

Community Outreach Gaps in Drafting Regional Regulations: A Call for Enhanced Government Socialization

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Abstract: The enactment of Law Number 12 of 2011 concerning drafting laws and regulations constitutes a crucial foundation for legislative and regulatory development. This was accepted by the community because many Regional Regulations of The Leader (Regional Reg. of The Leader/Perkada) were revised and even revoked by the government. This study aims to inform the formulation of the Regional Medium Term Development Plan in Lahat. Its objective is to evaluate the alignment of legal developments with Law Number 12 of 2011. The form of research is analytical descriptive, namely research that does more than just describe a problem. Data collection involves a prescriptive legal method, focusing on researching legal aspects. The study reveals that during the preparation of the Lahat Regional Medium Term Development Plan (RPJMD) for 2019-2023 it was approved by Lahat Regional People's Representative Assembly /DPRD for the enactment of Regional Regulation Number 2 of 2019 concerning the Regional Medium-Term Development Plan (RPJMD) in the framework of revising Law Number 12 of 2011 concerning the formation of adequate laws and regulations, namely regional government laws and regulations, in this case the Regent's proposal has been stipulated by Lahat Regional People's Representative Assembly/DPR. This revision aims to ensure compliance with regional government laws and regulations. However, there remains a significant gap in community socialization efforts.

Introduction

Continuing the reformation period through four stages of amendment to the constitution is an attempt to strengthen the commitment to democratization in all fields, including regional autonomy (Ginting & Haryati, 2011; Widodo, 2011). In the activities of an ecological management organization, the usual course of action of the nearest country is taken into account (policy) (Dharmawan, 2007). The primary objective of providing opportunities for environmental management action is to encourage city commissions to understand the vision, mission and technical characteristic of the surrounding local government. Therefore, regional regulations consistently account to the conditions of the region itself, both regional and economic conditions (Muawanah et al., 2018; Pambudi, 2018; Setiawan et al., 2016). The closest governing body is the Jurisdictional Council, awaiting national directives.

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The division of responsibilities, tasks, capacities and obligations between the middle and the district show that it cannot be understood that all administrative tasks are supervised by the center alone. This recognition gives local the opportunity to try to control and oversee and coordinate their own governance. Therefore, guidelines governing local and provincial relations must be robust, comprehensive, and responsive to uphold Indonesia's sovereignty and development aspirations.(Yusup, n.d.)

Regional Regulation is the important regulation for methods to achieve the decentralization goals (Abidin & Herawati, 2018; Suharjono, 2014; Sumartini60, 2017). They serve as an instrument for implementing regional autonomy in determining regional development policies (Suparto et al., 2022) through the legislative process in regional government (Antari, 2022). In order to realize the principle of autonomy as widely as possible, regional governments carry out comprehensive management of their regional affairs (Mukhlis et al., 2024). To maximize autonomy principles, the presence of local guidelines at the primary level plays a role in increasing the maximum. The existence of Law Number 12 of 2011 provides an important basis for the preparation of laws and regulations, because it shows.

The existence of Law Number 12 of 2011 establish an important basis for the preparation of laws and regulations, because it shows

1. Jurisdiction is obliged to draft laws and regulations;
2. The necessity to adapt the structure or nature of legal instruction to the target material, especially when required at the same or a higher level.
3. Compliance with specified laws;
4. The need not to conflict with other laws and public policy.(Christiawan, 2021)

Article 39 of Law Number 12 of 2011 concerning Preparation of Service Guidelines states that the readiness of Regional/City Regional Guidelines is carried out in Regional Regulations/City Prolegda. This article underscores that the DPRD/Regional People's Representative Assembly has significant role in the development of provincial guidelines. The Regional Legalization Program (Prolegda) is co-managed by the provincial government and DPRD/Regional People's Representative Assembly for a year. Prolegda facilitates the preparation of Regional Guidelines based on predetermined needs.(Suharjono, 2014)

In Islam, the democratic process is also governed where the system of implementing democracy which is regulated in Islam always heeds the democratic values contained in Al-Qur'an Surat Ali Imran verse 159, which guides decision-making process:

فَبِمَا رَحْمَةٍ مِّنَ اللَّهِ لِنْتَ لَهُمْ وَلَوْ كُنْتَ فَظًا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ فَاعْفُ عَنْهُمْ وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ

“So by the grace of God you were gentle with them. Of course, if you are rude and rude, they will walk away from you. Therefore, forgive them, apologize to them and negotiate with them about this matter. Then

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when you have decided, trust God. Verily, Allah loves those who put their trust in Him”.

According to the Islamic Leader Thought, Hasbi Ash-Shiddieqy explained: "The Prophet Muhammad always consulted with his companions in government and meetings, regardless of whether identified with problems of individual, political, financial, social or other nature. Unlike matters of divine revelation where the Qur'an serves as the ultimate authority, deliberation is a genuine expression of respect for human rights. The values of deliberation, which include freedom, fairness and the equal right to have one's voice heard, exemplify this.(Asy-Syawari, 2013)

In addition, Article 236 paragraph (1) of Law Number 23 of 2014 concerning Regional Government, regional regulations are also further elaboration of higher laws and regulations by taking into account the quality of each region, this framework is in accordance with the provisions of Article 41 of Law Number 12 of 2011 concerning the Basis of Regional Regulations which states that the substance of regional regulations is generally content material that can be contained in an open aggregate rundown of development, expansion and consolidation of sub-regions or different names and/or arrangement, extension and consolidation, city or another name.

According to the Minister of Home Affairs (Mendagri) Tjahjoko Kumolo, as many as 3,143 Regional Regulations (Regional Reg./Perda) or Regional Head Regulations (Regional Head Reg./Perkada) that they were revoked or revised by the government were finally issued after being determined with various facts that many Regional Reg./Perda were rejected because they were not in accordance to democracy and applicable law.(Detiknews, 2016)

Similarly, all regional regulations in the Lahat district were proposed by the regent to Lahat Regional People's Representative Assembly /RPRA, this can be seen since the inauguration of the Lahat Regent Cik Ujang, SH and Lahat Deputy Regent H. Haryanto, SE, MM on December 9 2018. According to the Leader of Lahat Region Cik Ujang, SH at Lahat Regional People's Representative Assembly /RPRA meeting on December 12 2018, in his remarks explained the draft regional regulation on the 2018-2023 Regional Medium-Term Development Plan/RMTDP (RPJMD) which had been harmonized and accommodated the Vision and Mission of the Regent and Deputy Regent for the 2018-2023 period which was prepared in accordance with the RMTDP /RPJMD of the Lahat Regency Government in preparing the 2019-2023 Lahat Regency RMTDP /RPJMD as part of the fourth RMTDP /RPJMD of the stages of implementing the 2005-2025 Lahat Regency RMTDP /RPJPD in realizing the independent agribusiness-based people's economy towards a prosperous society. Likewise, the birth of Lahat Regency Regional Regulation Number 2/2019 Regional Medium-Term Development Plan, which was ratified by Lahat Regional People's Representative Assembly /DPRD on June 19 2019, with the enactment of this Regional Reg./Perda, marking the commencement of development initiatives for Lahat Regency in the 2019-2023 period.

The Implementation of Law Number 12 of 2011 which governs the Formation of Legislation is not in accordance with the desired objectives, in accordance with the background description previously given. This is proven

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by the number of revocations of regional regulations in 2016 due to problems with the regional regulations themselves (Agustiwi, 2022). Thus, the primary issues in this study are: What are the procedures for forming regional regulations based on Law Number 12 of 2011 concerning the Formation of Legislation? How is the formation of the Lahat Regency Regional Regulation No. 2 of 2019 RPJMN from the perspective of Law No. 12 of 2011? This research aims to examine the suitability of the preparation of regional regulations with Law Number 12 of 2011, especially regional regulations in the city of Lahat.

Method

In conducting this research, the authors used field research (Field Research). Broadly speaking, field research usually contains sampling techniques and data collection, which were obtained from the Lahat District Government. The study adopted a regulatory juridical methodology, which is complemented by viewing literature or additional information that identifies with reductions, such as to contemplate and examine legal perspectives referring to legal standards contained in legal guidelines, especially Law No. 12 of 2011 concerning the Formation of Legislation. Data analysis was qualitatively descriptive in nature.

Results and Discussion

The Process of Making Regional Regulation Based on Law Number 12 of 2011 Concerning the Formation of Statutory Regulation

Fundamental changes in governance have taken place since the enactment of Law Number 22 of 1999 concerning Regional Government, subsequently amended by Law Number 32 of 2004 concerning Regional Government and amended again by Law Number 23 of 2014 concerning Regional Government. In Indonesia, local governments have the power to regulate their own regions. This includes provincial and district/city governments. According to Article 10 paragraph (2) of Law Number 23 of 2014, which is a hierarchical application of Article 18 paragraph (2) of the 1945 Constitution of the Republic of Indonesia following its second amendment, regional governments have the authority to supervise self-government affairs.

Determination in regulations in a good area must be carried out in accordance with Article 5 of Law Number 12 of 2011 which consists of the principles of clarity of purpose, suitability and institutional suitability, nature of content material and clarity of feasibility. Preparation and discussion should be carried out openly. Therefore, the city government has a great opportunity to contribute to the making of regional regulations. Thus, the researcher provides information related to the formation of democratic regional regulations for regional leaders. In this case, it must be noted that the preparation is carried out in stages, including the stages of planning, preparation, discussion, ratification or adoption and publication. Which is regulated in Article 1 of Law Number 12 of 2011. However, these steps are carried out in accordance with the needs or conditions and types and hierarchies of certain laws whose formation is not regulated in this law, such as Law No. discussion of draft government regulations as referred to in Article

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8 (1), drafts or proposals for statutory regulations from the President. In the following, the author elucidates the stages in the formation of a draft regional regulation or a draft regional regulation according to Law Number 12 of 2011, including:

1. Planning.

Planning serve as a crucial tool for compiling laws and regulations that indicate priority scales in government and Regional People's Representative Assembly/RPRA legislation programs (Ansarullah et al., 2022; Effendi & Sufyan, 2020; FADLI, 2021). Proposals submitted to the Regional People's Representative Assembly/RPRA by the Regional People's Representative Assembly or Regional Representative Council/RRC, government are prepared based on the national legislation program, in certain cases the RPRA and the President can make proposals outside the national legislation program when facing unusual circumstances, conflicts and natural situations. in accordance with Article 23(2) of Law Number 12/ 2011 Laws and Regulations. At the same time, planning for the elaboration of regional regulations takes place within the regional legislation program. The regional legislation program, hereinafter referred to as Prolegda or a planning tool for the elaboration of state regulations or district/city regional regulations drawn up according to Articles; in a planned, integrated, and systematic manner. Law Number 12/2011 is utilized a foundational guide for navigating the complexities of legislation (Danasastro, 2012; HALAWA, 2022; Sihombing & Utara, 2016).

Every year, regional planning regulations are formulated and determined before the draft regional regulations for Regional Expenditure Budget/REB/APBD are enacted. The criteria are outlined Article 35 of Law Number 35 of 2011 concerning Laws and Regulations form the basis of the priority scale used to compile a list of Prolegda regional regulation projects. Higher legal requirements, regional development plans, regional autonomy implementation plans, general administration tasks, and local community aspirations are the criteria stipulated by the padal.

2. Drafting/Compilation

Provincial regulations can come from provincial councils or governors. Explanations or statements and/or scientific papers specified in Article 2 of Law no. 56 is attached to the draft state regulation in Law Number 12/2011. After the plan for drafting regional regulations has been included in the text regarding the existence of a text that will later become a draft law, the guidelines for preparing scientific text for regional regulation projects is carried out according to the sub-districts. project. the recipe for the preparation of scientific work in the field of technology in accordance with stipulated in article 57 paragraph 1 of the legal guideline no.12/2011 is a guideline in making legislation. Academic is a text on the results of research or legal research and the results of other studies on a specific problem that can be scientifically explained according to the arrangement of the problem in a Bill, Draft State Regulations or Draft State/City Government Regulations (Atmaja, 2016; Fattah, 2019; Nasional, n.d.). Community law emerge as a solution to problems and needs. (Article 1(11)). Each local regulation project (state/district/city) must be accompanied by a scientific certification.

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3. Discussion/Discussion.

The Regional People's Legislative Assembly /RPRA and the regional head discuss the regional regulation proposals while in the RPRA. At the level of discussion carried out in meetings, both the commission and especially the apparatus that handles the field of RPRA legislation, and the plenary meeting are held joint discussions. The rules of the Regional People's Legislative Assembly more specifically stipulate procedures for deliberating draft regional regulations. Before the RPRA and regional administrators review it jointly, the draft regional regulation can be withdrawn. However, the RPRA and regional leaders/heads must reach a consensus that the drafting of the regional regulations is repealed. Articles 75 and 76 of Law no. 12 of 2011 concerning Laws and Regulations encompass provisions for revocation of draft regional regulations.

4. Ratification or Determination.

The final stage in creating a new Regional Regulation/Regional Reg. is ratification, and the first step in its implementation is approval. The transition time for a new Regional Reg./Perda is an important element in its successful implementation. The implementation of the new Regional Reg./Perda is closely related to this transitional period. After obtaining approval, the new Perda does not have to be enforced immediately. It is recommended that the validity period of the Regional Reg./Perda be extended after its ratification. This is done so that the wider community and related government agencies can prepare themselves well for the successful implementation. Preparations for implementation include raising public awareness of the new Regional Regulation and organizing training and education for law enforcement and police officers on specific provisions for the new regional regulation, followed by the distribution of Prolegda, Ranperda and Regional Reg./Perda to regional governments and the RPRA. The RPRA, government sends draft regional regulations which are jointly coordinated by the DPRD and regional administrators to regional administrators to be enacted as regional regulations. The draft regional regulation will be submitted no later than 7 days after the mutual agreement. The regional manager orders is responsible for Ranperda to become a Perda that is signed no later than 30 days after the Ranperda is agreed upon. § 78 Law no. 12/2011 concerning laws and regulations.

5. Invitation.

Regional Regulations (Provincial/Government/City) are issued and recorded in Regional Gazette (Provincial/District/City). Stipulations of Governors and Appointments of Governors/Mayors are published in Provincial/District/City Gazette. The District Secretary will ensure the publication of the District Ordinances in the District Gazette and District Gazette. Laws and regulations will enter into force and become binding on the effective date, unless otherwise specifies in the relevant laws and regulations. This is regulated in article 86 of Law 12/2011 which pertains to statutory regulations.

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6. Dissemination.

Socialization is contained in articles 88, 89, 90 and 91 of law 12 of 2011, the DPRD and the regional government socialize the preparation of Prolegda, draft regional regulations, draft processing starting from regional regulations until the issuance of these regulations. Territorial regulations. Socialization is aimed to provide information and/or obtain responses from the public and interest groups. The distribution of Prolegda is handled jointly by the DPRD and the administrative provincial or district/city regional government, which is coordinated mainly by the RPRA apparatus in charge of legislation. Nelvitia Purba and Sri Rizk Hayaty, "Teori Peraturan Perundang-Undangan" (Universitas Muslim Nusantara/CV. AA. Rizky, 2022).

The RPRA apparatus is responsible for the dissemination of draft regional regulations originating from DPRD. Regional secretaries are responsible for distributing draft regional regulations from governors or heads of regions/mayors. The RPRA and provincial or district/city administrative governments are responsible for the dissemination of provincial regional regulations or government/urban council regulations published in regional newspapers. The text of the laws and regulations to be circulated must be in the form of a copy of the text published in a regional newspaper, an additional part of a regional newspaper, and a regional newspaper. Constitution Number. 12/2011 concerns laws and regulations. Each drafter of laws and regulations bears moral for making new regional regulations at the time of their implementation, if an error occurs in their preparation, as stated in Law no. 12/2011 regarding the creation of laws and the will of the people, regional regulations are declared invalid by the Decree of the Court at the Supreme Court.

Establishment of Lahat Regency Regional Regulation Number 2/2019 Regional Medium-Term Development Plan Form the Perspective of Law Number 12 of 2011 Concerning Legislation

With the enactment and promulgation of Law Number 12 of 2011, stakeholders must understand many new provisions in the legislation process. An in-depth understanding of the processes, methods and techniques for forming laws is an important prerequisite for producing quality, advanced and needed legal products. In addition, this law regulates clearly and in detail the processes, methods and techniques for crafting regional regulations. The process of drafting regional regulations according to Law no. 12 of 2011 took place at the stages of preparation, planning, design and work by the RPRA.

The author analyzes how the Lahat Regional Regulation No. 2/2019 based on Law 12 of 2011 concerning the Formation of Laws. Birth of Lahat Regional Regulation No. 2 of 2019 the Regional Medium-Term Development Plan based on or abbreviated as RPJMD. The birth of the Regional Medium-Term Development Plan (RPJMD) is a refinement of the Regent's vision, mission and program encompassing goals, objectives, strategies, regional development policy directions and regional financing, as well as regional and regional development. programmatically. The regional work program is accompanied by an indicative financial framework for a period of 5 (five) years and is prepared with reference to the Regional Long Term Development Plan

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(RPJPD) and the National Medium Term Development Plan (RPJMN). Within 6 months of the Regent's election, the Regional Medium-Term Development Plan (RPJMD) must be formalized through a Regional Decree.

This was conveyed by the Chairperson of Commission III Regional People's Representative Assembly/DPRDLahat, as well as the chairman of the Review and Assessment of the Regional Medium Term Development Plan Drs. H. Ghozali Hanan, MM, according to him:

"In the preparation of the Regional Medium-Term Development Plan (RPJMD) proposed by the elected Regent and Deputy Regent of Lahat which is the implementation of their VISION and Mission, which must then be stipulated by Regional Regulation no later than 6 (six) months after the elected regional head is appointed, the RPJMD proposal must be submitted to the DPRD after the inauguration".

In addition, the author also interviewed the general regional head of the Regional Development Planning, Research and Development Agency (BAPPEDA) to confirm the regional development plan from a medium-term perspective, according to him:

"2018 is the final year of the 2013-2018 Lahat Regency development period and the start of the 2019-2023 Lahat Regency development since the inauguration of the Lahat District Head Cik Ujang, SH and Deputy Lahat District Head H. Haryanto, SE, MM on December 9, 2018. Therefore, the Government of Lahat Regency must prepare the Lahat District Medium Term Development Plan (RPJMD) for 2019-2023. To realize their VISION and MISSION, this plan must be conveyed at the Lahat DPRPD session".

Based on the findings of the aforementioned interviews it can be explained that the preparation of the Regional Medium Term Development Plan (RPJMD) is an implementation of the VISION and MISSION of Cik Ujang, SH and H. Haryanto. SE, MM As elected Lahat Regent and Deputy Regent, inaugurated at Griya Agung by H. Herman Deru, Governor of South Sumatra on December 9 2018. The vision and mission of the Lahat Regent and Deputy Regent serve as the main ingredients that will be developed in the preparation of the Regional Medium Term Development Plan (RPJMD) According to the head of the general subdivision of the Regional Research and Development Agency of the Regional Development Planning Agency:

"During the process of formulating the Regional Medium-Term Development Plan (RPJMD), the first time there is a suggestion from the Regent and Deputy Regent of Lahat to Bappeda to formulate and compile a Regional Medium-Term Development Plan (RPJMD) in accordance with the Vision and Mission of the Regent, next Bappeda will form a team to prepare the Regional Medium-Term Development Plan, after completion it will ask for it to be examined by the Lahat government legal team, after it is finished it will be checked by the legal department, if there is a revision there will be improvements, when all is done then it will be submitted to the Lahat DPRD for ratification of the Regional Regulation".

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Bappeda of Lahat Regency also has a role in making regional regulations, regional regulations are written regulations that contain legally binding standards in general and are formed or stipulated by state institutions or authorized bodies through the procedures specified in Law Number 12 of 2011 regarding Formation of Legislation. The policy for forming statutory regulations themselves is the preparation of statutory regulations which include the stages of planning, preparation, discussion, ratification or regulation, and ratification. The author is also looking for information in the preparation of the Regional Medium-Term Development Plan (RPJMD), the next process is to find out by preparing what is in accordance with the regulations for the formation of Law No. 12 of 2011. Legislation, the result of interviews again with the heads of Subdivisions in Bappeda, according to him:

"In formulating the Regional Medium-Term Development Plan (RPJMD), we formed a small committee to formulate the contents of each article that we included in the main RPJMD. There must be VISION and MISSION content for both the Regent and deputy regent. The human resources who designed this have a scientific background consisting of fields of law, economics, socio-culture, Religion and Politics and Public policy. Once the draft of the RPJMD is finalized, we submit it to the Legal Department. in the field of Law, it will be continued in making an academic study regarding the Regional Medium Term Development Plan (RPJMD), with evaluation to be carried out by an academic institution appointed by the Regent of Lahat.

What was conveyed by the head of the general subdivision of the Regional Development Planning, Research and Development Agency, was emphasized again by the Head of the Administrative Section of the Lahat administration who conveyed the process of making a Regional Medium-Term Development Plan as follows:

"In the context of formulating regional policies to create regional regulations, one crucial aspect involves the development of the Regional Medium-Term Development Plan (RPJMD), there are several stages in the formation process until it becomes a regional regulation. The formation process basically starts from the planning, design, formulation, discussion, approval, enactment, dissemination and evaluation process. But most importantly, there is material content that cannot be separated from the Vision and Mission of the Regent and Deputy Regent aims to improve the development and economy of the region where the community participates, in this case the human resources needed according to their knowledge required in the process of making regional regulations. It is imperative that the formation process complies with Law Number 12 of 2011 regarding Legislation Formation, particularly with respect to regulating Community Participation"

Then the Chairman of Commission III DPRD Lahat Mr. Drs. H. Ghozali Hanan, MM, provided additional information to the author according to him, to strengthen also the content of the material for the Regional Medium-Term Development Plan (RPJMD) of the Lahat Regent Cik Ujang.SH, who was accompanied by his Deputy H. Haryanto, SE, MM conducted public

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consultation activities on the Initial Regional Medium-Term Development Plan (RPJMD), The opening public consultation for the Lahat District's Initial Medium-Term Development Plan (RPJMD) 2019-2023 took place at the Lahat Regency Government Meeting Building on Tuesday, January 22, 2019, at 08:00 WIB. Then according to the Chairperson of Commission III of the Lahat DPRD who were present at that time, among others, the District DPRD Leaders. Lah Samarudin. SH, Regional Secretary, Head of Bappeda of South Sumatra Province, Expert Staff, Assistant, Head of TP PKK and Deputy, Chair of Dharma Wanita Association, Head of PT.MAS Company, Head of Bank Sum-Sel Babel, Head of Service, Head of Division, Community Leaders and Sub-District Heads. Implementer of Bappeda Activities in Lahat Regency. The Public Consultation Activity for the Preparation of the RPJMD according to the Chairman of Commission III DPRD Lahat is the Stages of the Deliberation Mechanism for regional medium-term development planning in order to produce participatory, aspirational and integrated regional development planning. "This public consultation forum aims to gather the aspirations of all stakeholders at an early stage, capturing their hopes and aspirations for regional development programs over the next five years."

The next data is to strengthen the information that has been submitted by the Chairperson of Commission III DPRD Lahat. The author also conducted an interview with one of the Youth Shops who was involved in the public consultation activity on the Initial Regional Medium-Term Development Plan (RPJMD), which was held by the Regent of Lahat. According to him, are as follows:

"This public consultation forum activity was conducted successfully so that the entire Lahat community can be aware of the Preliminary Regional Medium Term Development Plan (RPJMD), as a source of law for the development of Lahat in the short term and long term during the term of office of the Regent for 2018-2023, This event provided an opportunity for community members to offer positive and constructive feedback in the development of the RPJMD. The contents of the RPJMD serve as a reflection of the Vision and Mission of the Regent and Deputy Regent of Lahat"

The Regent of Lahat further elaborated on the initial planning for the implementation of the RPJMD (Regional Medium-Term Development) during a public hearing. According to the Regent of Lahat Regency during our term of office 2018-2023 in developing the Lahat Region, I appeal to all levels and community institutions in this public consultation forum to provide positive and constructive input, "said Cik Ujang as the Regent of Lahat. Meanwhile, the vision and mission that we choose and formulate are very broad, so they must be managed or developed into objectives, targets, strategies, policies, and priority programs. This task is challenging and cannot be accomplished by one or two individuals alone; it necessitates synergy, collaboration, discussions, and other lengthy processes. Including today's agenda, namely the First Draft Deliberation Forum for the 2019-2023 Lahat District Medium Term Development Plan (RPJMD). Lahat Year 2019-2023 by the Regent of Lahat accompanied by Deputy Regent of Lahat, Chairperson of the DPRD Kab.

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Lahat, Provincial Bappeda, Kab. Lahat, Community Leader, Head of Social Service.(Mirhan, 2019)

The Making of Regional Regulation according to Law Number 12 of 2011, in this study through the lens of Hans Kelsen's concepts of justice and legality. In this theory it is explained that the most important thing is that regional regulations do not conflict with the highest order above them, according to Article 8 (1) and (2) of Law No. 12 of 2011 and the steps in making them. Regional regulations are formed democratically by regional governments through stages which include planning, preparation, discussion, validation or verification, adaptation and socialization. What is regulated in Article 1(1) of Law No. 12 of 2011. While preparing the Lahat Regional Medium-Term Development Plan (RPJMD) for 2019-2023, the Lahat Regional People's Representative Assembly /DPRD then ratified it to become Regional Regulation No. 2 of 2019. It is a Plan in Development carried out by the Lahat government in the Medium Term in the Lahat district area based on Law No. 12 of 2011 concerning the formation of laws is correct, meaning that the laws and regulations issued by the Lahat regional government. The proposal presented by the Regent of Lahat was ratified by the Regional People's Representative Assembly (DPRD) of Lahat, ensuring conformity with superior laws and regulations since its enactment.

In Islam it has also taught the makers of a law or regulation whose material content concerns the goodness of peace in people's lives there is no conflict in the content or material of the regulations that will be made with other regulations, which Allah has explained in the Qur'an sura al-Baqarah in verse 213:

كَانَ النَّاسُ أُمَّةً وَاحِدَةً فَبَعَثَ اللَّهُ النَّبِيِّينَ مُبَشِّرِينَ وَمُنْذِرِينَ وَأَنْزَلَ مَعَهُمُ الْكِتَابَ بِالْحَقِّ لِيُحْكُمَ
بَيْنَ النَّاسِ فِيمَا اخْتَلَفُوا فِيهِ وَمَا اخْتَلَفَ فِيهِ إِلَّا الَّذِينَ أُوتُوهُ مِنْ بَعْدِ مَا جَاءَتْهُمْ الْبَيِّنَاتُ بَغْيًا بَيْنَهُمْ
فَهَدَى اللَّهُ الَّذِينَ ءَامَنُوا لِمَا اخْتَلَفُوا فِيهِ مِنَ الْحَقِّ بِإِذْنِهِ وَاللَّهُ يَهْدِي مَنْ يَشَاءُ إِلَى صِرَاطٍ مُسْتَقِيمٍ
٢١٣

“Humans are part of one nation. (after a dispute arose) then Allah sent the prophets as warners, and Allah sent with them the true Book to decide between people about the things that are in dispute. There is no dispute about the book except for those to whom it was brought, that is, after they received clear evidence of jealousy among themselves. So God guides believers to truths with which they disagree about His will. And Allah always guides whom He wills to the right path.”

In Surah Al-Baqarah verse 213 conveys the fact that one of the reasons the prophets were sent was to resolve disputes between humans through divine laws. This highlights how Allah (SWT) addresses the human need for guidance and law. Throughout the Qur'an, Allah Most High has pointed out this fact that We have shown mankind the path of guidance. The Qur'an itself is the final book of heavenly law and Divine revelation, which is the best way to get guidance.

It is evident that Islam allows both the government and the people to make regulations aimed at the welfare of the people and the state, the purpose

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of which is that the content or material of the law enacted does not create contradictions or contradictions. dispute. The content of regional regulations can be seen in the provisions of Article 14 of Law Number 12 of 2011 concerning Formation of Legislation, which stipulates that the contents of regional regulations and regency/city regional regulations contain content material related to their implementation, for the tasks of regional autonomy and joint governance. Additionally, they may address special regional regulations and/or further elaborations of higher-level statutory regulations.

The formation of regional regulations must be harmonized with higher regulations, this is stated in Article 7 of Law Number 12 of 2011 which stipulates that regional regulations are at the bottom of the legal hierarchy. Because regional regulations are political products, political factors can influence the contents of regional regulations as legal products. This was explained by M. Solly Lubis, according to him, in the concept of positive law, the implementation of legislation is always influenced by certain political forces that interact in the process..(Lubis, 1989) According to the Chairman of Commission III of the Lahat Regional People's Representative Assembly /DPRD, Dr. H. Ghozali Hanan, MM in preparing the 2019-2023 Lahat Regency Regional Medium Term Development Plan (RPJMD), following the legal provisions of Law Number 12 of 2011 which is regulated in Article 1(1) of Law no. Law. Existing phases, which include planning, preparation, discussion, acceptance or specification, and release phases. What he said was as follows:

"The preparation of the Lahat District Medium Term Development Plan (RPJMD) for 2019-2023 went through several stages, starting from the implementation of the Public Consultation Forum for the Initial Draft of the RPJMD on January 22 2019, discussing the Preliminary Draft of the RPJMD with the Lahat Regency Regional People's Representative Assembly /DPRD on February 6 2019, and the signing of a Memorandum of Understanding between the Lahat Regent and the Lahat Regency DPRD on the Preliminary Draft of the Lahat District RPJMD on February 18 2019 Furthermore, on March 13 2019 a Consultation on the Preliminary RPJMD Draft was held to the Governor of South Sumatra and on March 18 2019 the Lahat Regency RPJMD Musrenbang was held, and on March 25 2019 the Raperda RPJMD Lahat Regency was submitted to the Lahat Regency DPRD to be discussed and agreed upon by signing a joint agreement between the Regent of Lahat and the DPRD of Lahat Regency on April 9 2019. The Lahat Regency RPJMD 2019-2023 then evaluated by the Governor of South Sumatra on April 22 2019 and issued Decree of the Governor of South Sumatra Number 248/KPTS/Bappeda/2019 concerning Evaluation of the Draft Regional Regulation Concerning the Medium-Term Development Plan for the Lahat Regency Region for 2019-2023 dated May 27 2019. Following revisions based on feedback, the RPJMD of Lahat Regency was resubmitted to the Governor of South Sumatra and received the registration number of the Lahat Regency regional regulation (1-45/2019) on June 18, 2019, serving as the foundation for establishing a Regional Regulation on the 2019-2023 Lahat Regency Regional Medium-Term Development Plan".

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In Law No. 12 of 2011, regulation products in the regions must undergo a process of socialization, because this socialization becomes an arena to take over the wishes of the community. This procedure is carried out by the initiator who outlines opinions in the region. The initiator's task is to seek, research, and collect the city government's contribution to the formulation of regional regulations that will be made. To find out whether it is disseminated in the preparation of the 2019-2023 Lahat Regency Regional Medium-Term Development Plan (RPJMD), to the community. So the authors get data from the results of interviews with the Lahat Administration Section as follows:

"That in the preparation of the Lahat Regency Regional Medium-Term Development Plan (RPJMD) for 2019–2023, we have conducted outreach to the public by opening a public consultation on the Initial Regional Medium-Term Development Plan (RPJMD), which was opened directly by the Regent. Those invited to attend at that time included the District DPRD Leaders. Lah Samarudin. SH, Regional Secretary, Head of Bappeda of South Sumatra Province, Expert Staff, Assistant, Head of TP PKK and Deputy, Chair of Dharma Wanita Association, Head of PT.MAS Company, Head of Bank Sum-Sel Babel, Head of Service, Head of Division, Community Leaders and Sub-District Heads"

In order to obtain additional data, the authors conducted interviews with several communities in Lahat to find out how far they knew about the implementation of the Regional Medium Term Development Plan (RPJMD) process. The results of interviews with several Lahat people who gathered to talk with the author are as follows:

"We as the people of Lahat are delighted about the regional regulation number 2 of 2019 Regional Medium-Term Development Plan (RPJMD), meaning that the Regent and Deputy Regent are serious about building Lahat according to their promises in accordance with their Vision and Mission, but unfortunately we have not been able to socialize directly at the village office or special media created by the Regent or Lahat government officials, we only got information once at the village office, and got information from colleagues at the coffee shop. What should have been socialized directly to us was an event held at the village office, as well as conveyed in the Lahat special media which discussed local regulation No. 2 of 2019 the Regional Medium-Term Development Plan (RPJMD), but in doing so we continue to support the Regent and Deputy Regent in the development of Lahat which has been stipulated in regional regulation No. 2 of 2019 the Regional Medium-Term Development Plan (RPJMD). We believe everything is for the good of the Lahat Community":

Dealing directly with the community should be very important, although several community leaders and sub-district heads were invited to prepare the Regional Medium Term Development Plan (RPJMD), because it is usually the community who recognizes the importance of the area. the medium-term development plan (RPJMD) which will be determined by the regional government together with the DPRD for socialization, prepares a planning

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document in the form of Pro-Pemperda, which contains plans for regulatory products to be made, in which regulations will be formed for 1 (one) fiscal year. Based on the Propemperda, it is only regulated that each SKPD must take the initiative to form a draft regional regulation. The role of the SKPD is to absorb aspirations, which are called the Asmara Network (Community Aspirations Network).

At the same time, Law no. 354, Article 3, Article d, 23/2014 also strengthens arrangements regarding institutions and mechanisms for community participation in local government. The main role of the community in the process of drafting regional regulations is a requirement for input from the community, which can be carried out both at the preparatory and discussion stages of state-order projects. In this case, the government must be more active in involving the community, and providing clear information to the community is the government's obligation (Kurniawan et al., 2017). According to the democratic view, the right to make laws is in the hands of the people, represented by members of parliament (Alam et al., 2023). Information received by the author, the Lahat DPRD then ratified it to become Regional Regulation Number 2 of 2019 during the preparation of the Lahat Regency Medium Term Development Plan (RPJMD) for 2019-2023. exist and higher legislation. However, direct socialization with the community is lacking.

Conclusion

Regional regulations that are made must be democratic in their making, so that they may not conflict with existing and higher laws and regulations, the most important thing is transparency and public participation in the preparation of regional regulations not to cause conflict in well-formulated regional regulations as regulated in Law Number 12/2011, Article 96 Community participation in the preparation of laws and regulations, including regional regulations. The community should have ample opportunities to participate in drafting regional regulations. As for the preparation of Lahat Regional Regulation Number 2 of 2019, it is in accordance with Law Number 12 of 2011, but it is still lacking in terms of outreach to the local community.

References

- Abidin, B., & Herawati, R. (2018). Fungsi Pengawasan Dewan Perwakilan Rakyat Daerah Terhadap Pelaksanaan Peraturan Daerah Mengenai Anggaran Pendapatan dan Belanja Daerah di Kabupaten Batang. *Law Reform*, 14(2), 248–261.
- Agustiwi, A. (2022). The Reinforcement of Local Institution In Supervising Local Regulation In Indonesia In 2020. *Journal of Governance*, 7(2), 409–417.
- Alam, S., Al-Fatih, S., & Borsa, M. O. (2023). Islamism and The Challenge of Democratization in Indonesia. *De Jure: Jurnal Hukum Dan Syar'iah*, 15(2), 198–213. <https://doi.org/10.18860/j-fsh.v15i2.23398>
- Ansarullah, A., Eddy, P., & Efendi, E. (2022). Kepastian Hukum Program Legislasi Kabupaten/Kotaterhadap Pembangunan Hukum Di Daerah.

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Jurnal Suara Hukum, 4(2), 408–434.

Antari, P. E. D. (2022). The Implementation of Omnibus Law in Indonesia Law Making Process on Philosophy Review. *De Jure: Jurnal Hukum Dan Syar'iah*, 14(1), 179–194. <https://doi.org/10.18860/j-fsh.v14i1.15757>

Asy-Syawi, T. M. (2013). *Demokrasi atau Syura*. Gema Insani.

Atmaja, G. M. W. (2016). Metodologi dan Bahasa Perundang-Undangan. *Bimbingan Teknis Penyusunan Peraturan Daerah Kantor Wilayah Kemenkumham Bali Tahun*.

Christiawan, R. (2021). *Omnibus Law: Teori dan Penerapannya*. Bumi Aksara.

Danusastro, S. (2012). Penyusunan Program Legislasi Daerah yang Partisipatif. *Jurnal Konstitusi*, 9(4), 643–660.

Detiknews. (2016). *Mendagri Publikasikan 3.143 Perda yang Dicabut atau Direvisi Pemerintah*. Detiknews. <https://news.detik.com/berita/d-3238417/mendagri-publikasikan-3143-perda-yang-dicabut-atau-direvisi-pemerintah>

Dharmawan, A. H. (2007). Dinamika sosio-ekologi pedesaan: Perspektif dan pertautan keilmuan ekologi manusia, sosiologi lingkungan dan ekologi politik. *Sodality: Jurnal Sosiologi Pedesaan*, 1(1).

Effendi, B., & Sufyan, S. (2020). Capaian Program Legislasi Aceh. *Kanun Jurnal Ilmu Hukum*, 22(2), 197–214.

FADLI, M. (2021). *Hakikat Prolegnas Dalam Mewujudkan Perencanaan Pembentukan Undang-Undang Yang Baik Di Indonesia= The Essence Of National Legislation Program To Realize The Good Establishment Planning Of Laws In Indonesia*. Universitas Hasanuddin.

Fattah, I. (2019). Naskah Akademik, Tantangan Dprd Kabupaten/Kota Dalam Pembentukan Peraturan Daerah. *Madani Legal Review*, 3(1), 12–27.

Ginting, R., & Haryati, T. (2011). Reformasi birokrasi publik di Indonesia. *CIVIS: Jurnal Ilmiah Ilmu Sosial Dan Pendidikan Kewarganegaraan*, 1(2).

HALAWA, Y. (2022). *Hak Inisiatif Dewan Perwakilan Rakyat Daerah (DPRD) Dalam Pembentukan Peraturan Daerah (Perda) menurut Undang-Undang No. 9 Tahun 2015*.

Kurniawan, F., Rakhmawati, N. A., Zuhri, M., & Sugiyanto, W. T. (2017). Indonesia local government information completeness on the web. *Procedia Computer Science*, 124, 21–28.

Lubis, M. S. (1989). *Serba-Serbi Politik dan Hukum*. Mandar Maju.

Mirhan. (2019). *Bupati Lahat Buka Konsultasi Publik RPJMD*. Lahatonline. <http://lahatonline.com/174526-bupati-lahat-buka-konsultasi-publik-rpjmd.html>

Muawanah, U., Yusuf, G., Adrianto, L., Kalther, J., Pomeroy, R., Abdullah, H., & Ruchimat, T. (2018). Review of national laws and regulation in Indonesia in relation to an ecosystem approach to fisheries management. *Marine Policy*, 91, 150–160.

Mukhlis, M. M., Maskun, M., Tajuddin, M. S., & Paidi, Z. (2024). Regional Government According to the 1945 Constitution: Ideas Refinements and Law Reform. *Journal of Law and Legal Reform*, 5(2), 495–530. <https://doi.org/https://doi.org/10.15294/jllr.vol5i1.3125>

Nasional, B. P. H. (n.d.). *Laporan Akhir Tim Naskah Akademik Rancangan*

Community Outreach Gaps in Drafting Regional Regulations: A Call for Enhanced Government Socialization

Kun Budianto, et al.

Undang-Undang Tentang Organisasi Administrasi Penegakan Hukum.
nd.

Pambudi, N. A. (2018). Geothermal power generation in Indonesia, a country within the ring of fire: Current status, future development and policy. *Renewable and Sustainable Energy Reviews*, 81, 2893–2901.

Purba, N., & Hayaty, S. R. (2022). *Teori Peraturan Perundang-undangan*. Universitas Muslim Nusantara/CV. AA. Rizky.

Setiawan, E. N., Maryudi, A., Purwanto, R. H., & Lele, G. (2016). Opposing interests in the legalization of non-procedural forest conversion to oil palm in Central Kalimantan, Indonesia. *Land Use Policy*, 58, 472–481.

Sihombing, E. N., & Utara, H. (2016). Problematika Penyusunan Program Pembentukan Peraturan Daerah (Problems On Forming Local Regulations Programs). *Dari Redaksi*, 285.

Suharjono, M. (2014). Pembentukan Peraturan Daerah Yang Responsif Dalam Mendukung Otonomi Daerah. *DiH: Jurnal Ilmu Hukum*, 10(19). <https://doi.org/10.30996/dih.v10i19.281>

Sumartini60, S. (2017). *Sinergitas Peraturan Daerah (Perda) sebagai Kebijakan Publikdalam Mewujudkan Pembangunan Kepariwisataaan Daerah dalam Tinjauan Hukum*.

Suparto, S., Admiral, A., & Saputra, D. J. (2022). Local Government Authority in The Field of Religion; A Study of Regional Regulation (Perda) on Zakat in Riau Province. *De Jure: Jurnal Hukum Dan Syar'iah*, 14(2), 244–261. <https://doi.org/https://doi.org/10.18860/j-fsh.v14i2.15322>

Widodo, S. (2011). Implementasi bela negara untuk mewujudkan nasionalisme. *CIVIS: Jurnal Ilmiah Ilmu Sosial Dan Pendidikan Kewarganegaraan*, 1(1).

Yusup, D. (n.d.). *Relasi Pusat dan Daerah di Era Reformasi*.