulation and whether this regional regulation is really needed by the community.

The formulation of regional regulations in Pati and Rembang Regency must make clear and planned well so that legal certainty is in the context of orderly administration. By looking at the purpose of the academic paper, namely to obtain the results of a legal review of a regional regulation content material, there is a need for discussion or socialization, seminars conducted by the DPRD together with the local government by involving academics or universities and non-governmental organizations and other parties. Other related matters such as police, prosecutors. This is intended to be able to find a comprehensive legal formulation or study of a draft regional regulation that will be formed appropriately and is bottom-up or reflects the wishes of the wider community. In addition, the DPRD must immediately revise the rules from the DPRD Standing Orders regarding the importance of academic texts so that this has been determined with certainty and clearly in the National Hearing of DPRD's Standing Order therefore as a consequence, before forming a draft *perda* it must first be based on making an academic paper.

Based on the data analyzed and studied by the author on political and legal interactions in the formulation of regional regulations in the Regional People's Representative Council of Pati and Rembang Regency. The author found that the conceptualization that is commonly accepted is that there is an interaction between law and politics in the process of forming local regulations, so that the perspective used is that law is not just a normative meaning, it will but it is a resultant system that is influenced by interactions with other factors. As an object of observation, a study and analysis of the Regional Regulations of Pati Regency which were produced in the 2015-2019 period were carried out. They were divided into 3 clusters, namely Regional Regulations related to Government Activities, and Social Society, Collection and Licensing. Regional Regulations in the family of government activities have the same pattern of political and legal interaction problems compared to Regional Regulations in the collection and licensing clumps. This similarity was evident during the working meeting with the Regional Apparatus, this was the real interaction of the political system. In this interaction there will be a process of bargaining and arguing in order to obtain a common perception between the Special Committee and the Regional Apparatus regarding the substance of the Draft of Regional Regulation.

Meanwhile, Regional Regulations in clusters of social activities which are specifically used as objects shows a variations of fact. If the substance of the regulation is deemed to include the interests of the wider community and can be used as an excuse to fight for the interests of certain community groups, such as the Regional Regulation for Structuring and Empowering street vendor or PKL, it will take time for discussion that shows the tug of war between politics and law in the discussion process. Next, in the case of the Poverty Alleviation Regional Regulation, apart from the broad and important acknowledgment of the problem, because the target of the discussion is only certain elites, in this case the Regional Apparatus, it does not show any

⁸ L. Moleong, (2002), "Metode Penelitian Kualitatif", PT Remaja Rosdakarya, Bandung.

⁹ Sad Dian Utomo, in Agustina, Enny. (2020). "Implementation of the Regional Government and Administrative Sanctions in Indonesian Regional Regulations". Humanities & Social Sciences Reviews. 8. 177-182. 10.18510/hssr.2020.8125.

interactions that complicate the discussion process. Many people do not understand the stages in the formulation of Regional Regulations, especially the stakeholders who often force local regulations to be made and stipulated without going through an actual stages of formulation. Even though a regional regulation is not an urgency for the community but an order for higher legislative regulations and in the context of implementing regional autonomy and co-administration, so it can be said that this regional regulation analysis foundation is weak and yet it is forced to become a regional regulation. Because many regional regulations are currently only the object of a handful of local government officials or people's representatives in the DPRD to be used as a place for comparative studies or mere political interests which makes it seems disorderly in terms of the formulation of regional regulations from the planning stage to the enactment stage ^[10].

Regional Regulations are part of the Legislation where in the hierarchy of Legislation, Regional Regulations are at the bottom of the list before the 1945 Constitution of the Republic of Indonesia, Decrees of the People's Consultative Assembly, Laws, Government Regulations, Presidential Regulations. (as stipulated in article 7 of Law Number 12 of 2011 is amended by Law Number 15 of 2019).

Formulation of Legislation is the making of Legislation which includes the stages of planning, preparation, discussion, ratification or stipulation, and promulgation. (Article 1 number 1 of Law Number 12 of 2011 is amended by Law Number 15 of 2019). Therefore, the thing that needs to be considered is in the formulation of the Draft Regional Regulation or Regional Regulation whether it has gone through the stages in accordance with Law Number 12 of 2011 amended by Law Number 15 of 2019 concerning the Formulation of Legislation.

In the process of forming local regulations, very few of the drafting or forming local regulations have an understanding of the theory, methodology and techniques of drafting legislation and can clearly translate the government policies into regional regulations that can be implemented effectively. As a result of this, it is not surprising that the drafters of regional regulations, both the DPRD and the technical services (SKPD) representing the regent, return to problematic habits when designing or forming regional regulations, namely by adapting or copying other regional regulations based on compromise of desire. from dominant interest groups in society as well as DPRD and SKPD itself. In addition, universities or other parties were not involved so that all the shortcomings of the designers, both from the DPRD and the regional government, were not able to provide an overview. The involvement of tertiary institutions in the process of forming regional regulations can actually cover up the weaknesses of regional regulation drafters from the DPRD and SKPD.

Community participation and involvement in the draft regional regulation is a must. It is closely attached to the concept of democracy, as put forward by Philipus M. Hadjon ^[11] which is called participatory democracy which emerged in 1961. In this concept the people have the right to

participate in deciding in the process of making government decisions. As a result, the participation of the public is less active in the planning, design, discussion process up to the stage of stipulating and promulgating local regulations from DPRD members so that the process of forming a *perda* is only formal and procedural. This can be seen from the lack of draft *Perda* submitted by each member of the Pati Regency DPRD in 2015 as many as 9 *Perda* alone out of 27 *Raperda* and in 2017 as many as 13 *Perda* alone out of 35 *perda* plan while Rembang Regency in 2015 only 6 *Perda* from 25 *perda* plan. and in 2017 there were only 8 *Perda* out of 32 *perda* plan which were stipulated and promulgated in regional papers.

The problem of this *Perda* created the needs for a serious coaching and regular regular training to local governments both in the regions and in the province. The speakers can come from the central government who is competent in the field of design in the form of techniques and methodologies for drafting laws and regulations. In addition, there is a need for development of the competence of all parties, both from the legal department, DPRD members, DPRD leaders and the regional work unit (SKPD) so that there will be an increase in the quality of those parties who are involved in the process of forming a local regulation in Central Java.

DPRD, in this case is the foundation or support for society and the state therefore it needs expert staff who are specialists in the field of regional regulation drafting, both in the DPRD and local governments so that human resource constraints can be resolved properly. Therefore, it is also necessary to provide an extra portion of the budget for training and improving the quality of human resources for designers, both from the SKPD and DPRD members, so that there will be improvements related to techniques and methodologies for the formulation of regional regulations from the planning stage to the enactment stage.

2. The Reconstruction Of Community Participation In The Formulation Of Regional Regulations In Indonesia Based On The Value Of Justice

In a state of law, the existence of statutory regulations has a very close relationship with one of the legal principles, namely the principle of legality, both from the central government to regional governments in carrying out their duties and authorities which must have a juridical basis, so it is not surprising if seen from the quantity of a regulation. There are a lot of laws and regulations in a state of law and will always change to follow the mobility of the people that are never stagnant so that the legal products that exist in society will always follow the mobility of the people. In fact, it would be a strange thing if a country with laws but the existence of laws and regulations are minimal in number. The principle of legality is identical to the rule of law (government under law) and the principle of government through legislation (government by rules).

In exercising the authority possessed by the regional head as the executive party and DPRD members as the legislative party which according to the law has the authority to jointly make a regional regulation it needs to be understood together regarding the authority possessed cannot be separated from principles such as things that have been mandated in law number 12 of 2011 and law number 23 of 2014 which includes:

- a. The DPRD forms a regional regulation which is discussed together with the regional head for mutual

¹⁰ Ariany, Lies & Ristiawati, Risni. (2019). "The Urgency of Creating Regional Regulations for Supporting the Implementation of Regional Autonomy". *Syariah: Jurnal Hukum dan Pemikiran*. 19. 75. 10.18592/sjhp.v19i1.2652.

¹¹ Philipus M. Hadjon, in Aziz Setyagama, (2017), "Hakikat Dan Makna Pilkada Langsung Di Indonesia", Jakad Media Publishing, Jakarta, p.51.

- approval.
- b. Regional regulations are stipulated by the regional head after obtaining a joint approval from the DPRD.
 - c. *Perda* was formed in the context of implementing autonomy, assistance tasks and further elaboration of higher-level laws and regulations by taking into account the characteristics of each region.
 - d. *Perda* must not conflict with public interest and / or higher laws and regulations.
 - e. *Perda* may contain provisions for the burden of law enforcement enforcement fees or imprisonment of up to six months or a maximum fine of fifty million rupiah.
 - f. Regional head regulations and / or regional head decrees are stipulated to implement regional regulations.
 - g. Regional regulations are promulgated in regional papers and regional head regulations are published in regional news.
 - h. Regional regulations designate certain officials as investigating officers of *perda* violations (PPNS *perda* and regional head regulations).

The issuance of regulations governing the supervision and evaluation in the process of forming regional regulations where these regulations are made in higher laws and regulations governing the involvement of the public in the process of making regional regulations. The form of pressure in these regulations must be accompanied by the imposition of sanctions if the community is not involved in the process of making local regulations. In addition to the pressure and evaluation, it is also regulated about the controls that can be exercised by the community. Because that is the solution according to the author is needed to realize community participation in the making of regional regulations, especially regional regulations that are directly related to the community as a manifestation of the implementation of democracy in which people's sovereignty has a very central position.

If so far the hierarchical system has been regulated regarding community participation in the making of regional regulations, but the application in the field of community involvement in every process of making regional regulations does not reflect what is mandated by higher laws and regulations, the community is only minimally involved. In submitting draft of regional regulations even up to the deliberation process. That is why it is very necessary to make regulations governing community participation in which not only are involved without meaning but also have to make regulations in which the community is involved in the process of making local regulations but also making regulations that require community involvement, which is in the stage involvement if not fulfilled will result in the regional regulation becoming invalid or null and void.

In addition to involvement at the time the submission of draft regional regulations is being made and in the discussion stage of regional regulations, the community must also be involved in the stages of monitoring the existence and implementation of these regional regulations in the midst of the community, the monitoring process carried out by the community is not only limited to supervision carried out by the community. representatives of the people who do have a controlling function of the performance of the executive in implementing existing regulations, but the community can directly monitor

performance through a platform that has been prepared to receive suggestions and criticism from the implementation of regional regulations in the midst of society. If this is really done, the community can play a role and be maximally involved in the implementation of government in their respective regions with the hope that the existence of regional regulations that really involve the community can really live and run in accordance with the goals and expectations of the existence of regional regulations.

Even though the process of formulating regional regulations at this time is quite good, based on the results of the research conducted by the author, it still needs some improvements in order to maintain a good value of justice considering the society always changes following the development of technology so that it also requires changes which is in Government Regulation number 45 of 2017 concerning community participation in the administration of regional government, in article 3 that states community participation includes:

- a. Public consultation.
- b. Making aspirations.
- c. General hearing meetings.
- d. Work visit.
- e. Socialization, and / or;
- f. Seminars, workshops, and or discussions.

Then, in regard to the provisions on *Perda* regulated in law number 12 of 2011 concerning the formulation of statutory regulations in article 96, which changed in to

- a. The public has the right to provide input orally and / or in writing in the formulation of laws and regulations.
- b. The input as referred to in paragraph (1) can be made through:
 1. General hearings/meeting.
 2. Work visits.
 3. Socialization; and / or;
 4. Seminars, workshops and / or discussions
- c. The community as referred to in paragraph 1 is an individual or group of people who have an interest in the substance of the draft of legislation.
- d. To make it easier for the public to provide input both orally and/or in writing as referred to in paragraph (1), each draft of legislation must be easily accessible to the public.

Conclusion

1. The problem of the formulation of local regulations in Indonesia currently, based on the results of the research by the author is that it is not yet aspirational. This is because the law is not authoritative due to lawlessness and will get strong opposition from society. The level of success of a government in carrying out its duties and authority to be said to be successful can be seen and used as an indicator is the assessment of the community, in a country that implements regional autonomy by itself, community participation is needed in every scope of government programs from the beginning to the end of a work program.
2. The process of establishing regional regulations at this time, although by comparing it to various countries is still quite good, based on the results of the research conducted by the author, it still needs some improvements in order to maintain a good value of justice considering the community always changes

following the development of technology, so it needs to be reconstructed in Government Regulation number 45 of 2017 concerning community participation in the administration of regional government, in article 3 and related to the provisions on *Perda* as regulated in law number 12 of 2011 concerning the formulation of laws and regulations in article 96.

References

1. Adissya Mega Christia. "Desentralisasi Fiskal Dan Otonomi Daerah Di Indonesia", Law Reform Volume 15, Number 1, 2019.
2. Agustina Enny. "Implementation of the Regional Government and Administrative Sanctions in Indonesian Regional Regulations". *Humanities & Social Sciences Reviews*, 2020; 8:177-182. 10.18510/hssr.2020.8125.
3. Ariany Lies, Ristiawati Risni. "The Urgency of Creating Regional Regulations for Supporting the Implementation of Regional Autonomy". *Syariah: Jurnal Hukum dan Pemikiran*, 2019, 19:75. 10.18592/sjhp.v19i1.2652.
4. Aziz Setyagama. "Hakikat Dan Makna Pilkada Langsung Di Indonesia", Jakad Media Publishing, Jakarta, 2017.
5. Faisal. "Menerobos Positivisme Hukum", Rangkang Education, Yogyakarta, 2010.
6. Indonesian Cabinet Secretary. "Kemendagri Resmi Umumkan 3.143 Perda Yang Dibatalkan", 2016. <https://setkab.go.id/kemendagri-resmi-umumkan-3-143-perda-yang-dibatalkan/>, accessed on 2019.
7. Johnny Ibrahim. "Teori dan Metodologi Penelitian Hukum Normatif", Bayumedia, Surabaya, 2005.
8. Moleong L. "Metode Penelitian Kualitatif", PT Remaja Rosdakarya, Bandung, 2002.
9. Poltak Partogi Nainggolan. "Peran DPR Dalam Menjalankan Kontrol Demokratis Atas Pembaruan Sektor Keamanan", *Jurnal Politica*, 2011, 2(1). DOI: <https://doi.org/10.22212/jp.v2i1.285>.
10. Robert Endi Jaweng. "Ihwal Perda Bermasalah". *Kompas*. 24 Maret, 2006, p.6.
11. Trijono Rachmat. "Centralization Of The Forming Of National And Regional Regulations, Is It Possible?" *UNTAG Law Review*, 2019, 3:120. 10.36356/ulrev.v3i2.1330.