



## Partisipasi Masyarakat Dalam Pembentukan Peraturan Daerah di Kabupaten Kuantan Singingi (Studi Kasus Pembentukan Peraturan Daerah Pada Tahun 2019-2021)

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### Abstract

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Community participation in the formation of Regional Regulations is a form of community involvement in forming regulations that will become the basis for legal certainty. In Kuantan Singingi, community participation has not been implemented optimally, there are many factors that are obstacles. In this thesis, the researcher will explain what are the obstacles so that it is hoped that suggestions will also be found so that community participation in the formation of Regional Regulations in Kuantan Singingi becomes more optimal. This research is a sociological legal research, this is based on field research which refers to interviews and observations statements as well supporting documents that have a correlation with the background of the problem to be studied. This study uses secondary date sources consisting of primary, secondary, and tertiary legal materials. This study uses qualitative date analysis by producing a deductive method of drawing conclusions, namely drawing conclusions from that are general to things that are specific. From the result of the discussion it can be concluded that the process in forming Regional Regulations in Kuantan Singingi has not been optimal in involving the community. This is due to the lack budget and the apathetic attitude of the community it self so that the Kuantan Singingi Regional Government in forming Regional Regulations prioritizes formal procedures.

**Keywords:** Community Participation, Regional Regulations, Kuantan Singingi

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## INTRODUCTION

Community participation in the formation of Legislative Regulations is an order from the provisions of Law Number 12 of 2011 concerning the Formation of Legislative Regulations, the importance of community participation is to accommodate the legal values that live in the community, (including the participation of the people of Kuantan Regency Singingi) which then contains the noble ideals of the Indonesian nation. Meanwhile, fair law in Indonesia is law that is based on the personality and philosophy of life of the Indonesian people, which reflects the sense of justice of the Indonesian people, is able to protect material and spiritual interests and is able to protect the personality and unity of the nation, for the sake of realizing national ideals.

As a democratic country, community participation in the formation of Legislation is the basis for the government to formulate legal products to meet the legal needs of the community. The importance of community participation is because the legal products that are formulated will determine people's lives. Thus,



legal products made by the government must be based on the will and approval of the people, because sovereignty is in the hands of the people.

Then, based on the provisions of article 1 paragraph (1) of the 1945 Constitution of the Republic of Indonesia, it is stated that the State of Indonesia is a Unitary State in the form of a Republic. This means that in a unitary state, all government authority is placed in one government and centralized in government organs. Then the provisions of article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia state that sovereignty is in the hands of the people and is implemented according to the Constitution. This article then becomes a reference for researchers that the government and the people must work together in formulating every legal product in the form of Legislation.

The concept of Indonesian Constitution is a concept of a unitary state in the form of a Republic and divided into regions based on Provinces, Regencies/Cities, Districts and Villages. This is in accordance with the provisions of Article 18 of the 1945 Constitution of the Republic of Indonesia. That there is a division of authority and the availability of space for regional governments. With the transfer of authority given to regional governments, based on matters that constitute regional autonomy, regarding authority in regulating regional household affairs, including regulations for the formation of Regional Regulations, then it must refer to the provisions of Article 7 paragraph (1) of Law Number 12 2011 concerning the Formation of Legislative Regulations and the hierarchy of Legislative Regulations consisting of:

- a. The 1945 Constitution of the Republic of Indonesia
- b. Decree of the People's Consultative Assembly
- c. Law/Government Regulation in Lieu of Law
- d. Government regulations
- e. Presidential decree
- f. Provincial Regional Regulations; And
- g. Regency/City Regional Regulations.

Based on the provisions for the formation of Legislative Regulations, Regency/City Regional Regulations that are ratified by the Regional Government must not conflict with the regulations above them as the researcher has explained above. That researchers also believe that each type of Legislative Regulation that is created certainly has different functions, objectives and formation techniques (but still must follow formal requirements), this is of course adjusted to the needs and interests of the community itself.

At the Regency/City level, the legal products that are formed are in the form of Regional Regulations which are formally formulated by the Regent/Mayor with the Regency/City DPRD, but materially, Regional Regulations must provide space for community participation because power without involving community participation will give birth to repressive laws.

### **Problem Formulation**

1. How is community participation in the formation of Regional Regulations in Kuantan Singingi Regency in 2019-2021?
2. What are the obstacles for the community to participate in the formation of Regional Regulations in Kuantan Singingi Regency in 2019-2021?

3. What are efforts to increase community participation in the formation of Regional Regulations in Kuantan Singingi Regency?

### **Aims and Uses of Research**

1. Research Objectives

2. Usefulness of Research

It is hoped that the research that will be carried out will provide benefits both theoretically and practically. The uses of this research are as follows:

- a) As a contribution to thinking as *ius constituendum* in the Formation of Regional Regulations in Kuantan Singingi Regency.
- b) This research is expected to provide reading and reference material for academic purposes, and also as an addition to the literature.

### **Theoretical Framework**

In general, a theory is a system of concepts that indicates the existence of relationships between these concepts that help us understand a phenomenon. According to Jonathan H. Turner, theory is defined as "a process of developing ideas that help us explain how and why an event occurs.

1. Theory of Formation of Legislative Regulations

Legislation and Legislative Regulations come from the word Law, which refers to the type or form of regulations made by the State. In Dutch terms, it is known as *wet* which has two meanings, namely *wet in formal zin* and *wet in materiele zin*, namely the meaning of a law which is based on its substance. The term "legislation" is used from the word "law" with the prefix "per-" and the suffix "an" added. The word invitation has a different notation from the word law. What is meant in the context of using this term is related to the Law, not the word Law which has other connotations.

Then Bagir Manan stated that in legal science Legislation can be differentiated as follows:

- a. Laws in the material sense are every written decision issued by an official which contains generally binding rules of conduct called statutory regulations.
- b. Laws in the formal sense are statutory regulations established by the President with the approval of the House of Representatives

In connection with the statement above, the executive and legislative institutions form legal policies that produce statutory regulations, which means they have their respective interests in the formation of this legislation. The public can also take part, especially in legislative institutions, to voice their wishes so that the legal products issued are adapted to the common interest.

2. Principles for Forming Good Legislation

According to A. Hamid. S. Attamimi, Principles for the formation of Legislative Regulations are legal principles that provide guidelines and guidance for pouring the contents of regulations into appropriate forms and structures, for formation with appropriate methods, processes and formation procedures. The formation of Legislative Regulations is a process or stage of several planning, preparation, discussion, ratification or stipulation, and promulgation activities. To find the principles for forming good Legislative

Regulations, the principles in forming Legislative Regulations which are regulated by Law Number 12 of 2011 concerning the Formation of Legislative Regulations are guidelines for the formation of Legislative Regulations.

Furthermore, the principles for forming good laws and regulations are divided into formal and material principles. The formal principles include:

1. The principle of clear goals (beginsel van duidelijke doelstelling)
2. The principle of appropriate organs/institutions (beginsel van het juitse organ)
3. The principle of the need for regulation (het moodzakelijheids beginsnel)
4. The principle can be implemented (het beginsnel van uitvoerbaarheid)
5. The principle of consensus (het beginsnel van consensus).

After knowing the formal principles for forming good Legislative Regulations, the researcher will also outline the material principles for forming good Legislative Regulations, including:

1. Principles of correct terminology and systematics (het beginsnel van duidelijke terminologi en duidelijke systematiek)
2. The principle can be recognized (het beginsnel van de kenbaarheid)
3. The principle of equal treatment in law (het rechtgelijkheids beginsnel)
4. The principle of legal certainty (het rechtherheids beginsnel)
5. The principle of implementing the law according to individual circumstances (het beginsnel van de individuele rechtsbedeling).

Furthermore, to ensure that legal products including Regional Regulations become protective for the community, based on the principles of forming good Legislative Regulations, one must pay attention that Legislative Regulations cannot apply retroactively, special Legislative Regulations override existing Legislative Regulations. In general, the new Legislation cancels the old Legislation.

### 3. Community Participation Theory

According to the Big Indonesian Dictionary, participation is about taking part in an activity (participation). Another definition of participation states that it is cooperation between the people and the government in implementing, preserving and developing results. Meanwhile, according to Soerjono Soekanto in the sociology dictionary, participation is any process of identifying or becoming a participant in a communication process or joint activity in a particular social situation.

Basically, in Abu Huraerah's book, it is explained that there are three traditions of the concept of participation, especially when linked to the practice of democratic community development, including:

1. Political participation is representation in democracy. The aim is to influence and place people's representatives in government institutions rather than directly involving the community in government processes.
2. Social participation is community involvement in the development process. The community is seen as the beneficiary of development in consultation or decision making in all stages of the development project cycle from needs assessment, planning, implementation, to program monitoring and evaluation.

3. Citizen participation is a direct decision-making process in public policy. Citizens participate directly in decisions on government institutions and processes. Participation places the community not only as recipients (objects) but as subjects of development activities carried out.

Based on these three things, it can be seen that there is a similarity in that there is the right of every community to be involved and participate in every activity that can affect the interests of that community, both at the formal institutional level and at the non-formal institutional level so that the community itself knows about its right to participate in the formation of Legislative Regulations. -invitation.

### **Conceptual Framework**

1. Community Participation is community participation in an affair to achieve certain goals.
2. Regency/City Regional Regulations are Legislative Regulations formed by the Regency/City Regional People's Representative Council with the approval of the Regent/Mayor.
3. The formation of Legislative Regulations is a series of processes carried out by legislative institutions and also executive institutions in written form containing instructions or patterns of behavior that are generally binding.

### **Research Methods**

1. Type of Research

The type of research used by researchers is sociological legal research which can also be called field research, which is legal research that examines law which is conceptualized as actual behavior, as an unwritten social phenomenon, which is experienced by everyone in social life.

2. Research Location

The research location that is the object of this research is Kuantan Singingi Regency, Riau Province. The reason for this research in Kuantan Singingi Regency is because the researcher is part of the community living in Kuantan Singingi Regency, so what the researcher learns at the Faculty of Law, University of Riau is expected to contribute to the formation of Regional Regulations in Kuantan Singingi Regency in the future.

3. Data analysis

Data analysis in this research was carried out qualitatively, that is, the researcher will describe descriptively the data obtained. In drawing conclusions the researcher uses an inductive thinking method, namely a statement or proposition that is specific in nature becomes a statement or case that is general in nature.

## **LITERATURE REVIEW**

### **General Overview of Legislative Science**

#### **1. History of Legislative Science**

Legislation is the main source of law in countries that adhere to the Continental European system or Civil Law system. Indonesia is a country that until recently was characterized by a Continental European legal system. Law

is interpreted as written regulations that contain legal norms and are made by competent authorities and there is community compliance with these regulations in accordance with standard regulatory formation procedures. One of the characteristics of the Continental European system is the placement of legislation as the main source of law in state life.

Legislative regulations are written regulations that contain generally binding legal norms and are formed or stipulated by state institutions or authorized officials through procedures stipulated in statutory regulations. In fact, it is legislation that will design the ideal social order for a society so that people's lives are good in their relationships. Apart from that, designing a social order does not merely create a new order but strengthens an existing order by providing a formal juridical basis so that it has binding legal force. For example, there is social design through legal instruments, namely the presence of legislation in all fields.

The history of legislative science, which is a translation of *gesetzgebungswissenschaft*, is a new branch of science, which first developed in Western Europe, especially in German-speaking countries. Another term that is also often used is *wetgevingswetenschap*, or science of legislation. The main figures who founded this field of science include Peter Noll, Jurgen Rodig, Burkhard Krems, and Wainer Maihofer. In the Netherlands, among others, S.O. Van Poelje and W.G Van Der Velden, while in Indonesia it was proposed by Hamid S. Attamimi with the term statutory science.

## **2. Understanding Legislative Science**

The term legislation (*legislation*, *wzettegeving*, or *gesetzbung*) in several literatures has two different meanings. In the general dictionary that applies, the term legislation can be interpreted as legislation and making laws, the term *wetgeving* is translated to mean laws and the entirety of state law. According to Bagir Manan, the definition of statutory regulations is any written decision issued by an authorized official or office environment which contains rules of conduct which are of a general nature or binding nature.

## **3. Principles of Legislative Regulations**

Satjipto Rahardjo also stated that legal principles are the heart of legal regulations. Because according to Satjipto, legal principles are the broadest basis for the birth of legal regulations. It is also a bridge between legal regulations and the social ideals and ethical views of society. In short, it can be said that through this legal principle, regulations change in nature to become part of an ethical order.

The principle in the formation of statutory regulations is a guideline in forming good statutory regulations, regarding the formation of state legislation, Burkhardt Krems mentions it with the term *staatsliche Rechtssetzung*, so that the formation of regulations involves:

1. Fill in the regulations
2. Form and arrangement of regulations
3. Method of forming regulations
4. Procedures and processes for establishing regulations

#### **4. Hierarchy of Legislative Regulations**

The hierarchy of laws and regulations in Indonesia has binding legal force and applies generally in forming laws and regulations in Indonesia. Looking at the hierarchy of laws and regulations in Indonesia, it begins with several developments starting with the parliamentary system of government, namely during the 1950 Provisional Constitution and after that, changing from time to time.

The legal regime regarding the types and hierarchy of statutory regulations in Indonesia was first established through Law Number 1 of 1950 concerning Types and Forms of Regulations Issued by the Central Government, then Presidential Letter Number 3639/Hk/59, then based on MPRS Decree Number XX /MPRS/1966, amended again by MPR Decree Number III/MPR/2000. Furthermore, changes to the types and hierarchy of statutory regulations were carried out through Law Number 10 of 2004 concerning the Formation of Legislative Regulations. And finally improvements to the types and hierarchy of statutory regulations were perfected by Law Number 12 of 2011 concerning the Formation of Legislative Regulations. Each legal regime determines the type and hierarchy of statutory regulations differently.

### **General Overview of Regional Government Authorities**

#### **1. Principles of Regional Government Authority**

Several principles as the basis for regional government authority include; Principles of Decentralization, Principles of Authority, Principles of Democracy, and Principles of Function.

##### **a). Principle of Decentralization**

Etymologically, the term decentralization comes from Latin, namely "de" means free and centrum means center. So according to the saying, decentralization means getting away from the center. Decentralization is often called granting autonomy. In other words, decentralization is autonomy involving the process of providing autonomy to communities in certain areas. In essence, regional governments implement the principle of decentralization, namely the transfer of governmental authority by the government to autonomous regions to regulate and administer mandatory and optional government administration affairs in the system of the Unitary State of the Republic of Indonesia. Meanwhile, regional autonomy is the right, authority and obligation of an autonomous region to regulate and manage its own government affairs and the interests of local communities in accordance with statutory regulations.

Decentralization is actually the granting of authority to organize and manage government to lower government units. However, according to Bagir Manan, because decentralization is always associated with independent or autonomous status, discussions about decentralization also mean discussions about autonomy. So, the main emphasis of the principle of decentralization or autonomy is the transfer of full responsibility by the central government to regional governments within certain authorities. Even though regional governments have full responsibility in the regions, not all

authority falls under the authority of regional governments, in other words, some authorities are still under the authority of the central government.

b). Principle of Authority

Law no. 30 of 2014 concerning Government Administration defines authority as "the power of government bodies and/or officials or other state administrators to act in the realm of public law". Furthermore, this law states that there are three forms of authority. First, attribution authority, namely the authority granted by the 1945 Constitution of the Republic of Indonesia or law to Government Agencies and/or Officials. Second, delegation authority, namely authority that originates from the delegation of higher Government Agencies and/or Officials to lower Government Agencies and/or Officials with responsibility and accountability transferred entirely to the recipient of the delegation. Third, mandate authority, namely authority that originates from the delegation of higher Government Agencies and/or Officials to lower Government Agencies and/or Officials with responsibility and accountability remaining with the mandate giver.

c). Principles of Democracy

The rule of law basically cannot be separated from the principles of democracy. The existence of democratic principles in a rule of law state is called a democratic rule of law (*demokratische rechtsstaat*). In other words, in every legal country democracy must be guaranteed, just as in every democratic country its implementation must be guaranteed based on law. In relation to democracy, the 1945 Constitution, pre- and post-amendment, does not explicitly stipulate that Indonesia is a democratic country. However, this does not mean that Indonesia is not a democratic country. Implicitly, Indonesia is a democratic country.

d). Function Principles

In some literature, the definition of function is equated with duty, authority and obligation. According to Pipin Syarifin and Dedah Jubaedah, duties and authority are two interrelated things, because no task can be carried out well without clear authority, so duties and authority have their own meaning. Meanwhile, in the opinion of A.S.S. Tambunan, the function of a state agency is the environment of activities carried out by this agency within the framework of the overall activities that describe its role or usefulness in the life of the state. The definition of function contains authority and duties, so that the functions of an agency can be carried out, it needs to be given certain powers and duties, with the note that duties must be carried out while authority does not always have to be carried out. So duties, authority and functions have the meaning of not being at the same level or not being at the same level. Functions are at the highest level, authority and duties are at the lower level.

## 2. Characteristics of Regional Government Authority

Regional authority now covers all government affairs except matters that have been determined to be the authority of the central government. This means that the division of affairs in regional government in Indonesia adheres to the principle of open-end arrangement or general competence. Central

Government affairs now include: foreign policy, defense and security, jurisprudence, national monetary and fiscal affairs, religion. The division of affairs between government structures is carried out by considering externality, accountability and efficiency criteria by paying attention to the harmony of relations between government structures.

Now each autonomous region has its own rights and obligations and has affairs that can be divided into two, namely waiib affairs and optional affairs. Selected affairs are government affairs that actually exist and have the potential to improve community welfare in accordance with the conditions, characteristics and superior potential of the region concerned. These matters include, among others, mining, fisheries, agriculture, plantations, forestry and tourism which actually exist and truly represent regional potential. This means that each region can be different according to its respective conditions. Mandatory affairs are affairs that must be carried out by autonomous regions as a form of their obligation to provide basic services and create standardization of public services throughout Indonesia.

### **3. Scope of Regional Government Authority**

Basically, regional autonomy authority covers all government authority except for some matters that can only be controlled by the central government. Such as foreign relations, court, monetary and financial matters, as well as defense and security. In this way, regional autonomy has the authority to regulate and manage regional households except for these few things.

Based on Law Number 23 of 2014, regional government authority includes the following matters:

1. Regional governments carry out government affairs according to the principle of autonomy and assistance tasks with the principle of the widest possible autonomy in accordance with the system of the Unitary State of the Republic of Indonesia.
2. Regional governments carry out concurrent government affairs submitted by the central government as the basis for implementing regional autonomy based on the principle of co-administration duties.
3. Regional government in carrying out general government affairs which is the authority of the president and whose implementation is delegated to governors and regents/mayors, is financed by the APBN.

On the basis of broad, unanimous and complete autonomy, the administration of regional government becomes more meaningful, because there is freedom (discretion) for regions in organizing and managing their household affairs in accordance with the conditions and potential of their respective regions.

## **RESULTS AND DISCUSSION**

### **Community Participation in the Formation of Regional Regulations in Kuantan Singingi Regency in 2019-2021**

Article 18 paragraph 2 of the 1945 Constitution of the Republic of Indonesia states that provincial, district and city governments regulate and manage government affairs themselves according to the principles of autonomy and

assistance duties. Regional autonomy can be interpreted as the right and authority to regulate and manage regional households. The implementation of regional autonomy specifically gives regional governments the authority to administer and manage their own regions.

The content material of Regency/City Regional Regulations contains content material in the framework of implementing regional autonomy and assistance tasks as well as accommodating special regional conditions or further elaboration of higher level Legislation. The mechanism for drafting a Regional Regulation is divided into 4 (four) parts, namely: planning, drafting, discussing, stipulating and promulgating.

In drafting district regulations, the preparation of a list of draft district regulations is based on:

- a) Higher Legislative Orders
- b) Regional development plan;
- c) Implementation of regional autonomy and assistance tasks; And
- d) Aspirations of regional communities

In accordance with Article 96 of Law Number 12 of 2011 concerning the Formation of Legislative Regulations, it is explained that the public has the right to provide oral and/or written input in the Formation of Legislative Regulations, namely oral and/or written input can be done through public hearings, general, work visits, outreach, and seminars, workshops or discussions. To make it easier for the public to provide input verbally or in writing, each Draft Legislation must be easily accessible to the public.

With the participation of the community, it is hoped that the formation process from planning to stipulation and promulgation is a policy taken based on joint efforts so that the regulations formed have legitimacy from every element of society, because with strong legitimacy every regulation formed can be accepted by the community without resistance. or rejection with the aim of realizing synergy between government and society in legal development efforts in Kuantan Singingi Province.

So according to researchers, the community is not only used as a form of formality, as happened in the drafting of the Kuantan Singingi Regional Regulation Draft. There are still many regional regulations that have not been promulgated according to the wishes of the community and there are also draft regional regulations, as the researcher explains regarding the involvement of the Kuantan Singingi MUI and the Tigo Susu tribal chief, which are only used as a form of formality, which are only involved in the hearing and planning process but are not involved in the drafting and discussion processes. , determination and promulgation.

Participation is intended as the participation of parties outside the DPRD and regional government in preparing and forming draft regional regulations or regional regulations. There are two sources of participation; firstly from elements of government outside the DPRD and regional government, such as the police, prosecutor's office, courts, universities and others. Second, from the community, whether individuals such as experts or those who have experience or from groups such as NGOs. Involving parties outside the DPRD and regional government is very important to capture the knowledge, expertise or experience of the

community so that the Regional Regulation truly meets the requirements of good legislation, guarantees that the Regional Regulation is in accordance with the realities of life in the Community and fosters a sense of belonging. ), As well as a sense of responsibility for the Regional Regulation.

From the description above, the formation of regional regulations in Kuantan Singingi in the future must be balanced with community participation, carried out by means of, among others:

1. Involvement in drafting regional regulations. At this stage, the community can be involved in the preparation process in teams/working groups, involved in preparing academic texts, as well as submitting input submitted verbally, in writing, or through mass media addressed to the initiator of regional regulations/teams. The obstacle is the extent of transparency and commitment of relevant stakeholders, so that the public knows and can provide input on the agenda that is being and will be discussed.
2. Involvement in the process of discussing regional regulations. This process is largely in the discussion position between the DPRD and the Regional Government. At this stage, before it is discussed, it should first be announced in the mass media to give the public the opportunity to convey their aspirations. Furthermore, in the discussion process the community can provide input verbally, in writing or during meetings to discuss regional regulations. Concerning attendance at meetings is indeed a dilemma, because it depends on the wishes of the DPRD and regional government whether to invite the public or let the discussion process proceed without community involvement.
3. Involvement in the implementation of regional regulations. Community involvement at this stage can be seen in how the community complies with regional regulatory material because they feel it meets their aspirations, or on the contrary, the community feels disadvantaged or does not feel their aspirations are being channeled. If the public feels that they have been disadvantaged, they can take the route of providing input to the institution that forms the statutory regulations, and this can be used as material for consideration in making changes to or revoking the regulations.

### **Barriers to Participation in the Formation of Regional Regulations in Kuantan Singingi Regency in 2019-2021**

Even though the stages and mechanisms for preparing the regional regulation formation program have been regulated in detail in the Legislative Regulations, in practice various problems are still found as previously described. Based on the provisions of Article 33 jo. Article 40 of Law Number 12 of 2011 states that the Prolegda contains a program for the formation of district/city Regional Regulations with the title draft district/city Regional Regulations, the material to be regulated and their relationship to other Legislative Regulations. material to be regulated and its relationship to other Legislative Regulations regarding the conception of draft district/city Regional Regulations, which include: a. Background and purpose of preparation; b. Goals to be realized; c. The main idea, scope or object to be regulated; and d. Setting range and direction. The regulated material referred to has gone through review and harmonization and is outlined in

an academic text. Furthermore, the provisions of Article 56 paragraph (2) jo. Article 63 of Law Number 12 of 2011 states that draft regional regulations originating from the DPRD and Regional Heads are accompanied by explanations or statements and/or academic texts.

This formulation shows that when the drafting of a regional regulation formation program is carried out, the results of the study and harmonization in the form of information or explanations and/or an academic text for the draft regional regulation must be available first. The results of this study and harmonization are very necessary to understand the academic logic of how far the urgency of a problem is regulated in the form of a regional regulation so that it is determined to be a priority scale in the regional regulation formation program, in addition to that in the matrix for filling out the regional regulation formation program as referred to in attachment I to the Regulation of the Minister of Home Affairs Number 80 of 2015 There is one column which contains whether a draft regional regulation is accompanied by an academic text or accompanied by information or explanations.

### **Efforts to Increase Community Participation in the Formation of Regional Regulations in Kuantan Singingi Regency**

Keith Davis provides several requirements to be able to carry out participation effectively, these requirements include:

- a) The time referred to is the time to understand the message conveyed by the initiator. The message contains information about what and how and why participation is needed. These messages are conveyed through communication, namely an effort to foster the same understanding between the initiator called the communicator and the recipient of the message/communicant.
- b) The subject of participation should be relevant or related to the organization to which the individual concerned is a member or something that is of concern/interest.
- c) Participants must have the ability to participate, meaning having an equivalent mindset to the communicator.
- d) Participants must have the ability to carry out reciprocal communication, for example using the same language or mutual understanding, so as to create effective/successful exchanges.
- e) The parties concerned are free to carry out their participation in accordance with the specified requirements.

Santoso Sastropetro, regarding effective participation, stated that society will be able to move to participate more if:

- a) Participation is carried out through organizations that are well known or already exist in the community.
- b) Participation provides direct benefits to the community.
- c) The benefits obtained through participation fulfill the desires of the local community.
- d) In the process of community participation, it ensures that there is control carried out by the community

Community participation turns out to be reduced if they are less involved in decision making. Josep Riwu Kaho believes that every implementation process, especially in life with society, must go through policy determination. In another

formulation, it concerns political decision making. Community participation at this stage is very urgent, especially because the "political decisions" taken determine their fate as a whole." In this case, Mubyarto emphasized that in the most ideal circumstances, community participation in making "political decisions" concerning their fate is a measure of the level of people's participation. The greater the ability to determine one's own destiny, the greater the participation of society.

## **CONCLUSION**

1. There is a legal vacuum in the formation of the Kuantan Singingi Regional Regulation in 2019-2021 because the community is not actively involved in the role of making the Kuantan Singingi Regional Regulation and there is a lack of active role from the government itself such as socialization, work visits, making assumptions about the needs of the community's legal umbrella, hearings with prominent figures. religion, youth leaders, traditional leaders, in Kuantan Singingi Regency.
2. The factor that is an obstacle in realizing community participation to participate in the formation of Regional Regulations in Kuantan Singingi is the apathetic nature of the community due to the attitude of the regional government which tends to play with the aspirations of the community.
3. To realize community participation in the formation of Regional Regulations in Kuantan Singingi, namely the role of the government and the Kuantan Singingi DPRD which must open space for the community to provide oral or written input in the formation of statutory regulations either through public hearings, work visits, socialization, seminars, workshops and discussions.

## **Suggestions**

1. The obstacles experienced by the Kuantan Singingi Government in involving community participation in the formation of Regional Regulations can be done by preparing a structured work plan so that there are no more problems.
2. Efforts so that the people of Kuantan Singingi can be actively involved in the formation of Regional Regulations can be done in various ways such as general outreach, consultation with Kuantan Singingi community leaders, absorbing the aspirations of the DPRD, and also providing open access to public information regarding plans for Regional Regulations that will be formed.
3. The Kuantan Singingi DPRD and the Kuantan Singingi Government should pay more attention to public opinion by inviting the public and involving relevant communities at every stage of drafting the Regional Regulation.

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