

Research Paper

An Assessment of the Productivity and Effectiveness of Law Making from the Legal Perspective of the Indonesian State

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Abstract: The People's Representative Council of the Republic of Indonesia (DPR RI) plays a crucial role in the legislative process that shapes national policies. However, its effectiveness is often questioned due to discrepancies between the number of enacted laws and the set targets. This study aims to evaluate the legislative performance of the DPR RI during the 2019-2024 period, focusing on the quality and relevance of the laws produced. The research employs a normative approach to assess the alignment of legislative outputs with constitutional principles, alongside an empirical approach to measure legislative productivity and its impact on society. The findings indicate that although the DPR RI successfully enacted several laws, many of these legislative products fall short of public expectations in terms of both quantity and quality. The implications of this study highlight the need for improved legislative efficiency and increased public participation to ensure that the laws produced are more responsive to societal needs.

Keywords: DPR RI, Legal Quality, Legislation, Performance Evaluation, Public Participation.



1. Introduction

The People's Representative Council of the Republic of Indonesia (DPR RI) is a legislative institution with a crucial role in the development of laws that establish the foundation of national legislation. In this particular situation, the DPR fulfills multiple roles, serving not only as a lawmaker, but also as an overseeing authority and a representative of the electorate's choice. The presence of the DPR is crucial in guaranteeing that the government's policies align with the desires and requirements of the populace [1]. Amidst the escalating social and political dynamics, there is a growing need for transparency and accountability from state institutions.

The legislative body known as the DPR RI is governed by Chapter VII of the Indonesian legal system, namely Articles 20 to 22D of the Basic Law of 1945, which pertain to the People's Council of Representatives. These articles confirm and emphasize the House's position and power in creating laws and supervising executive policies. By adhering to the stipulations of this Constitution, it is anticipated that the DPR would be capable of carrying out its responsibilities with efficiency and responsiveness to the demands of the general public. The House's legislative functions extend beyond legislation and encompass the oversight of the government's implementation of laws and policies.

The National Assembly plays a crucial role in the formulation of laws, which is a key aspect of the legislative function of the House. From 2019 to 2024, the RI Parliament excelled in addressing problems and national political dynamics. The efficacy of the policy executed in the field is contingent upon the celerity and precision of Parliament's decision-making. An evaluation of the Parliament's legislative performance is necessary to determine how effectively and appropriately it fulfills its constitutional obligation to develop impactful and pertinent legal policies [2]. The evaluation process is crucial in order for the House to engage in self-reflection and make continuous improvements in fulfilling its duties. Furthermore, the evaluation also offers a chance for the general public to offer input and critique regarding the performance of their elected officials. By doing so, the House can enhance its comprehension of the desires and anticipations of the individuals it represents.

An important criterion for measuring the effectiveness of the Chamber will be to measure the productivity of the House by assessing the number of laws successfully passed during the period of 2019-2024. Nevertheless, it is crucial to bear in mind that numerical data alone cannot accurately depict the overall performance of the DPR. An in-depth analysis of the volume of legislation generated is necessary to comprehend its context and societal repercussions. For instance, the enacted legislation must be pertinent to the requirements of the community and capable of addressing the existing difficulties.

In addition, it is important to consider both the caliber and pertinence of the legislation generated. The Deputy Chairman of the Legislative Body (Baleg) of the DPR RI emphasized that evaluating the Parliament's success solely based on the quantity of legislative outputs is a misconception [3]. It demonstrates that the House must have the capacity to generate legislation that are not only plentiful, but also of high quality. High-caliber legislation plays a crucial role in fostering legal predictability and fairness across society. Placing emphasis on quantity can compromise the quality of the legal products produced. Therefore, there is a need for a balanced approach between quantity and quality in the legislative process. The DPR must ensure that every law enacted goes via a transparent process and involves public participation [4]. The involvement of the community in the legislative process will enhance the legitimacy and acceptability of the resulting laws, thereby ensuring their favorable reception by the public.

Furthermore, the House must also prioritize the execution components of the enacted legislation. An exemplary law is one that possesses both a well-organized structure and the ability to be efficiently enforced in practical situations [5]. Hence, it is crucial for the House to oversee the execution of the legislation and propose enhancements if deemed essential. Supervising the government's policies to ensure they align with the desired aims is a crucial responsibility of the House. In this particular situation, it is crucial to establish collaboration between the DPR and the government. Effective collaboration between these two agencies will lead to a more thorough and focused policy. The House must develop effective communication with the government in order to comprehend the difficulties encountered in law enforcement. Therefore, the House has the capacity to offer essential assistance in order to ensure the effective implementation of policies and their subsequent benefits to the public.

Given these many factors, it may be inferred that a comprehensive assessment of the DPR's performance during the 2019-2024 period is warranted. The assessment is not solely determined by the quantity of legislation enacted but also by the caliber, pertinence, and influence of the legislation

on the general population. By conducting a thorough assessment, the House can enhance its efficiency and effectively fulfill its constitutional obligations and responsibilities. This is a significant stride in the direction of establishing an enhanced legislative framework that is responsive to the requirements of Indonesian society.

2. Literature Review

The efficacy of legislation is a crucial matter that impacts not just the attainment of legal goals, but also the societal and political equilibrium of communities. The effectiveness of law enforcement and compliance is contingent upon various elements, such as the execution by the executive branch, the enforcement efforts of law enforcement agencies, and the level of public approval and adherence to the legislation [6]. In this context, the efficacy of law is assessed not only based on the accomplishment of legislative procedures, but also by the tangible influence seen by society. It demonstrates the necessity for the law to be capable of addressing the requirements and ambitions of the populace, in order to establish fairness and economic well-being.

Suprobawati's findings indicate that the evolution of law inside the Indonesian People's Representative Council (DPRI) as a legislative body can be elucidated by several theories, including rational choice, committee procedure, and incrementalism. In this scenario, lawmakers typically evaluate their choices by considering the anticipated advantages and disadvantages of a legislation. The legislative process in the DPRI is shown as a controlled environment where bills undergo testing prior to being presented to the plenary for approval. This method highlights the notion that the legislative process is an incremental process that entails making tiny modifications that evolve via negotiation and agreement. It demonstrates that legislation is not solely an end product, but also a lengthy process that entails deliberations and agreements [7].

Moreover, the legislative process in Indonesia is inherently intertwined with the prevailing political circumstances. The legislative function, as a legislator, has a strong correlation with the executive branch, in which the president plays a crucial part [8]. Political parties and interest groups frequently have influence over legislative choices. Legislation is shaped not merely by legal ideas, but also by the prevailing political factors [9]. There is a fear that the law can be utilized as a political instrument, which in turn has the potential to disturb political stability. Given the circumstances, it is essential for the DPR to be capable of addressing the desires of the public in order to guarantee that the legislation created genuinely represents the public's welfare.

Evaluating the productivity of the DPR can be accomplished not only by considering the quantity of legislation passed, but also by assessing the quality and impact of the legislation. Evaluating the success of the DPR can be achieved by examining the quantity of laws enacted, the duration of the legislative process, and the degree of public contentment with the agency's outcomes [10]. The legislative production, specifically the quantity of enacted laws, should be balanced by the resultant effect, namely the enduring influence of these laws on society and the state. Hence, doing a thorough assessment of the productivity of the DPR RI is crucial to generate legislation that is not only abundant, but also of high quality and advantageous to the public.

The final quality of legislation can be influenced by intricate political factors that frequently compromise the legislative processes. The final outcome of legislation can be less consistent than projected due to a variety of political considerations, lobbying, and competing interests [11]. Within this framework, a comprehensive assessment of the DPR productivity should encompass a thorough examination of the ways in which these factors impact the legislative process. For instance, if a legislation is enacted under the influence of significant political pressure, it is highly probable that the law will fail to meet the public's expectations. Therefore, it is crucial to guarantee transparency and accountability in the legislative process.

To address this difficulty, the DPR should establish more effective processes for assessing the efficacy and consequences of the legislation it produces. An effective strategy is to incorporate public engagement into the legislative process. Through active involvement of the general public, the DPR RI can gain a deeper comprehension of the public's requirements and ambitions, resulting in legislative outputs that are more pertinent and advantageous. Furthermore, public engagement might enhance adherence to legal requirements, since it instills a sense of ownership in the legislative proceedings [12]. By continuously assessing and engaging with the public, the DPR can develop legislation that is more able to accommodate and adjust to social and political transformation [13]. It is crucial to ensure that the legislation generated not only fulfills present requirements, but also

possesses the ability to adjust to forthcoming issues. Therefore, the law can be activated and exert a beneficial influence on society in its whole.

From the information provided, it can be inferred that the success of legislation in Indonesia relies significantly on several aspects, such as the execution of the laws, enforcement measures, and the level of acceptance by the population. The legislative procedures, which involve multiple political and social interests, need to be counterbalanced by a thorough evaluation of the ensuing impact of the legislation. By engaging the public in the legislative process and guaranteeing transparency and accountability, the DPR can enhance the efficiency and efficacy of the legislation created. Ultimately, it will facilitate the establishment of a fair and affluent society, in which the legal system functions as a means to attain justice and welfare for everyone.

3. Methodology

The normative approach is employed to assess the conformity of the legislation passed by the National Assembly between 2019 and 2024 with the fundamental principles of the state's legal system, encompassing the overarching principles of good governance, the rule of law, and human rights as stipulated in UUD 1945. By conducting this analysis, the researchers may assess the degree to which the outputs of the RI Parliament have aligned with their dedication to the constitutional and normative principles that underpin the Indonesian government.

The empirical technique is employed to quantify the productivity of the legislation of the DPR by assessing the quantity of laws enacted and analyzing their influence on the national legal system and society. This information is sourced from the official report of the House, Prolegnas (National Legislative Programme), as well as interviews conducted with attorneys and practitioners. The acquired data is subsequently processed and evaluated to determine the degree to which the legislation enacted by the RI Parliament has impacted the legal landscape in Indonesia and provided concrete advantages to the general population.

4. Finding and Discussion

4.1. Analysis of Legislative Performance in DPR RI 2019-2024

From a cutting-edge legal standpoint, the productivity of the DPR is assessed not solely based on the quantity of laws enacted but also on the adherence to constitutional principles in the legislative process. The RI Parliament has a duty to guarantee that every legislation presented and passed not only fulfills administrative criteria but also represents the interests of the general public. The data indicates that the RI DPR has effectively enacted a significant number of laws that were prioritized in the Prolegnas. According to Mrs. Maharani, the President of the DPR, a total of 64 pieces of legislation have been authorized by the DPR between 2019 and 2024. While this sum may appear noteworthy, it is still far from the previously established objective of 248 bills. The achievement of the DPR was just 25.81% when measured.

This situation prompts significant inquiries regarding the efficacy and efficiency of the legislative process carried out by the DPR RI. Certain laws were swiftly enacted, prompting questions over the thoroughness and comprehensiveness of the deliberation. It is crucial to assess not only the quantity of law that has been enacted but also the effectiveness of the process. The performance of Parliament during its initial two years of existence can be characterized as subpar, with only four priority items successfully enacted. It demonstrates the difficulty of determining the order of importance for pressing matters that are both immediate and significant to the community [14].

Moreover, this phase is perceived to be more time-consuming in the legislative process in order to serve the interests of the general public. For instance, the enactment of legislation addressing sexual violence typically requires approximately 1,117 days, highlighting the protracted and extensive nature of the legislative process. While lengthy processes are occasionally necessary to ensure the quality of legislation, an excessively long duration in this instance may indicate an inefficiency within the legislative system. Given the circumstances, it is necessary to evaluate the current methods in order to enhance efficiency without compromising the standard of work.

In addition, the significance of the RI DPR's presentation is often underestimated. During the initial hearing, a mere 50.4% of the members were in attendance, which is cause for concern. Such a minimal amount of presence can have an impact on the dynamics of decision-making and ultimately hinder overall productivity. The limited presence of Members of Parliament signifies a deficiency in their dedication to their legislative responsibilities, which should be a paramount concern in fulfilling

their roles as representatives of the people. Undoubtedly, the performance of the DPR is both a prominent public event and a subject of criticism.

The public criticism indicates discontent with the DPR's ability to carry out its statutory duties with effectiveness and efficiency. The public perceives that the DPR has not adequately fulfilled expectations in generating transparent, efficient, and accountable legal outputs. It is crucial to conduct a comprehensive assessment of the DPR's performance in this situation and identify suitable measures to enhance the efficiency and effectiveness of legislation.

An effective measure to consider is enhancing the internal systems and current legislative procedures. This entails enhancing the collaboration across committees and factions, as well as enhancing the connection with the public to comprehend the most urgent matters. Therefore, the DPR can enhance its responsiveness to the public's requirements and generate legislation that is more pertinent and of higher quality.

Furthermore, it is crucial to enhance the education and training provided to Members of Parliament (MPs) in order to enhance their comprehension of the legislative procedure and the challenges confronting the general population. By enhancing the capacity of Members of Parliament, they are anticipated to be capable of carrying out their legislative responsibilities with greater effectiveness. Additionally, it will facilitate the establishment of a more cooperative and efficient work atmosphere, wherein every team member may make optimal contributions.

To summarize, while the DPR has made significant accomplishments in terms of passing laws, it is crucial to handle the current difficulties with utmost seriousness. The sluggishness of legislative procedures and the meager levels of membership indicate the need for development. Hence, it is imperative to implement strategic measures to enhance the performance of the RI Parliament, ensuring it meets public expectations and carries out legislative tasks more effectively in the future.

Therefore, in order to achieve these objectives, a high level of dedication is necessary from all stakeholders engaged in the legislative process, including House members, the government, and the general public. Only through effective collaboration can we guarantee that the legal items manufactured match society's expectations in terms of both quantity and quality.

4.2. The Efficacy of Legislation Within the Legal Framework of a Nation

The efficacy of legislation should be evaluated based on the degree to which the regulation aligns with constitutional objectives and adheres to the principles of the rule of law. Within this particular context, the Copyright Act serves as a notable illustration. Despite being authorized to stimulate investment and expedite economic growth, the bill has encountered multiple legal challenges before the Constitutional Court. The case raises concerns about the process by which it was formed and its implications for the rights of workers and the protection of the environment. It demonstrates that legislation should not just be efficient in attaining economic objectives but should also include the social and environmental factors that are integral to the constitutional purposes.

Assessments of the Creative Works Act indicate that the success of the law relies significantly on the execution of the principles of transparency, involvement of the public, and adherence to the legislative procedures specified in the 1945 UUD. The rapid approval of this bill has raised concerns among the public [15]. Numerous parties perceive themselves as being excluded from the legislative process, which ideally should incorporate the desires and goals of the general public. It is crucial to acknowledge that public participation is not merely a procedural requirement but a fundamental component in establishing equitable and enduring policy.

The Labour Creation Act has sparked controversy in society, mostly due to its expedited validation procedure and perceived negative impact on the labor sector. There are five primary factors that are deemed to be disadvantages, specifically the system of contractual work, extensive outsourcing practices, exploitative working hours, restricted rights to leave and rest, and vulnerabilities in employment relations [16]. These indicators suggest that while the initial intention of the law was to enhance economic growth, it had a substantial and potentially harmful social impact on specific segments of society.

In addition, the passage of legislation such as the TNI Bill, the Polri Bill, the presidential council of discretion (Wanimpres), and the Ministry of State also exhibit comparable trends. Public displeasure might arise when rapid validation processes are conducted without public participation [17]. The efficacy of legislation is determined not only by its practical outcomes but also by the manner in which the legislative process is conducted. Public involvement in the legislative process is

crucial to guarantee that different viewpoints are taken into account, hence increasing the credibility of the law.

Public participation is a crucial component of law, serving as the foundation for transparency. Public participation in the legislative process not only guarantees that their desires are acknowledged but also fosters a feeling of ownership over the emerging legislation [18]. Therefore, the resultant legislation will be more pertinent and agreeable to the broader population. This engagement can also serve as a deterrent to future conflicts, as individuals perceive that they have a say in the decision-making procedures that impact their lives.

When evaluating the effectiveness of a state law, it is important to consider how well the regulation aligns with the principles of state justice, such as transparency, public involvement, safeguarding human rights, and adherence to the appropriate legislative process [19]. The law must not only generate immediate advantages but also uphold constitutional rights and function within a valid legal framework. The Labour Creation Act case serves as a tangible illustration of the evaluation of DPR performance within the framework of state legislation.

It is crucial to acknowledge that the implementation of legislation without transparency might result in public displeasure and potentially give rise to legal disputes. The dissatisfaction might adversely affect the public's trust in government institutions [20]. Hence, to achieve the intended efficacy, the legislative process must be carried out in an all-encompassing and open manner. It will facilitate the establishment of a stronger bond between the government and society, thus augmenting the legitimacy of the legislation.

The efficacy of the law is inherently intertwined with the societal, economic, and political circumstances in which it is enforced. Hence, it is imperative for lawmakers to take into account the myriad of issues that impact society while establishing rules. By adopting a comprehensive and inclusive approach, it is anticipated that the final legislation will not only serve practical objectives but also foster social equity and long-term sustainability for the entire society. In conclusion, the efficiency of legislation in Indonesia must be evaluated not only in terms of fulfilling practical objectives but also in terms of compliance with constitutional principles of law. Transparency and participatory legislative processes are crucial to ensuring that the resulting laws are not only economically effective but also fair and sustainable. Therefore, in order to create truly effective legislation, it is necessary for all parties to commit to engaging in an inclusive and transparent decision-making process.

4.3. Factors Influencing Legislative Performance

The political landscape in Indonesia exhibits a notable disparity between the policies embraced by political parties and the desires of their constituents. This trend is becoming more and more apparent in the implementation of many legislations, such as the Anti-Corruption Commission Act (KPK), the Labour Creation Act, and the Minerba Act. The people perceived a lack of alignment between the legislation and their desires and requirements, leading to public uproar. It is crucial to consider how discrepancies between government policies and public desires can impact political stability and public trust in the legislature.

The passage of the Labour Creation Act, commonly referred to as the Omnibus Law, occurred during the COVID-19 pandemic crisis, as indicated by the existing statistics. Numerous parties perceive the legislative process as being rushed and lacking substantial public involvement. This is supported by surveys indicating that over 70% of the populace perceive themselves as being excluded from the decision-making process concerning legislation [21]. This dissatisfaction signifies an intensifying crisis of trust between the government and the populace, wherein many see that their opinions are disregarded inside the democratic system. This scenario not only leads to discontentment but also gives rise to the possibility of political populism. Individuals who experience being disregarded are inclined to seek political alternatives that are more attuned to their requirements [22]. Within this particular framework, populism can serve as a mechanism for specific factions to garner public backing by making seemingly unattainable pledges. This can intensify the division between the political elite and society, leading to a growing sense of detachment among people from the decision-making processes that should include them.

The public's discontent with the endorsement of laws that do not align with their desires may also be observed within the framework of the relationship between the DPR and their constituents. Often, the DPR is considered inadequate in meeting public expectations, particularly during urgent situations like the COVID-19 epidemic. The House frequently disregards public requests for transparency and

accountability in decision-making, hence exacerbating its public image. The failure of Parliament to reconcile public expectations and policy poses a significant threat to democracy in Indonesia.

Moreover, the implementation of laws during the epidemic highlights a discrepancy between official agendas and the pressing demands of the general population. For instance, while many communities require social aid and health protection, the government's prioritization of the contentious implementation of legislation gives the image that the government is indifferent to the challenges faced by the people [23]. It exacerbates the public's lack of confidence in the administration and legislature. Upon closer examination, this phenomenon can be interpreted as the consequence of escalating polarization throughout society. Individuals who experience marginalization often exhibit a propensity to establish political factions that espouse more radical ideologies. This polarization not only impacts the dynamic between the government and society, but it also has the potential to fragment society itself. Lack of consensus on crucial matters may result in heightened societal tensions, thereby jeopardizing the political stability of Indonesia.

Viewed from a more comprehensive standpoint, this incident exemplifies the basic obstacles faced by the Indonesian democratic system. Individuals who experience a lack of acknowledgement or attention are prone to becoming disengaged from political activities, leading to a decrease in voter participation during future elections [24]. If this situation persists, there will be a significant threat to the credibility of the democratic institutions in Indonesia, potentially resulting in more profound political turmoil. In order to tackle this issue, it is necessary to adopt a more comprehensive approach to the process of making decisions. The government and the DPR should facilitate public engagement in the legislative process to ensure that the desires and requirements of the people are adequately addressed. Furthermore, it is crucial to establish efficient channels of communication between the government and the public in order to ensure the honest and accountable transmission of information. Therefore, it is anticipated that this will restore trust between the government and the citizens while also bolstering the fundamental principles of democracy in Indonesia.

Given the information provided, the present political climate in Indonesia suggests the presence of significant obstacles in the relationship between the government and society. The discrepancy between the implemented policies and the societal objectives can trigger further populism and polarization. Therefore, it is crucial for stakeholders to collaborate in creating a more inclusive and responsive system that caters to the needs of the people. By employing this method alone, democracy in Indonesia may be strengthened and public trust in political institutions can be restored.

5. Conclusion

The legislative performance of the National Assembly from 2019 to 2024 demonstrates an enhancement in legislative productivity. However, there is still room for improvement in ensuring that the legislation effectively addresses the requirements of national law and adheres to the principles of state law. Several laws enacted during this period have generated criticism regarding their creation process and their societal consequences. The statement implies that as legislative productivity increases, there should be a corresponding focus on improving the quality and legitimacy of the legislative process. Enhancing public participation in the legislative process is crucial to ensuring that the resulting legislation accurately aligns with the desires of the population. It is imperative to conduct regular, long-term impact assessments to evaluate the effects of the enacted laws and gauge the efficacy of the legislation. In the future, it is recommended to enhance inter-agency coordination, enhance the capacity of Members of Parliament in the legislative process, and prioritize compliance with state laws to ensure the legitimacy of the legislation. Moreover, increasing the productivity of legislation should not compromise its quality, which entails producing legislation that is comprehensive and takes into account its impact. The overall political dynamics can impact the legislative outcomes. Therefore, the DPRI should enhance the independence and integration of the legislative process to limit any detrimental influence.

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