

## URGENCY OF COMMUNITY INVOLVEMENT IN THE FORMATION OF REGULATIONS TO CREATE RESPONSIVE POLICIES

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### ABSTRACT

*Law 12/2011 to be revised a second time to become Law 13/2022 and followed by the issuance of Government Regulation (PERPPU) 2 of 2022 on Job Creation. This study employed normative legal research methods that focused on regulating community involvement in the Indonesian legal system and the urgency of community involvement. The importance of community involvement at every stage of the formation of regulations are able to produce responsive and acceptable rules for the community, create collective intelligence, and build inclusive and representative legislatures. The concrete solution aims to provide digital applications to accommodate people's aspirations.*

UU 12/2011 untuk kedua kalinya direvisi menjadi UU 13/2022 dan disusul dengan terbitnya Peraturan Pemerintah (PERPPU) 2 Tahun 2022 tentang Cipta Kerja. Penelitian ini menggunakan metode penelitian hukum normatif yang berfokus pada pengaturan keterlibatan masyarakat dalam sistem hukum Indonesia dan urgensi keterlibatan masyarakat. Pentingnya keterlibatan masyarakat pada setiap tahapan pembentukan peraturan mampu menghasilkan peraturan yang responsif dan dapat diterima oleh masyarakat, menciptakan kecerdasan kolektif, serta membangun legislatif yang inklusif dan representatif. Solusi konkrit tersebut bertujuan untuk menyediakan aplikasi digital untuk mengakomodir aspirasi masyarakat.

**Kata Kunci:** *Community Involvement, Regulation Establishment, Digital Applications.*

### A. PENDAHULUAN

The implementation of community involvement in every process and stage of forming laws and regulations should concern to the Constitutional Court Decision Number 91/PUU-XVII/2020 concerning the Formal Review of Law Number 11 of 2020 concerning Job Creation on the 1945 Constitution of the Republic of Indonesia (Muda, 2021). Therefore, meaningful community involvement in this era of disruption can take advantage of technological media, such as being implemented through the creation of Frequently Asked Questions (FAQ) digital applications or by creating channels or portals as well as more interactive applications to open up many opportunities for all Stakeholder layers, both parties directly affected and who have concern and interest in the draft laws and regulations, and can participate in the process of forming laws and regulations (Saragih, 2022).

The State of Indonesia as a democratic legal state aims to achieve a prosperous people that requires regulatory instruments to realize it. Regulation is a vital instrument in administering the rule of law, specifically related to controlling people's lives in order to achieve orders (Zein, 2019). Therefore, it is necessary to regulate the formation of good regulations in order to produce legal products in accordance with the expectation and needs of the community (Febriansyah & Rahayu, 2022).

The formation of regulations in Indonesia is often seen as not of good quality because the discussion and preparation seem to be secretive and closed, not open, and often seem hastily, and without proper planning (Chandranegara, 2021). This can be seen when drafting Law Number 11 of 2020 on Job Creation (hereinafter referred to as "UU CK") which is drafted in only 167 days and seems in a hurry which did not involve meaningful community involvement, such as community involvement, transparency or openness, and democratization in forming regulations as a unified whole that cannot be separated from a democratic country (Hasbullah, 2022);(Pratiwi, 2021). Without a democratic process, without considering all inputs and aspirations from the public, the formation of regulations that aim to serve and meet the real needs of society cannot be achieved.

Besides the CK Law, there are several regulations that were formed expressly/quickly which can be seen in some last cases, namely Law Number 19/2019 concerning the Second Amendment to Law Number 30/2002 concerning the Corruption Eradication Commission ("KPK Law"), Law Number 7/2020 concerning the Third Amendment to Law Number 24/2003 concerning the Constitutional Court ("UU MK") (Syahuri et al., 2022).

In supporting the implementation of strategic policies that create jobs and their regulations, the CK Law has been stipulated, which was formed using the Omnibus method (omnibus law). However, the impact of the issuance of the CK Law became a chain that gave a domino effect where the Government faced a formal review of the Constitutional Court with the Constitutional Court Decision Number 91/PUU-XVIII/2020 with the decisions, including; first, the formation of the CK Law was contrary to the 1945 Constitution with conditional unconstitutionality as long as 2 years, i.e. does not have conditional binding force if corrections are not carried out for 2 (two) years since the decision was pronounced; second, the CK Law is still valid until improvements are created, which do not exceed the specified time limit; and third , carry out repairs within a time limit of 2 (two) years.

The government followed up on the Constitutional Court Decision Number 91/PUU-XVIII/2020 by amending Law Number 12/2011 concerning Formation of Legislation for the second time, by issuing Law No. 13/2022 concerning the Second Amendment to Law No.12/2011 concerning Formation of Legislation (hereinafter referred to as "UU P3 Revision 2"), as well as establishing Government Regulation in Lieu of Law No. 2/2022 concerning Job Creation (hereinafter referred to as "PERPPU

CK") which has now been stipulated to become a Law through Law Number 6 of 2023 concerning Stipulation of PERPPU Number 2 of 2022 on Job Creation to become a Law. It is regrettable that the process and mechanism for establishing UU P3 Revision 2 is also seen as lacking the involvement of the public, resulting in it is subject to formal review by the Constitutional Court. The formal review of UU P3 Revision 2 has received a Decision from the Constitutional Court, namely MK Decision Number 69/PUU-XX/2022 and MK Decision Number 82/PUU-XX/2022 which states that the formation of UU P3 Revision 2 has fulfilled the formal requirements for the formation of regulations/statutory regulations.

The PERPPU Number 2/2022 on Job Creation (hereinafter referred to as "PERPPU CK") with consideration of the urgent situation does not use the usual procedure for forming regulations, which does not involve the community in its formation. This unusual procedure refers to the urgency that compels according to the provisions of Article 22 paragraph (1) of the 1045 Constitution, the President stipulates this PERPPU CK.

The rashly formulation of regulations that seemed without proper planning resulted in not involving the community in a meaningful way at every stage of the drafting. Therefore, meaningful community participation must be implemented consistently by the legislators by utilizing technological advances that can use application containers according to the times.

Regarding state of the art, the process of several previous studies were found with discussion of related issues regarding community involvement in the formation of regulations, including; First, a journal (Tuhumena et al., 2021), which discusses about the issues discrepancies in the formation of laws with procedures/stages or community involvement. (Seta, 2020), which discusses problems in the process of forming laws and regulations. When viewed from these two studies, there are several different elements related with this study, such as in terms of title, problem formulation, and the scope of the discussion. The title of this research is The Urgency of Community Involvement in Forming Regulations to Create Responsive Regulations, with the formulation of the problem How does the Indonesian legal system regulate community involvement and What is the urgency of community involvement in the formation of responsive regulations and negative impacts if the community is not involved. The formation of regulations is not only on statutory legal products but up to the level of legal products signed by the Minister in the form of Ministerial Regulations/Ministerial Decrees.

## **B. METODE**

Referring to the research problems described above, this study employed qualitative research methods with a statutory, case, and conceptual approach. The statutory approach was implemented by reviewing and identifying regulations related to

the formulation of the problem (Tan, 2021). The case approach aims to conduct a case study related to legal content, which is the topic of discussion in an article (Butar, 2018). This research is related to the process of forming or amending the CK Law, the P3 Law Revision 2, and the PERPPU CK. Meanwhile, the conceptual approach was based on theories developed in the legal science, especially those related to the formation of laws and regulations (Sulaiman, 2018). The research used secondary data, which consisted of primary and secondary legal materials. The collection of legal materials was carried out by means of literature studies related to community participation/involvement. Moreover, this study used qualitative data assessment which was processed and described descriptively, prescriptively, systematically and comprehensively.

### **C. HASIL DAN PEMBAHASAN**

#### **1. Legal System of Community Involvement in Forming Legislation in Indonesia**

The formation of regulations is part of the activity in regulating society, consisting of a combination of individual humans and their various dimensions (Benuf & Azhar, 2020). The formation of a regulation is a projection of communication between institutions that determine the formation of regulations, both the legislative power holders and the people in a country as well as the executive power holders. The existence of the hurried, reckless, and rushed idea of forming laws and regulations in Indonesia has rapidly developed after the enactment of the CK Law. The reckless formation of regulations was carried out by the legislators, both the House of Representatives (DPR) and the President. In addition, there are no clear boundaries for a draft regulation (UU) that deserves/is worthy of being discussed expressly/quickly or not, because it only depends on the wishes of the legislators (Aryanto et al., 2021).

Formation of participatory regulation contains the meaning of process and substance/entity. Process is a method or procedure for forming regulations that must be carried out openly so that the community is involved in conveying their aspirations in managing and solving various problems that arise in society. The procedural approach will be implemented with the legal drafting theory, consistency in the process of forming ideal laws, with the need to be aware of the possibility of politicization or entrusted by interests that can divert the direction to be achieved in the formation of regulations.

At the beginning of the drafting of the CK Law using the Omnibus law method, there were 2 (two) main problems related to the pros and cons or debates related to this law, namely the first procedural problems in creating regulations. This was supported by the statement by Vice President Ma'ruf Amin that the Omnibus law is the answer to the problem of obesity (hyper-regulation). The

excessive number of regulations in Indonesia creates overlap and conflicts between one regulation and another (Sadono & Rahmiaji, 2021).

According to (Putra, 2020), the Omnibus law is a concept for forming regulations that prioritizes simplifying the number of regulations because they are changing and repealing many regulations at once. However, regulatory issues are very elusive, not only related to the huge amount, but also disharmony, community participation, sectoral ego, and the substance of the regulation itself. As a result, when the Omnibus law concept is applied to become the norm in regulations, it must concern to the principles of community involvement, transparency and responsibility. The Omnibus law should not only support economic growth and facilitate investment. However, other issues must also be considered, such as human rights. Thus, it is expected that the Omnibus law is not only related to legal drafting technical issues, but is part of the political implementation of state law.

In the CK Law, there are a number of simplified laws, as many as 78 (seventy-eight) laws, consisting of 77 (seventy-seven) amendment laws and 1 (one) revocation law, with substances that are differ from one another, and as a whole the merged law is still effectively valid with the exception of articles that have undergone changes in the CK law. This causes difficulties in understanding that the CK Law is included in a new law, an amendment law, or an annulment law. Obese and overlapping regulations between laws are used as reasons and considerations for the government in implementing the Omnibus law method which aims to accelerate investment and open up the widest possible employment opportunities in Indonesia. It has been proven in real terms that the requirements related to the procedure for forming the CK Law have not been fulfilled and many regulations have been issued as executors and have been implemented in the field. In order to avoid legal uncertainty and a wider impact, the CK Law was declared conditionally unconstitutional based on the Constitutional Court's decision.

In the book of Legislative Drafting, Crabbe has the perspective that compiling a law is limited by constitutional provisions, including respecting human rights, such as respecting public rights, the right to be heard, the right to obtain information, the right to receive assistance and representation, the right to express opinions, the right to respond to problems, and express aspirations. Therefore, the legitimacy of a statutory regulation will be disrupted if the public's right to participate and be involved in the discussion of regulations is not properly accommodated (Holliday, 2020).

The quality of a law and regulation will be better if the greater the community can be involved either through members of the DPR or directly. The people can participate as much as possible in implementing, controlling, supervising, and utilizing the results of democracy, through making regulations that bind the community, which is the essence of a democratic system. The regulatory

instruments produced through the democratic process must reflect the desire of the people, and serve as guidelines for norms and agreements in accordance with the constitution.

Suppose the legislature with the authority in forming statutory regulations cannot properly capture and manifest due to pressure from the interests of certain groups or parties or other forces. In that case, it will be seen that the regulations formed are unresponsive. Ideally, the formation of responsive laws and regulations comes if the community participates and approves in the process of forming regulations/legal products. However, when the formation of legal products is carried out in a tyrannical and authoritarian manner due to being dominated by the government, political parties or oligarchs, the regulations/legal products that are created will be repressive in nature, that is, they will only fulfill and serve the needs of a handful of dominating groups without concerning the voices or aspiration and input of the majority of society.

Referring to Mahfud MD's assumption, the character of regulation which is a legal product must be responsive/populist which projects and shows a sense of justice and can meet people's expectations. The process and mechanism for forming regulations provides a large role and full involvement of both groups and individuals in society and conservative or orthodox legal products containing reflections or projections of the government's wishes, which have an instrumentalist positivist nature, namely as a tool in implementing ideology and state programs that are more closed to demand/determination from groups or individuals in society.

Arrangements for community involvement are listed in Chapter XI Community Participation, Article 96 UU P3 which regulates community involvement in the formation of a legal product, namely the community participates in supervising, controlling, and influencing the community in an activity to form regulations/legal products starting from the stages planning to evaluating the application of these regulations (Riskiyono, 2016). Article 96 of the P3 Law revised in the P3 Law Revision 2, where there are additional regulations for providing input online and offline as well as defining the community. As in the formation of legal products, there are stages regulated in Article 96 of UU P3 Revision 2, then these provisions should have been implemented. However, in fact, the formation of laws and regulations is often not in line with these stages of the process, it does not receive input or does not involve community participation. The community referred here are individuals or groups of people interested in the draft legislation's substance.

The UU P3 provides rights to the public to provide input both orally and/or in writing in the Formation of Legislation. Based on a study of legal science, laws consist of 2 (two) meanings, namely laws based on material meaning "*wet in materiele zin*" and laws based on formal meaning "*wet in formele zin*" (Sholichah,

2021). According to the view of Jimly Asshidiqqie, who stated that laws in a material sense are related to laws in terms of content, material or substance. Meanwhile, the law in the formal form is seen in terms of its form and formation (Asshiddiqie, 2010). Laws refer to the laws and regulations established by the House of Representatives with the approval of the President (Pemerintah Indonesia, 2022).

Formation of participatory regulations is interpreted in the process of formation and substance of these regulations. In the process of forming regulations, the formation of regulations must be carried out openly so that the community is involved in providing views to regulate the resolution of problems in society. In the substance of the regulation, the interests of the community are prioritized to be regulated in regulatory material that aims to serve the interests of the wider community. This aims to produce democratic regulations with a responsive/populist character. In a democratic country, community involvement, openness/transparency or in other words easy access to information on draft regulations and democracy in the formation of regulations are a unified and cannot be separated and are interrelated with one another.

Legal norms are declared legally applicable when; first, these legal norms are determined based on higher legal norms in line with the views of Hans Kelsen, *Stuffenbau Theorie* des Recht's theory; second, legal norms are determined to be valid and binding because they show the necessity of conditions and consequences; third, legal norms based on the mechanism for forming the applicable regulation; and fourth, legal norms are determined, namely legal norms by institutions in line with their authority in establishing and issuing them.

The community has the right to express opinions or input both orally and in writing in every stage of regulation formation, which can be carried out online or offline which is held through public consultation activities, including during hearings general, work visits, seminars, workshops, and discussions. Other public consultation activities, such as outreach, focus group discussions (FGD) carried out by legislators, the House of Representatives (DPR) or the government, namely state agencies/ministry authorized to issue these regulations (UU No. 12, 2011).

The results of the public consultation activities are used as material and basis for consideration at the planning, drafting, and regulatory discussion stages. Communities who have the right to submit input in writing or verbally, namely individuals or groups of people who have a direct impact or have an interest in the material content of the regulations that have been prepared. The group of people here involve community groups/organizations, professional organizations, non-governmental organizations that have been registered/registered with the authorized ministry, namely the Ministry of Law and Human Rights, as well as including indigenous and tribal peoples and persons with disabilities.

To make it easy for the community to provide input (community aspirations), the legislators open access for the public to obtain academic papers or draft laws and regulations. In order to exercise their rights in providing input, the legislators give information related to the formation of these regulations. In addition, regulators can provide explanations to the public regarding the results of discussing input from the community in the form of meeting reports. Provision of information can be carried out in the national legislation program (*prolegnas*), government regulation formation program (PP), presidential regulation formation program (*Perpres*), provincial or district/city regional legislation programs (*prolegda*), as well as in the regulation drafting program in ministries/agencies whether in the form of regulations or decisions.

Content material or substances regulated in regulations using the Omnibus method can only be amended or repealed by amending these laws and regulations. For example, Article 6 of Law No/ 1 of 2014 concerning Amendments to Law Number 27 of 2007 concerning the Management of Coastal Areas and Small Islands has been amended by the UU CK. Therefore, article can only be changed or revoked by amending or repealing the CK Law. Another example, Article 15 of Law Number 32 of 2014 concerning Maritime Affairs is not changed by the CK Law, so that article can only be changed or revoked by Law Number 32 of 2014 concerning Maritime Affairs.

In Chapter XIII of People's Representation and Community Participation, Part Two Community Participation Article 215 of the People's Representative Council Regulation Number 1 of 2014 concerning Standing Orders, it is stated that the public can provide input orally or in writing to the DPR in the process; first, drafting and establishing a legislation program national; second, the preparation and discussion of the draft law; third, discussion of the draft law on the state revenue and expenditure budget (APBN); fourth, supervision of the implementation of government policies. The community provides input to members or leaders of the DPR apparatus which will be followed up by discussing community input and notifying information regarding this follow-up by letter or electronic media.

## **2. Development of Community Participation Arrangements**

Law is created to regulate the state system and is a guardian of order in society. The law is also created to overcome a problem that arises in society. However, the laws that are formed actually often create new problems. Factors causing the emergence of various new problems include the fact that many laws and regulations that were formed did not involve the community or without the aspirations of the community and did not reflect development needs. In addition, it is also difficult to implement regulations that have been formed because the formulation of statutory norms is very biased and has multiple interpretations which lead to inconsistencies and multiple interpretations. Furthermore, the contents of



laws and regulations do not consider and pay attention to pluralism and are not comprehensive in various forms and the existing regulatory material overlaps with other regulations (Yuliani, 2017).

The people in a democracy have the right to fully control and supervise the government, including authority in the field of legislation. In addition, the people can demand regulations/legal products and the rights that must be owned, including participating in determining government power and what must be implemented, namely the People's Representative Council in providing services to its people. The ultimate power of a country is in the hands of the people in a democratic country with a system of popular sovereignty. Referring to the views of A. Hamid S. Attamimi, regulations have one of the functions to be a powerful and qualified method and tool available in regulating and controlling people's lives to achieve the goals achieved (Marwan, 2018). The ideals that are expected will be set forth in a regulation formed by the legislators of both the DPR and the Government which are representatives of the state (Callychya, 2021).

Promulgation of regulations as one of the stages in forming and preparing legal products so that they have enforceability and binding power. The binding power of a regulation is created when the regulation is promulgated. This is because promulgation is a form of acknowledgment of people's sovereignty. By promulgating a regulation, with placing it both in the State Gazette, Explanation of the Law in the Supplement to the State Gazette and in the State Gazette, the regulation is deemed to have effective power and binding power over everyone.

Promulgation is an important statement of the existence of people's sovereignty. Without promulgation, it denies the people's right to know a regulation that binds them (Yuliani, 2017). Binding power and enforceability are closely related to the stages of promulgation in line with the norms stipulated in Article 87 of Law Number 12 of 2011 which states that a regulation enters into force and has binding force, namely on the date it is promulgated (UU No. 10, 2004).

During the pandemic, the government issued many regulations indicating that they were carried out with minimal community involvement and deliberation processes. This has resulted in a situation where shortly after the regulations, namely the laws being passed, immediately faced a review by the Constitutional Court, both from a formal and material perspective. Even though the Laws of UUP3 has emphasized that the formation of regulations must be carried out in 5 (five) stages, namely planning, preparation, discussion, ratification and promulgation, it has not been able to guarantee that adequate deliberation is carried out and pays close attention to people's aspirations. This has led to various filings for review to the Constitutional Court (Asshiddiqie, 2020).

The negative impact that results when the formation of laws and regulations does not involve the community, including; the regulations formed are ineffective

so that they cannot achieve the expected goals; the regulations that are formed cannot be implemented and cannot be applied after they are promulgated; the regulations that are formed are not responsive because since the beginning of the formation of regulations, they have received resistance and opposition from the public who were not involved in the planning, discussion, and drafting; the established regulations create new difficulties for the community; the regulation will face both formal and substance testing; if a regulation is declared unconstitutional, the legislature and executive will get greater costs to review the regulation; economic stability and security will be disrupted if resistance from society continues to occur; regulations/legal products that are created will be repressive in nature, which only fulfill the interests of a handful of people; and if it is carried out continuously, it will create an oligarchic government that is in favor of certain interests and even towards tyranny that does concern and consider the voices and input of the majority of the people.

### **3. The Urgency of Community Involvement in Forming Legislation in Indonesia**

The procedures for reviewing laws are regulated in Constitutional Court Regulation Number 6/PMK/2005 concerning "Procedural Guidelines for Reviewing Laws". Referring to Article 4 paragraph (3) of the Constitutional Court Regulation Number 6/PMK/2005 which regulates formal review is a review of laws relating to the process of forming laws and other matters that are not included in material review. Every regulation formed and produced by the legislators, both the DPR and the Government, namely the institutions/ministry authorized to compile it, is considered and considered to remain valid and there is no cancellation/revocation of the regulations formed without the involvement of the community until material review and judicial review is carried out by the people at the Constitutional Court or the Supreme Court.

The requirements for formal examination are contained in the Constitutional Court Decision Number 79/PUU-XVII/2019, namely (MK, 2012); first, testing related to the implementation of procedures for forming laws, both during discussions and when making decisions on drafting a law to become a law; second, examination of the form (format) or systematics of the act; third, testing related to the authority of decision-making institutions during the process of forming regulations; fourth, testing related to other matters that are not included in material testing.

Besides the standards and stages above, the Constitutional Court in assessing the legitimacy of the formality of forming regulations is also related to the principles of forming regulations that are carried out cumulatively. In a sense, if only one stage or one standard cannot be met from all stages or all existing standards, then a law can be stated to be formally flawed in its formation.

Based on Saldi Isra's perspective, regarding the process of forming laws, which are issues still being contested and ignored or violated in forming laws and regulations, it includes the community involvement in the formation of regulations. Community involvement as one of the constitutional rights owned by the community is guaranteed by the 1945 Constitution, namely in Article 28H of the 1945 Constitution. The formal test of UU P3 Revision 2 is due to the fact that the formation process is very rushed, hasty, and fast, within a period of 6 (six) days and violated the principles of openness, the principles of usability, and the principles of effectiveness and did not implement meaningful participation. Therefore, the process of forming Law 13/2022 is formally/procedurally flawed because the process of its formation did not comply with the provisions of laws and regulations based on the 1945 Constitution and there are clear and obvious violations committed because the changes to UU P3 Revision 2 are only to provide legitimacy for the UU CK. In the Constitutional Court Decision Number 69/PUU-XX/2022 concerning the formal review of Law 13/2022 and the Decision of Decision Number 82/PUU-XX/2022, both are related to the Case of Formal Review of Law Number 13 of 2022 concerning the Second Amendment to Law Number 12 of 2011 concerning the Formation of Laws and Regulations on the 1945 Constitution of the Republic of Indonesia.

However, the Constitutional Court's decision concerns that the process of establishing the UU P3 revision 2 is much broader than the application of the principle of openness, because procedural arrangements and mechanisms for community involvement can have good and positive impacts in realizing the principles of good governance in a democratic and transparent legislation process. The Constitutional Court is of the view that the process of formulating the UU P3 Revision 2 formally does not conflict with the 1945 Constitution and still has binding legal force. Therefore, the Constitutional Court rejected the request to review UU P3 Revision 2. However, in practice, during the formation of the UU P3 Revision 2, it appears to be closed and difficult to access information.

The formation of UU CK and UU P3 Revision 2 seems to use the fast-track method. There are 2 (two) methods of using fast-track legislation: trimming certain discussion stages and limiting the time for deliberating regulations that use fast-track legislation. The implementation of fast-track in the formation of regulations will cause a high risk of losing community involvement in the formation of regulations. Apart from that, there is a potential for regulatory capture, which is even more dangerous for the state capture.

Article 96 of Law Number 13 of 2022 guarantees the right for the public to be involved in the formation of laws and regulations, where the public is provided the space to voice their aspirations when forming laws and regulations. However, in practice, the involvement of the community in the formation of regulations is only

optional, as an option to involve the community, even as a formality. Not all regulations must involve the community; for example the formation of a PERPPU, which is a short process, does not involve the community at all. The formation of PERPPU CK which did not include the community and was far from democratic because it only carried out internal government (executive) discussions without involving the legislature. At the next session, only then submitted for approval to the DPR. Information related to the discussion of PERPPU CK is very closed and not published on social media.

It is very concerning when the community involvement becomes only a formality to legitimize the regulations formed and is not an important and meaningful obligation to implement as stipulated in Article 96 of Law P3 Revision 2. It is necessary to strictly regulate the norms of community involvement in which instruments/regulations are obligated to participate so that it is a must for the legislators to involve the public in every stage of the formation of statutory regulations. With the clear and firm regulation of norms in UU P3, legal products that must involve the community that is expected that the legislature and the executive branch are highly committed to the regulations and have been formed and mutually agreed upon.

#### **D. SIMPULAN**

The right for the community to be involved in the formation of regulations is an obligation for the legislators to involve the community in each stage of the formation of legal/regulatory products. The community's involvement in every stage of forming these regulations must be meaningful and not just a mere formality. Every input and aspiration from the community is discussed and answers and explanations are provided as well. It is necessary to strictly regulate the norms of community involvement in every stage of forming regulations/legal products so that it encourages and obliges the government to involve the community in forming regulations/legal products except for the formation of PERPPU without involving the community. However, the PERPPU formation must align with the constitutional mandate. There is a need for firm legal certainty regarding community involvement in every stage of the process of forming regulations so that they have the same standards. Which legal products are required to involve the community and which are not, so that people can control the government to prevent the occurrence of an oligarchy or even tyrannical government.

Recommendations for community involvement in a meaningful way that it is advisable to provide a container in the form of a digital application so that the wider community can provide and convey their input and aspirations. Communities can follow the formation stages from planning, discussion, and promulgation. This will make it easier for the public to track the stages of discussing the laws and regulations

that have been discussed. An example can be taken in the trial at the Constitutional Court which can be accessed openly by all levels of society.

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