

---

## **Preparation of Participatory Regional Legislation Programs, Fairly Inclusive Law Based on Good Regulatory Practices**



**Fanny Khaqunnisa<sup>1</sup>, Darminto Hartono Paulus<sup>2</sup>**

<sup>1,2</sup> Master of Law, Universitas Diponegoro Jl. Imam Barjo N0. 1-3, Pleburan, Semarang, Cental Java, 50241

---

**ABSTRACT:** The regional legislation program (*prolegda*) is a program of planning instruments for the formation of provincial or city/regency regulations that are planned in a planned, integrated, and systematic manner as well as a central point for regional management because they produce plans for legal products to develop the regions. The ideal *prolegda* preparation process must involve active public participation as a manifestation of the commitment to establish good governance. Unfortunately, regional regulations are often found that are not public capacity because the substance of the regulations prioritizes the interests of certain parties. Therefore, to develop a program that is fair to the public, public participation is obtained by using a model of the Parliamentary Support program and well Regulatory Practices (GRP). The basic concept of the Parliamentary Support Program is by mapping four participation models. The basis used in mapping the model is the choice of participation model according to the level of political development of a country. While GRP mapping a series of local regulations with the following lines: internal coordination of regulatory activities, regulatory impact assessment (RIA), and public consultation mechanisms to increase transparency.

**KEYWORDS:** Local Legislation Program, Good regulatory practices, public participation

---

### **I. INTRODUCTION**

Indonesia is a legal state as stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945) so that in carrying out the wheels of government it must be based on law. Law is the foundation of development in other fields which means the actualization of the function of law as a tool of social engineering/development (law as a tool of social engineering), an instrument for problem solving (dispute resolution), and an instrument for regulating community behavior (social control). Likewise for the Indonesian context, the law has given an important role through these three functions (Syamsudin, 2014: 1).

Reforms in Indonesia were accompanied by changes to the constitution, namely the 1945 Constitution of the Republic of Indonesia, which had an impact on changing the concept of national development from the GBHN era to the era of the National Development Plan which was integrated into the National RPJP. National RPJM and annual plans to realize a national development strategy guided by the vision and mission of national development. This concept is also included in the change in the direction of national legal development, which is guided by the vision of national law development, namely "the realization of a just and democratic legal state through the development of a national legal system that serves the interests of the people and the nation within the framework of the Unitary State of the Republic of Indonesia (NKRI) for protect all the people and the nation, as well as the homeland of Indonesia, promote public welfare, educate the nation's life, and participate in carrying out world order based on independence, eternal peace and social justice based on Pancasila and the 1945 Constitution of the Republic of Indonesia. This vision is then implemented in the national law development mission by (Syamsudin, 2014:2):

- a) Realizing legal materials in all fields in the context of replacing the colonial heritage legislation and national laws that are no longer in accordance with the development of society that contain certainty, justice and truth, taking into account the legal values that live in society
- b) Realizing a legal culture and a law-aware society.
- c) Realizing qualified, professional, moral, and high-integrity legal apparatus; as well as
- d) Creating a strong, integrated, and authoritative legal institution.

As a state of law that adheres to a civil law system, the policy for the formation of legislation or legislation is a sub-system that is integrated with the national legal development strategy. The development of legal material as a legal instrument is certainly one of the important instruments to achieve state goals as stated in the preamble to the 1945 Constitution of the Republic of Indonesia. Jimmly Asshiddiqie said that a comprehensive legal system must consist of three legal elements, namely institutional (institutional), rules (rules). instrumental), and the behavior of legal subjects who have rights and obligations determined by legal norms and rules. One of the activities of the three legal elements is law making activities (Asshiddiqie, 2006:15).

## Preparation of Participatory Regional Legislation Programs, Fairly Inclusive Law Based on Good Regulatory Practices

Law-making activities provide space for the formation of laws and regulations at the central level to the legislative power (DPR RI) together with the President. However, after the reformation has passed, regions can formulate regional legal products that are in accordance with regional conditions in a regional regulation. Regional regulations are one of the regional legal products that are included in the hierarchical system of laws and regulations according to Article 7 paragraph (1) of Law No. 12 of 2011 concerning the Establishment of Legislations.

The regional power to form regional regulations is a power as an elaboration of the principle of decentralization. With decentralization, the formation and implementation of policies spread across various levels of government on a sub-national basis. This principle serves to create diversity in the administration of government in accordance with the conditions and potential of the community. In other words, decentralization serves to accommodate the diversity of the community, so that structural and political variations are realized to channel the aspirations of the local community (Huda, 2012:13).

The granting of regional autonomy in the context of decentralization will change the behavior of local governments to administer government efficiently and professionally. To improve efficiency and professionalism, local governments need to re-engineer the bureaucracy that has been running so far (bureacracy reengineering) including through the preparation of legal products that can support local government activities in realizing regional autonomy to improve people's welfare.

This is important because at this time and in the future the government (central and regional) will face a wave of change, both from external pressures and from internal communities. From the external side, the government will face globalization which is full of competition and liberalism in the flow of information, investment, capital, labor, and culture. Meanwhile on the internal side, the government will face an increasingly intelligent society (knowledge based society) and a society that has more and more demands (demanding community) (Mardiasmo, 2002:1).

The process of drafting laws and regulations currently tends not to accommodate people's participation as it should. In fact, the participation of the people in the process of drafting laws and regulations has been firmly accommodated in Chapter XI of Law No. 12 of 2011 that: "the public has the right to provide input orally and/or in writing in the formation of laws and regulations (Article 96 paragraph 1 of Law No. 12 of 2011). /2011) community participation is in the form of verbal/written input which is carried out through (a) public hearings; (b) working visits; (c) Socialization; (d) Seminars. Workshops, and/or discussions. In addition, the DPR's Rules of Procedure have also regulated the issue of community participation. This is regulated in Articles 139 to 141 of the DPR's Rules of Conduct. However, in practice, community participation has not been as desired. This is because the right to participate has not been accommodated properly.

In the formation of laws and regulations in a democratic rule of law, it is no longer solely the authority of the executive and parliament, but has also become part of the community's responsibility to participate in it. As a subject who receives the impact of the enactment of laws and regulations, the community participates in determining the direction of the Priority Policy for the Preparation of Legislative Regulations, without community involvement in its formation, it is impossible for a statutory regulation to be accepted and implemented properly. Thus, community participation illustrates the existence of a relationship or the formation of laws and regulations. Community participation must exist at every stage of the formation of laws and regulations, not only in the form of rights that are formalized in the form of rules, but the delivery of real aspirations of the community must be implemented and responded to by the legislators. (Yuliandri,2014,6)

However, in the formation of laws and regulations at both the central and regional levels, direct community involvement is minimal. Due to the lack of community participation, legal products, especially in the regions, do not represent the interests of the community. This can be seen from the large number of regulations that have been cancelled. Citing data from the Cabinet Secretariat of the Ministry of Home Affairs, there were 3,143 regional regulations (perda) canceled by the central government since regional autonomy was declared.

The reason for the cancellation of the regulation is the substance of the regulation that does not reflect people's lives and the many legal norms that overlap with higher laws and regulations. This indicates that the planning for the preparation of local regulations is not implemented properly and does not absorb the aspirations of the community. If the drafting of regional regulations in the future does not pay attention to the concept of drafting a good regional regulation, then the preparation of the regional regulation is nothing but an act of wasting the state budget considering the cost of drafting a regional regulation is not cheap.

This is thought to be the cause of the factors that hinder the implementation of these rights. Because, direct public access. This condition is exacerbated by the reluctance of legislators to provide space, both formally and substantively, to the public. Therefore, this inhibiting factor needs to be overcome by making an adequate set of laws and regulations. This is because the formation of laws that are placed in the social context of the community is actually more capable of encouraging the realization of responsive products. Thus, from the sociological aspect of legislation, it is not just a political decision, but rather the deposition of conflicts of values and interests that are formulated.

Based on the description of the problems that occurred, this paper will discuss how "The Preparation of Participatory Regional Legislation Programs, Fair Inclusive Law based on Good Regulatory Practices".

### II. RESEARCH METHOD

The approach method used in the preparation of this paper is a normative method or legal research literature. Sources of legal research in the form of primary legal materials consist of legislation, official records or minutes in the making of legislation. Meanwhile, secondary materials are all publications on law which are not official documents. Publications on law include textbooks, legal dictionaries, legal journals (tertiary materials). (Peter Mahmud Marsuki: 2007:141). Based on this method, the data and information obtained will be arranged descriptively and systematically.

### III. RESULT AND DISCUSSION

#### The Concept of Formation of Participatory Legislation

The process of the birth of a statutory regulation product at least passes through 3 (three) interrelated corridors; administrative corridor, academic corridor, and political corridor. The administrative corridor requires compliance with all provisions governing the process of forming laws and regulations; the academic corridor requires a draft regulation to be academically accountable; Political corridors are not only related to political institutions but in substance the draft regulations must be able to absorb and be in line with public aspirations. Therefore, the birth of a statutory regulation is the result of a process that is not simple, it can even be said to be complex because there are many factors and related actors that must receive attention in the process. (Purnawan, *Jurnal RechtsVinding*, 3, Desember 2014:351).

Otto, Stoter, and Arncheidt describe five theories for the configuration of factors and actors in the formation of legislation, namely synoptic policy-phases theory, the agenda building theory, the elite ideology theory, the bureau politics theory or organizational politics theory, and the four rationality theory. One of the highlights of the five theories is the four rationalities theory, namely legislation has four dimensions, each of which has its own rationality. The four dimensions include: political, legal, economic, and scientific dimensions. The four dimensions sometimes go hand in hand, sometimes run independently or even reduce each other. In developing countries, the political dimension usually dominates over the legal, economic, and scientific dimensions because in developing countries, in general, the established political order greatly impacts people's lives. On the other hand, in developed countries, the political dimension is generally not more dominant than the legal, economic, and scientific dimensions (Purnawan, *Jurnal RechtsVinding*, 3, Desember 2014:351-352).

The four rationality theory, is considered suitable with conditions in Indonesia where Indonesia is a developing country that is so plural in the life of the nation. The strong nuance of diversity has resulted in the political order being quite influential in the formation of legislation. As a result, many legislation products are found that are not pro-society. This is due to the dominance of political interests in the preparation of the products of the legislation. Therefore, it is not surprising that legislation is often referred to as a political product.

In the process of forming laws and regulations, things that must be considered include: philosophical aspects (legal ideals), sociological aspects (values that live in society), juridical aspects (vertically and horizontally do not conflict with existing regulations), and the political aspect (political policy that becomes the next basis for government policies and governance). First, philosophical studies are intended to describe the philosophical basis or views that are the basis of ideals when pouring a problem into legislation. Second, a juridical study, is a study that contains the legal basis for making a statutory regulation. This study is written by covering the context of a material juridical study. This is because this section examines the legal basis for the agency authorized to issue laws and regulations as well as the suitability of the problem (object) to be regulated. Third, a sociological study explains that regulations are considered as effective regulations if they do not forget about the needs of the community, the wishes of the community, and the interaction of the community with these regulations. So in this study the reality of society which includes the legal needs of the community, community conditions, and values that live and develop (sense of community justice). Fourth, political studies in principle prioritize the interests of related parties (government and society) through the strengths of each party (Basyir, *Jurnal IUS Kajian Hukum dan Keadilan*, 2, Agustus 2014: 3-4).

Legislation is not made in a vacuum, but is in the dynamics of the life of the wider community with all its complexities. That is, the community to be addressed by a statutory regulation faces various limitations in accepting the presence of a statutory regulation. A statutory regulation c.q. a law made unilaterally by the legislator is very likely to be rejected because it is not in accordance with the sense of justice in society.

This is where the importance of community participation is involved in the process of forming laws and regulations. Participatory democracy is expected to provide more guarantees for the realization of responsive legal products, because the community participates in making and owning the birth of a law. The existence of public participation in the formation of this law will also make the community more meaningful and the government more responsive in the democratic process, thus giving birth to a moral government and responsible citizens in society (Saifudin, 2009: 33).

Regarding participation in the formation of laws and regulations, an activity in the form of the Parliamentary Support Program mapped out four models of participation. The basis used in mapping the model is the participation choice model according to the level of political development of a country (Saifudin, 2009:176). The four models referred to are: first, pure participation (pure representative democracy). In this condition, people's involvement in a democratic country is carried out by representatives

## **Preparation of Participatory Regional Legislation Programs, Fairly Inclusive Law Based on Good Regulatory Practices**

who are elected through general elections who sit in representative institutions (Saifudin, 2009:177). In this model, the community is not directly involved in the process of forming a policy, but is represented to people's representatives in representative institutions. Second, a basic model of public participation. This model is somewhat wider than the first model. Where community involvement is not only when they choose their representatives during the general election, but also makes contact with representative institutions (Saifudin, 2009:178). In this model, involvement is carried out freely, where anyone can make contact, although representative institutions have not opened a wider dialogue space for the community. Third, a realism model of public participation. In this model, in addition to participating in the general election, the public also interacts with representative institutions, but these interactions have been carried out in groups. Where the actors of public participation have led to interest groups and organizations that have been organized (Saifudin, 2009:179). Fourth, the Possible Ideal for South Africa model. This model is a combination of the three previous models. Where community involvement through organizations or groups in the community is used as a vehicle for participation. The concept of participation to be built is the involvement of various participating forces in the public decision-making process and the formation of laws (Saifudin, 2009: 181).

The expansion of opportunities in the law-making process should be a vehicle for groups of people or organizations to participate in setting public policy. Where participation is not seen exclusively as a way to defend personal claims based on applicable regulations (Nonet and Selznick, 2008: 108), but must be a means to produce laws that are in accordance with the needs of people who will implement them.

Regional regulations as part of the hierarchy of laws and regulations become one of the tools in carrying out social and democratic transformation, namely as the embodiment of local communities that are able to respond to rapid changes and challenges in the current era of autonomy and globalization. With the participation of the community, of course, the government can anticipate the emergence of turmoil due to globalization, especially related to socio-economic conditions that can increase the gap in people's welfare. This condition is intended as a preventive measure to find out the wishes of each party so that legal products can be obtained that are able to answer the problems that occur.

In addition, the existence of public participation is an indicator of the creation of good local governance as part of sustainable development in the region. Therefore, it is necessary to have the ability to formulate regional regulations that can create a double effect. On that basis, the formation of planning, aspirational and quality regional regulations in the form of the Regional Legislation Program, it can be expected that regional regulations will be the main driver for the fundamental changes needed by the regions.

Furthermore, the model of good local governance in the formulation of laws and regulations can only be realized if the executive and legislature apply the principles of community involvement, accountability, and transparency (Santoso, 2001:87). According to Satjipto Rahardjo, transparency and public participation in the formation of laws (regional regulations) is to maintain neutrality. Neutrality here means equality, justice, and protection for all parties, especially the community. The decisions and outcomes of participation reflect the needs and desires of the community and become a useful source of information as well as a commitment to the democratic system.

The position of community participation is very important in the formation of a legal product. A true legal product must reflect the needs of the community concerned, so that later the law is able to realize its goals, namely certainty, justice, and expediency. Community participation is a characteristic of inclusive law where in essence the inclusive law is aimed at justice and the benefit of the nation (Galus, 2016: 485).

### **The Concept of Formulating Participatory Regional Legislation Programs, Fairly Inclusive Law Based on Good Regulatory Practices**

The concept of Good Regulatory Practices (GRP) is an overview model to identify the process of making a statutory regulation that can be used to improve the quality and effectiveness of the regulation's effectiveness. Partially, the GRP examines the administrative process for the formation of a statutory regulation which includes coordination from the government and the legislature in proposing and discussing the draft of a law, evaluating the impact of regulations, transparency in the formation of regulations, the presence or absence of public participation, and accountability of these regulations ( Shigetomi, Overview of Good Regulatory Practice accessed on 19 May 2019).

The purpose of implementing the GRP is to test how effectively the laws and regulations made are able to solve the problems that occur. Given the existence of regulations functioned to answer legal problems that occur. Judging from the basic concept, the GRP indicators have basically been accommodated in the principles of establishing laws and regulations which have been mentioned in Article 5 of Law No. 12 of 2011. The principles referred to include: a) clarity of purpose; b) appropriate forming institutions or officials; c) the suitability of the type, hierarchy, and content of the material; d) can be implemented; e) usability and usability; f) clarity of formulation; and g) openness.

Not much different from the formulation of a regional regulation, the basis for the formation of a regional regulation must contain the principles as referred to in Article 5 of Law No. 12 of 2011. Meanwhile, the material content of a regional regulation must also reflect the principles as stipulated in Article 6 of Law No. 12 of 2011 which include: a) shelter; b) humanity; c) nationality;

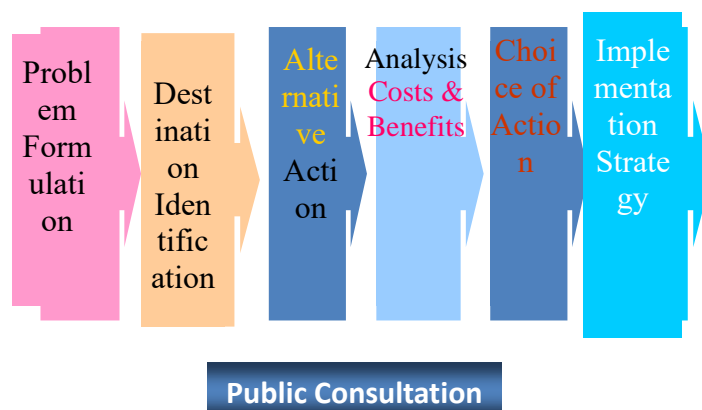
## Preparation of Participatory Regional Legislation Programs, Fairly Inclusive Law Based on Good Regulatory Practices

d) kinship; e) archipelago; f) Bhinneka Tunggal Ika; g) justice; h) equality of position in law and government; i) order and legal certainty; and/or j) balance, harmony, and harmony.

These principles become indicators of whether the entire process of formulating laws and regulations has passed a series of limits or not. In addition to the principles, other elements used to implement the GRP are internal coordination of rulemaking activity, regulatory impact assessment (RIA), and public consultation mechanisms to improve transparency. First, Internal coordination of rulemaking activity is the ability to manage regulatory reform and coordinate with relevant officials. with the substance of the regulations to be discussed. In this case the party authorized to issue laws and regulations c.q. Perda is the regional head and DPRD. The overall coordination between the executive and the legislature above is accommodated in the planning system of laws and regulations as outlined in the regional legislation program. The regional legislation program is a planning instrument for the formation of a Provincial Perda or Regency/City Perda which is prepared in a planned, integrated, and systematic manner. (Article 1 number 10 of Law No. 12 of 2011).

The Prolegda is compiled in a list of Raperda based on: a) higher order legislation; b) regional development plans; c) the implementation of regional autonomy and assistance tasks; and d) the aspirations of the local community (Article 35 of Law No. 12 of 2011). Meanwhile, specifically for the preparation of district/city prolegda according to Article 41 of Law no. 12 of 2011 may contain an open cumulative list regarding the formation, expansion, and merger of sub-districts or other names and/or the formation, expansion, and merger of villages or other names..

In addition to the main points regulated in Law No. 12 of 2011, it should also be remembered that the regulation regarding the preparation of regional regulations is also regulated by Law No. 23 of 2014 concerning Regional Government. Where between the two laws there is often a tug of war related to the synchronization of the concept of the regional legislation program (prolegda) regulated in Law No. Academic Draft Law on Amendments to Law Number 12 of 2011 concerning Formation of Legislation, 2016:4-5). The existence of different concepts and the absence of a detailed explanation regarding the preparation of regional regulations in the two laws above will lead to different perceptions regarding the basis for the preparation and process of drafting regional regulations. Therefore, coordination between related parties in the preparation of local regulations is needed both on a long, medium and short scale so that the regulations to be made are right on target and integrated with the relevant laws and regulations..  
*Second, regulatory impact assessment (RIA). The RIA concept is clearly illustrated in the following chart (Shigetomi, Overview of Good Regulatory Practice accessed on 19 May 2019):*



**Chart 1.** Regulatory Impact Assessment (RIA)

RIA functions to ensure that better policy options are selected by establishing a systematic and consistent framework for assessing the potential impact of government actions (Nurbaningsih, Good Regulatory Practices The Need for Legislation in Facing the Global Era, undated). According to the RIA mechanism, a good regional regulation will be born from a complete and systematic process of making regulations. Regulations must be initiated from problems that exist in the community so that the first stage of formulating a regulation is problem formulation, namely formulating what problems occur, the cause of the problem, who is the subject and object of the problem. As explained earlier, that this stage has been accommodated in Article 32 – Article 39 of Law No. 12 of 2011. Article 75-Article 80 of Law No. 12 of 2011 regulates regional legislation programs whose existence is aimed at sorting out priority targets for solving problems in the regions. .

The second stage is destination identification. After a problem has been identified, it is necessary to determine what is actually the policy objective to be taken. This objective represents the application of the principle of clarity of purpose as referred to in Article 5 letter a of Law no. 12 of 2011. After the purpose of a regulation is determined, the next step that must be taken is alternative action (development of various policy options/alternatives to achieve the goal). This stage requires the legislators to do nothing or take no action. This action is carried out solely to start the basic baseline for taking further existing actions. At this stage it is very important to involve stakeholders from various backgrounds and interests in order to get a complex and holistic picture

## Preparation of Participatory Regional Legislation Programs, Fairly Inclusive Law Based on Good Regulatory Practices

(PPN/BAPPENAS, Brief Review of Development and Implementation of Regulatory Impact Analysis (RIA) Methods to Assess Policies (regulatory and Non-regulatory) in the Ministry of PPN/ BAPPENAS, July 2011:2-3).

After determining the steps to be taken, the next procedure that must be passed is an analysis of the costs and benefits obtained (cost and benefit analysis). This process begins with the selection of an assessment from the legal aspect, because any available options must not conflict with the relevant laws and regulations (especially higher laws and regulations). Even in conducting a cost and benefit analysis, it is necessary to pay attention to who are the affected parties and who benefit from the issuance of a regional regulation. After passing the cost and benefit analysis, the next step is choosing the best course of action. Analysis of the costs and benefits in the previous stage is used as a basis for making decisions about what options to take. The principle used in this stage is that the option taken is the option that provides the most net benefits (ie the sum of all benefits minus the total costs) (PPN/BAPPENAS, Summary Study of Development and Implementation of Regulatory Impact Analysis (RIA) Methods for Assessing Policy ( regulations and non-regulatory) at the Ministry of National Development Planning/BAPPENAS, July 2011:4).

The last stage that must be passed is the preparation of an implementation strategy where this step is taken based on the awareness that the actions taken by the government automatically involve implementing knowledge and capabilities. Therefore, this step is supported by public consultation where the community is actively involved in knowing and proposing discussion of the substance of a regulation. Usually this mechanism is also known as a public hearing, which is used to gather public opinion on the prepared regulatory plan. Public hearings are regulated in Article 96 of Law No. 12 of 2011. Although not all stages are regulated in detail in Law No. 12 of 2011, the RIA concept can be used as a technical guideline for drafting legislation.

The public hearing or public consultation model that is often encountered is by uploading the draft regional regulation on the official website of the regional government or DPRD. The upload is accompanied by a questionnaire form in which suggestions and criticisms from readers can be written within a certain time frame. The goal is none other than to get input on the designs that have been uploaded. This action is basically a manifestation of the application of the principle of openness. It's just that the follow-up to the input provided by the public still has a question mark whether changes have been made or just a form of formality.

## IV. CONCLUSION

Based on the results of the research above, it can be concluded that in the process of forming laws and regulations, community participation is needed. The urgency of community participation in general is that laws and regulations c.q regional regulations are made in accordance with the cultural and economic conditions of the community. Apart from these two things, at least the existence of public participation in the formulation of a regional regulation is able to prevent the domination of the political interests of politicians. The models that can be used to develop regional legislation programs based on public participation include the Parliamentary Support Program and Good Regulatory Practices (GRP). The preparation of the Prolegda is not only for the sake of forming a regional regulation, but is more broadly related to the overall regional development program. Therefore, it is necessary to pay attention to community participation in the preparation of the Prolegda. Community participation in the formation of regional regulations is a form of good governance in accordance with the principles of good governance, including: community involvement, accountability, and transparency.

## REFERENCES

### BOOKS:

- 1) Aziz Syamsuddin, 2014, *Proses dan Teknik Penyusunan Undang-Undang*, Sinar Grafika, Jakarta
- 2) Ben Senang Galus, 2016. *Mazhab Tamsis Tentang Hukum Inklusif berkeadilan*, Pohon Cahaya, Yogyakarta
- 3) Dadang Suwanda, 2006, *Peningkatan Fungsi DPRD dalam Penyusunan Perda yang Responsif*, PT Remaja Rosdakarya, Bandung
- 4) Hamzah Halim. 2009, *Cara Praktis Menyusun & Merancang Peraturan Daerah*. Kencana. Jakarta
- 5) Jimly Asshidiqie., 2006, *Perihal Undang-undang*, Konstitusi Press, Cetakan pertama, Jakarta
- 6) Mardiasmo, 2002, *Otonomi & Manajemen Keuangan Daerah*, Penerbit ANDI, Yogyakarta
- 7) Mas Achmad Santoso. 2001, *Good Governance dan Hukum Lingkungan*, ICEL
- 8) Mukti Fajar ND dan Yulianto Achmad, 2010, *Dualisme Penelitian Hukum: Normatif dan Empiris*, Pustaka Pelajar , Yogyakarta
- 9) Ni'matul Huda, 2012, *Hukum Pemerintahan Daerah*, Nusa Media, Bandung
- 10) Peter Mahmud Marzuki, 2007, *Penelitian Hukum*, Penerbit Kencana
- 11) Philippe Nonoet dan Philip Selznick, 2008 *Law and Society in Transition: Toward Responsive Law*, alih bahasa: Raisul Muttaqiem, Penerbit Nusamedia, Bandung
- 12) Saifudin, 2009, *Partisipasi Publik Dalam Pembentukan Peraturan Perundang-Undangan*, FH UII Press, Yogyakarta
- 13) Sirajuddin. 2016. *Hak Rakyat Mengontrol Negara: Mengontrol Model Partisipasi Masyarakat dalam Penyelenggaraan Otonomi Daerah*, Corruption Watch dan YAPPIKA, Malang

**JOURNALS**

- 1) Abdul Basyir, 2014, Jurnal Hukum “*Pentingnya Naskah Akademik dalam Pembentukan Peraturan Perundang-Undangan untuk mewujudkan Hukum aspiratif dan responsif*”, Lombok Timur NTB
- 2) Badan Pembinaan Hukum Nasional, 2016, *Naskah Akademik Rancangan Undang-Undang tentang Perubahan Atas Undang-Undang Nomor 12 Tahun 2011 tentang Pembentukan Peraturan Perundang-Undangan*
- 3) Biro Hukum Kementerian PPN/BAPPENAS, *Kajian Ringkas Pengembangan dan Implementasi Metode Regulatory Impact Analysis (RIA) untuk Menilai Kebijakan (peraturan dan NonPeraturan) di Kementerian PPN/BAPPENAS*, Juli 2011
- 4) Yusril Ihza Mahendra, “*Bahan Penjelasan Mensesneg pada Rapat Kerja dengan Komisi II DPR RI*” sebagaimana telah dikutip dalam Jurnal Hukum, Akhmad Adi Purnawan “*Korupsi Legislasi dalam Pembentukan Peraturan-Undang*”, RechtsVinding, Nomor 3 Desember 2014
- 5) Badan Pembinaan Hukum Nasional Kementrian Hukum dan Hak Asasi Manusia Republik Indonesia, Yuliandri, 2014, “*Laporan Akhir Pengkajian Hukum Tentang Partisipasi Masyarakat Dalam Penentuan Arah Kebijakan Prioritas Penyusunan Peraturan Perundang-Undangan*,”