



The Role of Regional People's Representative Council in Madiun City in Increasing Community Welfare

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Abstract

This study aims to find out and analyze the position of the Regional People's Representative Council in the implementation of regional government and its role in improving community welfare. This type of research is normative using materials obtained through literature and positive legal norms. From the results of the study, it can be concluded that: the position of the Regional People's Representative Council in the implementation of Regional Government as an element of the regional government is a working partner of the regional government and has an equal position with the regional government. The role of the Regional People's Representative Council of Madiun City in improving the welfare of the community, namely: implementing the legislative function, in the 2014-2019 period made 16 draft regional regulations, carried out discussions on regional regulations on the initiative of executives, supervised the policies taken by the Madiun City government. In carrying out this role, the Regional Representative Council of Madiun City has been able to improve the welfare of the community proven by Madiun City in a period of 4 (four) years, increasing public welfare and ranking highest compared to 6 (six) autonomous regions former Madiun Residency.

Keywords: *The Role of the Regional People's Representative Council; Madiun City; Community Welfare*

Introduction

The state is an organization that has a goal, as well as the Indonesian state has a goal set forth in the fourth paragraph of the Opening of the 1945 Constitution, which indicates that the state of Indonesia is a country that adheres to the concept of "welfare state". As a country that has the goal of advancing public welfare, every activity is aimed at the objectives to be achieved, namely for the welfare of its citizens.¹ The welfare state is defined as a social welfare system that gives the government the role to allocate a portion of public funds to ensure the fulfillment of the basic needs of its citizens.²

Regional government is one of the structural aspects of a country in accordance with the view that the state is an organization. The division of countries in several provincial regions is then divided into several districts / cities and so on intended to facilitate community service and realize a regular and systematic network. Within the autonomous region, they have the authority to regulate their respective

¹ Sarjiyati, *Kebijakan Bupati Madiun Dalam Pengisian Jabatan Kepala Desa Pada Masa Transisi Berlakunya Undang-Undang Nomor 32 Tahun 2004 Tentang Pemerintahan Daerah*. Tesis, Universitas Sebelas Maret, Surakarta, 2006, hlm.1.

² Agus Suryono, *Kebijakan Publik Untuk Kesejahteraan Rakyat*, Jurnal Ilmiah Ilmu Administrasi, Volume VI, Nomor 02, September 2014, hlm. 99.

regions³ known as regional autonomy. Article 18 paragraph (2) of the 1945 Constitution states that the provincial, regency and municipal governments regulate and administer their own government affairs according to the principle of autonomy and co-administration, paragraph (3) states that the provincial, regency and municipal governments have a Board Regional People's Representatives whose members are elected through general elections. Autonomy that is enforced and implemented, to the Region is given freedom and freedom or independence to regulate, in the sense of preparing, making or forming and establishing its own rules as a basis for the implementation of authority that has been attributively given by the law to the regions.⁴

Madiun City which is one of the autonomous regions in East Java has an area of 33.23 km² with a population of 174,955 inhabitants, consisting of 84,608 male residents and 90,391 female residents. The Madiun City is located between 111029'45"-111033'30" "East Longitude and 7035'45" -740 'South Latitude. In Madiun City there are 3 Subdistricts namely Manguharjo Subdistrict, Taman Subdistrict and Kartoharjo Subdistrict, each sub-district consists of 9 villages, so overall there are 27 sub-districts.⁵

The regional government carries out the widest possible autonomy except government affairs which are the affairs of the Central Government, with the aim of improving the welfare of the community. Article 57 of Law Number 23 Year 2014 regulates the implementation of provincial and district / city regional administrations consisting of regional heads and the Regional People's Representative Council assisted by regional officials. Based on the background above, in this study discusses the position of the Regional People's Representative Council in the Implementation of Regional Government and the role of the Regional People's Representative Council of Madiun City in improving the welfare of the community.

Research Method

This type of research includes the type of normative research. i.e. legal research that uses data obtained through library materials.⁶ Normative legal research is also called doctrinal research, in doctrinal research is the result of abstraction obtained through the process of inducing positive legal norms that apply.⁷ Normative legal research is also called doctrinal research, in doctrinal research the results of abstraction obtained through the process of inducing positive legal norms that apply⁸, secondary legal material in the form of publications about the law.⁹ With the nature of descriptive analysis related to the position and role of the Regional People's Representative Council in the implementation of regional government in improving the welfare of the community.

Results and Discussion

1. The position of the Regional People's Representative Council in the Implementation of Regional Government

The concept of a unitary state has no branch sovereignty, the region is always subject to and is subordinated to the central government,¹⁰ however large the autonomy given to the area of final

³ Sarjiyati, Krista Yitawatidan Zainal Abidin, *Parking Retrubution on the Side of the Road Towards the Improvement of Locally-Generated Revenue of Ngawi Regency*, Jurnal Legal Standing, Vol.2 No.2 September 2018, hlm. 105.

⁴ H.M. Busrizaldi, *Hukum Pemda, Otonomi Daerah Dan Implikasinya*, ctk. pertama, Total Media, Yogyakarta, 2013, hlm.22.

⁵ Pemerintah Kota Madiun, *Naskah Akademik rancangan Peraturan Daerah Kota Madiun Tentang Batas Wilayah Antar Kelurahan se Kota Madiun*, Madiun, 2018, hlm. 28-30.

⁶ Ronny Hanitijo Soemitro, *Metodologi Penelitian Hukum*, Ghalia Indonesia, Jakarta, 1983, hlm. 24.

⁷ Bambang Sunggono, *Metode Penelitian Hukum*, ctk. pertama, PT. Raja Grafindo Persada, Jakarta, 2005, hlm. 89.

⁸ Soerjono Soekanto dan Sri Mamudji, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*.Raja Grafindo Persada, Jakarta,1995, hlm. 13.

⁹ Peter Mahmud Marzuki, *Penelitian Hukum*, Kencana Prenada Media Group, Jakarta, 2011,hlm. 94.

¹⁰ Fatkhul Muin, *Otonomi Daerah Dalam Perspektif Pembagian Urusan Pemerintah-Pemerintah Daerah Dan Keuangan Daerah*, Jurnal Fiat Justisia Ilmu Hukum, Volume 8, Nomor 1, Januari-Maret 2014, hlm. 70.

responsibility remains in the hands of the central government.¹¹ Indonesia is a Republican unitary state which in implementing the decentralization system in this case not all power is centralized and dominated by the central government, but distributed to the regions. Each region is given the authority to regulate its own household according to conditions, personalities, and public interests in accordance with the character of each region. Communities in the regions are seen to be more aware of the need for progress in the area concerned. Furthermore, these regions move based on their own potential, vitality and initiative, and in turn as an aggregate they will all bring progress nationally.¹²

Decentralization is a concept that requires delegation of authority from the central government to lower level governments to manage their own territory.¹³ Decentralization is not just a dispersion of authority, but also the division and management of the administration of the state government between the central government and one - lower level government unit. Thus, the decentralization system implies the recognition of the determination of regional government policies in managing regional potential and capabilities by involving people's representatives in the region. Furthermore, through decentralization, the government is required to exercise rights and carry out obligations in a democratically balanced manner.¹⁴ Decentralization as a system used in the field of government, in a decentralized system part of the authority of the central government is delegated to other parties to be implemented.¹⁵

Article 1 number 2 of Law Number 23 Year 2014 concerning Government as amended several times the latest by Law Number 9 of 2015 concerning the Second Amendment to Law Number 23 Year 2014 concerning Regional Government, states that regional government is the implementation of regional government affairs by the regional government and the council with the broadest principle of autonomy in the system and principles of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia. In Article 1 number 3 states the regional government is the regional head as an element of regional government leading the implementation government affairs that are the authority of the autonomous region. In point 4, the Regional People's Representative Council is a representative body of the people that is domiciled as an element of regional government organizer. Furthermore, in article 148 states that the Regency / city Regional Representative Council is a representative institution for the people of the regency / city area that is domiciled as an element of district / city Regional Government administrators.

In Article 57 of Law Number 23 Year 2014 states that the implementation of provincial and regency / city Regional Governments consists of regional heads and Regional People's Representatives Council assisted by Regional Offices. In its position as an element of holding the regional government the Regional People's Representative Council has the function of establishing regional regulations (legislative functions), budget functions and supervisory functions. To carry out its functions as forming regional regulations, the Regional People's Representative Council has duties and authority:¹⁶

- a. establish District / City Regulations with regents / mayors;
- b. discuss and approve the draft Perda concerning district / city APBD submitted by regents/mayors;
- c. supervise the implementation of the district / municipal regulations and regional budgets;

¹¹ Sri Kursiah, *Politik Hukum Penyelenggaraan Otonomi Daerah Dalam Perspektif Negara Kesatuan Republik Indonesia*, Jurnal Pembaharuan Hukum, Volume III, Nomor I, Januari- April 2016, hlm.3.

¹² Sukma, *Pengantar Ilmu Politik*, Mandar Maju, Bandung, 1994, hlm. 28-29

¹³ Sakinah Nadir, *Otonomi Daerah Dan Desentralisasi Desa: Menuju Pemberdayaan Masyarakat Desa*, Jurnal Politik Profetik, Volume 1, Nomor 1 Tahun 2013, hlm.1.

¹⁴ Ni'matul Huda, *Otonomi Daerah, Filosofi, Sejarah Perkembangan dan Problematikanya*, Pustaka Pelajar, Yogyakarta, 2005, hlm. 85-86.

¹⁵ S.H Sarundajang, *Arus Balik Kekuasaan Pusat ke Daerah*, Pustaka Sinar Harapan, Jakarta, 2002, hlm. 45-46.

¹⁶ Pasal 154 Undang-Undang Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah sebagaimana telah diubah beberapa kali terakhir dengan Undang-Undang Nomor 9 Tahun 2015 tentang Perubahan Kedua Atas Undang-Undang Nomor 23 tahun 2014 tentang Pemerintahan Daerah.

- d. choose regents and deputy regents and mayors and vice mayors in the event of a vacancy to continue the remaining tenure;
- e. Propose the appointment and dismissal of the regent / mayor to the Minister through the governor as the representative of the Central Government to obtain ratification and / or dismissal;
- f. provide opinions and considerations to the district / city Regional Government regarding the international agreement plan in the Region;
- g. give approval to plans for international cooperation carried out by the district / city Regional Government;
- h. request reports on the accountability of regents / mayors in the administration of district / city Regional Government;
- i. give approval to the cooperation plan with other regions or with third parties that burden the community and the region;
- j. carry out other duties and authorities stipulated in the provisions of legislation.

In the implementation of regional government, the Regional People's Representative Council as a legislative body has an equal position with the regional government as the executive body. The relationship between the regional government and the Regional People's Representative Council is a work relationship that has equal and partnership position.¹⁷ An equal position means that among regional government institutions have the same and equal position, in this case there is no mutual oversight. This can be seen in making regional policies to implement autonomy in accordance with their respective functions, so that between the two institutions can build performance that is mutually supportive.

The position of the Regional People's Representative Council as a working partner of the regional government in the regional government has the consequence that the Regional People's Representative Council must be able to show optimal achievements in carrying out its duties and functions, namely legislation, budget and supervision. The implementation of the three functions of the Regional People's Representative Council put the Regional People's Representative Council in a strategic position. In the legislative function, the Regional People's Representative Council together with the regional government make aspirational regulations in accordance with the will of the people; in the function of the budget, the Regional People's Representative Council is able to bring the performance of regional government so that it is efficient and effective in government and development; and in the supervisory function, the Regional People's Representative Council can avoid the implementation of regulations and government from irregularities, obstacles so that the objectives of regional regulations can be realized properly.¹⁸ So that there will be a realization of good governance, so one of the goals of the state listed in the fourth paragraph of the 1945 Constitution, namely promoting public welfare will be realized. Likewise, the welfare of the people in the regions will increase.

2. The Role of the Regional People's Representative Council of Madiun City in Improving Welfare

The regional autonomy policy provides opportunities for political education in order to improve the quality of democracy in the region.¹⁹ Democracy has an important meaning for the people who use it

¹⁷ Rozali Abdullah, *Pelaksanaan Otonomi Luas Dan Isu Federalisme Sebagai Suatu Alternatif*, Raja Grafindo Persadan, Jakarta, 2000, hlm. 7.

¹⁸ Margareta, Adam Idris dan Achmad Djumlani, *Dewan Perwakilan Rakyat Daerah Dalam Pelaksanaan Legislasi di Kabupaten Kutai Barat*, Jurnal Administrative Reform, Vol 2. No.2 Tahun 2014, hlm.276.

¹⁹ Muhammad Mujaba Habibi, *Analisis Pelaksanaan Otonomi Daerah Kota/Kabupaten*, Jurnal Pendidikan Pancasila Dan Kewarganegaraan, Th. 28, Nomor 2, Agustus 2015, hlm. 117.

because with democracy the right of the people to determine the course of the state organization is guaranteed.²⁰ Democracy is an implementation of popular sovereignty, sovereignty is defined as the highest power in a country that applies to all regions and all people in that country.²¹ Democracy is a government by the people where the highest power is in the hands of the people and carried out directly or indirectly on the basis of a system of representation.²²

The application of a democratic system in the implementation of regional government is the existence of a Regional People's Representative Council which is a representative body of the people who are domiciled as legislative institutions in the regions. Constitutionally this institution is a representative of the people.²³ The Regional People's Representative Council as the working partner of the regional head in carrying out regional government in the framework of implementing regional autonomy for the welfare of the local community is doing its utmost to carry out its legislative function as a representative institution.

In line with regional autonomy which aims to make regional communities as subjects in the implementation of regional government, the functions and roles of the Regional People's Representatives Council should also be carried out in strengthening their functions, namely: legislation, budgeting and supervision. This is important to build checks and balances at the regional level that encourage the realization of regional government accountability²⁴ so that there will be an increase in the level of welfare of the people in the area. Likewise, the role of the Regional People's Representative Council in the Madiun City in carrying out their duties as people's representatives. In accordance with the vision of the Madiun City namely "The realization of the Madiun City that is more advanced and prosperous". With a mission: Realizing Development based on community participation; Realizing good, clean and authoritative governance; increase the quantity and quality of public services; and Increase and equalize the level of people's welfare.²⁵ In accordance with the vision and mission of the Madiun City, the House of Representatives synergizes with the city government, so that the vision and mission can be realized.

The members of Regional People's Representative Council of the Madiun City are 30 people. In carrying out its legislation function in the discussion of the Draft Regional Regulation, it was divided into special committees. The number of Regional Regulations of the Madiun City which have been ratified and enforced since 2014 until 2018 is 85, both of which are new Regional Regulations and regional regulations are changes from the previous regional regulations.

The Regional People's Representative Council of Madiun City for the 2014-2019 period in an effort to improve the welfare of the community has submitted several Draft Regional Regulation initiatives. The title of the draft regulation and the following discussion year:²⁶

The 2016 draft regulation consists of:

1. Organizing a Child-Friendly City
2. Structuring Supermarkets and Shopping Centers and Protecting People's Markets.

The draft of Regional Regulation of 2017 consists of:

²⁰ Mahfud MD, *Demokrasi dan Konstitusi di Indonesia*, ctk. kedua, Rineka Cipta, Jakarta, 2003, hlm. 19.

²¹ Munir Fuadi, *Teori-Teori Besar (Grand Theory) Dalam Hukum*, Fajar Interpratama Mandiri, Jakarta, 2013, hlm. 92.

²² Titik Tri Wulan Tutik, *Kontruksi Hukum Tata Negara, Pasca Amandemen UUD 1945*, Kencana Predana Media Group, 2012, Jakarta, hlm.68.

²³ Uu Nurul Huda, *Hukum Partai Politik Dan Pemilu Di Indonesia*, Fokusmedia, Bandung, 2018, hlm.68.

²⁴ W. Ridwan Tjandra dan Kresno Budi Darsono, *Legislative Drafting Teori Dan Teknik Pembuatan Peraturan Daerah*, Universitas Atmajaya, Yogyakarta, 2013, hlm.xv.

²⁵ *Peraturan Daerah Nomor 17 Tahun 2017 Tentang Perubahan Atas Peraturan Daerah Nomor 4 Tahun 2014 Tentang Rancangan Pembangunan Jangka Menengah Daerah Kota Madiun*, Lampiran, hlm. 24.

²⁶ Sekretariat Dewan Perwakilan Rakyat Daerah Kota Madiun

1. Legal Aid for poor communities
2. Cooperatives, Micro, Small and Medium Enterprise
3. Poor and neglected children
4. Financial and Administrative Rights of the Regional People's Representative Council Leaders and Members

The draft of Regional Regulation of 2018 consists of:

1. Corporate Social Responsibility
2. Organizing Advertisement
3. Organizing Internet Cafes
4. Structuring and Organizing Entertainment and Recreation Businesses
5. Organizing Food and Beverage Businesses
6. Prevention and and improvement of quality of Slum Housing and Settlement
7. Management of Simple Rental Flats

The draft of Regional Regulation of 2019 consists of:

1. Implementation of Health Insurance
2. Overcoming Homelessness and Beggars
3. Protection and Empowerment of Farmers

The Discussion Program for Regional Regulations (Propemperda) for 2014 to 2019 can be presented in the form of tables as follows:

Table: 1
The draft of Initiative Regional People's Representative Council

Year of Discussion	The title of The draft of Regional Regulation	Total
2014	-	-
2015	-	-
2016	- Organizing a Child-Friendly City - Organizing Supermarkets and Shopping Centers and Protection of the People's Market.	2
2017	- Legal assistance for the poor - Cooperatives, Micro, Small and Medium Enterprises - Poor Protection and Neglected Children - Financial and Administrative Rights of the Regional People's Representative Council Leaders and Members	4
2018	- Corporate social responsibility - Organizing Advertisement - Organizing Internet Cafes - Structuring and Organizing Entertainment and Recreation Businesses - Organizing Food and Beverage Businesses - Prevention and and improvement of the quality of Slum Housing and Settlements - Management of Simple Rental Flats	7
2019	- Implementation of Health Insurance - Overcoming Homelessness and Beggars - Protection and Empowerment of Farmers	3

Source: Madiun City the Regional People's Representative Council Secretariat is processed by researchers

In 2014 there was no draft regulation on the initiative of the Regional People's Representative Council or zero because it was the political year for the implementation of legislative elections and only resulted in the membership of the Regional People's Representative Council elected from the nominees of the Regional People's Representatives Council. Likewise in 2015 there was no initiative draft regulation because the membership of the Regional People's Representative Council for the period of 2014-2019 had just been formed and had just compiled a regulation concerning the Regional Regulations of the Regional People's Representative Council in Madiun, which was completed in November 20, 2015. In the Year 2016 there are 2 (two) regional regulations on the initiative of the Regional People's Representative Council discussed, in 2017 in the Regional Regulation Discussion Program (Propemperda) there are 62 draft regulations, out of which 48 (forty eight) draft the city government (executive) initiative, 14 (fourteen) The draft of Initiative Regional People's Representative Council from the initiative of the Regional People's Representative Council. The number of 48 (forty eight) regional regulations from the executive is partly a draft regulation of the previous regional regulations.

The draft Regional Regulation of the Regional People's Representative Council discussed in 2016 amounted to 2 (two) regulations ratified in 2017 because the results of East Java Province facilitation had just dropped in 2017. While in 2017 it was proposed 14 regional regulations on the initiative of the Regional People's Representatives Council, but only 4 draft discussed, the remainder will be the provincial scale of 2018. Furthermore, 7 regional regulations have been discussed in 2018, and 3 regional regulations are discussed in 2019.

From the proposal of the Regional Regulation Draft Regional Representative Council in the *Program for Discussing Regional Regulations*, the Regional People's Representative Council of Madiun City was active in efforts to improve community welfare. The welfare of the people of Madiun City is increasing, this can be seen from the increasing Human Development Index (HDI), which is an index used to measure human development achievements as a measure of quality of life: 2014 HDI 78.81, year 2015 HDI 79.48, year 2016 HDI 80.01, 2017 HDI 80.13. And also when seen from the comparisons of the former Madiun ex. Residency shown in the form of a table as follows:²⁷

Table: 2
Human Development Index (HDI) ex Madiun Residency in the Year of 2014-2017

Year	2014	2015	2016	2017
Pacitan	63,81	64,92	65,74	66,51
Ponorogo	67,40	68,16	68,93	69,26
Madiun Regency	68,60	69,39	69,67	70,72
Magetan	70,29	71,39	71,94	72,60
Ngawi	67,78	68,32	68,96	69,27
Madiun City	78,81	79,48	80,01	80,13

Source: Madiun City Statistic Centre Board (Badan Pusat Statistik) is processed by researchers

From the table, it can be seen that the level of welfare of the people of the Madiun City is higher when compared to the 6 (six) autonomous regions that are ex-Madiun residences and the level of welfare rises from year to year (in the last four years). The success of this welfare level cannot be separated from the role of the Regional People's Representative Council in the Madiun City in good cooperation with the city government.

The Regional People's Representative Council of Madiun City, besides running its legislative function, also carries out its oversight and budget functions. In carrying out the supervisory function carried out by conducting sudden inspections (sudden inspection) and visits to the field, reviewing

²⁷ Badan Pusat Statistik Kota Madiun, *Kota Madiun Dalam Angka Tahun 2018*, C.V. Azka Putra Pratama, Madiun, 2018, hlm.231.

projects such as development projects carried out by the city government. While the function of the budget is to discuss the Regional Budget and Expenditure with the Madiun City Government team.

The Regional People's Representative Council of Madiun City as a working partner of the city government who has a vision to realize a more advanced and prosperous Madiun City, in carrying out its functions divided into 3 (three) commissions, namely: Commission I for Government, Legislation and Human Rights, Human Resources, Education and Socio-Culture; Commission II for Economic Affairs and People's Welfare; Commission III for Development and Community Empowerment.²⁸ With the division of the commission the task of the Regional People's Representative Council can be effective and efficient and can carry out its functions properly so that the improvement of public welfare can be realized.

Conclusion

From the description above, it can be concluded that:

1. The position of the Regional People's Representative Council in the Implementation of Regional Government in accordance with Article 1 number 4, Article 148 and Article 154 of Law Number 23 Year 2014 concerning Regional Government as amended several times, the latest by Law Number 9 of 2015 concerning Second Amendment For Law No. 23 of 2014 concerning Regional Government, that its position as an element of regional government administrators who are partners of regional government and has an equal position, does not oversee each other, in carrying out their duties in accordance with their respective functions, so as to build performance supporting each other.
2. The role of the Regional People's Representative Council of the Madiun City in improving the welfare of the community by implementing its legislative functions in the 2014-2019 period made 16 draft regional regulations, discussed regional regulations on initiatives from the executive, carried out oversight of policies taken by the city government and discussed the city's Regional Expenditure Budget Madiun. With what has been done by the Regional People's Representative Council of Madiun City in a period of 4 (four) years it is evident that the level of welfare of the people of Madiun city has increased from year to year and even ranked the highest compared to 6 (six) autonomous regions former Madiun Residency.

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²⁸. Pasal 51 Ayat (1) Peraturan Dewan Perwakilan Rakyat Daerah Kota Madiun Nomor 1 Tahun 2018 Tentang Tata Tertib Dewan Perwakilan Rakyat Daerah.

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Peraturan Dewan Perwakilan Rakyat Daerah Kota Madiun Nomor 1 Tahun 2018 Tentang Tata Tertib Dewan Perwakilan Rakyat Daerah Kota Madiun.

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