



## **Implementation of Legislation Functions In The Process of Making Regional Regulations Initiative of Regional People's Representative Council of Singkawang City**

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### **Abstract**

Implementation of the legislative function in the process of making Regional Regulations initiated of Singkawang City is a process that involves critical steps to create regulations that are relevant and effective for the interests of the local community. The Singkawang City Regional People's Representative Council, as a legislative institution, has a central role in drafting and ratifying regional regulations, which summarize the aspirations and needs of the community. This process begins with identifying problems or conditions that need to be regulated, continues with drafting regional regulations, and involves various stages of public consultation to obtain input from multiple parties. Apart from that, the Singkawang City Regional People's Representative Council is also tasked with evaluating and ensuring the conformity of the draft Regional Regulation with applicable Legislation. Decision to ratify the Regional Regulation reflects joint efforts in formulating policies that accommodate the community's interests. Therefore, transparency, accountability, and public participation are vital in ensuring that every regional regulation produced reflects the real needs of the people of Singkawang City and is by applicable legal norms. Thus, implementing the legislative function by the Singkawang City Regional People's Representative Council is an essential foundation for building a fair and just legal order to improve the welfare of the local community.

**Keywords:** Legislative Function, Regional Regulations, Regional People's Representative Council, Singkawang City

### **Introduction**

The legal foundation for regional government implementation in Indonesia is Law (UU) Number 23 of 2014 respecting Regional Government. Serves as the people's representative institution at the regional level. Law Number 32 of 2004 Governing Regional Government,

which governs the province government's jurisdiction, duties, and functions, has been revised by this law. According to Law Number 17 of 2014 concerning the people's deliberative assembly, the people's representative council, the regional representative council, and the provincial people's representative council, which governs the functions of district/city Regional People's Representative Council in Indonesia, specifically: 1) Legislation; 2) Budget; and 3) Supervision, an institution of people's representation that plays a crucial role in the country's regional government system. These three roles are performed within the framework of district/city people's representation to give regions flexibility based on local situations (Agustino, 2014).

The role at the regional level is legislation. Legislation essentially serves the purpose of creating local restrictions. Since granting control in enacting regional regulations is an attempt to provide flexibility to regions adhering to their local conditions, it is ideal that the legislative process be implemented in a way that results in aspirational and responsive regional principles as an obligation and the authority possessed by lawmakers (Wisistiono et al, 2009). Has the authority to create regional regulations, which are regional legal laws that direct, oversee, and manage the operation of provincial government, as part of its legislative role.

The following rights pertain to legislative activities of : 1. Draught regional regulations should be created and approved. Draught regional laws that are judged necessary to be regulated in the relevant area may be created and approved. The province government shall be consulted before the draught regional regulations approved by are confirmed into regional regulations; 2. Share the thoughts of regarding the proposed regional regulations.

Regarding the regional regulations that the province administration has provided, is entitled to comment. When creating draught regional rules to be presented to, the regional administration must take their suggestions into account; 3. Send in suggestions to amend or repeal provincial laws. If it is judged necessary to make changes or cancellations in the best interests of the region, DPRD may submit proposals for changes or cancellations of previously passed regional regulations; 4). Request data and information from the local government.

When preparing draught regional regulations, is entitled to request data and information from the regional administration. 5. Discuss regional development programmes, regional government work plans, and regional revenue and spending budgets. An use these facts and statistics to determine the policies to be taken. Budgets for regional revenue and expenses, work plans for regional governments, and regional development initiatives may all be discussed. When creating regional development plans, work plans for the regional government, and budgets for revenue and expenses, the province government must take into account the outcomes of the discussions held (Prawirosentono, 2002).

The role of regional level is legislation. Legislation essentially serves the purpose of creating local restrictions (Indonesian Government, 2014). Since the goal of extending lawmakers' authority to adopt provincial laws is to offer regions flexibility under their local conditions, it is ideal for the legislative process to be implemented in a way that creates aspirational and responsive regional rules as a duty.

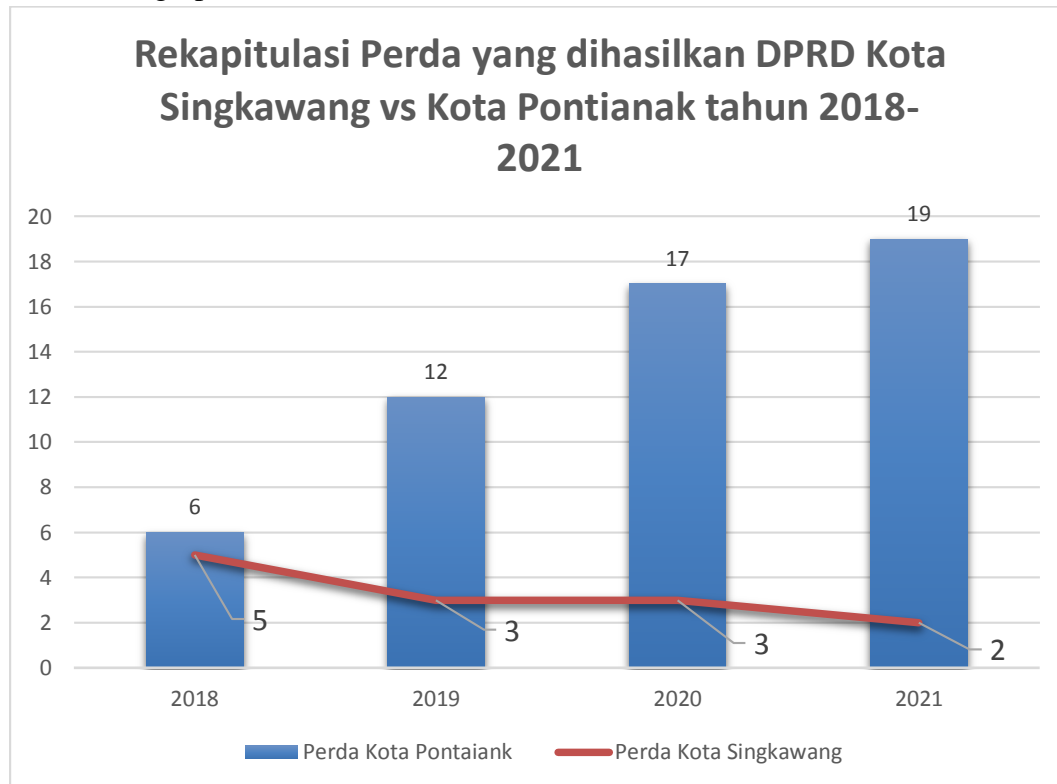
Based on interim field data, it was discovered that, in comparison to the budgetary and supervisory functions, the legislative function of the Singkawang City Regional People's Representative Council—which represents the Council and has the authority to create regional regulations—is thought to be implemented at a relatively low level (The Regional People's

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Representative Council Singkawang, 2009).

City The legislative products that produced between 2018 and 2022 demonstrate this, as they fall well short of the goals established based on empirical data regarding the recapitulation of the Singkawang City Raregional regulations/regional regulations from 2018 – 2022 when compared with the Pontianak City Raregional regulations/regional regulations from the same year range.

It can be seen in graph 1.1. below this:



*Source: Processed from seeds from DPRD Secretariat of Singkawang City and Pontianak City, 2022.*

Based on the data in graph 1.1, it can be seen that the Draft Regional Regulation, which members of the Singkawang City Regional People's Representative Council prepared in the field of Legislation, was an initiative of the council from 2018 - 2022, has not achieved the target and even tends to decrease from year to year (The Regional People's Representative Council Singkawang City, 2019).

This indicates the low role of Singkawang City Regional People's Representative Council members in carrying out legislative functions. This is inversely proportional to what happens in Pontianak City, which increases yearly (Ernie et al, 2006).

Based on the above, forming regional regulations in the Singkawang City Regional People's Representative Council is used as study material in this research, especially in exercising the right to submit draft regional regulations proposed (Rasyid, 2010). This function should be the most dominant and influential because, through this function, can influence all policy aspects in the city of Singkawang (Islamy, 2013).

### **Research Method**

Descriptive research is a way of describing or describing symptoms based on factual

data and facts when the research takes place in the field as it is, following the research objectives (Moleong, 2010). Later, researchers will try to explain the phenomena of implementing the Legislative Function in the Formation of Singkawang City Regional Regulations.

## **Results and Discussion**

### **Singkawang City Regional People's Representative Council Legislative Functions**

The legislative function of refers to the central role of regional-level legislative institutions in forming regional regulations that apply in the local area (Indonesian Government, 2008). This function is essential because regional regulations directly impact people's lives locally (Indonesian Government, 2014).

The legislative process of can be explained by referring to several theoretical bases and principles, including representation, rational action, political parties, resources, interests and conflicts, public decision-making, and democracy and community participation (Gaffar, 2008). Factors that may cause the low legislative function of can be analyzed using various theoretical bases relevant to the study of political science and government. Some of the basic concepts used to explain this article include:

1. Political Representation, this includes how Regional People's Representative Council members represent the interests of residents in their area. A lack of focus on community representation can cause Regional People's Representative Council members to not prioritize legislative functions.
2. Rational Action, this action focuses on individual and group motivation in making decisions. Lack of motivation or incentives for Regional People's Representative Council members to carry out legislative tasks well can be a factor underlying low legislative performance.
3. Political parties, the role of political parties in guiding the actions of Regional People's Representative Council members, mainly their focus on party politics rather than the public interest, can be explained by this theory.
4. Resource, this examines aspects of the resources available or lacking available to DPRD, such as human resources, budget, and facilities. Lack of resources can hinder the functioning of Legislation.
5. Interests and Conflicts, consider how competing interests and conflicts between various parties, including interest groups and local governments, can influence DPRD performance in formulating laws.
6. Public Decision Making, it considers how various political actors and external factors influence public decisions, including policies and laws.
7. Democracy and Community Participation, the level of public participation in the political process can influence the success of the legislative function.

An active and participating community can encourage to focus more on the public interest.

Understanding the factors of low Regional People's Representative Council legislative function based on this theoretical basis can help formulate appropriate solutions and improvement strategies in increasing the effectiveness of Legislation at the regional level (Budiharjo, 2009).

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The following will present the results of interviews with key informants, primary informants, and additional informants regarding the function of Legislation in Singkawang City, which was conducted by the author on 5 August 2023, which is expected to provide a clear picture of the implementation of the legislative function, namely the drafting of regional regulations, especially those that are legislative initiatives (Apter, 2006).

### **Results of Interviews with Key Informants**

The interview with the key informant, namely the Chairman of the Singkawang City Regional People's Representative Council, Sujianto (PDI-P), was conducted on Friday, 4 August 2023 (Malarangeng, 2001). The interview was conducted at the official residence of the Chairman of the Singkawang City People's Representative Council at 18:00 -19:30. The contents of the discussion related to the theme are as follows:

1. Political Representation. "We are members of the people's representative institutions elected by citizens to be their voice in the legislative process. So, we, Regional People's Representative Council members, have an important position in representing the interests of the voting public based on the electoral district we represent. For this reason, political representation is the foundation for forming public policy. "But in fact, many of us do not understand this and cannot attend the discussion of the draft regional regulations for various reasons".
2. Rational Action. "Many fellow members of the council do not understand their duties in carrying out the legislative function, one of which is the lack of incentives that Regional People's Representative Council members receive, especially draft regional regulations that originate from the council's initiative:
3. Political parties. "Regional People's Representative Council members come from various political parties; they often have their own party's views and agenda and are influential in the legislative process. So sometimes we follow the party's directions to avoid causing problems. "Even though sometimes it is a bit counter-productive to optimizing the function of legislation."
4. Human Resources. "It is true that many of the council members need better education, which sometimes results in unfavorable results for optimizing the implementation of our legislative functions." "For this reason, we need some kind of training or technical guidance to increase the capacity of Regional People's Representative Council members."
5. Interests and Conflicts. "There are many conflicts of interest between various parties internally, including interest groups and the regional government of Singkawang City. "Of course, this has resulted in many Regional People's Representative Council members neglecting their legislative duties in formulating regional regulations."
6. Public Decision Making. "In drafting regional regulations, of course, we are always oriented towards the public or community interests, but sometimes council members are too much influenced by internal political actors and external factors outside the Singkawang city legislature."
7. Democracy and Community Participation. "Usually, we communicate with community leaders from the start of the legislative process by providing opportunities for community leaders to provide input. "However, often the information we get is relatively minimal,

both from NGOs and civil society groups, so it is quite difficult for us to formulate the various main problems society faces."

### **Results of Interviews with Additional Informants**

Interview with an additional informant, the Head of the Secretariat of the Singkawang City Regional People's Representative Council, Karim, SH, on Friday, 4 August 2023. The interview was conducted in the room of the Head of the Secretariat of the Singkawang City Regional People's Representative Council Singkawang at 09:00 -11:00. The contents of the discussion related to the theme are as follows:

1. Political Representation. "They are people's representatives elected by the people of their electoral district, where one of their duties is the legislative function. However, quite a few of them need to make optimal use of their legislative function (Sanit, 2009). Regional People's Representative Council members should ensure that the regional regulations produced, especially those originating from initiatives, reflect the interests and aspirations of the community in general or at least the community of the electoral district they represent."
2. Rational Action. "Council members tend to think pragmatically in carrying out their legislative function, whereas the Singkawang city council sometimes thinks about profit and loss in maximizing their legislative function. "Not to mention the weak communication between the legislature and the executive and the many new regulations that are binding in forming new regional regulations."
3. Political parties. "We as secretaries can only facilitate them as council members, but we cannot force them to improve their legislative functions."
4. Human Resources "The Secretary realizes that quality human resources are the key to carrying out legislative functions well. With the relatively minimal quality of education, we are covering this by providing additional DIKLAT to Regional People's Representative Council members so that they better understand the various issues and problems they face. "This effort is intended to ensure they are ready to carry out their legislative functions well."
5. Interests and Conflicts. Interests and conflicts are a natural part of the legislative process. We strive to carry out dialogue and mediation to resolve conflicts that arise. It is essential to listen to all parties involved, especially board members, and find solutions to accommodate as many existing interests as possible.
6. Public Decision Making. In drafting a draft regional regulation, we ensure its implementation follows the rules and procedures oriented toward the public or community interest. "However, sometimes the initial process is influenced by various considerations from internal political actors and external factors outside the Singkawang city legislature."
7. Democracy and Community. Participation "We support democracy and public participation by implementing open and transparent practices in the legislative process. We provide opportunities for the public to participate in the broad legislative process to provide input. We also strive to facilitate the participation of civil society and citizen groups in the legislative process. Democracy and community participation are essential values in the work of the Singkawang City Regional People's Representative Council (Indonesian Government, 2009).

### **Initiative of the Singkawang City Regional People's Representative Council in Legislative Functions**

The low number of Draft Regional Regulations for Legislative Initiatives submitted to the Singkawang City Regional People's Representative Council is a problem that can affect the legislative function. Because this research uses a descriptive-qualitative method, according to

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the author's interpretation, there is an articulation from each informant regarding the interview. These are as follows:

### **Results of Interviews with Key Informants**

1. **Understanding the Problem:** Admitted that a lack of in-depth understanding of the problems faced by the city of Singkawang was one of the factors in the low functioning of Legislation. Regional People's Representative Council members must understand essential issues affecting society more deeply to formulate effective policies.
2. **Capacity Level of Regional People's Representative Council Members:** Realizes that the capacity level of Regional People's Representative Council members needs to be increased. Additional training and education are required to increase their understanding of the rules, regulations, and policy analysis methods necessary to perform legislative functions well.
3. **Low Public Participation:** That public participation in the legislative process still needs to be improved. More community involvement in providing input and monitoring the legislative process can hamper the function. Further efforts are required to encourage more active public participation.
4. **Transparency and Accountability:** Transparency in the legislative process is essential in building public trust. Lack of clarity can result in distrust of Regional People's Representative Council. Therefore, steps are needed to increase transparency and accountability in the legislative process.
5. **The Role of Political Parties:** The role of political parties in influencing the legislative process is also recognized as a factor affecting functioning. There are challenges in reaching cross-party agreements in the city's overall interests.

Overall, the conclusion that can be drawn from the interview above is that various factors, including a lack of in-depth understanding of the problem, lack of capacity of Regional People's Representative Council members, low public participation, lack of transparency, and the role of political parties in influence the legislative process cause the low legislative function of the Singkawang City Regional People's Representative Council. To improve the part of Legislation, efforts are needed to increase understanding, capacity, public participation, transparency, and cross-party collaboration.

### **Results of Interviews with Key Informants**

1. **The Need for Better Collaboration:** The mayor underlined the importance of better collaboration between the executive (city government) and the legislature (Regional People's Representative Council). There needs to be more practical cooperation between these two institutions to ensure the city's progress.
2. **Coordination between the Government and Regional People's Representative Council:** Better coordination between the city government in planning and implementing policies and programs is essential to overcome the problems faced by the city of Singkawang
3. **Increasing the Capacity of Regional People's Representative Council Members:** The Mayor recognizes that there is a need to increase the capacity of Regional People's Representative Council members, including their understanding of the problems faced by the city and related regulations and Legislation.
4. **Active Public Participation:** The mayor noted that active public participation in the legislative process is essential to improve functioning. The public needs to be more involved in providing input and monitoring the running of the government.
5. **Transparency and Accountability:** The Mayor emphasized transparency and accountability

in the legislative process and policy implementation. This will help build public trust and city government.

6. The Importance of Open Dialogue: There is a need for open and constructive dialogue between the city government, Regional People's Representative Council, and the community to reach better agreements and solutions regarding Singkawang city issues.
7. The Government's Role in Supporting DPRD: The Mayor expressed his readiness to support in carrying out legislative functions and achieving common goals for the city of Singkawang (Rasyid, 2007).

The conclusion that can be drawn is that the low legislative function of the Singkawang City Regional People's Representative Council is characterized by less than optimal communication so that it relatively hampers the optimization of collaboration and coordination between the executive and legislative, the minimal capacity of Regional People's Representative Council members and low public participation as a result of the relatively low transparency and openness between all parties involved (Arikunto, 2016).

### **Results of Interviews with Additional Informants**

1. The need to increase the capacity of Regional People's Representative Council members: The Head of the Secretariat noted that Regional People's Representative Council members need to increase their understanding of the regulations, Legislation, and problems faced by the city of Singkawang. Additional training and education can increase their capacity.
2. Enhanced Transparency and Accountability: To improve Legislation's function, it is necessary to increase transparency in the legislative process. Accountability in decision-making is also essential to build public.
3. Active Public Participation: The Head of the Secretariat noted the need to encourage more active public participation in the legislative process. This can be done through open meetings, public consultations, and citizen participation forums.
4. Better Coordination with City Government: The Head of the Secretariat mentioned the importance of better coordination between Regional People's Representative Council and city government in planning and implementing policies. Practical cooperation between these two institutions is necessary to achieve common goals.]
5. Challenges in the Secretariat Role: The Head of the Secretariat also faces challenges in carrying out his role in supporting. Improved resources and administrative systems can help overcome some of these challenges.
6. Support for Improving Regional People's Representative Council Functions: The Head of the Secretariat stated his readiness to support efforts to improve the legislative function of and achieve common goals for the city of Singkawang.

Overall, the conclusion that can be drawn is that the low legislative function of the Singkawang City Regional People's Representative Council is caused by the minimal capacity of Regional People's Representative Council members the high level of enclosing (closedness) from legislative members and political parties, which results in minimal public participation, in addition to weak institutional legislative communication with the executive resulting in lack of optimal coordination with the Singkawang city government, which in the end made Secretariat somewhat hampered in supporting the legislative functions of council members (Marbun, 2004).

### **Conclusion**

Suppose we refer to the results of previous interviews and discussions. In that case, the



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lack of awareness of members of the Singkawang City Regional People's Representative Council is one of the factors that might cause the low number of Draft Regional Regulations on Legislative Initiatives, namely the need for more awareness of Regional People's Representative Council members about their ability to propose legislative. There may be an opinion that their role is only limited to providing approval or amendments to the Draft Regional Regulations submitted by the executive.

Therefore, it is necessary to increase the understanding and awareness of Regional People's Representative Council members about their role in the legislative initiative process.

Furthermore, more human resources, time, and finances may help prepare the Legislative Initiative Draft Regional Regulation. Formulating the Draft Regional Regulation requires time-consuming research, analysis, and practice. Regional People's Representative Council members may have limitations, especially if they have other duties outside. Sometimes, tends to rely on draft regulations proposed by the executive, such as the city government, rather than initiating them themselves. This may be because executive draft regulations are more structured and ready to be submitted, whereas drafting legislative initiative draft regulations requires additional effort.

Another factor is political uncertainty, especially in the context of the relationship between the executive and legislature, which can hinder the submission of the Legislative Initiative Draft Regional Regulation. Regional People's Representative Council members may be worried about reactions or rejection from the city government towards their initiatives, plus the lack of budget allocation for Regional People's Representative Council members who propose Legislative Initiative Draft Regulations can also be an obstacle.

If sufficient budget allocation motivates Regional People's Representative Council members, they may be more motivated to initiate the Draft Regional Regulation. Finally, community involvement in the legislative initiative process can help motivate Regional People's Representative Council members to submit a Legislative Initiative Draft Regional Regulation. If the public is not active in providing input or supporting legislative initiatives, Regional People's Representative Council members may be less motivated to take such steps.

### **Suggestion**

The low number of Draft Regional Regulations on Legislative Initiatives in the Singkawang City Regional People's Representative Council is a problem that needs to be addressed to increase the effectiveness of the legislative function. Factors such as lack of awareness of Regional People's Representative Council members, limited resources, dependence on executive Draft Regional Regulations, political uncertainty, lack of incentives, and lack of community involvement may cause the low legislative initiative. To overcome this problem, some suggestions that can be considered are as follows:

1. Increasing Regional People's Representative Council Members' Awareness: Through training and outreach, increase Regional People's Representative Council members' understanding of their role and authority in initiating the Legislative Initiative Draft Regional Regulation.
2. Resource Support: Ensure that Regional People's Representative Council members can access sufficient resources, including expert staff support, time, and funds necessary to

prepare the Legislative Initiative Draft Regional Regulation.

3. Incentive System Development: Formulate incentives that motivate Regional People's Representative Council members to submit Draft Regional Regulations for Legislative Initiatives, such as special recognition or awards.
4. Active Community Involvement: Encourage active community involvement in the legislative initiative process, including gathering community input, suggestions, and support.
5. Strengthening Cooperation with Municipal Governments: Improve coordination and cooperation between the executive and legislature to overcome political uncertainty and ensure executive support for legislative initiatives.
6. Public Outreach and Education: Communicating information about legislative initiatives to the broader public to support public participation.
7. Increased Transparency: Increase transparency in the legislative initiative process so that the public and other stakeholders can follow developments and provide input.

By implementing the suggestions above, the Singkawang City Regional People's Representative Council can increase the number and quality of proposed Legislative Initiative Draft Regional Regulations. This will help improve the effectiveness of Regional People's Representative Council legislative functions, increase public participation, and ensure that the resulting policies better reflect the interests of society.

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