



Reconstruction of the Legislative Authority of the Regional Representative Council in the Context of Optimizing the Position of the Regional Representative Council as a Representative Institution

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Abstract: Indonesia as a democracy so that the government is carried out from the people to the people through elected representatives, the influence of the concept of democracy and the sovereignty of the people forms a government based on the will of the majority to carry out the interests of everyone. There is a state institution called the Regional Representative Council as one of the legislative institutions, but the legislative authority owned by the Regional Representative Council tends to be weak compared to the House of Representatives. This research is a normative juridical research, with statute approach and conceptual approach, secondary data is obtained through literature review and then analyzed qualitatively juridically. The results of the study state that juridically the Regional Representative Council has a position as a high state institution that is mandated directly in the constitution, so that the Regional Representative Council is included in the constitutional state organ, but the legislative authority possessed by the Regional Representative Council according to the constitution is quite weak and tends to be a complement to the House of People's Representatives. Thus, it is necessary to strengthen the limited legislative function of the Regional Representative Council, this is in line with the fourth precept of Pancasila. It is also worth considering the use of a strong bicameral system.

Keywords: Legislation, Regional Representative Councils, State Institutions, Authority

1. Introduction

Indonesia as a country of law with sovereignty is in the hands of the people which is implemented based on the Constitution as the state constitution, this is as affirmed in Article 1 paragraph (2) and paragraph (3) of the 1945 Constitution of the Unitary State of the Republic of Indonesia. The sovereignty of the people in a country makes the government run according to the will of the people (Ilmu Darussalam & Indra, 2021, p. 191).

People's sovereignty is closely related to democracy, etymologically democracy comes from the Greek language, namely "*demos*" which means the people and "*cratia*" or "*kratos*" which means government (Kadir Patta, 2009, p. 36). Democracy is a form of the principle of people's control over the joint decision-making process and the existence of equal rights in exercising control. Fundamentally, Abraham Lincoln defined democracy as government that is carried out by the people, by the people, and for the people. Meanwhile, Hans Kelsen provides the definition of democracy as a government carried out by the people for the people through their elected representatives (Lutpiani, 2021, p. 3). The influence of the concept of democracy and people's sovereignty forms a government based on the will of the majority to carry out the interests of all people (Ilmu Darussalam & Indra, 2021, p. 191).

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Logemann who said that the state is an organization of power (*machts organisatie*). This is because in every country there will always be centers of power, both those contained in the supra political structure and those contained in the political infrastructure. The state in the formal sense contains the meaning of the state as a government (*staat-overheid*) who have the power to govern in a country or area of the country (F. Is-jawara, 1964, p. 82).

Based on Article 18 paragraph (1) of the 1945 Constitution of the Republic of Indonesia, it basically states that the Unitary State of the Republic of Indonesia is divided into provincial areas and the provincial areas are redivided into districts and cities, each of which has a regional government based on the Law. The division of regions is based on the principle of regional autonomy, in addition to using the principle of regional autonomy, the Regional Government also has the task of assisting in the implementation of the Central Government's strategic plan in realizing the nation's goals as stated in the fourth paragraph of the Constitution of the Republic of Indonesia in 1945.

Juridically, the system of government currently adopted by Indonesia is the Presidential System of Government, as stipulated in Article 4 paragraph (1) of the 1945 Constitution of the Republic of Indonesia. Therefore, there is a need for a separation of powers, as stated by Montesquieu through the teachings of *Trias Politicca* which positions executive, legislative, and judicial powers separately (Cipto Handoyo, 2009, p. 134).

According to the 1945 Constitution of the Unitary State of the Republic of Indonesia, there are 6 (six) State Institutions that truly reflect the constitution of state power, the President as a form of executive power; the People's Consultative Assembly (MPR), the House of Representatives (DPR), and the Regional Representative Council (DPD) as a form of legislative power; as well as the Supreme Court (MA) and the Constitutional Court (MK) as a form of judicial power.

The dynamics of Indonesian statehood continued to change, until finally in the amendment of the Constitution of the Unitary State of the Republic of Indonesia in 1945, the Regional Representative Council emerged as one of the institutions that carried out the legislative function. Based on Article 22D paragraph (1) of the 1945 Constitution of the Republic of Indonesia, it basically states that the authority of the DPD can submit to the House of Representatives draft laws related to regional autonomy, central and regional relations, the formation and expansion and merger of regions, the management of natural resources and other economic resources, as well as those related to the central and regional financial balances. Furthermore, in Article 22D paragraph (2) of the 1945 Constitution of the Republic of Indonesia, it is basically stated that the Regional Representative Council participates in discussing draft laws related to regional autonomy; central and regional relations; formation, expansion, and merger of regions; management of natural resources and other economic resources, as well as central and regional financial balances; and gives consideration to the House of Representatives on the draft the State Revenue and Expenditure Estimate Act and draft laws related to taxes, education, and religion. In addition, in Article 22D paragraph (3) of the 1945 Constitution of the Republic of Indonesia, it is basically stated that the Regional Representative Council supervises the implementation of laws on regional autonomy,

formation, expansion and merger of regions, central and regional relations, management of natural resources and other economic resources, implementation of state revenue and expenditure budgets, taxes, education, and religion and conveys the results of its supervision to the House of Representatives as a consideration for follow-up.

The authority of the Regional Representative Council as per Article 22D of the Constitution of the Unitary State of the Republic of Indonesia of 1945, places the Regional Representative Council as an auxiliary The House of Representatives because the legislative authority it has is not independent, in contrast to the House of Representatives which expressly has the power to form laws, as stipulated in Article 20 *jo.* Article 20A *jo.* Article 21 of the 1945 Constitution of the Unitary State of the Republic of Indonesia.

Based on this background description, it is interesting to conduct a study with the title *"Reconstruction of the Legislative Authority of the Regional Representative Council in the Context of Optimizing the Position of the Regional Representative Council as a Representative Institution"*. The problems studied include (1) What is the position of the Regional Representative Council in the Indonesian constitutional system? and (2) How to reconstruct the law of the legislative authority of the Regional Representative Council as a representative institution?

2. Materials and Methods

This research is a normative legal research, this is because the research is carried out by laying the law as a building of a norm system, namely about legal principles, legal norms, legal rules from laws and regulations, court decisions, and doctrines (Fajar & Achmad, 2010, p. 34). This legal research uses secondary data in the form of primary, secondary, and tertiary legal materials related to the topic of discussion regarding the legislative authority of the Regional Representative Council (DPD). The approach method used is a statutory approach and a conceptual approach. The statutory approach is a research approach that is carried out by examining all laws and regulations related to the topic of discussion (Marzuki, 2010, p. 133). Meanwhile, the conceptual approach is an approach based on views, ideas, doctrines, and ideas that give rise to legal concepts that are relevant to the problem being studied (Marzuki, 2010, p. 135). Data collection is carried out through literature studies, the data that has been collected is then analyzed in a qualitative juridical manner, considering that this research is included in normative legal research (Soerjono & Abdurrahman, 2005, p. 56), qualitative juridical analysis is carried out by analyzing comprehensively and then the results of the research are poured into descriptive sentences (Sugiyono, 2009, p. 216).

3. Results and Discussion

3.1. *The Position of the Regional Representative Council in the Indonesian Constitutional System*

The year 1998 was the beginning of Indonesia's reform where one of them was related to representative institutions in Indonesia (Jasir, 2020, p. 2). Before the amendment of the Constitution of the Unitary State of the Republic of Indonesia in 1945, the only representative institutions in Indonesia were the People's Consultative Assembly (MPR) and the House of Representatives, after the third amendment it was known that an additional representative institution called the Regional Representative Council was known, so that the composition of the MPR consisted of the House of

Representatives and the Regional Representative Council with the hope that there would be checks and balances between these institutions (Affandi, 2014, p. 136).

The Regional Representative Council was formed to accommodate regional aspirations so that they have a forum to voice their interests. Historically, the Regional Representative Council began to be formed since the passage of the third amendment to the 1945 Constitution of the Unitary State of the Republic of Indonesia at the Plenary Meeting of the People's Consultative Assembly on November 9, 2001, but factually the filling of the Regional Representative Council was only carried out on October 1, 2004 marked by the inauguration and taking of the oath of the members of the Regional Representative Council elected through the General Election (Pemilu) (Evan Setio, 2013, p. 8).

Article 1 paragraph (2) and paragraph (3) of the Constitution of the Unitary State of the Republic of Indonesia of 1945. The sovereignty of the people in a country makes the government run according to the will of the people (Ilmu Darussalam & Indra, 2021, p. 191). People's sovereignty is closely related to democracy, etymologically democracy comes from the Greek language, namely "*demos*" which means the people and "*cratia*" or "*kratos*" which means government (Kadir Patta, 2009, p. 36). Democracy is a form of the principle of people's control over the joint decision-making process and the existence of equal rights in exercising control. Fundamentally, Abraham Lincoln defined democracy as government that is carried out by the people, by the people, and for the people. Meanwhile, Hans Kelsen provides the definition of democracy as a government carried out by the people for the people through their elected representatives (Lutpiani, 2021, p. 3). The influence of the concept of democracy and people's sovereignty forms a government based on the will of the majority to carry out the interests of all people (Ilmu Darussalam & Indra, 2021, p. 191).

That to implement the concept of democracy cannot be separated from representatives who are directly elected by the people by the will of the people themselves, as adage *vox populi vox dei* which means that the voice of the people is the voice of God (Santoso, 2024, p. 185). C. F. Strong argues that the existence of representative institutions that are directly elected by the people has an important role in achieving the ideal concept of democracy. The legitimacy of the people's vote given to their representatives who fill positions in representative institutions is a bridge in channeling the aspirations of the people into the implementation of democratic government (Riskiyono, 2015, p. 163).

Based on *the theory of trias politica*, in principle it states that political power is divided into three State Institutions, namely: Legislative, Executive; and Judiciary. In realizing the three types of State Institutions that are independent and at the same level (*horizontal*) each other. The alignment and independence of these three types of State Institutions is very necessary so that the three state institutions are able to supervise and control each other based on the principle of checks and balances system (Suparman, 2023, p. 60). In general, the legislature at least has several rights, including (Suparman, 2023, p. 60): (a) Budget rights, namely the right to control and supervise the implementation of the use of the State Revenue and Expenditure Budget; (b) Initiative rights, namely the right to make proposals based on community aspirations; (c) The

right to interpellation, namely the right to ask questions or ask for information and explanations to the Government; (d) The right of inquiry, which is the right of parliament to conduct an investigation without the intervention of the executive agency on a matter; (e) The right to express opinions, which is the attitude of parliament to have an opinion on government actions carried out by executive institutions that cause controversy in society

The Regional Representative Council is one of the legislative institutions in Indonesia, which means the legislature is a law-making state institution whose members are representatives of the people who have succeeded in obtaining support. The purpose of the division of power is to prevent the centralization of power that causes greed, as Lord Acton stated “*power tends to corrupt, and absolute power corrupt absolutely*” which has the meaning that a power tends to be corrupt and absolute power tends to be absolutely corrupt. Corruption and power are likened to two sides of a coin, namely corruption always goes hand in hand with power. (Sanusi, 2009, p. 83)

State institutions in Indonesia are divided into two types, namely, *constitutional state organ* and *state auxiliary organ*. First, *constitutional state organ* is a State Institution whose authority is directly granted by the 1945 Constitution of the Unitary State of the Republic of Indonesia. Second, *state auxiliary organ* is a State Institution whose authority is given by other laws and regulations other than the Constitution of the Unitary State of the Republic of Indonesia in 1945 (Iswandi & Prasetyoningsih, 2020, pp. 138–139).

According to the 1945 Constitution of the Unitary State of the Republic of Indonesia, there are 6 (six) State Institutions that truly reflect the constitution of state power, the President as a form of executive power; the People's Consultative Assembly (MPR), the House of Representatives (DPR), and the Regional Representative Council (DPD) as a form of legislative power; as well as the Supreme Court (MA) and the Constitutional Court (MK) as a form of judicial power.

The Regional Representative Council is a territorial representation or regional representation, thus placing the Regional Representative Council as a representative of the people and regional interests. Based on Article 22D paragraph (1) of the 1945 Constitution of the Republic of Indonesia, it basically states that the authority of the DPD can submit to the House of Representatives draft laws related to regional autonomy, central and regional relations, the formation and expansion and merger of regions, the management of natural resources and other economic resources, as well as those related to the central and regional financial balances. Furthermore, in Article 22D paragraph (2) of the 1945 Constitution of the Republic of Indonesia, it is basically stated that the Regional Representative Council participates in discussing draft laws related to regional autonomy; central and regional relations; formation, expansion, and merger of regions; management of natural resources and other economic resources, as well as central and regional financial balances; and gives consideration to the House of Representatives on the draft the State Revenue and Expenditure Estimate Act and draft laws related to taxes, education, and religion. In addition, in Article 22D paragraph (3) of the 1945 Constitution of the Republic of Indonesia, it is basically stated that the Regional Representative Council supervises the implementation of laws on regional autonomy, formation, expansion and merger of regions, central and regional relations, manage-

ment of natural resources and other economic resources, implementation of state revenue and expenditure budgets, taxes, education, and religion and conveys the results of its supervision to the House of Representatives as a consideration for follow-up.

Constitutionally, the position of the Regional Representative Council is a *constitutional state organ* because the authority owned by the Regional Representative Council is directly regulated and mentioned by the 1945 Constitution of the Unitary State of the Republic of Indonesia, but the legislative function of the Regional Representative Council tends to be weak compared to the legislative function owned by the House of Representatives. Therefore, the dignity of the Regional Representative Council as a state institution (*constitutional state organ*) must be increased through authority equivalent to other state institutions (the President and the House of Representatives), so as not to make the Regional Representative Council seem to be a complement to the House of Representatives or to be an *auxiliary organ of* the House of Representatives (Toding, 2017, p. 309).

3.2. Legal Reconstruction of the Legislative Authority of the Regional Representative Council as a Representative Institution

Paul Scholten argues that legal constructs must include positive materials (*constructive moet de positive stof dekken*) Like the applicable law, construction must be based on existing legal understandings, and construction must not be based on factors outside the material of the law (Scholten, 1934, p. 63). Reconstruction according to the Great Dictionary of the Indonesian Language has the meaning of rebuilding or rearranging. In this case, a discussion was held regarding the rearrangement of the authority of the Regional Representative Council.

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The Regional Representative Council was formed to accommodate regional aspirations so that they have a forum to voice their interests. Historically, the Regional Representative Council began to be formed since the passage of the third amendment to the 1945 Constitution of the Unitary State of the Republic of Indonesia at the Plenary Meeting of the People's Consultative Assembly on November 9, 2001, but factually the filling of the Regional Representative Council was only carried out on October 1, 2004 marked by the inauguration and taking of the oath of the members of the Regional Representative Council elected through the General Election (Pemilu) (Evan Setio, 2013, p. 8).

In general, authority can be interpreted as power, which is the ability of a person or group to control another person or group based on authority, charismatic authority or physical strength (Salim & Septiana Nurbani, 2013, p. 185). Conceptually, authority is often equated with the term Dutch "*bevoegdheid*" (authority). In the concept of Constitu-

tional Law, authority and authority are described as "*rechtsmacht*" (legal power) that has a difference (M. Hadjon, 1997, p. 1). Authority (*gezag*) within the scope of *rechtsmacht* It can be interpreted as formal power, where the power comes from what is given by law or legislature. Meanwhile, the authority of (competence or *bevoegdheid*) only about a "*onderdeel*" (part) certain of the authority.

Authority must be based on existing legal provisions (constitution), so that this authority is a legitimate authority. Thus, officials (organs) in issuing decisions are supported by the source of authority. Stroink explained that the source of authority can be obtained for officials or organs (institutions) of government by means of attribution, delegation and mandate (Rasyid Thalib, 2006, p. 219). The authority of attribution is usually outlined through the division of state power by the 1945 Constitution of the Unitary State of the Republic of Indonesia or other laws and regulations.

The authority of the Regional Representative Council is juridically regulated in Article 22D of the 1945 Constitution of the Unitary State of the Republic of Indonesia, but the authority of the Regional Representative Council in the 1945 Constitution of the Unitary State of the Republic of Indonesia seems not free and independent (*vrijheid en zelfstandigheid*) because it is restrained by the authority of the House of Representatives. The Regional Representative Council does not have any power because it only provides input, consideration, and suggestions, while decisions remain in the hands of the House of Representatives (Muksalmina et al., 2023, p. 767). Jimly Asshidiqie argued that the regulation of the authority of the Regional Representative Council in such a way places the Regional Representative Council as if it were a companion or co-legislator of the House of Representatives in terms of the formation of laws and regulations (Sipangkar, 2016, p. 236). Furthermore, the authority and duties of the Regional Representative Council are regulated in Article 249 of Law Number 17 of 2014 concerning the People's Consultative Assembly, the House of People's Representatives, the Regional Representative Council, and the Regional House of Representatives. Based on the theory of parliamentary structure put forward by Jimly Asshidiqie, there are 3 (three) principles of representation that are known in the world, including: (a) Political Representation; (b) Territorial Representation or Regional Representastion; and (c) Functional Representation.

In general, the parliamentary system or community representative institutions are divided into 2 (two) forms, namely a one-chamber parliament or called unicameral and a two-chamber parliament or called bicameral (Jacobson, 1998). The bicameral system usually consists of *Upper House* and *Lower House*. Each chamber reflects the representation of existing community interest groups both politically, territorially, and functionally (Asshiddiqie, 2014, p. 185). The bicameral system is then further divided into 2 (two) categories, namely strong bicameralism in the sense that both chambers are equipped with equally strong and balanced authority. While soft bicameralism is interpreted as not having the same strong authority (Asshiddiqie, 2014, p. 185).

Based on Article 2 paragraph (1) of the 1945 Constitution of the Unitary State of the Republic of Indonesia, it basically states that the House of Representatives consists of the House of Representatives and the House of Regional Representatives, this provision shows that the People's Consultative Assembly is a *joint session* and the Indonesian par-

liament adheres to the bicameral system (Yenny, 2014, p. 37). However, if we look further at the provisions of Article 20 and Article 20D of the 1945 Constitution of the Unitary State of the Republic of Indonesia, Indonesia tends to adhere to a weak bicameral system because the legislative authority of the House of Representatives and the legislative authority of the Regional Representative Council are not comparable.

The Regional Representative Council is a territorial representation or regional representation, thus placing the Regional Representative Council as a representative of the people and regional interests. Constitutionally, the position of the Regional Representative Council is a *constitutional state organ* because the authority owned by the Regional Representative Council is directly regulated and mentioned by the 1945 Constitution of the Unitary State of the Republic of Indonesia.

The existence of the Regional Representative Council institution in the Indonesian constitutional structure is intended to strengthen the bonds of the regions in the forum of the Republic of Indonesia and strengthen the national unity of all regions of the archipelago, increase the aggregation and accommodation of the aspirations and interests of the regions in the formulation of national policies related to the state and regions, as well as encourage the acceleration of democracy, development and regional progress (Yenny, 2014, p. 37). The presence of the Regional Representative Council should provide a solution to the centralistic political system at that time. However, the existence of the Regional Representative Council does not have the function as expected because it is nothing more than an accessory to democracy in the representative system. Frank Feulner stated that both the parliamentary system of government and the presidential system can have a bicameral parliament (Feulner, 2005, p. 25).

Indonesia is not a federal country, but it is worth considering the use of an equivalent two-chamber system (bicameral) or called a strong bicameral, this is as the opinion of Allen R. Ball and Guy Peters who stated that in modern parliaments a two-chamber system is widely applied, it aims to avoid a monopoly on the legislative process and prevent collusion between the legislature and the executive (Toding, 2017, p. 306). In a strong bicameral system, the upper house can veto or reject the bill proposed by the lower house with certain conditions, then the veto can be canceled if the majority of the lower house agrees with the proposed bill (Jasir, 2020, p. 5).

Based on the Constitutional Court Decision No. 92/PUU-X/2012, the Regional Representative Council has the same position and position as the House of Representatives and the President in terms. The authority of the Regional Representative Council in approving the Draft Law, is in line with the original intention at the time of the discussion of the establishment of the Regional Representative Council on the Third Amendment to the Constitution of the Unitary State of the Republic of Indonesia in 1945 which lasted from 2000 to 2001. Initially, there was a proposal that the authority of the Regional Representative Council included approving the Draft Law to become a Law.

The fourth precept of Pancasila states that "the people are led by wisdom and wisdom in representative deliberation" which means that the government is organized from the people, by the people, and for the people. So that the Regional Representative Council should have better legislative authority to realize the meaning of the fourth

precept. The Regional Representative Council is a people's representative elected based on *regional representation*, in contrast to the House of Representatives which is elected based on *political representation* (Asshiddiqie, 2010, p. 119).

The impact of these differences in representation allows for different orientations, the Regional Representative Council is an individual who represents the interests of the local community, while the House of Representatives is an individual who uses political parties to represent the people, so that the House of Representatives has a greater political tendency than the Regional Representative Council. The Regional Representative Council should be given strong but limited legislative authority, the legislative authority includes the authority of: (a) Legislation in terms of proposing, designing, and approving draft laws related to regional autonomy; central and regional relations; formation, expansion, and merger of regions; management of natural resources and other economic resources, central and regional financial balances, state revenue and expenditure budgets, taxes, education, and religion; (b) Budgeter by giving consideration to the State Revenue and Expenditure Budget Plan; and (c) Supervision of the implementation of laws related to regional autonomy; central and regional relations; formation, expansion, and merger of regions; management of natural resources and other economic resources, central and regional financial balances, state revenue and expenditure budgets, taxes, education, and religion.

4. Conclusions

Based on the description of the discussion above, it can be concluded that the Regional Representative Council is a territorial representation or regional representation, thus placing the Regional Representative Council as a representative of the people and regional interests. Constitutionally, the position of the Regional Representative Council is a constitutional state organ because the authority owned by the Regional Representative Council is directly regulated and mentioned by the 1945 Constitution of the Unitary State of the Republic of Indonesia. However, when looking at Articles 20 and 22D of the 1945 Constitution of the Unitary State of the Republic of Indonesia, the Regional Representative Council seems to be a companion or co-legislator of the House of Representatives in terms of the formation of laws and regulations. The fourth precept of Pancasila states that "the people are led by wisdom and wisdom in representative deliberation" which means that the government is organized from the people, by the people, and for the people. So that the Regional Representative Council should have better legislative authority to realize the meaning of the fourth precept, so that the parliamentary system in Indonesia implements a strong bicameral. Indonesia is not a federal country, but it is worth considering the use of a strong bicameral system by amending the 1945 Constitution of the Unitary State of the Republic of Indonesia and giving strong but limited legislative authority to the Regional Representative Council, that is the authority of legislation in terms of proposing, designing, and approving draft laws related to regional autonomy; central and regional relations; formation, expansion, and merger of regions; management of natural resources and other economic resources, central and regional financial balances, state revenue and expenditure budgets, taxes, education, and religion.

References

- Affandi, H. (2014). Problematika Fungsi Legislasi Dewan Perwakilan Daerah Dalam Hegemoni Dewan Perwakilan Rakyat. *Padjajaran Jurnal Ilmu Hukum*, 1(1).

- Asshiddiqie, J. (2010). *Perkembangan Dan Konsolidasi Lembaga Negara Pasca Reformasi*. Sinar Grafika.
- Asshiddiqie, J. (2014). *Konstitusi dan Konstitusionalisme Indonesia* (4th ed.). Sinar Grafika.
- Cipto Handoyo, H. (2009). *Hukum Tata Negara Indonesia*. Universitas Atma Jaya Jakarta.
- Evan Setio, S. (2013). Fungsi Legislasi DPD Dalam Sistem Ketatanegaraan Indonesia. *Jurnal Hukum*.
- F. Isjawara. (1964). *Pengantar Ilmu Politik*. Dhewantara.
- Fajar, M., & Achmad, Y. (2010). *Dualisme Penelitian Hukum Normatif dan Empiris*. Pustaka Pelajar.
- Feulner, F. (2005). *Menguatkan Demokrasi Perwakilan di Indonesia, Tinjauan Kritis Terhadap Dewan Perwakilan Daerah* (III). Jentera.
- Ilmu Darussalam, F., & Indra, A. B. (2021). Kedaulatan Rakyat Dalam Pemikiran Filsafat Politik Montesquieu. *Jurnal Politik Profetik*, 9(2).
- Iswandi, K., & Prasetyoningsih, N. (2020). Kedudukan State Auxiliary Organ Dalam Sistem Ketatanegaraan di Indonesia. *Jurnal Penegakan Hukum Dan Keadilan*, 1(2).
- Jacobson, J. A. (1998). *An Introduction to Political Science*. Belmont CA.
- Jasir, A. (2020). Dewan Perwakilan Daerah Lembaga Legislatif Tanpa Legislasi. *Jurnal Khazanah Hukum*, 2(1).
- Kadir Patta, A. (2009). Masalah dan Prospek Demokrasi. *Jurnal Academica Fisip UNTAD*, 1(1).
- Lutpiani, E. (2021). *Implementasi Demokrasi di Indonesia*.
- M. Hadjon, P. (1997). Tentang Wewenang. *Jurnal Yuridika*, 5(6).
- Marzuki, P. M. (2010). *Penelitian Hukum*. Kencana.
- Muksalmina, Yustisi, N., & Tasyukur. (2023). Dinamika Kewenangan Dewan Perwakilan Daerah Sebagai Lembaga Legislatif Dalam Sistem Ketatanegaraan Indonesia. *UNES Journal of Suara Justisia*, 7(2).
- Rasyid Thalib, A. (2006). *Wewenang Mahkamah Konstitusi dan Aplikasinya dalam Sistem Ketatanegaraan Republik Indonesia*. Citra Aditya Bakti.
- Riskiyono, J. (2015). Partisipasi Masyarakat Dalam Pembentukan Perundang-Undangan Untuk Mewujudkan Kesejahteraan. *Jurnal Aspirasi*, 6(2).
- Salim, & Septiana Nurbani, E. (2013). *Penerapan Teori Hukum Pada Penelitian Tesis dan Disertasi*. Rajawali Press.
- Santoso, D. (2024). Diskursus Demokrasi Deleberatif Dalam Membina Hubungan Wakil Rakyat dan Konstituen Pasca Pemilihan Umum. *Seminar Hukum Aktual*.
- Sanusi, A. (2009). Relasi Antara Korupsi dan Kekuasaan. *Jurnal Konstitusi*, 6(1).
- Scholten, P. (1934). *Mr.C. Asser's Handleiding ot de Beoefening van het Nederlandsch Burgerlijk Recht: Algemeen Deel*. W.E.J. Tjeenk Willink.
- Sipangkar, L. M. L. (2016). Penguatan Fungsi Legislasi Dewan Perwakilan Daerah. *Jurnal Legislasi Indonesia*, 13(3).
- Soerjono, & Abdurrahman. (2005). *Metode Penelitian Suatu Pemikiran dan Penerapan*. Rineka Cipta.
- Sugiyono. (2009). *Metode Penelitian Pendidikan Pendekatan Kuantitatif, Kualitatif, dan R&D*. Alfabeta.
- Suparman, O. (2023). Konsep Lembaga Negara Indonesia Dalam Perspektif Teori trias Politica Berdasarkan Prinsip Checks and Balances System. *Jurnal Hukum Islam Dan Humaniora*, 2(1).
- Toding, A. (2017). DPD Dalam Struktur Parlemen Indonesia: Wacana Pemusnahan Versus Penguatan. *Jurnal Konstitusi*, 14(2).
- Yenny. (2014). Fungsi Legislasi DPD RI Pasca Putusan Mahkamah Konstitusi Nomor 92/PUU-X/2012. *Jurnal Lex Publica*, 1(1).