

Study and implementation of the omnibus law method in preparing legislation law number 13 of 2022 in Indonesia

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Abstract

To realise the planned, integrated, and sustainable regulation formation, it is necessary to arrange and improve the mechanism of regulation formation from planning, preparation, discussion, ratification or determination to enactment. This includes adding provisions on the omnibus law method in regulation formation and strengthening the meaningful involvement and participation of society. Therefore, Law Number 13 of 2022, concerning the second amendment to Law Number 12 of 2011 on the Formation of Legislation (hereinafter referred to as Law 13/2022), was enacted on June 16, 2022. Law No. 13/2022 aims to improve several provisions contained in the previous law while also addressing the Constitutional Court's decision Number 91/PUU-XVIII/2021. The Constitutional Court granted the lawmaker (joint DPR-Government) two years to make amendments. According to the Constitutional Court, if no improvements are made within this period, the Act will face controversy regarding its method and substance and will become permanently unconstitutional. The Constitutional Court's decision clearly instructs the lawmakers to revise the Job Creation Law due to issues in its formation process. However, instead of amending the Job Creation Law, the DPR and the government revised Law No. 12 of 2011 concerning Regulation Formation Legislation, which had been previously amended by Law No. 15 of 2019 (UU P3). As a result, on June 16, 2022, a "limited" revision of the P3 Law was enacted with the promulgation of Law 13/2022. This law is considered to pave the way for the omnibus method, which was not previously regulated in the P3 Law. The purpose of this research is to describe and analyse the issues in regulation formation using the omnibus law method. The research method used is normative legal research, which involves studying law through reference materials or secondary data as the basis for research, including examining regulations related to the main problem. This study conceptualises law as norms or applicable rules in society that serve as a reference for everyone's behaviour. Therefore, normative legal research focuses on the inventory of positive law, legal principles and doctrines, legal discovery in specific cases, the systematisation of law, the synchronisation level of law, comparative law, and legal history.

Keywords: Revision, P3 Law, Omnibus law

Introduction

The Constitution on the Formation of Legislation has undergone two amendments, the most recent being with Law Number 13 of 2022^[1]. There are ten fundamental areas that have been revised in this legislation: the handling of testing regulation legislation; the omnibus method; the harmonisation, rounding, and stabilisation of the conception design for regional regulations (raperda) and draft regional head regulations (raperkada); the correction of technical errors in legislative drafts; the promulgation of legislation; the monitoring and reviewing of legislation; public participation; the formation of legislation electronically; the involvement of legal analysts in the formation of legislation; and the techniques for drafting legislation.

The omnibus law method is a legislative drafting method that involves: incorporating new content, amending existing content that is related and/or needs to be regulated by law across various types and hierarchies of legislation; and/or repealing regulations of the same type and hierarchy, combining them into a single piece of legislation to achieve a specific objective.

According to Maria Farida Indrawati^[2], the omnibus law is a common method used in countries that adopt the common law system. Maria Farida's view supports the position that using the omnibus law in countries that adhere to the civil

law system is not inherently inappropriate. As current developments show, common law countries have adopted mechanisms to regulate certain actions, events, or circumstances in separate legal forms.

Indonesia has recently begun using the omnibus law method, initiated by a speech from the President. This led to the drafting of the current Job Creation Law, which has been promulgated as Law Number 11 of 2020 concerning Job Creation^[3]. The formation process has sparked controversy because the omnibus law method is not yet widely accepted as applicable within the Indonesian legal system, which adheres to the Continental European system, whereas the omnibus law originates from the Anglo-Saxon legal system. Public participation can be realised through the fulfilment of the public's right to provide input, either verbally and/or in writing, at every stage of the legislative formation process. Input can be submitted online and/or offline. Consequently, individuals or groups directly affected by or interested in the content are given easy access to the academic manuscripts and/or draft legislation. Additionally, the initiator of the legislation can conduct public consultations as per Article 96 paragraph (6) through: 1) Public hearings; 2) Work visits; 3) Seminars, workshops, discussions; and/or 4) Other public consultation activities.

The results of public consultation activities can later serve as material considerations in the planning, preparation, and

discussion of draft legislation. Law No. 13/2022 was enacted to achieve a planned, integrated, and sustainable legislative formation through the arrangement and improvement of the legislative formation mechanism. Therefore, Law No. 13/2022 not only enhances several provisions in the previous law but also serves as a follow-up to the Constitutional Court's Decision Number 91/PUU-XVIII/2021.

As is known, the Constitutional Court gave the lawmakers (joint DPR-Government) two years to make amendments. According to the Court, if no improvements are made within this period, the Act will face controversy regarding both its method and substance and will become permanently unconstitutional. The Constitutional Court's decision clearly and unambiguously instructs the lawmakers to revise the Job Creation Law due to issues in its formation process. Instead of amending the Job Creation Law, the DPR and the Government revised Law No. 12 of 2011 concerning Regulation Formation Legislation, which had already been amended by Law No. 15 of 2019 (UU P3). Consequently, on June 16, 2022, a "limited" revision of the P3 Law was enacted with the promulgation of Law 13/2022^[4]. This law is considered to pave the way for the omnibus method, which was not previously regulated in the P3 Law. Given this background, the author is interested in further studying this topic with the research title "Accommodating the Omnibus Method in Drafting Regulation Legislation: An Overview of Law Number 13 of 2022 concerning the Second Amendment to Law Number 12 of 2011 on the Formation of Legislation."

The problems to be formulated are: Does Law 13/2022 provide a solution for the constitutionality issues of the Job Creation Law, which has been assessed as contradictory to the legislative formation procedures? How does this law address the legal gaps in the formation of legislation using the omnibus method?

Following the enactment of Law 13/2022, the government is required to swiftly prepare five implementation regulations, including rules regarding: (1). Participation and guidance for drafting legislation. (2). Handling legal challenges in the Constitutional Court and the Supreme Court concerning legislation. (3). Amendments to the techniques for drafting legislation. (4). Community participation in the legislative process. (5). Procedures for legislative formation in electronic format.

Formulating the problem is indeed crucial in legal studies. Clearly defining the problem helps in avoiding unnecessary data inference, ensuring that the study remains focused on achieving its desired goals. A well-defined problem also leads to clear and grounded conclusions from observations. In legal research, the writer will limit the scope of the problem to issues directly related to the application of the Omnibus Law in the preparation of legislation.

In this legal research, the writer aims to formulate several key problems as follows: (1) How does the thorough incorporation of the omnibus method in the preparation of legislation impact the quality of resulting legislation? (2) What measures are taken for monitoring and evaluating the implementation of the omnibus method in the preparation of legislation under Law Number 13 of 2022?

Research Method

The researcher's chosen research method is the normative juridical study method, which is a qualitative approach that

adheres to scientific principles and follows standardized research methodology guidelines. Regarding the role and function of methodology in scientific studies, the renowned expert Soerjono Soekanto opines that "Methodology essentially provides procedural guidelines for a researcher to study, analyze, and comprehend the environment being studied."^[5]

In this legal study, the writer employs the method of Specification Study, which is a descriptive research approach that systematically analyzes and accurately describes a particular circumstance, set of facts, or phenomenon. Specifically, the writer will analyze and describe the conceptual and existing terminologies in the Constitutional Judicial Procedure Law in a systematic, factual, and accurate manner. The descriptive method is commonly used to study the status of a group of humans, specific objects, situations, systems, ideas, or current phenomena^[6].

The type of research used in this study is literature or library research, which involves collecting data or scientific works with the purpose of studying a specific object or nature of data collection related to bibliography. This type of research is primarily focused on critically and deeply analyzing relevant literature to address the research problem. Before conducting library research, the researcher must have a clear understanding of the specific sources of scientific information that will be obtained. Some of the sources used include textbooks, scientific journals, statistical references, research findings in the form of theses, dissertations, and online sources, along with other relevant materials^[7].

In conducting this study, the writer collects and researches data using various tools to address the studied problems. These tools include: (a). Primary materials: These are collected data from legislative sources related to the formation of legislation, namely Law 12/2011, Law 15/2019, and Law 13/2022. (b). Secondary materials: These are supporting materials derived from primary sources, such as books, scientific works, and expert research findings. (c). Tertiary materials: These are materials that provide explanations for both primary and secondary materials, such as the Big Indonesian Dictionary.

Result and Discussion

Impact Omnibus law To Quality Drafting Legislation

Indonesia is a rule of law country as stated in Article 1 paragraph (3) of the 1945 Constitution, which reads "The State of Indonesia is a state of law." The concept of the rule of law is inseparable from its fundamental principle, which is the doctrine of legal sovereignty. This doctrine asserts that the highest authority resides in the law, with no other power prevailing over it except the law itself^[8]. The characteristics of a democratic rule of law state include the people's central role and key position in determining policy direction. The implicit understanding of democracy is reflected in the closeness of the nation's rulers or leaders to the people, applying principles of openness or transparency, and being willing to correct and rectify policies deemed detrimental to the people's interests. This can be observed in the practice of forming legislation, especially laws (UU) and regional regulations (PERDA), which involve the DPR/DPRD as representatives of the people's vote to provide input and direct public desires.

Legislation is a form of law, but law is not identical to legislation. The system of law formation comprises distinct

components, such as law-making institutions, law-making apparatus, means of law formation, and procedures for law formation. These elements form an integral unity, functioning and aiming to produce forms of law (legislation). Consequently, a country's legislative system is intrinsically linked to its legal system, as written legislation is a crucial component of the legal system in a democratic (modern) rule of law state^[9].

According to Law No. 12 of 2011 concerning the Formation of Legislation (hereinafter referred to as the P3 Law), the review mechanism begins at the planning stage, which includes the initial hypothesis in the formation of legislation. Article 19 paragraph (2) of Law 12 of 2011 stipulates that in forming legislative plans, consideration must be given to the background and purpose of preparation, the desired goals, and the scope and direction of the regulation.

The review process continues at the preparation stage of legislative proposals through academic drafts, which provide the philosophical, juridical, and empirical reasons. These drafts are then harmonised, rounded, and stabilised. When the draft law originates from the DPR, this process is coordinated by a specialised legislative body within the DPR. If the proposal comes from the government, the harmonisation, rounding, and stabilisation are handled by the minister responsible for legal affairs.

In addition to the initial review during formation, improvements to legislation can also be made through judicial review. This involves re-evaluating existing legislation by examining its effectiveness. Periodic reviews are conducted by the lawmakers themselves, such as the DPR for laws, a process commonly referred to as a legislative review.^[10]

The method of compiling legislation can vary depending on the policies and legal practices applied in a country. However, in general, there are several methods frequently used in the preparation of legislation, including:^[11]

1. **Sectoral method:** This method addresses specific issues or topics within one sector or field of law. For example, health law, employment law, and tax law.
2. **Omnibus method:** This method combines multiple subjects or themes into a single rule or law. The aim is to increase efficiency and prevent overlap or duplication among various laws or related regulations. However, this method can also lead to issues with the quality of legislation if not done carefully and meticulously.
3. **Codification method:** This method involves the systematic and comprehensive preparation of legislation by combining general and specific laws into one document. The aim is to facilitate the application and understanding of the law by the public.
4. **Adaptation method:** This method involves adopting legislation from other countries and adapting it to fit the needs and legal context of the adopting country. The goal is to expedite the preparation of legislation and leverage the positive experiences of other countries.

The selection of methods for preparing legislation must be done carefully, taking into account various factors such as legal objectives, socio-political context, and time and cost

efficiency. Additionally, it is necessary to conduct evaluation and monitoring of the implementation of the legislation to ensure its effectiveness and usefulness^[12].

Based on Government Regulation of the Republic of Indonesia Number 27 of 2021 concerning Guidelines for Drafting Legislation, the preparation of legislation can be carried out through several methods, including: (1). Top-down method: This method involves the structured and organised drafting of legislation, starting from the highest level of governance and involving multiple relevant parties in the process. (2). Bottom-up method: This method involves participatory drafting of legislation, engaging various parties from different layers of society, including academics, NGOs, and civil society. (3). Omnibus method: This method combines several subjects or themes into a single rule or law.

The concept of an omnibus law is an evolving idea that has been explored and utilised by several countries adhering to the civil law system in their legislative formation. The term "omnibus law" is derived from the words "omnibus" and "law." Literally, "omnibus" comes from the Latin "omni," meaning "many," and the English word "bus," meaning "vehicle." The term "law" means "legislation" or "legal statute." Thus, an omnibus law can be concluded to be a piece of legislation that governs various matters within one field.

The use of the omnibus law system is not limited to a single type of legislation but has extended to other sectoral regulations. Glens Krutz provides an explanation of the application of the omnibus law in legislative preparation, noting that its practice has proliferated since the 1970s. In Indonesia, the implementation of the omnibus law method in the legislative process is newly applied in a specialised manner, particularly in legislative techniques aimed at amending several norms contained in existing laws.

In Indonesia, the Omnibus Law on job creation passed in 2020 with objective For remodel sector employment, investment and business in Indonesia. Constitution This delete and change a number of regulations previously, as well simplifying the investment and licensing process for increase power Indonesia's competitiveness at the global level. This matter in accordance with instruction Indonesian Joko Widodo President said that will there were three laws made use omnibus method. Constitution the taxation, copyright field work and empowerment of MSMEs. However, concept the experience enough shift significant, this is greatly influenced by existence the law in Indonesia is often overlapping overlap and occur disharmony between regulation legislation One with others. Disharmony the happen in a way vertical and horizontal^[13].

The disharmony and overlap between legislative regulations are inevitable challenges within Indonesia's legal system. From October 2014 to 2018, there were approximately 7,621 ministerial regulations recorded, whereas the final four years saw only 765 presidential regulations and 452 governor regulations. This abundance of laws and regulations in Indonesia has led to a situation where the country consistently ranks poorly in the World Bank's Quality of Regulations Index, maintaining a position around 92 out of 193 countries due to excessive regulations. This hyper-regulation trend results in legal disharmony, undermining the noble objectives of law such as legal certainty and justice. Ideally, the law should provide certainty and justice for society, ensuring that their activities

are conducted within the framework of guaranteed constitutional rights as per the 1945 Constitution. Certainty and justice are reflections of the quality of law in Indonesia, echoing Gustav Radbruch's notion that good law should embody the principles of legal certainty, justice, and not mere expediency^[14].

The use of the omnibus method in drafting legislation is a topic of debate in many countries, with some opting to adopt this method while others refrain from doing so. While the omnibus method can enhance efficiency in preparing legislation by combining various subjects or themes into one rule or constitution, thereby avoiding overlap or duplication and facilitating easier access to legal information for society, it also carries the potential for quality issues in legislation. One such problem is the possibility of overlooking important aspects that are not directly related to the main theme of the legislation.

Additionally, the omnibus method can create difficulties for parties involved in applying the legislation due to confusion in interpreting multiple substances or themes within one rule or constitution. Therefore, a careful assessment of the quality of legislation resulting from the omnibus method is necessary, considering various aspects related to the substances or themes being combined in one rule or law. Furthermore, implementing mechanisms for evaluation and monitoring is essential to ensure the effectiveness and value of the benefits derived from this method.

The omnibus method is an integrated approach to drafting legislation, combining multiple subjects or themes into one rule or constitution. This method can have both positive and negative effects on the quality of resulting legislation. On one hand, the omnibus method can increase the efficiency of preparing legislation by consolidating various subjects or themes into a single rule or constitution. This can save time and costs in the preparation of legislation and prevent overlapping or duplication between different laws or related rules.

On the flip side, the omnibus method can lead to quality issues in legislation. Combining multiple subjects or themes into one rule or law may lead to overlooking important aspects that are not directly related to the main theme of the legislation. Additionally, this method can create challenges for parties involved in applying the legislation due to confusion in interpreting multiple substances or themes within one rule or constitution. Therefore, assessing the quality of legislation resulting from the omnibus method is crucial and must be done carefully, considering various related aspects pertaining to the substances or themes being combined in one rule or constitution.

Monitoring and Evaluation to Implementation of the Omnibus Method Against Law Number 13 of 2022 concerning Change Second on Law Number 13 of 2022

The enactment of Constitution Number 13 of 2022, which brings the Second Amendment to Law Number 12 of 2011 concerning the Formation of Legislation, in June 2022 has garnered significant attention from the audience. Some notable changes and additions made in the enactment of the P3 Law include: (a). Introduction of the omnibus method. (b). Rectification of technical errors following consensus between the DPR and the President during plenary meetings prior to ratification and legislation. (c). Enhancement of meaningful involvement and participation of society (meaningful participation). (d). Introduction of electronic

methods for forming Legislation. (e). Alteration of the supporting system from researchers to official roles with a specific focus on tasks related to the Formation of Legislation. (f). Modification of techniques for preparing Academic Manuscripts. (g). Alteration of techniques for preparing Legislation, expanding the scope of tasks related to the Formation of Legislation.

In the preparation of Legislation, the omnibus method is employed. The extensive use of the omnibus method in the Formation of Legislation is expected to enhance the involvement and significant participation of society. This expectation is mentioned in the considerations of the constitutional amendment and is explicitly stated in Article 64, which reads: (1) The preparation of legislation is carried out in accordance with the techniques of legislation preparation. (1a) The preparation of legislation referred to in paragraph (1) may utilize the omnibus method. Explanation to the omnibus method will applied as intended explained in Article 65 paragraph 1b, which reads: "The omnibus method as referred to in paragraph (1a) is method preparation regulation legislation with: a. load material load new; b. change material load that has relatedness and/or need regulated law in various Regulation Types of legislation and hierarchy the same; and/or c. unplug Regulation Types of legislation and hierarchy together with combine them to in one regulation legislation for reach objective certain."

The implementation of internal omnibus law methods in the formation of legislation in Indonesia stemmed from the need to address regulatory obesity. This began with the enactment of Constitution Number 11 of 2020 concerning Job Creation. However, the application of the omnibus law method in Indonesia is not yet widely accepted and has encountered conflicts. This is because Indonesia's regulatory system, as outlined in Constitution Number 12 of 2011 concerning Formation of Legislation, requires adherence to principles of appropriate legislative formation (*beginselen van beoorlijke regelgeving*) and is based on philosophical, juridical, and sociological foundations. This study adopts a normative juridical approach to regulation legislation, aiming to explore the implications of applying internal omnibus law methods in Indonesia's system of legislative formation.

Indeed, the omnibus law has been a highly contentious topic in Indonesia since its introduction. While some view it as a potential solution to address economic and investment stagnation, others believe that the omnibus law could lead to significant and serious problems.

The concept of omnibus law aims to address issues caused by excessive regulations (overregulation) and overlapping rules. Resolving problems through normal methods can be time-consuming and costly. Additionally, the design and formation process of legislation often leads to deadlock or conflicts of interest, resulting in wasted energy, time, costs, and unmet goals. Therefore, a government breakthrough, such as implementing omnibus law, is necessary to address these regulatory challenges effectively.

One of the problematic aspects of the Job Creation Law's omnibus law is the reduction of rights for the majority of workers in Indonesian society. The omnibus law allows for the setting of minimum wages to be separated based on the different competencies of workers. This change is highly disadvantageous for workers, especially those who are already below the poverty line. Additionally, there are provisions in the omnibus law that allow companies to

extend contract terms for up to 5 years. This creates uncertainty for workers and reduces the chances of securing permanent employment, leading to injustice and limited opportunities for stable employment.

Some controversial articles in the Job Creation Law's omnibus law include Article 59, which removes the rule about fixed-term employment contracts (PKWT) or worker contracts, Article 79, which reduces the number of paid holidays for workers, and Article 88, which amends the worker remuneration system. Furthermore, the Job Creation Law also abolishes several provisions from the previous Employment Law, including penalties for entrepreneurs who fail to pay wages according to regulations, as stated in Article 81 number 29 of the Job Creation Law, which abolishes Article 91 of the Manpower Law.

In addition to the labor-related criticisms, the omnibus law has also faced backlash for not adequately addressing environmental impacts. The law includes provisions that are seen as damaging to the environment, such as unsustainable drilling and mining practices, and inadequate policies for controlling air quality. These aspects pose significant threats to both the environment and the people living in proximity to these activities. This issue is highlighted in Article 27 of the Job Creation Law, which revokes articles 27-29 in Law no. 41/1999 concerning Forestry. These revoked articles regulated various types of business permissions for utilizing forest areas according to their function and purpose, which is crucial for environmental protection.

The criticism against the omnibus law has intensified due to allegations of non-transparency in its preparation and approval processes. Many parties believe that the government rushed to pass the omnibus law without considering its comprehensive impact and without involving the public in the decision-making process. In this context, the omnibus law is seen as potentially harmful to society and the environment, with various serious and problematic implications.

Therefore, active public involvement is crucial in monitoring and evaluating the application of the omnibus law. This will help ensure that the omnibus law does not have detrimental impacts on society and the environment. It is essential to take steps to reduce the potential negative impacts of the omnibus law and ensure that it becomes a viable solution for economic and investment development in Indonesia.

Supervising the implementation of legislation can be carried out by the community, as stipulated in Article 96 of Law Number 13 of 2022, which amends Constitution Number 12 of 2011 concerning the Formation of Legislation. This allows society to actively participate in monitoring the progress of implementing legislation. The supervision system can be conducted through two methods: offline, which involves direct monitoring, and online, which utilizes digital platforms for monitoring.

The omnibus law governs various matters under a single set of rules, particularly focusing on regulatory reforms across different sectors of the Indonesian economy. The impact of the omnibus law on the Indonesian legal framework can be both positive and negative. It is crucial to ensure that the new regulations do not contradict constitutional rights, protect basic rights of individuals, and uphold environmental regulations. Additionally, the government must provide strict supervision and transparency in implementing the omnibus law to prevent any negative

impacts on public interests. This includes monitoring the implementation process closely and ensuring that the law is implemented in a manner that benefits the public and does not infringe upon their rights.

The term "omnibus law" refers to legislation that encompasses multiple topics or sectors within a single package or framework. The approach taken with omnibus laws can vary depending on their content and intended purpose. However, in general, omnibus laws consolidate various related laws and regulations into a single legal framework, aiming to streamline bureaucracy and reduce the time needed to adopt new regulations^[15].

The process of implementing an omnibus law on job creation involves several steps, including^[16]: (1). Identifying problems and obstacles within the regulated sectors of the economy. (2). Preparing a draft law that outlines the desired changes and reforms. (3). Engaging in discussions and consultations with various stakeholders, including workers, employers, and government officials. (4). Addressing and resolving differing views and opinions during the legislative process within legislative institutions. (5). Finalizing and validating the draft law to become an official piece of legislation.

The omnibus law is a strategic approach aimed at restructuring numerous regulations across various sectors to accelerate economic growth and foster job creation. The methodology of the omnibus law involves consolidating and simplifying various rules and related regulations within specific sectors, such as taxation, employment, investment, formation regulation legislation, and more. This consolidation results in the creation of a single, comprehensive set of rules that are easier to comprehend and implement.

In practice, omnibus laws typically involve multiple stakeholders, including government entities, businesses, academia, and the broader society, throughout the stages of preparation, discussion, and approval. The impact of an omnibus law on the Indonesian legal framework can have both positive and negative implications. It is crucial to ensure that the new regulations do not contradict constitutional rights, protect the basic rights of individuals, and adhere to environmental regulations.

Moreover, the government must provide strict supervision and transparency in the implementation of the omnibus law to prevent any negative impacts on public interests. This includes closely monitoring the implementation process and ensuring that the law is implemented in a manner that benefits the public and does not infringe upon their rights.

Monitoring and evaluating the implementation of the omnibus law is crucial due to its significant impact on the legal system and society as a whole. The omnibus law involves consolidating numerous regulations into one comprehensive legal package, which can have wide-ranging effects on various aspects of public life. While the omnibus law can bring benefits in terms of efficiency and effectiveness in preparing regulations, it can also lead to unintended consequences if not properly supervised and evaluated.

The impacts that may arise from the omnibus law could result in changes that are not proportionate to the rights and obligations of society. It may also diminish or reduce protections for basic human rights and the environment if not carefully monitored and evaluated. Therefore, robust monitoring and evaluation mechanisms are essential to

ensure that the implementation of the omnibus law aligns with the intended goals and does not have adverse effects on society. Monitoring and evaluation to application method omnibus law can help identify impacts it and find it solution for minimize it. This matter will possible government for evaluate impact omnibus law in a way periodically and create change or necessary adjustments for ensure protection right basic humans and the environment adequate life.

Monitoring and evaluation play a crucial role in ensuring that the omnibus law is not misused for certain interests or to the detriment of the public interest. Regular monitoring and evaluation can help prevent the misuse of the omnibus law for the benefit of specific groups or individuals and ensure that it serves the overall public interest in the preparation of regulations.

Furthermore, monitoring and evaluation can identify weaknesses and deficiencies in the legal system, leading to necessary solutions and improvements. This approach allows countries to enhance the quality of their legal systems and build public trust in the fairness of the law.

Additionally, regular monitoring and evaluation help ensure that existing laws and regulations remain relevant and up-to-date with changing social, political, and economic conditions. By periodically evaluating these laws, countries can ensure that they provide adequate protection for all citizens and address emerging challenges effectively.

On the contrary, the lack of monitoring and evaluation in the legal system can have detrimental effects on society and the state. An ineffective and inefficient legal system can erode trust in the law and justice, leading to a crisis of confidence. It can also hinder economic growth and investment by creating uncertainty and legal instability.

Absolutely, regular monitoring and evaluation of the legal system are crucial for both the government and society. It ensures that existing laws remain effective, efficient, and relevant to address evolving social, political, and economic dynamics. By doing so, the state can foster a stable environment that facilitates economic growth and investment while providing adequate legal protection for all citizens.

Through continuous monitoring and evaluation, governments can identify areas that require improvement or updates in legislation. This proactive approach helps prevent legal gaps, inconsistencies, or outdated regulations that could hinder progress or lead to legal uncertainties.

Moreover, an effective legal system that is regularly monitored and evaluated contributes to a fair and just society. It helps maintain public trust in the legal framework, promotes transparency, and ensures accountability in the application of laws.

Overall, prioritizing monitoring and evaluation in the legal system is essential for building a robust legal infrastructure that supports sustainable development, protects citizens' rights, and fosters a conducive environment for economic prosperity.

It seems like there's a concern about the implementation of Law 13/2022 and the issuance of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation (Job Creation Perppu). The Job Creation Perppu has raised questions about the government's approach to public involvement in the legislative process. Specifically, it has been criticized for placing the public at a disadvantage in terms of participation, transparency, and prioritization of

legislative content. This situation suggests that meaningful participation in the legislative process has not been adequately provided by the government.

Article 96 of Law Number 13 of 2022 emphasizes the rights of the public to participate in the legislative process. Here are the key points outlined in the article: 1. The public has the right to provide input verbally and/or in writing at all stages of the legislative regulation formation process. 2. Input from the public can be submitted online and/or offline. 3. The term "public" refers to individuals or groups directly affected by or interested in the content of Draft Legislative Regulations. 4. Academic Manuscripts and/or Draft Legislative Regulations should be easily accessible to the public to facilitate input provision. 5. Legislators are responsible for informing the public about the formation of Legislative Regulations. 6. To fulfill public rights, makers of Legislative Regulations can conduct public consultation activities through public hearings, work visits, seminars, workshops, discussions, and other consultation activities. 7. The results of public consultation activities must be considered in the planning, preparation, and discussion of Draft Legislative Regulations. 8. Legislative Regulation makers should explain the results of discussions on public input to the public.

These provisions underscore the importance of public participation, transparency, and accountability in the legislative process outlined in Law Number 13 of 2022.

Additional regulations governing community participation as outlined in paragraphs (1) to (8) are specified in DPR Regulations, DPD Regulations, and Presidential Regulations. In the context of this, Article 96 of Law Number 13 of 2022 delineates the procedures for enhancing substantial public involvement. This provision entitles the public to offer verbal and/or written feedback throughout all phases of statutory regulation formation.

Conclusion

The omnibus method is a way of consolidating various matters or topics into a single rule or constitution. Utilizing this method can accelerate the policymaking process, but it also has the potential to create ambiguity and challenges in interpreting the law. The study report on Constitution Number 13 of 2022 demonstrates the extensive use of the omnibus method to organize several aspects, such as the formation and supervision of regulatory legislation. While this method offers efficiency benefits, it also comes with notable drawbacks, including ambiguity in legal interpretation and limited public participation in policymaking. It is crucial to consider other aspects when adopting the omnibus method, such as its compatibility with the constitution, clarity of content and purpose, and the transparency and involvement of the public in policymaking. This is important to ensure that the use of this method does not lead to negative consequences in understanding and implementing the law in society. Therefore, there should be more in-depth study and close monitoring of the use of the extensive omnibus method in preparing regulatory legislation to minimize the potential for ambiguity and interpretation challenges while maintaining standards of clarity, transparency, and adequate public involvement.

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