



Research Article



Rethinking How Laws Are Made: Indonesia's Legal Method Dilemma

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Abstract: This study analyzes the challenges in Indonesia's law-making process, focusing on how poorly chosen drafting methods affect the quality of regulations. As a state governed by law, Indonesia relies on written legislation, which the Law on the Establishment of Legislation regulates. However, this law fails to provide clear direction on selecting the most effective law-making methods, leading to inconsistencies in legal outcomes. In response, this research adopts a conceptual and normative approach to examine various drafting techniques—Regulatory Impact Analysis (RIA), the ROCCIPI method, the omnibus law approach, and the potential use of artificial intelligence (AI). The study reviews legal documents and case examples, and evaluates the effectiveness of these methods by assessing the output and outcome of selected regulations. The findings show that the omnibus law model works well for codifying laws around specific themes, RIA strengthens economic lawmaking through evidence-based analysis, and the ROCCIPI method suits the drafting of regional regulations. The study also finds that AI can enhance the development of academic manuscripts in the legislative drafting process. Based on these findings, the study recommends amending the Law on the Establishment of Legislation to formally incorporate RIA and ROCCIPI methods and to provide guidelines for using AI in legal drafting. By adopting a more integrated and strategic approach, Indonesia can improve the quality, coherence, and responsiveness of its legal system.

Keywords: Law-Making; Method; RIA; ROCCIPI; Omnibus;



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INTRODUCTION

Regulatory reform in Indonesia never appears to find common ground. Just a year ago, the House of Representatives announced the National Legislation Program (Program Legislasi Nasional, hereinafter referred to PROLEGNAS) for the next four years (2020-2024),¹ which included one kind of regulatory reform known as the Omnibus Law, which was received with widespread and organized opposition from all segments of society.² However, not everyone agrees with the use of the Omnibus Law method. Two bills on the 2020-2024 national legislation priority list are being processed utilizing the Omnibus Law method. Both are the Job Creation Bill (promulgated as the Job Creation Law, which was later deemed provisionally

¹ Elva Imeldatur Rohmah, Ernawati Huroirah, and Jean Arya Putra Prasetya, 'Parliamentary Systems in Continental European Countries and Its Relationship to the Effectiveness of Legislative Institutions', *Al-Adalah: Jurnal Hukum Dan Politik Islam*, 9.1 (2024), 1–23 <https://doi.org/10.30863/ajmpi.v9i1.3092>

² Patrick Corputty, 'Omnibus Law Sebagai Alternatif Penyembuh Obesitas Regulasi Sektoral', *Jurnal Saniri*, 1.1 (2020), 54 <https://fhukum.unpatti.ac.id/jurnal/saniri/article/view/435/216>



unconstitutional by the Constitutional Court then finalized by Regulation of The Government In Lieu of Law on Job Creation Law and the Tax Facilities Bill.³

The advantages and disadvantages of the Job Creation Law,⁴ in accordance with the viral Omnibus Law method, which is reported to pose numerous problems because it is deemed unsuitable for application in nations with civil law legal systems, such as Indonesia. Because the Omnibus Law method is more widely utilized in nations with common law legal systems, such as the United States.⁵ In actuality, the Omnibus Law is used in the context of regulatory reform initiatives to assist the government in decreasing the amount of regulation that is already excessive (hyper-regulation), also known as regulatory obesity. According to President Jokowi's record from 2016, Indonesia has 42,000 rules, which occasionally hampered the government's ability to make policy.⁶

Furthermore, the Economic Policy Package Report I-XV for the next year, 2017, revealed that 9 rules were repealed, 31 were altered, 49 were formed, 35 were combined, and 89 regulations repealed the previous ones.⁷ The flow is straightforward, with regulations being meticulously issued at each level and updating or even canceling them.⁸ Based on data from the Directorate General of Laws and Regulations, Ministry of Law and Human Rights, between 1945 and December 2019, the government issued many legislations and regulations. Most of these regulations are at the ministerial level, with 14334 in total. According to data from peraturan.go.id, which is handled by the Ministry of Law and Human Rights, there are 3835 Central Regulations (including Government Regulations and Presidential Regulations), 16619 Ministerial Regulations, 4478 Non-Ministerial Government Institutions Regulations, and 15982 Regional Regulations.⁹ Moreover, according to the data on www.peraturan.go.id, as of October 18, 2022, there are 49,229 laws and regulations with details of 1,715 laws, 4,766 Presidential Regulations, 17,796 Ministerial Regulations, 4,822 Institutional Regulations and 17,898 Regional

³ Ilham Dwi Rafiqi, 'Criticisms toward the Job Creation Bill and Ethical Reconstruction of Legislators Based on Prophetic Values', *Legality: Jurnal Ilmiah Hukum*, 29.1 (2021), 144–60 <https://doi.org/10.22219/ljih.v29i1.14991>

⁴ Daniel Horas Sibarani, Ihsan Miftakhul Huda, and Moh Zaenal Mustofa, 'Urgensi Pembentukan Undang-Undang Cipta Kerja Terhadap Izin Usaha Pertambangan (IUP)', *Yustisi*, 10.2 (2023), 211–22 <https://doi.org/10.32832/YUSTISI.V10I2.14728>

⁵ Sholahuddin Al-Fatih, *Perihal Metode Pembentukan Peraturan Perundang-Undangan: Manakah Yang Paling Tepat Diterapkan Di Indonesia?*, ed. by Moh. Fadli and others, *Monograf Dekonstruksi Perundang-Undangan Indonesia: Menggapai Cita-Cita Ideal Pembentukan Peraturan Perundang-Undangan*, 1st edn (Jakarta: Badan Penerbit FH UI, 2022) [file:///Users/sholahuddinalfatih/Documents/kolaborasi/ICLD/Buku Monograf Dekonstruksi Perundang-undangan \(non ISBN\).pdf](file:///Users/sholahuddinalfatih/Documents/kolaborasi/ICLD/Buku%20Monograf%20Dekonstruksi%20Perundang-undangan%20(non%20ISBN).pdf)

⁶ Tim Peneliti Pusat Studi Hukum dan Kebijakan Indonesia, *Menggagas Arah Kebijakan Reformasi Regulasi Di Indonesia, Prosiding Forum Akademik Kebijakan Reformasi Regulasi 2019*, 1st edn (Jakarta: PSHK UI, 2019) www.pshk.or.id

⁷ Tim Peneliti Pusat Studi Hukum dan Kebijakan Indonesia.

⁸ Sholahuddin Al-Fatih, Muchamad Ali Safaat, Aan Eko Widiarto, Dhia Al Uyun, and others, 'The Hierarchical Model of Delegated Legislation in Indonesia', *Lex Scientia Law Review*, 7.2 (2023), 629–58 <https://doi.org/10.15294/lesrev.v7i2.74651>

⁹ Sholahuddin Al-Fatih, Muchamad Ali Safaat, Aan Eko Widiarto, Dhia Al Uyun, and others, 'Understanding Delegated Legislation in The Natural Resources Sector', *Bestuur*, 11.2 (2023), 290–311 <https://doi.org/10.20961/BESTUUR.V11I2.78125>



Regulations in Indonesia.¹⁰ Based on the data above, it indicates that Indonesian government produced regulations in a huge amount with hyperregulation symptoms.¹¹¹²

Hyperregulation could be avoided if only the House of Representatives, President, and Regional Representative Councils agreed to consistently apply the principles of forming excellent and proper laws and legislation) includes the principle of proportionality, the obligation of the former to provide reasons/ arguments for the need for regulation, and the principle of legal certainty in preparing the PROLEGNAS. Although The state is coercive, the ruler's power originates from the people. Then, the power of state authorities, including the power to form laws, does not constitute absolute or unlimited power.¹³ Laws that are unnecessary and the impression that they were forced into law pose a danger to the legal system. Unimportant changes in existing laws, complex laws implemented, and genuinely unnecessary laws should be avoided because laws like these would weaken the authority of the legal system generally.¹⁴ Overcoming regulatory obesity should accompanied by adequate knowledge in forming appropriate legislation, not just the transfer and adoption of law-making methods.

For example, the establishment of Job Creation Law. Since the independence, this is the first time the Indonesian Parliament passed a Job Creation Law by using omnibus law method. By combining many legislative provisions from various forms of law into a single Act, the omnibus law launched a new era in Indonesian legislation. The omnibus bill's legislative model, on the other hand, has been heavily condemned, with venues ranging from marches to demonstrations, social media messaging, and academic debate forums. The government's new omnibus bill style for the Job Creation Law undermines Indonesia's parliamentary democracy by leaning it towards illiberalism. In illiberal democracies, citizen participation is frequently overlooked. Articles are too long and time-limited for Parliament to consider their substance. In contrast, omnibus legislation takes longer to finish due to the increased amount of content rules. As a result, rather than meeting popular expectations, the government's policy has been condensed into the omnibus bill proposal. Meanwhile, the omnibus measure has put society at the forefront of the legislative agenda. To be entirely honest, the efficacy and effectiveness with which legislative laws express people's desires determines the quality of legislation.¹⁵ This Law, notably the labor-related revisions within it, has been connected to Indonesia's subsequent 'democratic fall' or

¹⁰ Andi Saputra, 'Prof Bayu: Segera Bentuk Lembaga Khusus Untuk Cegah Obesitas Regulasi', *Detiknews*, 2022.

¹¹ Imran Eka Saputra and Ali Rahman, 'Reformasi Sistem Perundang-Undangan Indonesia: Strategi Pembentukan Lembaga Independen Untuk Menangani Hiper-Regulasi', *JAPHTN-HAN*, 3.1 (2024) <https://doi.org/10.55292/JAPHTNHAN.V3I1.159>

¹² Ahmad Alif Hidayat and Ikhsan Fatah Yasin, 'Mengurai Persoalan Hyper Regulation Dalam Pembentukan Peraturan Perundang-Undangan', *JUSTITABLE - Jurnal Hukum*, 7.2 (2025), 106–20 <https://doi.org/10.56071/JUSTITABLE.V7I2.1053>

¹³ Andrian Habibi and Muchtar Sani, 'Jalan Panjang Mengobati Obesitas Regulasi', *Jurnal Legislasi Indonesia*, 19.2 (2022), 231–43 <https://e-jurnal.peraturan.go.id/index.php/jli/article/view/7>

¹⁴ Saputra.

¹⁵ Saru Arifin, 'Illiberal Tendencies in Indonesian Legislation: The Case of the Omnibus Law on Job Creation', *The Theory and Practice of Legislation*, 9.3 (2021), 386–403 <https://doi.org/10.1080/20508840.2021.1942374>



'illiberal shift'.¹⁶ Then, that regulation tackles by citizen in judicial review to the court and protested day per day by the citizen, especially in major cities, such as Jakarta, Surabaya, Makassar. The unknown law-making method (omnibus law at that time is not explained in the Law on the Establishment of Regulations), overlapping article, unfair and uncertainty norms are the key issues which provoked the citizen to react the law badly.

Thus, while the law in Indonesia compared to Afghanistan, it is quite different because Afghanistan sources of law are established from 3 various of law: local customary practice, Islamic religious law (sharia) and the state legal code. The formal state legal code is a relatively modern phenomenon emerging in the late nineteenth century. These codes, as well as the state's official constitutions, have been the focus of political debate because each of Afghanistan's subsequent governments used them to maintain their power, ideology, and authority.¹⁷ The legislative process in Afghanistan is characterized by a multi-phase approach that integrates Islamic jurisprudence with constitutional law. This process has evolved significantly over time, reflecting both historical influences and contemporary governance needs. The law-making procedure involves several key steps, including drafting, review, approval, endorsement, publication, and enforcement, ensuring compliance with both domestic and international standards. Despite these structured processes, the current political landscape under the Taliban has introduced complexities, as the legal framework now heavily leans on classical Hanafi jurisprudence, which may limit the adaptability of laws to modern governance needs.¹⁸ The drafting of any regulations are made by a conventional method as well as in the Law on the Establishment of Regulations in Indonesia, with the different on using Hanafi school as Islamic jurisprudence.

The difference between Indonesia and Afghanistan in law-making method is captured by the variety of law-making method and the Islamic jurisprudence in drafting state legal code. The Islamic Emirate of Afghanistan (IEA) under the Taliban's governance since their return to power in August 2021 provides a political project center on the double objectives of implementing classical Hanafi jurisprudence (fiqh) through modern state apparatus and maintaining control over the IEA's burgeoning state structure.¹⁹ While the Indonesian government, through the House of Representatives, provides PROLEGNAS to drafting state legal code. Previous studies highlighted to understood the research-gap for this research, such as: G. M. Danilenko on his book entitled Law-Making in the International Community which published in 2024 (revised edition, which first published in 1993), provides an insight related to the definition of law-making, the international relations and consensus, and fruitful

¹⁶ Petra Mahy, 'Indonesia's Omnibus Law on Job Creation: Legal Hierarchy and Responses to Judicial Review in the Labour Cluster of Amendments', *Asian Journal of Comparative Law*, 17.1 (2022), 51–75 <https://doi.org/10.1017/ASJCL.2022.7>

¹⁷ Carol Wang, 'Rule of Law in Afghanistan: Enabling a Constitutional Framework for Local Accountability', *Harvard International Law Journal*, 55.1 (2014), 211–49 <https://rwi.lu.se/afghan-publ/rule-of-law-in-afghanistan-local-accountability/> [accessed 29 May 2025].

¹⁸ Ali Asghar Modaber and Mohammad Tariq Wamiq, 'Examining Legislative Oversight Mechanisms in Afghanistan Legal System: The Manifestation of the Rule of Law', *SSRN Electronic Journal*, 2023 <https://doi.org/10.2139/SSRN.4673455>

¹⁹ Haroun Rahimi, 'Afghanistan', in *Yearbook of Islamic and Middle Eastern Law Online* (Brill, 2024), xxiii, 301–10 <https://doi.org/10.1163/22112987-20230055>



discussion in Chapter X about the choices of law-making arenas.²⁰ The book resumes how international community influences the national law-making method by their suggestion and consensus.

Second, Nataliia and Tetiana in the Visegrad Journal of Human Rights pointed that Law-making is the result of the objective development of social relations, directly aimed at their regulation. The purpose, content and results of law-making activities are determined by various factors. Among them, the following ones are traditionally distinguished: professionalism of law-making subjects and their objectivity; the degree of influence and nature of the interests of individual social groups (the so-called lobbying); level of development of state legal institutions; legal culture of the population; form of government, government and regime; the nature of society's mentality, etc.²¹ Their point of view related to the law-making method is about lobbying or the interest of individual social groups. It is quite similar with the chosen of omnibus law method while Indonesian government drafting Job Creation Law, while the consensus of majority parties in the Indonesian House of Representatives is the key-points for law-making method using by the parliament. Last, Vladimir Boldyrev in 2024 founded that the patterns of human cognitive activity based on legal material and the study of the reactions of the human psyche to changes in normative attitudes should be carried out mainly by specialists in the field of cognitive sciences. The development of draft normative legal acts should be carried out by teams of lawyers, considering data from other areas of knowledge, including the achievements of cognitive sciences.²² Vladimir argues that the human cognitive sciences is the key-actors in establishing high-quality regulation. It is similar with the way how to choose the law-making methods. However, there is no specific papers with the same field written by Indonesian or Afghanistan scholars that would be a comparative study for this research. It indicates the strong of novelty and benefit of this research.

In line with those facts, the national legislative strategy needed to provide more thorough direction on research methods for creating scholarly papers for legislative drafting. The existing guidelines addressed general issues that affect the quality of academic papers for legislative drafting. Furthermore, academic papers for legislative drafting are viewed as a supplement to the drafting process because they need more scientific justification and reasons.²³ Disharmony, regulatory obesity, and unclear authority of laws and regulations are the main topics that continue to recur yearly. The formation of National Lawmakers Institution (*Badan Pembangunan Hukum*

²⁰ G. M. Danilenko, *Law-Making in the International Community* (Dordrecht: Martinus Nijhoff Publishing, 2024)

https://books.google.co.id/books?hl=id&lr=&id=rMf7EAAAQBAJ&oi=fnd&pg=PR3&dq=law-making+method&ots=V3CDchFEBg&sig=1N18wwcfrii_SpqNtE_S0JrAeDU&redir_esc=y#v=onepage&q=law-making+method&f=false

²¹ Nataliia Parkhomenko and Tetiana Tarakhonych, 'Law-Making Activity in Modern Conditions: Essential Dimensions and Functional Orientation', *Visegrad Journal on Human Rights*, 1, 2023, 131–37 <https://doi.org/10.61345/1339-7915.2023.1.19>

²² Vladimir Boldyrev, 'Law-Making and Cognitive Sciences', *Pravovedenie*, 68.1 (2024), 97–112 <https://doi.org/10.21638/spbu25.2024.105>

²³ Victor Imanuel W. Nalle, 'Research Methodology in Legislative Drafting in Indonesia', *Theory and Practice of Legislation*, 11.1 (2023), 83–96 <https://doi.org/10.1080/20508840.2022.2141523>



Nasional or BPHN), Legislation Body (*Badan Legislasi* or *Baleg*), and several institutions in forming other statutes and regulations have yet to overcome these problems. To ensure that fewer regulations are created, updated, or repealed in the future, standards for the formulation of laws and regulations should be established, so that there are no more gaps in the form of overlapping authority, vacancies, or vagueness of legal norms in applicable rules. Through this research, the author attempts to perform a study on what methods should be employed in the formulation of legislation or law-making. Of course, not all ways are covered in this article; the author only examines the Omnibus Law method, RIA, ROCCIP, and the potential application of AI.

METHOD

This study employs the normative juridical technique,²⁴ which focuses on literature reviews and legal products connected to the formulation of laws and regulations (law-making process).²⁵ This study's approach is a combination of statutory and case-based approaches to the problems of legislation and regulation formulation.²⁶ The statutory or regulation uses in this research is; the Law Number 13 of 2022 on the Establishment of Regulations and its amendment, while the case uses in this research are; Job Creation Law case, omnibus law case and several cases related to the topic of law-making method. The data collected from these approaches is then analyzed utilizing analytical prescriptive methodologies. Thus, it is believed that by this research, new concepts or thoughts connected to the suitable procedures utilized in the formulation of laws and regulations in Indonesia would be discovered.

RESULT AND DISCUSSION

Current Legal Method Practices

Regulatory reform entails complete adjustments that have a rapid impact on regulatory improvements. The arrangement here is intended to represent legislative regulation. According to the current practice of regulatory reform, Kusnu Goesniadhie stated that there are numerous preconditions to realize regulatory reform, such as: a). The need to identify and analyze problems related to the disharmonizing of existing regulations, even if it is necessary to find the root cause of the problem; b). The need to make a legal discovery using interpretation or interpretation of the law to build legal construction; c). The need to carry out legal reasoning on the results of legal interpretation and construction to realize correct legal logic; and d). The need to compile rational, structured, measurable, and clear legal arguments accompanied by an understanding of the legal system so that there is no more regulatory disharmonizing.³⁰ Due to those factors, if these prerequisites are met, regulatory reform efforts (particularly those to harmonize and synchronize regulations) will be

²⁴ Sholahuddin Al-Fatih, *Perkembangan Metode Penelitian Hukum Di Indonesia*, 1st edn (Malang: UMM Press, 2023), https://books.google.co.id/books/about/Perkembangan_Metode_Penelitian_Hukum_di.html?id=EOBiEAAAQBAJ&redir_esc=y

²⁵ Tunggal Ansari Setia Negara, 'Normative Legal Research in Indonesia: Its Origin and Approaches', *Audito Comparative Law Journal (ACLJ)*, 4.1 (2023), 1–9 <https://doi.org/10.22219/aclj.v4i1.24855>

²⁶ Sholahuddin Al-Fatih and Ahmad Siboy, *Menulis Artikel Karya Ilmiah Hukum Di Jurnal Nasional Dan Internasional Bereputasi* (Malang: Inteligencia Media, 2021).

³⁰ Kusnu Goesniadhie, *Harmonisasi Sistem Hukum: Mewujudkan Tata Pemerintahan Yang Baik*, (Malang: Nasa Media (Malang: Nasa Media, 2010).



more successful. The next tactical step after identifying difficulties, as mentioned by the author in the preceding sub-topic, is to select the appropriate way (law-making method) of drafting rules and regulations.

G. Sitaraman captured the important elements of the legislative drafting process. Descriptively, it provides a comprehensive typology of the origins of legislative drafts, outlining the many ways in which drafts emerge. At times, the descriptive insights are surprising: for example, when a committee drafts legislation in a bipartisan manner, it sometimes uses a "legislative notice-and-comment" process, sharing a draft publicly prior to its introduction so that stakeholders can review the draft and comment. At other times, the descriptive insights add substantial complexity to our accounts. For example, the executive often drafts legislation. This creates a principal-agent drafting problem between Parliament and the Executive parallel to the principal-agent problem that emerges with delegation, but operating prior to a legislative enactment. Then, the members of Parliament pursue different drafting processes and to explore the consequences of variety in legislative drafting for theories of statutory interpretation, for identifying reliable sources of legislative history, and for arguments about Parliamentary delegation and judicial deference to agencies.³¹ That is very complex to make sure the process of law-making on the right-way, then the high-quality regulation would have had an impact for the society.

Quality of law-making is essential for establishing responsive national legislation, and it can only be realized if it is supported by effective techniques binding on all institutions authorized to draft laws and regulations. Indonesia is a legal state that must carry out good national legal growth in a planned, coordinated, and sustainable manner within the national legal system. Some good law-making method selections should be consistent with the Indonesian Pancasila rule of law concept, the protection and guarantee of human rights, the principle of equality before the law, and the established criteria for developing statutory regulations.³² However, some methods of law-making, such as the omnibus law method, have been disputed and protested by some scholars.³³ At the same time, the omnibus law method has already been transplanted into the Indonesian law-making method. In the following sub-section, this paper will explain each law-making method in further detail, including its advantages and disadvantages.

Regulatory Impact Analysis (RIA) comes in various forms tailored to each country's demands, such as measuring commercial impact or the weight of administrative papers.³⁴ Simply said, lawmakers utilize the RIA approach to assess legislation's positive and negative effects on national and state life dynamics, which encompass all facets of existence. Thus, the RIA method can also be described as a policy/decision-

³¹ Ganesh Sitaraman, 'The Origins of Legislation', *Notre Dame Law Review*, 91.1 (2015), 79–132 <https://heinonline.org/HOL/LandingPage?handle=hein.journals/tndlr91&div=5&id=&page=>

³² Ferry Irawan Febriansyah, 'Konsep Pembentukan Peraturan Perundang-Undangan Di Indonesia', *Perspektif*, 21.3 (2016), 220 <https://doi.org/10.30742/perspektif.v21i3.586>

³³ Ibnu Sina Chandranegara, 'Kompabilitas Penggunaan Metode Omnibus Dalam Pembentukan Undang-Undang', *Jurnal Hukum Ius Quia Iustum*, 27.2 (2020), 241–63 <https://doi.org/10.20885/iustum.vol27.iss2.art2>

³⁴ *Regulatory Impact Analysis, Regulatory Impact Analysis* (OECD, 1997) <https://doi.org/10.1787/9789264162150-en>



making tool, a way to a) systematically and consistently examine the potential consequences of government actions and b) communicate information to policymakers. Thus, in some countries, such as France and the United Kingdom (particularly OECD/Organization for Economic Cooperation and Economic Development members), RIA is used as a method and instrument to assess parliamentarians' policies.³⁵

Through the RIA method, five categories of decisions can be made such as; 1). Expert. (Expert - The conclusion is reached by a trusted expert, either a regulator or an outside expert, who uses professional judgment to decide what should be done); 2). Mutual agreement. (Consensus - The decision is reached by a group of stakeholders who get a joint position that balances their interests); 3). Political. (Political - The conclusion is reached by political representatives based on partisan issues of importance to the political process); 4). Checklists. (Benchmarking - The decision is based on reliance on an outside model, such as international regulation); and 5). Empirical. (Empirical - The decision is based on fact-finding and analysis that defines the action parameters according to established criteria).³⁶ Based on the five categories of choices on the RIA method, it appears that the first category is highly infrequent in Indonesian legal products. Instead, the majority represents consensus decisions and political pragmatism.³⁷ As in calculating the size of the parliamentary threshold prescribed in the Election Law, politicians have never mathematically formulated the size but instead rely on mutual agreement among factions in parliament.³⁸ Despite these realities, the RIA method is more appropriate for forming laws and regulations related to the business/work circumstance. This RIA method will calculate the impact of profit, loss, and risks caused and encourage accelerated economic growth.

In comparison, the RIA method effectively enhances the business circumstances in South Korea, Vietnam, China, Australia, and the United States, and the Organization for Development and Economic Cooperation (OECD) recommends its usage in other nations.³⁹ However, another research found that the RIA method is not too significant in improving business circumstances, especially in some countries such as Canada, Denmark, the Netherlands, Sweden, the United Kingdom, the United States, and the European Union, showing that modes and levels of control vary, with almost no evidence supporting positive political economy hypotheses in Denmark and

³⁵ Dian Agung Wicaksono, 'Quo Vadis Pendirian Mahkamah Konstitusi Dalam Menguji Undang-Undang Cipta Kerja Dan Implikasinya Terhadap Kegamangan Pemerintah Daerah Dalam Melaksanakan Kewenangan Mengatur', *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*, 11.1 (2022), 77 <https://doi.org/10.33331/rechtsvinding.v11i1.846>

³⁶ Dian Agung Wicaksono, 'Quo Vadis Pengaturan Regulatory Impact Analysis (RIA) Dalam Pembentukan Peraturan Perundang-Undangan', *Jurnal Legislasi Indonesia*, 20.2 (2023), 44–60 <https://doi.org/10.54629/jli.v20i2.1012>

³⁷ Jodi L. Short, 'The Politics of Regulatory Enforcement and Compliance: Theorizing and Operationalizing Political Influences', *Regulation and Governance*, 15.3 (2021), 653–85 <https://doi.org/10.1111/rego.12291>

³⁸ Sholahuddin Al-Fatih, 'Electoral Regulation in Indonesia: Is It Modern Law?', *Unnes Law Journal*, 6.2 (2020), 205–16 <https://doi.org/10.15294/ulj.v6i2.41627>

³⁹ Teguh Kurniawan, Muh Azis Muslim, and Eko Sakapurnama, 'Regulatory Impact Assessment and Its Challenges: An Empirical Analysis from Indonesia', *Kasetsart Journal of Social Sciences*, 39.1 (2018), 105–8 <https://doi.org/10.1016/j.kjss.2017.12.004>



Sweden and more substantial evidence in other cases, especially the United Kingdom.⁴⁰ Based on the application of the Regulatory Impact Analysis (RIA) method in various countries, Indonesia could adopt similar practices, particularly in the drafting of laws in the economic sector. Laws such as the Job Creation Law, the Electronic Information and Transactions (IET) Law, the Consumer Protection Law, and the Personal Data Protection Law would significantly benefit from the implementation of RIA. This method enables lawmakers to systematically assess the goals of proposed legislation, determine practical strategies for achieving them, and identify potential obstacles to implementation. By incorporating RIA, policymakers can enhance the effectiveness, efficiency, and accountability of economic legislation. However, the relevance of RIA may diminish in the context of drafting criminal, constitutional, or state administrative laws. These areas often involve normative, value-based, or structural considerations that are less suited to the quantitative and outcome-focused orientation of RIA. Therefore, while RIA offers substantial benefits for policy-oriented and economically driven laws, its application should remain selective and context-sensitive within Indonesia's broader legislative framework.

For example, in the establishment of the Job Creation Law, the government relied on the procedure outlined in the Law on the Establishment of Legislation and adopted the omnibus law method. This approach revealed several weaknesses. Effective regulatory development requires policymakers to identify and evaluate all feasible regulatory and policy alternatives to achieve the intended objectives. However, in this case, the government failed to conduct a comprehensive assessment of available options, which undermined the quality and legitimacy of the law. The absence of a structured evaluative method, such as Regulatory Impact Analysis (RIA), led to inadequate problem identification and insufficient consideration of long-term impacts. As a result, the Job Creation Law did not produce the intended economic benefits and instead triggered significant legal uncertainty and widespread layoffs. This example illustrates the critical importance of adopting more rigorous and inclusive law-making methods, particularly for legislation with broad economic and social implications.

The Regulatory Impact Analysis (RIA) method provides a comprehensive and structured approach to assess whether regulation or alternative policy measures are warranted. Despite its advantages, the Indonesian government chose to adopt the omnibus law approach when enacting the Job Creation Law. This decision disregarded substantial empirical evidence indicating that the regulation did not generate employment opportunities as intended. Instead, it contributed to widespread layoffs, which were exacerbated by legal uncertainty stemming from the broad and ambiguous delegations within the law. Furthermore, the government failed to identify and quantify the potential impacts of the law, including its costs, benefits, and distributional consequences. This oversight resulted from the narrow focus of academic manuscripts (*Naskah Akademik*), which typically assess only pre-selected legislative options rather than examining a comprehensive range of policy alternatives. The absence of a standardized methodology for conducting cost-benefit analyses further compromised the consistency and reliability of the regulatory process.

⁴⁰ Claudio M. Radaelli, 'Regulating Rule-Making via Impact Assessment', *Governance*, 23.1 (2010), 89–108 <https://doi.org/10.1111/j.1468-0491.2009.01468.x>



Additionally, the government did not formulate an adequate enforcement and compliance strategy for the Job Creation Law. As demonstrated by the bankruptcy of PT. Sritex, authorities lacked a clear framework to address the resulting mass layoffs. The regulation also lacked a robust monitoring and evaluation mechanism to assess its effectiveness post-implementation. Instead of conducting systematic evaluations, the legislature merely convened discussions with ministers and stakeholders in response to emerging problems. This reactive approach failed to provide meaningful oversight, which a properly implemented RIA framework could have ensured.⁴²

Fitriani Ahlan Syarif and Efraim Jordi Kastanya argued that RIA is necessary for law-making process in Indonesia, due to the reason: first, regarding the government as the legislator, it can evaluate the effectiveness of regulations to: (a) resolve existing problems and (b) achieve the objectives of the legislation; second, ensure that policy makers have considered all available alternative options; third, review the various benefits and costs (impacts) of a regulation, especially the benefits and costs that must be borne by implementing the regulation; third, there is a report that adequate coordination and consultation have been carried out with related parties (stakeholders) at all stages of regulation; and evaluate the implementation strategy of the regulation.⁴³ Omnibus Law is commonly regarded as a set of integrated regulations, legal standards, or laws that apply to everyone.⁴⁴ The author attempts to analyze the application of the Omnibus Law in the development and harmonization of central and regional relations rules. In the developing constitutional practice in the world, various countries have used the Omnibus Law model to shape their legal products, such as: a). The Omnibus Appropriations Act in the United States in 1950; b). A Global Information Resource on Consumer, Commerce and Data Protection Worldwide National Omnibus Laws in countries such as Argentina, Australia, Austria, Belgium, Canada, Chile, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Taiwan, Thailand and English; and c). The Omnibus Investment Code in Filipina, Taxation Act 2019 in New Zealand, Act of Implementation of US FTA in Australia, and Law Amending and Supplementing several Articles of the Law on Value-Added Tax, Law on Excise Tax and the Law on Tax Administration in Vietnam.

Legislations and regulations created utilizing the omnibus technique will exclude multiple related and overlapping laws. Several laws were sidelined to enact laws using the omnibus procedure without incurring high costs.⁴⁶ According to the author,

⁴² Suska Suska, 'Prinsip Regulatory Impact Assessment Dalam Proses Penyusunan Peraturan Perundang-Undangan Sesuai UU Nomor 12 Tahun 2011', *Jurnal Konstitusi*, 9.2 (2012), 357–80 <https://doi.org/10.31078/JK926>

⁴³ Fitriani Ahlan Sjarif and Efraim Jordi Kastanya, 'PENERAPAN METODE RIA DAN ROCCPII DALAM PENYUSUNAN NASKAH AKADEMIK SESUAI DENGAN UNDANG-UNDANG NOMOR 13 TAHUN 2022', *Proceeding APHTN-HAN*, 1.1 (2023), 455–84 <https://proceedingaphtnhan.id/index.php/paphtnhan/article/view/16>

⁴⁴ Agnes Fitryantica, 'Harmonisasi Peraturan Perundang-Undangan Indonesia Melalui Konsep Omnibus Law Oleh Agnes Fitryantica', *Gema Keadilan*, 6.3 (2019), 300–316 <https://doi.org/10.14710/gk.6.3.300-316>

⁴⁶ Chandranegara.



the Omnibus Law has been applied in Indonesia through the IET and Election Law. Why? Because those laws are made to remove and harmonize the disharmony in the previous laws related to elections and online transactions in Indonesia. Moreover, the author argues that using the omnibus law method to draft central and regional relations regulations has several benefits, including overcoming disharmonizing and dyssynchronization of existing rules, simplifying regulatory reform, and reducing authority conflicts between Ministries and Institutions.⁴⁷ There is a loophole regarding regulations governing the authority relationship between the center and the regions. The regional autonomy law and its derivatives have yet to provide regulatory harmony that provides apparent authority in relations between the center and the regions.

The Omnibus law method has advantages and disadvantages, including potential societal inconsistencies due to its application in Common Law countries rather than Civil Law. Omnibus law also can encourage judicial, executive, and legislative review to ensure national security and stability. Furthermore, omnibus law creates suspicion in the government. Because an omnibus law rule typically consists of numerous articles and verses, the content may need to be more accurate and precise, creating legal confusion. As a note, the omnibus law method gives many benefits and is necessary in Indonesia, while those methods are implemented with consolidation. The omnibus law is implemented in Presidential Regulation, while the draft of the Bill should use consolidation.⁴⁸ As a result, the authors argue that omnibus law in Indonesia may be implemented in drafting Code Bill, such as Civil Code, Criminal Code, Electoral Code, and so on.⁴⁹

ROCCIPI is an abbreviation of Rule, Opportunity, Capacity, Communication, Interest, Process and Ideology.⁵⁰ ROCCIPI (also well-known as Problem Solved Method)⁵¹ is a model to identify factors frequently generating problems with law implementation. ROCCIPI methods provide seven components are classified into two types of causal factors: subjective factors (interest or incentives) and ideology (values and attitudes), and objective ones (rule, opportunity, capacity, communication, and process).⁵² The seven components can be used as recommendations for hypotheses and explanations that can be tested and interrelated.⁵³ However, other scholars argue

⁴⁷ Sholahuddin Al-Fatih, 'HARMONISASI REGULASI HUBUNGAN PUSAT & DAERAH MELALUI OMNIBUS LAW (Harmonizing Regulation of Central & Local Regulations Through the Omnibus Law)', *SSRN Electronic Journal*, 2021 <https://doi.org/10.2139/ssrn.3857493>

⁴⁸ Chandranegara.

⁴⁹ Zainal Arifin Hoesein, 'Pembentukan Hukum Dalam Perspektif Pembaruan Hukum', *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*, 1.3 (2012), 307 <https://doi.org/10.33331/rechtsvinding.v1i3.87>

⁵⁰ Haris Retno Susmiyati and others, 'Pelatihan Penyusunan Produk Hukum Desa Peduli Mangrove Di Kawasan Delta Mahakam Dengan Metode ROCCIPI', *ABDINE: Jurnal Pengabdian Masyarakat*, 3.1 (2023), 49–57 <https://doi.org/10.52072/abdine.v3i1.478>

⁵¹ Sjarif and Kastanya.

⁵² Mohammad Dimas Atmadja, Titi Yuliati, and Upik Mutiara, 'Analysis of the Omnibus Law on Job Creation in the Perspective of Sociology of Law', *JHR (Jurnal Hukum Replik)*, 8.2 (2020), 59 <https://doi.org/10.31000/jhr.v8i2.3584>

⁵³ Delfi Suganda, Retno Saraswati, and Nabitatus Sa'adah, 'Politics of Law in Qanun Reformulation in Aceh: The Establishment of Wali Nanggroe Institution', *Mazahib Jurnal Pemikiran Hukum Islam*, 20.2 (2021), 251–84 <https://doi.org/10.21093/mj.v20i2.3387>



that ROCCIPI is not a law-making method but rather a mechanism for assessing the effectiveness of a statutory regulation.⁵⁴

Several scientific publications reveal that in Indonesia,⁵⁶ many academics employ the ROCCIPI method not to prepare academic texts or law-making procedures but to assess regulations' effectiveness and influence.⁵⁷ This criterion is virtually identical to utilizing the RIA method, which measures the accomplishment of a rule, particularly from an economic standpoint. So, there is no harm in using and transplanting the ROCCIPI method into law-making methods in Indonesia. Moreover, due to *Pedoman Penyusunan Naskah Akademik Rancangan Undang-Undang* (the Guidance on Drafting Academic Paper for a Bill), issued by *Pusat Perancangan Undang-Undang Badan Keahlian Dewan Perwakilan Rakyat Republik Indonesia* in 2017, the drafter has an option to choose, the methods including; Regulatory Impact Assessment (RIA), Cost and Benefit Analysis (CBA), or Rule, Opportunity, Capacity, Communication, Interest, Process, and Ideology (ROCCIPI). So, the use of ROCCIPI in law-making process in Indonesia is not forbidden. However, it should be a part of forming regulations that already ruled by the Law on the Establishment of Regulations.

Fitriani Ahlan Syarif and Efraim Jordi Kastanya argued that ROCCIPI is necessary for law-making process in Indonesia, due to the reason: First, this method requires the designer to identify social actors and their behavior that generate social problems or cause laws and regulations to not work properly, and this must also be accompanied by scientific evidence. Second, this method provides an explanation of social problems using the ROCCIPI tool. Effective laws must address the causes of problematic behavior. Therefore, the designer must examine the objective and subjective reasons why role holders act, and propose hypotheses to explain the behavior, and then provide the evidence needed to prove its validity. Third, the method requires drafters to assess the evidence on the likely social and economic costs and benefits of alternative legislative solutions, including those suggested by their review of the law and comparative studies. Finally, the method requires monitoring and evaluation of implementation. Drafters of legislation should include feedback and evaluation mechanisms in their draft legislation to ensure that, once enacted and implemented, appropriate monitoring bodies will assess the social and economic impacts of the law's implementation.⁵⁸

The ROCCIPI is used to drafting the amendment of Zakat Bill. The Ministry of Religious Affairs stated that the drafting of Zakat Bill would be analyzed by ROCCIPI,

⁵⁴ Rachmat Trijono, 'Alternatif Model Analisis Peraturan Perundang-Undangan', *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*, 1.3 (2012), 361 <https://doi.org/10.33331/rechtsvinding.v1i3.90>

⁵⁶ Retno Sari Dewi and others, 'Juridic Review for The Development of Academic Texts for Amendment to The Regulation of The Regent of Tulungagung Concerning Administration of Advertisements', *Journal Research of Social Science, Economics, and Management*, 1.4 (2021), 380–91 <https://doi.org/10.59141/jrssem.v1i4.35>

⁵⁷ Ria Wierma Putri, Yunita Maya Putri, and Dorothy R. H. Pandjaitan, 'Challenges of Geographical Indication in Indonesia: A Study from Lampung Province', in *3rd Universitas Lampung International Conference on Social Sciences (ULICoSS 2022)* (Atlantis Press, 2023), pp. 870–83 https://doi.org/10.2991/978-2-38476-046-6_84

⁵⁸ Sjarif and Kastanya.



while the bill would be drafted by omnibus law method.⁵⁹ From various perspectives and previous research, the author sees that ROCCPI is more flexible in forming local regulations, such as Local Regulations and Local-Head Regulations. Why? Because the analysis is very complex, it can be adjusted to the needs of each region. ROCCPI seems rather complicated if applied in drafting laws and other regulations at the central level because of the plurality of needs of Indonesian society.

Artificial intelligence (AI) is a recent development in the dynamics of modern society. Almost every facet of life, including the law, can now incorporate artificial intelligence. For example, in 2017, China established the notion of AI-based judges, and AI advocates can identify 30 legal issues in 4 hours with an accuracy of 94%.⁶⁰ Similar concepts have also begun to penetrate Indonesia through a *hukumonline.com* page that introduced Legal Intelligence Assistant (LIA), a chatbot-based legal teaching platform.⁶¹ Then, in 2025, Uni Emirate Arab launched Ai as a tool to established Regulations.⁶² Moreover, AI as a tool in making-law will provide legal transparency, more efficient, and improved access to justice.⁶³

Based on this potential, it is feasible that in the future, AI will be used in the formulation of legislation and regulations in Indonesia. AI can help to reduce overlapping legislation and the like.⁶⁴ However, because benchmarking has not yielded identical results, the use of AI in creating rules and regulations will need to be reconsidered. In what phase should AI be included in developing laws and regulations so that the final rules can give advantages, fairness, and legal certainty? That is the big question for lawmakers. But, like machine learning, AI has advantages and disadvantages in legal practice or law-making contexts.⁶⁵

Law-Making Methods in Indonesian Legal System: Which Ones?

The formation of legislation in Indonesia should be a dynamic process that adapts to the evolving digital landscape while maintaining democratic principles and legal certainty. The digital era presents unique challenges and opportunities for legislative development, necessitating a responsive and forward-thinking approach. This

⁵⁹ Ahmad Syauqi, 'Bahas Usulan Omnibus Law Zakat, Kemenag Gunakan Metode Analisis ROCCPI', *Kementerian Agama*, 2024 <https://kemenag.go.id/nasional/bahas-usulan-omnibus-law-zakat-kemenag-gunakan-metode-analisis-roccpi-cpw2M> [accessed 29 May 2025].

⁶⁰ Eka NAM Sihombing and Muhammad Yusrizal Adi Syaputra, 'Implementasi Penggunaan Kecerdasan Buatan Dalam Pembentukan Peraturan Daerah', *Jurnal Ilmiah Kebijakan Hukum*, 14.3 (2020), 419 <https://doi.org/10.30641/kebijakan.2020.v14.419-434>

⁶¹ Sihombing and Adi Syaputra.

⁶² Hukumonline, 'Langkahi Dunia, UEA Gunakan AI Dalam Menyusun Undang-Undang', *Hukumonline.Com*, 2025 <https://www.hukumonline.com/berita/a/langkahi-dunia--uea-gunakan-ai-dalam-menyusun-undang-undang-lt680763bf4ab26> [accessed 9 May 2025].

⁶³ Benjamin Alarie, Anthony Niblett, and Albert H. Yoon, 'How Artificial Intelligence Will Affect the Practice of Law', *University of Toronto Law Journal*, 68 (2018), 106–24 <https://doi.org/10.3138/utlj.2017-0052>

⁶⁴ Sholahuddin Al-Fatih, Ali Roziqin, Muhammad Dahlan Asyari, and Souad Ezzerouali, 'Legal Reform in Village Law-Making Process Using Artificial Intelligence: Is It Necessary?', *Journal of Law and Legal Reform*, 6.2 (2025), 259–84 <https://doi.org/10.15294/JLLR.V6i2.21116>

⁶⁵ Wajeeha Nusrat, Shehla Shaukat, and Zunaira Arshad, 'Artificial Intelligence and Tele dermatology: An Overview', *Journal of Pakistan Association of Dermatologists*, 34.2 (2024), 331–33 <https://doi.org/10.2196/36907>



involves integrating digital considerations into legislative processes,⁶⁶ ensuring public participation,⁶⁷ re-thinking law-making methods,⁶⁸ and maintaining the integrity of the legal system.⁶⁹ Indonesia's law-making methods have been subject to scrutiny and comparison, with various approaches being evaluated for their effectiveness. The Indonesian House of Representatives employs a national legislative program, which has been criticized for its low success rate in enacting draft laws compared to other countries like Uruguay.⁷⁰ The introduction of the omnibus method through Law No. 13/2022 has been seen as a significant advancement, aiming to streamline the legislative process by consolidating overlapping regulations.⁷¹ However, challenges such as resistance within the legislative process and the need for continuous oversight remain.

Then, this part would examine the law-making method and its impact on Indonesian legal system. First, when Indonesian government chosen The Regulatory Impact Assessment (RIA). RIA method is increasingly recognized as a vital tool for legal drafters, particularly in enhancing the quality and effectiveness of legislation. By employing RIA, drafters can ensure that laws are not only well-informed but also aligned with broader societal goals, such as the Sustainable Development Goals (SDGs). RIA method is developed by evidence-based decision making. RIA supports a systematic approach to lawmaking by providing evidence-based analysis, which helps in understanding the potential impacts of proposed regulations.⁷² It encourages the involvement of stakeholders, allowing for a more democratic and inclusive legislative process. The RIA method also promotes clarity in defining regulatory problems and objectives, leading to more effective public interventions. It serves as a framework for comparing different regulatory options, enhancing the overall quality of legislation. Moreover, RIA can help ensure that new laws contribute to achieving SDGs, making it a strategic choice for legal drafters in Indonesia and beyond. While the RIA method offers numerous advantages, some critics argue that its implementation can be resource-intensive and may not always be prioritized in legislative processes. This perspective highlights the need for a balanced approach in integrating RIA into lawmaking. However, as previously mentioned, RIA method probably chosen for

⁶⁶ Fatkhurohman, Sirajuddin, and Sholahuddin Al-Fatih, 'Facing Digital Age: Should the Regional Regulation Be Made Digitally?', *Jambura Law Review*, 7.1 (2025), 1–29 <https://doi.org/10.33756/JLR.V7I1.27111>

⁶⁷ Asrul Ibrahim Nur, Sholahuddin Al-Fatih, and Christina Clarissa Intania, 'Revitalising Indigenous Rights Participation in Mining Lawmaking Process: Evaluation and Proposal for Indonesia', *LAW REFORM*, 20.1 (2024), 188–210 <https://doi.org/10.14710/LR.V20I1.63684>

⁶⁸ Al-Fatih, *Perihal Metode Pembentukan Peraturan Perundang-Undangan: Manakah Yang Paling Tepat Diterapkan Di Indonesia?*

⁶⁹ Aurelia Tamò-Larrieux, 'Decision-Making by Machines: Is the "Law of Everything" Enough?', *Computer Law & Security Review*, 41 (2021), 105541 <https://doi.org/10.1016/J.CLSR.2021.105541>

⁷⁰ Amirul Huda Musyafa Samudra and Ninuk Wijiningsih, 'Comparison of the Legislative Functions between the House of Representatives in Indonesia and the Representatives in Uruguay', *Reformasi Hukum Trisakti*, 6.3 (2024), 1146–56 <https://doi.org/10.25105/REFOR.V6I3.21180>

⁷¹ Yoefanca Halim, Fricky Sudewo, and Jestin Justian, 'Transformative-Participatory Legal Research Method for Harmonizing The Existence of The Living Law in Indonesia', *Jurnal Media Hukum*, 26.2 (2019), 146–57 <https://doi.org/10.18196/JMH.20190130>

⁷² Marta Brzozowska-Katner, 'The Use of the Regulatory Impact Assessment by Participants of the Consultation Process', *Gubernaculum et Administratio*, 29.3 (2024), 107–21 <https://doi.org/10.16926/GEA.2024.01.03.07>



law-making in the economic aspect, to count the advantages and disadvantages. In line with the RIA method, it would be best for drafting BUMN Law (State-Owned Enterprises Law) with Danantara establishment in February 2025.

Second, when omnibus law chosen, this approach allows for the integration of multiple laws into a single legislative framework, thereby reducing legal redundancy and enhancing clarity. Omnibus laws could simplify the legal landscape by consolidating various regulations, making it easier for stakeholders to navigate the legal system. Moreover, by addressing multiple issues in one legislative act, the omnibus method could expedite the law-making process, which is crucial in times of urgent reform.

As the omnibus law packaged the regulation, it would improve investment climate: The omnibus law could create a more favorable regulatory environment, attracting foreign investors and promoting economic growth, as seen with Indonesia's Job Creation Law.⁷³ Then, omnibus law also offered thematic approach for the integration of laws relevant to specific national goals, making the legislative framework more coherent and focused. Conversely, while the omnibus law method offers significant advantages, it also raises concerns regarding transparency and public participation in the legislative process. Critics argue that the complexity of omnibus laws can obscure the implications of legal changes, potentially undermining democratic accountability. While this method chosen by Indonesian government, the Election Law probably drafted with this method because it would more effective and efficient to re-packaged the national and regional election in one regulation.

Third, legal drafters should consider a multifaceted approach that incorporates Rule-Based Reasoning, Opportunity Cost Analysis, Capacity Building, Effective Communication, and Interest-Based Negotiation to enhance their drafting processes. Rule-Based Reasoning clarifies ambiguities and ensures consistency in legal texts, which is crucial for effective legal interpretation. Opportunity Cost Analysis allows drafters to evaluate the benefits and drawbacks of various drafting strategies, leading to more informed decisions. Capacity Building enhances the skills of legal drafters, improving the overall quality of legal documents. Effective Communication ensures that legal texts are clear and easily understood, minimizing misunderstandings. Finally, Interest-Based Negotiation focuses on the underlying interests of parties, fostering mutually beneficial agreements and improving negotiation outcomes. By integrating these methods, legal drafters can create more effective, efficient, and equitable legal documents. As mentioned before, this law-making method probably sufficient with Regional Regulation and Regional Head Regulation (*Peraturan Daerah* and *Peraturan Kepala Daerah*). The last, when AI implemented in law-making process, it would face to faces with ethical issues. However, AI would be a future hope for Indonesian government, while integrity and legal certainty need to meet.

⁷³ Arif Hamied Nababan, Rahmad Mahendra, and Indra Budi, 'Twitter Stance Detection towards Job Creation Bill', *Procedia Computer Science*, 197 (2022), 76–81 <https://doi.org/10.1016/J.PROCS.2021.12.120>



CONCLUSION

Based on the above discussion, it is possible to conclude that the ROCCIP method, RIA method, omnibus law, and AI application have advantages and disadvantages. The crucial aspect is not the selection of a single approach but the accuracy of the legislators in determining which method is correct, which might be one of them or a combination. This correctness is critical to the proper procedure for developing legal rules in Indonesia. From the various law-making methods, the author recommends several things, including a) the omnibus law method can be used to create codified laws with specific themes, such as civil code, criminal code, electoral code, health code, and so on; b) RIA method is good for use in forming laws related to the economy; c). The ROCCIP method is suitable for use in drafting regional legislation, such as Regional Regulations; and d) the use of AI can be optimized in the preparation of Academic Manuscripts, not for adopting norms, whether in the form of articles or paragraphs. The recommendation of this article is to amend the Law on the Establishment of Regulations with adding RIA and ROCCIP methods and the guidance for using AI in legal drafting in Indonesia.

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