



The Value of Community Participation in the Creation of Local Legal Products in Indonesia

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Abstract: This research aims to explore the influence of community participation on the creation of local legal products in Indonesia, focusing on regions with special autonomy status like Banda Aceh, Aceh Besar Regency, Yogyakarta City, and Surakarta City, and comparing them with regions with ordinary autonomy status like Bandung Regency and Bandung City. Using a combined normative and empirical legal research approach, including public consultations and field surveys, the study delves into the origin of regional legal products, highlighting community participation, people's sovereignty, the rule of law, and public policy. It examines various factors affecting community involvement, such as social, political, cultural, and educational factors. The research findings underscore the importance of community participation in shaping the quality and compliance of local legal products. However, conventional patterns in facilitating community involvement often result in suboptimal participation, except for unique cases like Aceh, which demonstrates innovative approaches and impactful outcomes. The study concludes that enhancing community participation is crucial for improving the quality and effectiveness of local legal products, ensuring better compliance and implementation at the grassroots level.

Keywords: community participation; local legal products; normative research; special autonomy.

1. Introduction

Aligned with the constitutional mandate, which regulates and provides as much space as possible for community involvement in the organization of national and state life, Article 28 of the Constitution of the Republic of Indonesia is one of the fundamental rules that serve as a foundation for other derivative regulations (Ferrazzi, 2005), such as Law Number 23 of 2014 concerning Regional Governments in Article 354 Paragraph (3), which formulates the forms of community participation, one of which is active involvement in the process of drafting regional regulations (Kuswandi et al., 2023). Subsequent legislation that forms the basis for community participation is Law Number 13 of 2022, as amended by Law Number 12 of 2011 concerning the Formation of Legislation, which asserts that in every drafting of regional regulations, the community must be involved as part of their right to provide input and recommendations on the drafting of regional regulations (Abbas & Murziqin, 2021). This means that regional governments are obliged to provide services so that the rights of the community in the drafting of regional regulations can be accommodated into the substance of the regulations being made (Rahman, 2020).

Furthermore, Minister of Home Affairs Regulation Number 80 of 2015 concerning the Making of Regional Legal Products also regulates that explanations, inclusion of information, and the form of academic manuscripts must accompany the mechanism for drafting regional regulations (Rose, 2004). Based on the provisions in this ministerial regulation, it can be understood that every drafting of regional regulations must be based on explanations and studies that serve as arguments for the interests

behind the making of such regulations. Academic manuscripts are research efforts conducted to examine the regulatory needs for a particular issue in the region (Taufiqurokhman & Hafid, 2020). So far, academic manuscripts are considered one of the comprehensive instruments to convince the interests behind the making of a regulation (Asnawi, 2021). In the philosophical aspect, it contains studies related to the awareness of national life and the legal ideals existing in the regional community based on the principles of Pancasila and the preamble of the 1945 Constitution; meanwhile, in the sociological aspect, the presenter must include research results related to empirical facts and legal needs existing in the regional community regarding an issue that is planned to be regulated by a regional regulation; and in the juridical aspect in the academic manuscript contains an analysis of regulations, by considering the legal conditions that already exist (*Das Sein*) and the law that is the expectation of the community (*Das Sollen*) in order to fulfill the principle of harmony and meet the demands or dynamics of needs expected by the regional community (Laia & Daliwu, 2022). Therefore, regional governments, in the drafting of every regional regulation, must continuously absorb the aspirations of the evolving community and meet the needs of the community itself by opening access as widely as possible for the community to easily access the academic manuscript - as mandated by Article 96 Paragraph (4) of the Legislation Formation Law.

The emphasis on community participation regulated by the above regulations indicates how important community involvement is in creating regional legal products. The implementation of the decentralization system through regional autonomy that has been carried out so far has high expectations for achieving an ideal democratic system. This achievement can be realized when the implementation of democracy in the region (local democracy) is good (Kuswandi et al., 2023). The goodness of the implementation of democracy in the region can be achieved when local wisdom values, which are characteristic and the will of the community of a region, have been accommodated maximally.

In fact, researchers have observed that the level of community participation in Indonesia in policy formulation and the creation of legal products at the regional level is considered very low. This is based on five indicators that occur in the field during the process of drafting regional regulations, including: firstly, community apathy. The pattern of regional regulation drafting often tends to be "sudden" and "pre-existing," often carried out by regional governments, resulting in community apathy as they feel they cannot do much because of the lack of participation access in the drafting of regulations – secondly, abandonment of community participation obligations. The drafting of regional regulations, which should include community participation as mandated by various regulations, often occurs by merely "abandoning obligations," leading to instances where regional governments only invite the community to the Public Consultation Meetings (RDPU) stage (Kemendagri RI, 2022). Thirdly, community legal ignorance. As a result of such patterns of regional regulation drafting, many communities are unaware of the enacted regional laws. This occurs due to hiding behind the principle that assumes everyone knows the law, "presumptions juries de jure." Fourthly, the quality of regional regulations. Many regional regulations face issues in their enactment, such as lack of novelty, contradiction with other regulations, and difficulty in enforcement. Fifthly, the proliferation of annulled regional regulations. On Monday, June 20, 2016, the Ministry of Home Affairs officially announced the annulment of 3,143 regional regulations by the Central Government. The annulment was carried out for various reasons, one of which was deemed to hinder investment growth in Indonesia. Moreover, a significant number of annulled regulations were related solely to investment aspects. Therefore, one can imagine the greater number of annulled regulations if those pertaining to other aspects were considered.

These facts indicate that many regional regulations face problems, and one of the factors is the lack of consideration for community involvement in their drafting. Based on the reasons mentioned above, researchers feel the need to conduct in-depth research specifically regarding the influence of community participation in policy formulation and the creation of regional legal products. This research will be conducted by sampling while considering the uniqueness or characteristics of regions with special status, namely Banda Aceh, Kabupaten Aceh Besar, Kota Yogyakarta, and Kota Surakarta,

as well as a comparison with regions with ordinary autonomy status, namely Kabupaten Bandung and Kota Bandung.

2. Method

This research is conducted using a combined approach of normative, empirical legal research (Taylor et al., 2015). This means that the exploration of data and facts is not solely based on literature research, comparison of legal literature with its derivative legal products, or research on the relevance of legal opinions to the study subjects. Instead, the researcher here has employed public consultations and direct data surveys (field research) (Lune & Berg, 2017). The combined approach of normative empirical legal research is an approach that integrates elements of empirical and normative studies in conducting legal research (M. T. Rahman, 2021). This approach attempts to combine empirical data analysis obtained from direct observations or field research with an understanding of the applicable normative legal aspects.

3. Results and Discussion

a. Origin of Regional Legal Products

The origin of regional legal products stems from the expansion of regional autonomy regulated in the Constitution of the Republic of Indonesia of 1945. Regional autonomy grants authority to regional governments to regulate and manage affairs within their jurisdiction, including the creation of regional legal products. With the development of regional autonomy, regional governments are given the freedom to create regulations applicable to their territories according to local needs and characteristics. Regional legal products can take the form of regional regulations (*Peraturan Daerah*), decisions of regional heads, regent/mayor regulations, or other legal products regulating issues at the regional level (Saraswati et al., 2020).

The process of creating regional legal products begins with initiation from the regional government or local community. The creation of regional legal products involves various stages, such as drafting academic manuscripts, discussions at the regional legislative level, and approval by the regional head or regional legislative body (Adli & Sulaiman, 2018). This process usually involves the participation of the community and relevant stakeholders in providing input and contributions. The purpose of regional legal products is to regulate the lives of communities at the local level and maintain order, security, and welfare of the local community. Regional legal products must also comply with higher legal regulations, such as the Constitution of the Republic of Indonesia of 1945 and other national legislation (Maulana et al., 2021).

The concept of regional autonomy in Indonesia continues to undergo development and improvement in line with policy changes and societal demands. The primary objective of this concept is to improve the quality of public services, strengthen regional independence, and encourage active community participation in decision-making and policy implementation at the regional level. It should be noted that the history and development of regional legal products may involve various revisions and changes to laws related to regional governance (Indriyani & Fakrulloh, 2022). These changes reflect the government's efforts to improve and enhance the regional autonomy system and legal product regulations in Indonesia. The legal basis governing Regional Legal Products in Indonesia includes Article 18B of the 1945 Constitution, which provides a constitutional basis for granting autonomy to regions and regional authorities to regulate and manage government affairs within their jurisdiction. Furthermore, Law Number 23 of 2014 concerning Regional Government (Regional Government Law) provides a comprehensive legal framework for the implementation of regional government, including the regulation of regional autonomy and regional legal products (Junaidi & Alugoro, 2024). The Regional Government Law also regulates the formation and authority of regional governments, the division of government affairs between the central and regional governments, the mechanism for drafting regional legal products, and the participation of the community in the process of drafting regional legal products.

b. Community Participation

The concept of community participation is an approach that involves active roles and contributions from the community in decision-making, planning, implementation, and evaluation of policies or programs at various levels, including at the level of regional government (Hung et al., 2011). Community participation in the context of regional autonomy aims to encourage direct involvement of the community in decision-making processes that affect their lives. Here are some key points in the concept of community participation:

Firstly, **Community Engagement**. The concept of community participation emphasizes the importance of involving the community in decision-making processes. Communities are expected to provide input, ideas, and aspirations related to policies and programs to be implemented at the regional level. Community engagement can be done through various mechanisms, such as consultations, public consultation forums, participation in policy-making committees, or through community representatives (Nabatchi et al., 2015). Secondly, **Transparency and Access to Information**: Good transparency and access to information are essential prerequisites for community participation. Communities must have sufficient access to relevant information, whether it relates to policy plans, budgets, or the impact of proposed policies. Regional governments have a responsibility to provide clear, accurate, and easily accessible information to the community. Thirdly, **Education and Empowerment**: Effective community participation requires adequate understanding and knowledge from the community. Education and empowerment of the community in terms of knowledge about their rights and responsibilities, as well as the ability to participate actively, are crucial factors in strengthening community participation. Fourthly, **Influence on Decision-Making**: Effective community participation has a real influence on decision-making. Decisions made should reflect the aspirations and interests of the communities involved in the participation process.

The concept of community participation in regional autonomy is an effort to strengthen local democracy and ensure that public policies are more responsive to the needs and aspirations of the community. By involving the community directly, it is hoped that the policies and programs produced will be more suitable for local conditions and needs. Community participation has many benefits, and its importance is recognized in the context of development and decision-making at the regional level (Ebbesson, 1998).

Regional autonomy is implemented as an effort to achieve the ideals of a democratic state that prioritizes the interests of the people above all else. Therefore, in its implementation as a consequence of the rule of law, the government must be able to translate the values contained in democracy or popular sovereignty into legislation as the basic foundation or framework for action in a state governed by law. Thus, every legal product created in Indonesia must always aim toward the public interest or the will of the people as a reflection of the implementation of the democratic system (Madzivhandila & Maloka, 2014).

The effective implementation of public interests at the regional level will determine the success of achieving an ideal democracy at the national level. Therefore, it is important to understand the level of community participation in the creation of regional legal products. Then, what factors determine its success and what efforts have been, are being, and should be made by regional governments to improve community participation, especially in the aspect of creating regional legal products.

c. People's Sovereignty, Rule of Law, and Public Policy

The theory of Popular Sovereignty is a political concept that posits that power and political authority originate from the people. According to this theory, the people are the primary source of power in a nation, and they have the right to participate in political decision-making and governance (Fitzpatrick, 2001). The concept of Popular Sovereignty has a long historical background and has served as the basis for various forms of democratic governance worldwide. Philosophers first articulated this principle during the Enlightenment in the 17th and 18th centuries, such as John Locke and Jean-Jacques Rousseau.

According to the theory of Popular Sovereignty, legitimate governance stems from the will of the people, either directly or through representatives elected by the people. The people have the right to elect their leaders and participate in the political decision-making process, whether through general elections, referendums, or other forms of public participation. The principle of Popular Sovereignty also emphasizes the importance of protecting human rights and individual freedoms. Governments based on this principle are expected to safeguard the rights of citizens, such as freedom of speech, freedom of religion, the right to vote, and other rights. Additionally, governments based on Popular Sovereignty are also expected to be accountable to the people and represent their interests (Allan, 2013).

The implementation of the theory of Popular Sovereignty may vary from country to country, depending on the political system in place. Some countries practice direct democracy, where the people directly participate in political decision-making, while others employ representative democracy, where the people elect representatives to make political decisions on their behalf. The theory of the Rule of Law later developed and gained international recognition. This concept is adopted in various legal systems worldwide, including countries with common law traditions, such as England, the United States, and the Commonwealth countries (Beckman, 2021). Additionally, this principle is an integral part of the global human rights legal framework. In its development, the theory of the Rule of Law has become the basis for the application of legal principles in national and international legal systems. Organizations such as the United Nations (UN) and the International Court of Justice also promote the Rule of Law as one of the principles underlying a fair world order.

However, it should be noted that the implementation of the Rule of Law is not always perfect in all countries. There are challenges and debates surrounding respect for the law, the protection of human rights, and the consistent application of the law. Therefore, efforts continue to be made to strengthen and improve compliance with the principles of the Rule of Law at the national and international levels. The concept of the Rule of Law has a long historical background and originates from various legal traditions worldwide (Nabatchi et al., 2015). However, several significant moments in history have shaped and influenced the development of the theory of the Rule of Law.

The development of the theory of the Rule of Law continues alongside the development of legal systems in various countries and advances in legal thought. These principles continue to be debated and developed to reflect the demands for justice and the protection of human rights in an increasingly complex society. The theory of the Rule of Law is a legal principle that emphasizes that the law must be above all else in a country's legal system. This means that no authority is above or beyond the law and can act arbitrarily or beyond the boundaries set by the law (Ebbesson, 1998).

Essentially, the theory of the Rule of Law asserts that everyone, including governments and public institutions, must be subject to the law and act in accordance with the applicable legal provisions. The law is considered the highest authority governing behavior and interactions in society. The theory of the Rule of Law involves several key elements, including: Firstly, at the core of the theory of the Rule of Law is the principle that law stands as the highest authority, applicable to everyone, including governments and public institutions. This foundational tenet asserts that all must abide by the law and conduct themselves in accordance with legal provisions (Tamanaha, 2004). Secondly, integral to this theory is the concept of equality before the law, emphasizing that legal standards must be applied impartially and uniformly to all individuals, irrespective of their social standing, wealth, or position within society. This ensures that no one is exempt from legal obligations or unfairly privileged by the law. Thirdly, the Rule of Law entails the protection of human rights as a fundamental aspect of the legal system. It necessitates that the law serves to safeguard and uphold the basic rights of every individual, ensuring their dignity and freedoms are respected and preserved. Lastly, effective law enforcement is paramount within the framework of the Rule of Law (Mazur & Tomashuk, 2020). This principle underscores the importance of law enforcement agencies executing their duties diligently and equitably. It requires that the law not only exists as a set of principles but is also enforced consistently and justly, fostering a society where justice is accessible and upheld for all.

The policy of regional autonomy in Indonesia has its origins closely tied to the process of democratic reform that began in the late 1990s. At that time, Indonesia underwent significant political

changes following the fall of the New Order regime in 1998. The reforms involved changes in the political structure, including the development of a broader regional autonomy system (MacCormick, 2005).

In the implementation of regional autonomy policy, the Indonesian government devolved power to local governments in various areas, such as governance, finance, education, health, and infrastructure development. Local governments were granted authority and autonomy to manage and make decisions related to development and public services in their respective regions. The goal of the regional autonomy policy is to improve the efficiency and effectiveness of governance, accelerate development at the local level, enhance public services, and strengthen community participation in decision-making (Costa & Zolo, 2007). By granting greater authority to local governments, it is hoped that there will be better responsiveness to the needs and aspirations of local communities.

However, the implementation of regional autonomy policy also faces various challenges and obstacles, such as the lack of capacity of local governments, disparities in development between regions, and the potential for conflicts of interest and corruption at the local level. Therefore, efforts continue to be made to improve and optimize regional autonomy policy to achieve desired goals. The development of regional autonomy policy in Indonesia since the enactment of Law Number 22 of 1999 concerning Regional Government and Law Number 32 of 2004 concerning Regional Government continues to evolve to this day (Republik Indonesia, 1999).

d. Community Participation in Local Legal Product Development

The legal basis for active community participation in the making of regional legal products in Indonesia is clearly defined and reinforced from various regulatory aspects, as seen in the 1945 Constitution of the Republic of Indonesia, which is the highest legal basis in Indonesia (Tresiana et al., 2023). Article 1, paragraph (2) of the 1945 Constitution states that the state's power is in the hands of the people and is exercised based on the principle of deliberation to achieve consensus. This affirms that active community participation in the making of regional legal products is a manifestation of popular sovereignty accommodated within a democratic system. Furthermore, Law Number 23 of 2014 concerning Regional Government This law regulates regional governance in Indonesia. It stipulates the division of authority between the central government and regional governments, including the role and participation of the community in the making of regional policies. Article 18, paragraph (1) states that the drafting of regional policies must involve community participation and be conducted transparently.

Additionally, it is also regulated in Law Number 12 of 2011 concerning the Formation of Laws and Regulations: This law regulates the procedures for the formation of laws and regulations in Indonesia. It stipulates the mechanisms for drafting, discussing, and approving legal products, including regional regulations. Community participation is one of the principles in the process of forming legislation outlined in this law.

Community participation in the making of regional legal products holds a significant position for several reasons (Rizqi, 2022): First, the Principle of Popular Sovereignty: As a rule-of-law state, Indonesia upholds the principle of popular sovereignty, wherein the highest authority lies with the people. Community participation in the making of regional legal products is a tangible implementation of this principle, as it provides an opportunity for the community to participate and provide input in the policy-making process that will affect their lives. Second, Legitimacy and Accountability: Involving the community in the making of regional legal products provides stronger legitimacy to the resulting policies. Community involvement ensures that regional legal products reflect the aspirations and needs of the community, making them acceptable and respected by all citizens. Furthermore, active community participation also promotes transparency and accountability in the decision-making process. Third, Representation of Diversity: Indonesia boasts cultural, ethnic, religious, linguistic, and customary diversity. Community participation in the making of regional legal products ensures that the interests and diversity of regional communities are well accommodated in the regional regulations produced. This helps strengthen national unity and appreciate existing pluralism.

Fourth, Formulation of Better Policies: Involving the community in the process of making regional legal products brings various perspectives and knowledge from different segments of society. Community participation assists regional governments in identifying issues more accurately and formulating policies that are more effective and relevant to the needs of the community. Fifth, Strengthening the Democratic System: Active community participation in the making of regional legal products can help strengthen the democratic system at the local level. Communities engaged in decision-making will feel a greater sense of ownership over the policies made and support political stability and the sustainability of the democratic process in Indonesia. Overall, the active role of communities in the making of regional legal products is essential in achieving the goals of a fair, transparent, and participatory rule of law state. By involving communities in the making of regional legal products, Indonesia can create a better legal environment and justice for all its citizens. Research results related to community participation in the making of regional legal products as intended can be outlined as follows.

Table 1. Community Involvement in Drafting Local Regulations

Choices	N	%
Strongly Disagree	7	6.3%
Disagree	15	13.4%
Uncertain	21	18.8%
Agree	55	49.1%
Strongly Agree	14	12.5%

From the descriptive analysis results, it can be concluded that the majority of respondents (49.1%) agree to participate in the formation of Regional Regulations (PERDA), while a small portion of respondents strongly disagree (6.3%). A number of respondents also express doubt (18.8%), while those who strongly agree constitute the smallest group (12.5%). It is important to note that this analysis only reflects the perceptions and attitudes of the sample taken in the survey. Many factors, such as the level of trust in local government, understanding of the regional regulation-making process, and awareness of the importance of participation in public decision-making, can influence public perception of involvement in the formation of regional regulations. First, the majority is doubtful or neutral. The majority of the population, amounting to 58.9%, feel doubtful or neutral about whether the formation of Regional Regulations has complied with the principles of Regional Governance in considering the involvement of the aspirations and desires of the regional community. The high percentage in the doubtful category indicates that the majority of the population does not have a firm or confident view of the extent of their involvement in the formation of Regional Regulations.

Second, positive and negative opinions. Although the majority feel doubtful or neutral, there are respondents (20.5%) who agree that the formation of Regional Regulations has considered the involvement of the aspirations and desires of the regional community. However, there is also a small percentage of respondents (20.6% - a combination of strongly disagree, disagree, and doubtful) who hold negative views regarding the involvement of community aspirations in the formation of Regional Regulations. Third, implications of low percentage agreement. The low percentage of respondents who agree or strongly agree may indicate the potential for improvement in the process of community involvement in the formation of Regional Regulations. Suppose the majority of the population feels doubtful or does not see adequate involvement. In that case, this indicates the need for more active steps from regional governments to ensure that the principles of Regional Governance are truly applied in the process of forming Regional Regulations.

Fourth, there is a need for transparency and active participation (Garofalo & Geuras, 2015). This data indicates the importance of transparency in the process of forming Regional Regulations and the active involvement of the community in providing their aspirations and desires. Community

involvement needs to be enhanced and strengthened to ensure that the Regional Regulations produced truly reflect the needs and aspirations of the community. Five, education and outreach. The high percentage of doubt underscores the need for further education and outreach to the community about the process of forming Regional Regulations, their rights and obligations in providing aspirations and desires, and the importance of active participation in regional policy-making.

While the majority of the population feels doubtful or neutral about whether the formation of Regional Regulations has complied with the principles of Regional Governance in considering the involvement of the aspirations and desires of the regional community, positive views need to be supported with efforts towards transparency and active participation from regional governments. Further education and outreach about the process of forming Regional Regulations and the importance of community participation will help improve public understanding and support for the involvement of aspirations and desires in regional policies (Madjid et al., 2022).

Community participation is a cornerstone of effective regional governance, playing a pivotal role in fostering an inclusive, responsive, and sustainable democracy in Indonesia. It encompasses the active involvement of citizens in various aspects of decision-making, planning, implementation, and monitoring of policies and programs that directly affect their lives. At its core, community participation strengthens local democracy by empowering citizens to have a voice in governance processes. By engaging in dialogue and decision-making, citizens become active participants in shaping the direction of their communities, enhancing the legitimacy and effectiveness of local government. Moreover, community participation promotes a sense of ownership and shared responsibility among residents (Rusnaini, 2016). Through collaborative efforts, communities develop a collective commitment to addressing local challenges and achieving shared goals, fostering a sense of cohesion and unity. Transparency and accountability are also bolstered through community participation. When citizens are actively engaged in governance processes, governments are held more accountable to their constituents, and decision-making becomes more transparent, leading to greater trust and confidence in public institutions.

Furthermore, community participation ensures better development planning by incorporating the diverse perspectives and needs of residents. By involving communities in the planning process, governments can prioritize projects and allocate resources more effectively to address pressing local issues. Inclusive and representative decision-making is another key outcome of community participation. By including a wide range of voices and perspectives, policies and programs are more likely to reflect the needs of marginalized groups and promote social equity, ensuring that no one is left behind. Additionally, community participation contributes to the improved quality of public services by providing valuable feedback and insights from those directly impacted by them. By involving communities in the design and implementation of services, governments can tailor programs to meet local needs and preferences more effectively. Innovation in local development is also facilitated through community participation. By tapping into local knowledge, resources, and creativity, governments can identify innovative solutions to complex challenges, driving sustainable development and fostering resilience. Lastly, community participation promotes active citizenship and political education among citizens (Madjid et al., 2022). By participating in governance processes, citizens become more informed, engaged, and empowered, contributing to the overall health and vibrancy of democracy. In conclusion, community participation is essential for building a robust and inclusive regional governance system in Indonesia. By actively involving citizens in decision-making and development processes, governments can enhance accountability, transparency, and responsiveness, ultimately leading to more sustainable and equitable development outcomes. Community participation in the administration of regional governance can also enhance political awareness and active citizenship. Political education in this context does not necessarily demand that communities become members of political parties, but their presence is required in the political process, especially those concerning regional matters.

e. Social and Political Factors

Social and political factors play a primary role in influencing the level and type of community participation in this process. Here are explanations and descriptions related to the social and political factors that affect community participation in the making of regional legal products. Social and political factors are pivotal in shaping the extent and nature of community participation in the formulation of regional legal products. Among these factors, social elements play a crucial role in influencing community involvement. Firstly, awareness and public education significantly impact participation levels (Asnawi, 2021). Communities with a deeper understanding of laws, regulations, and regional policies are more likely to engage in the political process actively. Education also plays a vital role in shaping community perceptions of political and legal matters, with educated communities demonstrating higher levels of effective participation.

Secondly, information openness is essential for fostering community participation. Providing transparent and easily accessible information about the process of creating regional legal products enables communities to understand the issues at hand and contribute more effectively. Additionally, a culture of participation within society encourages active engagement. Communities that are accustomed to participating in the political process and engaging in socio-political activities are more inclined to take part in shaping regional legal products.

Lastly, the economic status and welfare of communities can influence their participation. Communities facing significant economic challenges may have limited time and resources to dedicate to participation efforts. Consequently, addressing economic disparities and promoting socio-economic welfare can facilitate greater community involvement in the formulation of regional legal products. By considering these social factors, policymakers can create environments that encourage and enable meaningful community participation in the decision-making process.

On the flip side, political factors also significantly influence community participation in the creation of regional legal products. Leadership and local governance quality are paramount in this regard. The effectiveness of local leaders and the level of trust communities place in them profoundly impact participation levels. Transparent leaders who value community input and possess a clear vision tend to foster greater participation among residents. Moreover, political stability within the region plays a crucial role in encouraging community involvement. Prolonged political conflicts or frequent changes in leadership can disrupt the continuity of community participation efforts, undermining their effectiveness (Antlöv, 2003).

Additionally, the role of activists and community organizations is instrumental in mobilizing community engagement. These entities often serve as catalysts for participation by organizing campaigns, facilitating discussions, and providing platforms for residents to voice their opinions and concerns (Asnawi, 2021). However, despite the potential for community mobilization, certain legal and administrative barriers may hinder participation efforts. Complex rules, bureaucratic red tape, and costly procedures can pose significant obstacles to community involvement. Addressing these barriers through administrative reforms is essential to facilitate smoother and more inclusive community participation in the formulation of regional legal products. By addressing these political factors, policymakers can create an environment conducive to meaningful community engagement and decision-making. These social and political factors are interrelated and can interact in complex ways. To increase community participation in the making of regional legal products, regional governments and stakeholders must strive to create an environment that supports participation, improve access to information, and actively involve communities in local political processes.

f. Cultural Factors and Local Values

Culture and local values play a fundamental role in shaping community participation in the formulation of regional legal products. Firstly, the culture of political participation deeply ingrained in certain societies fosters a sense of civic duty among citizens, leading to higher levels of engagement in decision-making processes. In these communities, participation in the creation of regional legal products is perceived as integral to citizenship responsibilities (Bebbington et al., 2006). Secondly,

cultures that encourage open discussion and dialogue facilitate greater participation in public forums where regulations and policies are deliberated. People feel empowered to express their opinions freely in environments conducive to open exchange. Conversely, in societies characterized by conservative or hierarchical cultures, active participation may be hindered as individuals perceive the political process as inaccessible or dominated by elites. This perception can discourage meaningful engagement among community members (Bebbington et al., 2006). Moreover, traditional values such as respect for authority or adherence to existing policies can influence participation levels. Communities that highly value local authorities or consider existing legal norms as sacrosanct may exhibit lower motivation to participate in processes aimed at change. Ethnic, religious, or cultural identities also play a significant role, with certain community groups demonstrating higher levels of participation when policies directly impact their identities or specific needs.

Additionally, the presence of a strong culture of social solidarity can motivate participation, as individuals recognize the collective benefits of their involvement in decision-making processes. However, cultures marked by prolonged conflict or disagreement may foster feelings of futility regarding participation, thus impeding active engagement. In conclusion, to enhance community participation in the creation of regional legal products, governments and stakeholders must prioritize understanding the local culture and values prevalent in their areas. By tailoring participation strategies to align with these cultural nuances, authorities can foster more effective and relevant engagement among local communities. This may involve implementing educational initiatives and awareness-raising campaigns to cultivate a culture of active participation, particularly in communities that exhibit lower levels of engagement.

g. Education and Legal Awareness Factors

Education and legal awareness are key factors that influence community participation in the making of regional legal products. They are interrelated and have a significant impact on the level and type of participation observed in the context of local politics. Here is a further explanation and description of how education and awareness affect community participation in this process (Spranz et al., 2012). Firstly, education plays a pivotal role in enhancing community understanding of political and legal issues, thereby influencing their participation in the making of regional legal products (Ziaulhaq, 2021). Educated communities possess a deeper knowledge of governance mechanisms and the processes involved in crafting regional laws, enabling them to make more informed contributions. Secondly, education equips individuals with essential participation skills such as literacy, communication, and critical thinking. These skills are vital for effectively articulating community perspectives and engaging with policymakers, thereby amplifying the impact of their participation. Furthermore, education empowers communities by instilling confidence and a sense of ownership in the political process. Empowered individuals are more likely to actively engage in decision-making processes, contributing to more inclusive and representative governance. Moreover, education fosters an understanding of citizens' rights and responsibilities in the political arena. Aware of their entitlement to voice opinions and influence policies, educated communities are more inclined to participate and advocate for their interests.

Additionally, heightened awareness among educated communities extends to comprehending the tangible impacts of regional policies and legal products on their daily lives. Understanding the ramifications of these regulations motivates communities to engage in the decision-making process to shape outcomes that align with their needs and preferences. Lastly, education facilitates an understanding of the political process itself, including the mechanisms through which regional legal products are formulated and the avenues for community involvement (Gibson & Woolcock, 2008). Communities well-versed in these processes are better equipped to navigate the complexities of governance and actively contribute to shaping regional policies. Education often becomes a primary factor in increasing political awareness. Communities with good education tend to have greater access to information, political literacy, and critical skills that help them develop higher political awareness (Tresiana et al., 2023). On the other hand, political awareness can also motivate individuals to seek

further education or enhance their knowledge of political and legal issues. Improving community education and awareness is a crucial step in promoting better participation in the making of regional legal products. Governments and educational institutions can play a role in educating communities about political and legal issues and providing better access to relevant information. High political awareness and good education can help communities become more effective agents in local political processes, which in turn can improve the quality of regional legal products and promote more democratic governance.

h. Impact of Community Participation in the Making of Regional Legal Products

The quality and quantity of regional regulations (*Peraturan Daerah*) and local regulations have a significant impact on the effectiveness, clarity, and sustainability of governance at the regional level. In this context, let's discuss why the quality and quantity of regional regulations and local regulations are crucial and how these two aspects can influence each other.

Quality regional regulations play a pivotal role in the effective governance of local communities (Antlöv, 2003; Bebbington et al., 2006). Firstly, they enhance the implementation of policies by providing clear guidance on processes, responsibilities, and necessary steps. This clarity fosters smoother and more targeted policy execution, ensuring that intended outcomes are achieved. Moreover, such regulations contribute to legal certainty by offering precise provisions that leave no room for ambiguity. This not only facilitates interpretation and application but also mitigates uncertainties that could impede implementation. Furthermore, quality regulations prioritize the protection of community rights and interests, including those of vulnerable groups, such as human rights, gender equality, and environmental conservation. By incorporating these considerations into their drafting, regulations become a shield against potential injustices or exploitation. Additionally, they promote accountability and transparency in governance. Transparent formulation, enactment, and implementation processes empower the community to understand and monitor governmental actions, ensuring alignment with public interests. As communities evolve and face new challenges, a sufficient quantity of regulations becomes imperative. These regulations need to adapt to social, economic, and technological developments while also filling any regulatory gaps that may exist. However, striking a balance is crucial, as overregulation can stifle progress and burden both the community and businesses. Therefore, regional governments must ensure that regulations remain relevant, non-overlapping, and conducive to community welfare.

There is a close relationship between the quality and quantity of regional regulations and local regulations. While quality is important to ensure effective and relevant regulations, excessive quantity can lead to confusion, overregulation, and a decline in overall quality. Therefore, regional governments need to maintain the right balance between quality and quantity in drafting regulations.

The quality and quantity of regional regulations and local regulations play a significant role in maintaining the effectiveness, clarity, and sustainability of governance at the regional level. Good regulations, with the right quantity, can create a conducive legal environment, provide protection for the community, and support sustainable regional development. Regional governments need to consider both quality and quantity aspects in the regulation formulation process to ensure that the resulting policies are in line with the interests and aspirations of the community.

Based on the investigation conducted regarding the cancellation or revocation of regional regulations, the following data was obtained:

Table 2. Cancellation and Revision of Regional Regulations

Districts/Cities	Minister of Home Affairs	Minister of Home Affairs	Total
Aceh Besar Regency	8		8
Banda Aceh City	2		2
Yogyakarta City	4	10	14
Surakarta City	2	2	4
Bandung Regency	7	3	10

West Bandung Regency	4	2	6
Cirebon City	6	1	7
Total	33	18	51

Based on the data provided, sourced from the Ministry of Home Affairs of the Republic of Indonesia regarding the List of Regional Regulations (PERDA) and Local Regulations (*PERKADA*) that were Revoked/Revised in the 2016 reporting period, it can be seen that Yogyakarta City had the highest number of revoked PERDA, totaling 14. This may reflect high legislative activity or regulatory changes in that area. Furthermore, Aceh Besar Regency and Bandung Regency ranked second and third with 8 and 10 revoked PERDA, respectively. Subsequently, Cirebon City had seven revoked PERDA, followed by Surakarta City with four revoked PERDA. Meanwhile, Banda Aceh City and West Bandung Regency had lower numbers of revoked PERDA, with 2 and 6 PERDA, respectively. The total number of revoked Perda for all regions was 51, indicating a high level of policy or regulation changes at the regional level.

It is important to note that this analysis is based on the data of the number of revoked PERDA in the table but does not provide information on the reasons or context behind the revocation of these PERDA. The revocation of Regional Regulations (PERDA) and Local Regulations (PERKADA) is a step taken by regional governments to review and amend existing policies or regulations. The reasons for revocation may vary depending on the situation and conditions in each region. Some PERDA and Perkada may be revoked because they are not in line with higher regulations, such as national laws or central government regulations. Such non-compliance requires revocation to ensure that regional policies are aligned with the regulations at the national level (Gibson & Woolcock, 2008). Additionally, changes in regional or national policy can render existing PERDA or PERKADA irrelevant. In response, these regulations need to be adjusted or revoked to accommodate the new policy changes. Reviewing the effectiveness and impact of PERDA or PERKADA is also a factor influencing revocation. If these regulations do not achieve their intended goals or encounter implementation challenges, revocation may be deemed necessary.

Errors in the regulation-making process can also be a reason for revocation. The drafting of Perda and Perkada must follow specified procedures and mechanisms. If there are errors in the process, revocation becomes a solution to rectify the situation. Changes in social, economic, or environmental conditions can also affect the need for and priorities of regulations. If significant changes occur in these conditions, PERDA and PERKADA may need to be adjusted or revoked to remain relevant to the current circumstances. Additionally, public aspirations can influence revocation decisions. If there are protests or feedback from the public regarding a specific Perda or Perkada, regional governments may consider revocation or revision in response to the voices and needs of the public. New policies or innovative programs can also trigger revocation. Sometimes, regional governments may want to create new policies or innovative programs that require the revocation or adjustment of existing Perda or Perkada to implement the new policies or programs effectively (Bebbington et al., 2006).

In every revocation of PERDA and PERKADA, regional governments need to conduct comprehensive reviews and involve the participation and consultation of relevant stakeholders. Revocation should be based on careful consideration and aimed at improving the effectiveness and suitability of regulations with the actual conditions in the region (Antlöv, 2003). This aligns with the regulations set forth in Law Number 23 of 2014 concerning Regional Governments, which states that Based on the law in Indonesia, there are several reasons stipulated for the revocation of Regional Regulations (PERDA) and Local Regulations (PERKADA). Some of these reasons include: Firstly, the compliance of PERDA and PERKADA with higher regulations is paramount. They must align with national laws or central government regulations; failure to do so can result in invalidation and revocation, as outlined in Article 251 of Law Number 23 of 2014 concerning Regional Governments. Secondly, adherence to the prescribed formation process is essential. Any deviations or procedural violations during formation, as stipulated in Article 252 of the same law, may lead to the invalidation and revocation of Perda or Perkada. Thirdly, changes in higher regulations necessitate corresponding

adjustments in PERDA or PERKADA, as per Article 253 of the law. Failure to adapt may warrant revocation. Moreover, objections from both the central government and the public can also trigger the revocation process. The central government may object to regulations that are contrary to national interests or have significant adverse effects, leading to a request for revocation to the Supreme Court. Similarly, Article 254 allows the public to petition for revocation if they believe their rights and interests are violated. Thus, adherence to regulations, procedural integrity, responsiveness to legal changes, and consideration of objections from both the government and the public are pivotal in the process of revocation and revision of regional regulations (Mayasari, 2017).

The revocation of PERDA and PERKADA based on the law is an effort to ensure the conformity and consistency of regulations throughout Indonesia and to protect the rights and interests of the public. The revocation process must follow the mechanisms specified in the legislation and involve relevant legal institutions and processes (Sulistyo, 2014). Based on the text above, it can be concluded that the central government pays significant attention to the revocation of problematic PERDA to support a better investment climate in Indonesia. Regional regulations that hinder economic growth and prolong bureaucracy are often the focus of revocation because they can impede the ease of doing business and investment. This revocation process is expected to have a positive impact on improving Indonesia's Ease of Doing Business ranking, which will enhance international investment attractiveness (Jarudin et al., 2023). Efforts to create a conducive investment climate will continue to be a priority for both regional and central governments. Additionally, good coordination between regional and central governments is also crucial to ensure the conformity and consistency of existing regulations to achieve sustainable economic development and investment goals in Indonesia.

The effectiveness and compliance of the public with the implementation of regional regulations in Indonesia have complex dynamics and are influenced by various factors. Research on this matter reveals various findings that paint a more comprehensive picture. In many cases, the quality of regional regulations is a central factor influencing the extent to which these regulations are adhered to by the public. Clear, precise, and relevant regulations tend to be more effectively implemented (Ferza et al., 2019). A good understanding of the content of the regulations is also an important aspect in determining the level of compliance. Communities that understand the rules in force tend to have a higher tendency to comply.

Community participation in the regulation formulation process also plays a role in compliance levels. When the community feels involved in the regulation-making process, they are more likely to feel obligated to comply with the rules. This also enhances their understanding of the goals and implications of the regulations. Additionally, cultural factors and social norms also have a significant influence. If the regulations are in line with the cultural values and social norms embraced by the community, they are more likely to comply. Conversely, regulations that contradict these values may be deemed less relevant and can reduce compliance levels.

The importance of supervision and law enforcement cannot be overlooked. Communities tend to be more compliant when they see consistent actions taken against regulation violations. Clear sanctions and incentives can also influence compliance levels. Communities will weigh the risks and benefits before deciding to violate or comply with regulations. Justice in regulations and community involvement in decision-making processes also impact compliance. The perception of the community regarding the balance and fairness in regulations can encourage compliance. When the community feels that their interests are accommodated in the regulation-making process, they tend to be more compliant (Simon, 2019).

In the context of Indonesia, the challenge is how to achieve the right balance between effective regulations and public compliance. Regional governments need to pay attention to aspects such as education, participation, and law enforcement in order to improve the effectiveness of regional regulations and public compliance. With a holistic and integrated approach, the implementation of regional regulations can become more effective and have a positive impact on overall regional development (Asnawi, 2021).

Based on the investigation conducted, it is evident that the difference in the status of regional autonomy held by regional governments greatly influences the implementation of regional regulations, as seen in Aceh with its special and unique autonomy status, particularly in demonstrating prominent levels of legitimacy and public compliance compared to some other regions (Sulistyo, 2014; Wilson & Linkie, 2012).

4. Conclusion

The research findings indicate that the public considers the participation of the community essential in the creation of legal products at the local level. This is based on the assumption that the existence of regional governments is formed based on the will and aspirations of the local community. However, in practice, the patterns used by regional governments to facilitate community participation still tend to be conventional, meaning they have not shown innovative breakthroughs, resulting in suboptimal community participation. Nevertheless, a relatively interesting pattern of community participation absorption occurs in the province of Aceh, with its special status and uniqueness. Several factors influence community participation in the creation of local legal products, including social and political factors, cultural factors and local values, as well as educational factors and legal awareness. The low level of community participation in the creation of legal products can lead to a decline in the quality of local legal products and the level of compliance of the local community in implementing these legal products. With its special and unique status, the province of Aceh can demonstrate different impacts in the creation of local legal products compared to other special or unique regions. This is evident in terms of the vocabulary of Aceh's local regulations as "Qanun" and the establishment of several law enforcement institutions based on local wisdom in the region.

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