

# Community Participation When Comparing Academic Text before the Establishment of Regional Regulations in Nabire District

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## Abstract

*This writing aims to provide an understanding that academic texts are doors or windows, breaths, directions for the formation of regional regulations. For this purpose, the researcher uses normative legal research methods and sociological legal research methods, namely research based on legal sciences, especially constitutional law, which is not only a normative problem but also includes socio-empirical problems, in accordance with the phenomenon and the reality that develops in the Nabire-Papuan community. In an effort to collect data the researchers based on primary data sources and secondary data sources. Based on these data, the writer then analyzed using qualitative methods. Based on research, the results show that there is a regional regulation that begins with the preparation of an academic text made by a certain team without capturing the aspirations of the people who are participatory starting from planning, forming, implementing, monitoring and evaluating so that it results in the community being apathetic and accepting as is every regional regulation formed by the regional government and Nabire Regency DPRD. For this reason, it is important for the formation of regional regulations to first form participatory academic texts which are then inseparable from regional regulations. As a mirror of academic texts, it will be effective for local regulations in their formation. The effectiveness of the enactment of regional regulations is highly dependent on the extent to which the community accepts the enactment of regional regulations.*

## Keywords

participation; academic papers; regional regulations



## I. Introduction

The Republic of Indonesia is a sovereign state of the people based on the One Godhead. People's sovereignty is implemented based on the provisions of the 1945 Constitution.

As a state of law, article 1 paragraph 3 of the 1945 Constitution of the Republic of Indonesia guarantees the implementation of people's sovereignty by applying the principles contained in the principles of the rule of law, namely: the principle of recognition and protection of human rights, the principle of an independent and impartial judiciary, the principle of power sharing, the principle of legality, the principle of popular sovereignty, constitutional principles and democratic principles.

By paying attention to the principles in the rule of law, in democratic life all aspects of life must involve its citizens, all decisions taken relating to the common interest must involve members of its citizens as a whole, no matter how small the connection with the common interest, whether it is a decision concerning the purpose of - the goals to be

achieved together or regarding the rules that must be obeyed as well as regarding the distribution of responsibilities or regarding the mutual benefits to be obtained.

In terminology, participation means to participate, comes from the foreign word 'take a part' or take part. In addition, the word participation can be interpreted as the participation of a unit to take part in activities carried out by a larger unitary arrangement. Participation is closely related to the term partnership, which means the activity is accompanied by an attitude of being responsible for the activities of a unit or taking part in an activity cooperation.

In the perspective of the rule of law, participation is a human right. Frederick Julius Stahl from among the legal experts of Continental West Europe gave the characteristics of *rechtsstaat*, among others: Human rights, Separation or division of power to guarantee human rights which is commonly known as *trias politica*, Government based on rules (*wetmatigheid van bestuur*) and Administrative Courts in disputes. Meanwhile, AV Dicey from the Anglo Saxon community gives the following characteristics of the rule of law: : The rule of law, in the sense that there should be no arbitrariness so that a person may only be punished if he violates the law, Equal status before the law for both ordinary people and for officials and the guarantee of human rights by law and court decisions.

The way to make civil society involved is through democracy, one form of involvement is the formation of academic texts, the process of which is of course there is active involvement of the community. This is because democracy guarantees people's freedom to participate in the planning, formation, implementation, monitoring and evaluation of regional regulations, the reflection of which is in the academic text that guides the DPRD and regional governments to make regional regulations.

The formation of regional regulations that have been carried out by the DPRD as representatives of the people or the government sometimes manipulates aspects of the interests of the community, DPRD or government instead of prioritizing the interests of the community. Perda that are formed without an academic text tend to produce local regulations without aspirations from below, referring to this description, some issues that need to be studied are how far the Nabire Regency government and DPRD view academic documents as an important need? Regional Regulations in Nabire Regency? What are the stages and procedures for implementing the Formation of Academic Papers?

## **II. Review of Literature**

To conduct research, of course, requires a research method, so in this study the methods used are:

### **2.1 Motede of Normative Law and Sociology of Law**

This research method is a research based on legal sciences, especially constitutional law, which is not only a normative problem but also includes socio-empirical problems, in accordance with the phenomena and realities that develop in society in Nabire-Papua relating to establishment of local regulations.

### **2.2 Research specifications**

This research was conducted with a descriptive-analytical case study approach, which only provides a comprehensive, systematic description of the aspects of the preparation of Participatory Regional Regulations, the steps of preparation and how the government and DPRD understand the preparation of a participatory PERDA. What is

meant by analytical means doing an analysis with the theories of constitutional law, especially with regard to legislation.

### **2.3 Method of collecting data.**

In this research, the writer needs to collect the data or materials needed to discuss the problem. In collecting data or materials, the authors conducted library research or literature studies from various references, especially constitutional law, state administrative law and legal sociology. Literature study is a way of collecting library materials (source data) in the field of law. These data consist of main data and additional data;

## **III. Result and Discussion**

### **3.1 Urgency of Academic Papers for the establishment of Regional Regulations in Nabire Regency**

#### **a. Understanding of Academic Manuscripts**

The legal basis for the formation of an academic manuscript is(1). Decree of the Head of the National Legal Development Agency (BPHN) No.G.159.PR.09.10 of 1994 concerning technical guidelines for the preparation of academic texts of statutory regulations. (2). Presidential Regulation (Perpres) Number 68 Year 2005 concerning procedures for preparing Draft Laws, Draft Government Regulations in Lieu of Laws, Draft Government Regulations, Draft Presidential Regulations, in Article 1 point 7 states that: "Academic Papers are manuscripts that can be accounted for scientifically regarding the conception which contains the background, the purpose of the preparation, the targets to be realized and the scope, scope, object, or direction of the regulation of the draft legislation."

Article 5 paragraph 1 of the Presidential Regulation Number 68 of 2005 states: "The initiator in preparing the draft law may first prepare an academic text regarding the material to be regulated in the draft law." Article 5 paragraph 2 of the Presidential Regulation Number 68 of 2005 states: " The preparation of the Academic Manuscript as referred to in paragraph (1) is carried out by the initiator together with the department whose duties and responsibilities in the field of legislation and their implementation can be submitted to universities or other third parties who have expertise for that. The department referred to in the provision is not only addressed to the department in Jakarta but also to the relevant department if the rules are about regional regulations.

Presidential Decree (Keppres) Number 188 of 1998 concerning Procedures for Preparing Draft Laws mentions the term Academic Paper as Academic Draft. In Article 3 paragraph (1) it is stated: "The minister or the head of the institution initiating the preparation of the draft law may also first prepare an academic draft regarding the draft law to be drafted."

However, in Law Number 10 of 2004 concerning the Establishment of Legislation, it does not explicitly regulate Academic Papers prior to the preparation of a statutory regulation. However, the Law states the involvement of other parties outside the legislative and executive institutions in the preparation of a statutory regulation, which in this case is called community participation. Article 53 of Law Number 10 of 2004 states: "The public has the right to provide input orally and in writing in the context of preparing or discussing draft laws or draft regional regulations."

In this case, public participation in the preparation of a statutory regulation can be interpreted as a form of community involvement which manifests itself in the preparation

of Academic Papers whose preparation is carried out by universities or other institutions outside the executive and legislative institutions.

With no explicit "regulation" of academic texts in Law Number 10 of 2004, the provisions of Presidential Decree Number 188 of 1998 in particular article 3 paragraph (1) are still valid. This is because, in Article 57 letter c of Law Number 10 of 2004 it is determined that other laws and regulations whose provisions have been regulated in this law are declared revoked and invalid. As a result of the Academic Manuscripts not being regulated in Law Number 10 of 2004, the provisions governing the Academic Manuscripts in the Presidential Decree Number 188 of 1998 remain in effect. This can be interpreted from the sentence "the provisions have been regulated in this law" which means that Presidential Decree (Keppres) Number 188 of 1998 concerning Procedures for Preparing Draft Law Article 3 paragraph (1) is still valid.

#### **b. Aspects that must be considered in forming academic texts in Perda**

Academic Manuscripts at least contain philosophical, sociological, juridical, political, subject matter and the scope of the subject matter, each of which is explained as follows:

First, Philosophical Basis, is a philosophical foundation or view that forms the basis of ideals when pouring a problem into legislation. The philosophical basis is very important to avoid conflicting laws and regulations that are prepared with essential and noble values in the midst of society, for example ethics, customs, religion and others.

Second, Juridical Basis, is a legal provision that forms the basis for making laws and regulations. This juridical basis consists of a formal juridical basis and a material juridical basis. The juridical basis from a formal point of view is the basis derived from other laws and regulations to authorize an agency to make certain rules. While the juridical basis in terms of material, namely the legal basis governing the problem (object) to be regulated. Thus, this juridical basis is very important to provide a foothold in the regulation of a statutory regulation so that there is no friction in the law or legal conflict with the above statutory regulations. In relation to the juridical basis, according to Law no. 10 of 2004 concerning the Establishment of Legislation in Article 7 paragraph 1 concerning the hierarchy of laws and regulations states the sequence as follows: (a). 1945 Constitution of the Republic of Indonesia, (b). UU/PERPU (c). PP(d). Presidential Regulation (e). Local regulation. Based on article 7 paragraph 1, this means that the regulations that are in the order below cannot conflict with the regulations above.

Third, Sociological Basis, Law is essentially to regulate society. Academic documents are prepared by examining the realities of society which include the legal needs of the community, socio-economic aspects and values that live and develop (a sense of community justice). The purpose of this sociological study is to avoid uprooting laws and regulations made from their social roots in society. The number of laws and regulations which after being promulgated and then rejected by the community, is a reflection of laws and regulations that do not have strong social roots, or then these rules are not effective in the community so that the impression that emerges later is only of political interest and sharing. money between the legislature and the executive with the preparation of the perda.

Fourth, political basis, no less important that must be considered in the preparation of legislation is the political basis. Political policy is a political policy that becomes the next basis for government policy and management direction. It is hoped that with this political basis, legal products issued can run according to their objectives without causing turmoil in the community.

Thus, the process of drafting laws and regulations should not be carried out pragmatically by going directly to the preparation of article by article without in-depth study or research. Legislative regulations (not only laws but also PP/PERDA), which are formed without in-depth theoretical and sociological studies will tend to represent the interests of certain parties, so that when applied in society there are rejections. The community feels that they do not own a statutory regulation as a result of its non-participatory formation by involving and asking for public opinion. Nor is it justified without going through a research and grassroots community involvement. Perda that has been passed and then socialized,

In the context of regional autonomy, the amendments to the 1945 Constitution also provide juridical opportunities for regions to enact regional regulations and other regulations to carry out autonomy and assistance tasks. Law Number 32 of 2004 concerning Regional Government which was revised by Law Number 12 of 2008 and finally by Law Number 23 of 2014 concerning Regional Government also provides great flexibility for regions to regulate their own households. This broad authority must of course be understood to lead to shared prosperity and social justice so that the products of legislation are oriented towards the interests of the community. Thus, for the benefit of the community, the community must be invited together in formulating draft laws and regulations in the region, without prejudice to the presence of people's representatives in the DPRD. There needs to be a continuous role between the community and the DPRD because in reality the people's representatives in the DPRD have not (unable to) represent all the aspirations of the people who are very dynamic. So that it takes the joint wisdom of both the Regional Government, DPRD and the community in making laws and regulations in the region by compiling academic texts before drafting regional regulations. The public from universities, NGOs or community institutions must be able to be invited when drafting academic texts before local regulations are made, not formulated by the legislative and executive bodies alone.

In addition, by using the Academic Design, there are 3 (three) functions that can be identified, including: (1). Informing that the designer has considered various facts in writing the Draft Regional Regulation; (2). Ensuring that the designer arranges the facts properly and logically; (3). Ensure that the draft Regional Regulation is born from a decision-making process that is based on logic and facts so that it is unlikely to be doubted.

However, it needs to be reaffirmed that academic texts are not mandatory in the process of forming laws and regulations, but an academic text is very much needed in the formation or preparation of regional regulations. The urgency in the process of forming or compiling an academic manuscript, among others: (1). Academic manuscripts are a real medium for community participation in the process of forming or drafting legislation and even initiatives for the preparation or formation of academic texts from the community (academic); (2). The academic paper will explain the reasons, facts or background of the problem or business so that the things that encourage the preparation of a problem or business so that it is very important and urgent to be regulated in a statutory regulation. Aspects that need to be considered are ideological, political, cultural, social, economic, defense and security aspects. The benefits are being able to know for sure about why it is necessary to make a statutory regulation and whether the statutory regulation is really needed by the local community; (3). The academic paper describes a review of a statutory regulation from a philosophical aspect (what legal ideals are expected), a sociological aspect (the values that live in society, the conductability of local regulations/responsibility/benefits received by the community/satisfaction), juridical aspects (vertically and horizontally do not conflict with pre-existing regulations or with

regulations above) and political aspects (political policies which become the next basis for government policies and management); (4). Academic Papers provide an overview of the substance, material and scope of a statutory regulation that will be made. In this case, it is explained about the conception, approach and principles of legal materials that need to be regulated, as well as their normative thoughts; (5). Academic Papers provide considerations in the context of making decisions for the executive and legislative as forming legislation on issues to be discussed in academic texts.

### **3.2 Stages and Procedures for the Implementation of the Formation of Academic Papers**

#### **a. Stages of Community Participation**

The formation of regional regulations, both those originating from DPRD initiatives and those originating from regional government initiatives, is carried out through several stages. So that the stages can be directed, measurable and can be assessed, it must be stated in a draft academic text. These stages must be reflected in the academic text. The stages of forming regional regulations are the same as the stages of drafting other laws and regulations, including: planning, designing, ratifying, enacting, implementing, and evaluating. There is space for community participation at each of these stages. Thus, it is hoped that the academic paper produced will produce participatory regulations, a critical community, and a government that is responsive to social needs (society need).

#### **b. Procedures and Problems of Implementing Academic Papers**

Academic manuscripts as a mirror of local regulations, the community can channel their aspirations at every stage of the formation of local regulations, actively or passively. What is meant by active participation is that the Nabire community must have their own initiative to participate in the formation of regional regulations. Active participation can be done by: participating in public debates, public meetings, demonstrations or through open letters in the mass media, while passive participation is participatory initiatives that come from outside the community. Initiatives can come from the legislative or executive institutions by holding hearings, public dialogues, working visits to villages or DPRD members to each electoral area as well as research interviews in the context of planning or drafting regional regulations.

The forms of implementation of community participation are highly dependent on the situation and condition of the community and its environment. The level of quality of community resources, the concern of educational institutions or non-governmental organizations affect the patterns of participation used by the community to channel their aspirations.

The most conventional way of trying to influence the trial process for the formation of regional regulations is demonstrations or demonstrations. Although this is not the only way of influencing, but this has been regulated in Law Number 9 of 1998 concerning Freedom to Express Opinions in Public, which regulates the forms of expressing opinions in public, including demonstrations, marches, free pulpits, or meetings. general. Through these 4 ways, the community can participate in shouting their wishes and attitudes regarding the material being discussed in the assembly for the formation of laws and regulations, including regional regulations. Although these methods are less effective, they are widely used due to the lack of space for direct participation through government institutions which is very minimal.<sup>6</sup>

Therefore, several models of participation that can be carried out by the government and DPRD of Nabire Regency are related to community participation in the formation of academic texts, including:

1. Involve community members who are considered experts and independent in teams or working groups in the preparation of regional regulations such as the preparation of academic texts;
2. In the context of preparing academic documents, what needs to be done is to conduct public hearings through seminars, workshops or invite interested parties in meetings for drafting regional regulations, deliberation on development plans so that the final results can provide benefits for the formation of good regional regulations;
3. Carry out a legal test of the local regulation;
4. Conducting opinion polls, public contact through mass media;
5. Establishing a village community empowerment institution (LPMK) which has the function of gathering ideas or thoughts before the regional regulations are formally drafted by the DPRD and the regional government as the owner of the formal authority to form regional regulations.

There are several strategies that the government and the Nabire Regency DPRD can take to stimulate community participation in the formation of academic texts, including:

1. Consolidating the strength of the community, especially the stakeholders.
2. Empowering the community (building critical public awareness).
3. Publication of the results of important investigations or research.
4. Attempts to influence policy makers. Generate actions and movements continuously.

However, the formation of regional regulations is not entirely smooth, but problems can still occur. There are several problems that occur related to the participation of the Nabire community in the formation of regional regulations. There are at least 3 factors behind the emergence of participation problems, namely: community factors, juridical factors and bureaucratic factors.

Community factors such as; Apathy (lazy tau) of the community in the formation of local regulations, lack of knowledge and understanding of the community, paternalistic culture that is still deeply rooted, no reward (in the form of follow-up) for community participation, lack of community responsibility, people do not know the mechanism for channeling aspirations, limited public access information.

Juridical factors such as; many regulations that have not been in favor of the interests of the community, there are no regulations that can force the government to involve the people in the process of forming local regulations, there are no regulations that guarantee the public to get information, it is easy to corrupt policies under the umbrella of legality, there are provisions for participation that are not binding because they are not binding. the existence of sanctions or their waiver, many regulations concerning community obligations (ex. Perda retribution), but ignoring the rights of the community, there is no socialization of regulations or policies.

Bureaucratic factors such as; a bureaucratic system that does not provide space for the public, the bureaucracy is positioned as a machine that only works according to track, there is no community involvement in policy making on the pretext of high costs, bureaucrats do not understand the basic meaning of participation, the image of the bureaucracy is thick with money, aspiration channel that not good, mass mobilization often occurs for political interests, APBD is controlled by political elites, parties are not able to play a role in the interests of the people, academic texts whose urgency is clearly not a good view for local governments and DPRD in an effort to increase participation of the academic community before the regional regulations are formed and enforced.

### **3.2 The views of the Nabire Regency Government and DPRD on the formation of academic manuscripts**

#### **a. Mirror academic paper in the Formation of Regional Regulations**

One form of community participation in the formation of regional regulations is the existence of academic texts. The role of the community in the formation of regional regulations is legally guaranteed by Law no. 15 of 2019 concerning the Establishment of Legislation and TATIB DPRD in all Provincial DPRD, Regency / City throughout Indonesia. Thus, there has been a clear legal corridor protecting the public's right to information. This provision also means that in the formation of academic texts of regional regulations there must be 119 procedures that allow the community to play an active role.

However, the government and DPRD Nabire district have not yet viewed the academic text as an important requirement in the formation of regional regulations. This has been proven over the last 3 years which has resulted in 25 pieces of local regulations such as APBD, Regional Tax Regulations, Regional Retribution Regulations, institutional taxes and other regulations besides these taxes are without an academic text and involve the community. So far, the role of the Nabire district community in all processes of forming local regulations is still partial and symbolic. Several mass communications carried out by the government and DPRD are only as a complement to the procedure for basic research that underlies the planning for the formation of regional regulations.

However, the general public who are interested do not have the entrance to participate in it. Then in the discussion stage in the DPRD, the people who have "already" represented their power to the people's representatives in the council no longer have voting rights. The plenary session of the honorable members of the council is indeed open, but it is immune from criticism because of the protocol and court procedures. Meanwhile, people who are dissatisfied have to be content with shouting their aspirations through "that's all" demonstrations and demonstrations that have never been effective.

For this reason, it is important for the government and DPRD of Nabire Regency to understand that whatever form and material the local regulations contain, which will be ratified and enforced, the impact will be on the community. If the community is not fully involved since the beginning of the formation of the regional regulation, it will be difficult to apply the regional regulation effectively and not optimally because it will create a gap between community expectations and the reality of the implementation of regional regulations that are not participatory.

In Law. No. 15 of 2019 concerning the Formation of Legislation, it is stated that the public has the right to provide input orally or in writing in the context of preparing, or discussing draft laws and draft regional regulations. The urgency of community participation in the formation of regional regulations aims to:

- 1) To gain knowledge, expertise or experience from the community so that the regulations made actually meet the requirements of good regulations and deserve to be implemented;
- 2) Ensure that local regulations are in accordance with the reality that exists in the community, foster a sense of belonging, a sense of responsibility and accountability for these local regulations;
- 3) Foster trust, respect, and public recognition of the local government.

In addition, the benefits of community participation, including in Nabire district in the formation of regional regulations, are:

- 1) Improving the quality of decisions/policies taken by the government regarding development;
- 2) Creating political awareness of the Nabire community in development;



- 3) Improving the learning process of democracy to the community;
- 4) Creating a more responsible Nabire community;
- 5) Eliminate the feeling of alienation by the community from the government and DPRD that make regional regulations;
- 6) Gain support and acceptance of various development plans by the government;
- 7) Increase the trust of the Nabire community in the government;
- 8) Streamlining communication between the community and the government (bottom up communication);
- 9) Facilitate cooperation in solving common problems.

In order for community participation in the formation of regional regulations to be more optimal in Nabire district in the future, as a reference this researcher needs to pay attention to the eight principles expressed by Rival G. Ahmad regarding optimizing community participation in the formation of local regulations, namely:

- a. There is an effective publication obligation. What is meant is that the government and DPRD must be obliged to publish regional program plans (PROLEGDA) so that research is carried out so that regional regulations are made;
- b. There is an obligation for systematic, free and accessible information and documentation.
- c. There is a guarantee of procedures and forums that are open and effective for the community to be involved in overseeing the process since planning.
- d. There is a procedure that guarantees that the public can submit a Ranperda other than members of the DPRD and the Government,
- e. There are clear arrangements regarding basic documents that must be available and accessible such as academic texts and Raperda and accessible such as academic texts and Raperda.
- f. There is a guarantee of appeal for the public if the process of forming a regional regulation is not carried out in a participatory manner.
- g. There is an adequate timeframe for the entire process of drafting, discussing Raperda and disseminating regional regulations that have been implemented.
- h. There is clear and adequate accountability for the formation of local regulations that intentionally close the opportunity for the community to participate.

Because of the importance of community participation in the formation of regional regulations, good governance and democracy usually have to guarantee their realization. the principles mentioned above. The form of efforts to capture community participation that can be carried out by the makers of the Regional Regulation in Nabire Regency, it is necessary to first do the following:

- a. Conducting integrated research prior to the drafting of Regional Regulations (formation of academic texts). The integrated research that is meant here is that the government and DPRD of Nabire Regency must comprehensively carry out research that is embodied in academic texts according to the needs of the planned regional regulations.
- b. Hold a public hearing of the material to be prosecuted. (at the Council Building or go directly to the locations of the related communities).
- c. Provide opportunities for residents to attend trials at the DPR Office (by disclosing information on the schedule for the session to form a regional regulation).

Participation models that can be carried out by the government and DPRD of Nabire Regency but so far have not been carried out with regard to community participation, including:

- 1) Involving community members who are considered experts and independent in teams or working groups or group discussion forums (FGD) prior to the preparation of academic texts that will be used as a mirror for the formation of local regulations;
- 2) In the context of preparing academic manuscripts, what needs to be done is to conduct public hearings through seminars, workshops or invite interested parties in meetings for drafting regional regulations, deliberation on development plans so that the final results can provide benefits for the formation of good regional regulations;
- 3) Carry out a legal test of the local regulation;
- 4) Conducting opinion polls, public contact through mass media;
- 5) Establishing a village community empowerment institution (LPMK) which has the function of gathering ideas or thoughts before the regional regulations are formally drafted by the DPRD and the regional government as the owner of the formal authority to form regional regulations.

The community, which is a collection of individuals as legal subjects, has not been much involved in the district to participate in enforcing the law (perda) because most of the community does not know about the old local regulations and the new regulations that have been enacted and enforced. This is the main factor because there is no socialization from the government and the DPRD of Nabire district, let alone not being included in its formation.

If the government has fulfilled its obligation to facilitate public participation, then the community must be able to actively and effectively exercise their right to supervise, monitor the DPRD or political parties so that the community can become its own controlling force.

#### **b. Participation in Enforcement of Regional Regulations.**

After the regional regulation is formed (in which the academic text is attached), of course the law does not exist in a meaningless vacuum. However, law is always related to social dynamics. Therefore, community participation in the enforcement stage is also important. The local government and DPRD must provide clear space for the community to participate in enforcing the regulations that are being implemented. Enforcement means the efforts made when there is a violation of local regulations. Enforcement means ordering, maintaining what has been written.

Indeed, sometimes reality does not go according to plan. Likewise, the implementation of Regional Regulations often does not run according to the provisions. There are various factors that cause the implementation of regulations to be not optimal and many violations occur. While its enforcement does not receive serious attention.

In this enforcement stage, the community plays a central role because enforcement is related to unlawful acts committed by the community either because they do not know or because they are intentional.

Enforcement of regional regulations can be carried out in a preventive and repressive manner. Preventive enforcement is carried out by providing the widest possible information to the public regarding the enactment of regional regulations and sanctions in those regulations.

Repressive enforcement cannot be carried out only by law enforcement officers, but must involve the participation of the community. Although the community is not authorized to take legal action, the community can be the spearhead of law enforcement and can then be followed up by law enforcement officials. This must be done because:

- a. Violations occur in the community, and it is easier for the public to know every violation that occurs.

- b. Violations are sometimes carried out by government officials, the community is indirectly the victims who are the most harmed. Therefore, the public must get a special container or channel to report it.
- c. Repressive legal processes often lead to negative perceptions from the public (such as selective cutting).

With the involvement of the people since the formation of the academic text, the enforcement of regional regulations can be carried out fairly and equitably against all perpetrators of violations indiscriminately. The role of the community in the enforcement of regional regulations can be done by:

- a. Comply with applicable local regulations.
- b. Prevent violations that are known to be committed by others.
- c. Report actions that show indications of violations committed by anyone to the authorities.
- d. Criticizing the implementation of regulations that are carried out half-heartedly.

#### **IV. Conclusion**

In this study, the author concludes that academic manuscripts in the formation of regional regulations are seen as important not as slogans but because:

1. Decree of the Head of the National Legal Development Agency (BPHN) No.G.159.PR.09.10 of 1994 concerning technical guidelines for the preparation of academic texts of statutory regulations. (2). Presidential Regulation (Perpres) Number 68 Year 2005 concerning procedures for preparing Draft Laws, Draft Government Regulations in Lieu of Laws, Draft Government Regulations, Draft Presidential Regulations, in Article 1 point 7 states that: "Academic Papers are manuscripts that can be accounted for scientifically regarding the conception which contains the background, the purpose of the preparation, the targets to be realized and the scope, scope, object, or direction of the regulation of the draft legislation." It is also clearly stated in the academic text.
2. With the academic text, the Philosophical Basis, Juridical Basis will be clearly described, Sociological basis, political basis that can be used as a reference in drafting regional regulations article by article.
3. Thus, in the process of drafting laws and regulations, it should not be carried out pragmatically by directly leading to the preparation of article by article without in-depth study or research with experts by involving stakeholders.
4. Academic manuscripts have their own function, namely having a very good position as: (1). Initial material containing ideas on the urgency, approach, scope and content of a regional regulation; (2). Considerations used in the application for an initiative permit for the preparation of Raperda/other Regional Legal Product Drafts to the Regional Head; (3). Basic materials for the preparation of Raperda/other Regional Legal Product Drafts;
5. In addition, by using the Academic Manuscript Design, there are 3 (three) functions that can be known, including: (1). Informing that the designer has considered various facts in writing the Draft Regional Regulation; (2). Ensuring that the designer arranges the facts properly and logically; (3). Ensure that the draft Regional Regulation is born from a decision-making process that is based on logic and facts so that it is unlikely to be doubted.

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