

# Ainuddin

*by* JURNAL JILPI

---

**Submission date:** 07-Jan-2024 11:07AM (UTC+0700)

**Submission ID:** 2192335669

**File name:** 2944-11399-1-PB.pdf (263.62K)

**Word count:** 5519

**Character count:** 30228

# Judicial Analysis of Government Regulation In Lieu of Law on Job Creation Based on Legal Theory Perspective in Indonesia

Ainuddin

[ainuddinunizar@gmail.com](mailto:ainuddinunizar@gmail.com),

Faculty of Law, Universitas Islam Al Azhar Mataram, Indonesia

## Article Info

Received: 2023 - 03 - 18

Revised: 2023 - 11 - 22

Accepted: 2023 - 12 - 30

## Keywords:

Judicial analysis,  
government regulations in  
lieu of law, Theory of  
Legislation

## Abstract

The government regulations in lieu of laws are part of the legislative authority of the president in many countries implementing a presidential system of government. In order to provide a sense of security and legal justice for the people, new regulations are enacted to fill gaps in the law or to replace existing ones. The aim of this study was to find out and analyze the stipulation and issuance of government regulation in lieu of law number 2 of 2022 concerning job creation (known as perpu ciptaker) which should have been declared conditionally unconstitutional by the constitutional court on November 25, 2021, through decree Number 91/PUU- XVIII/2020. This research uses normative research techniques with descriptive-analytic research specifications, including an analysis of applicable laws and legal theories related to research problems. The findings of this study indicate that in the issuance of the government regulation in lieu of law on job creation is still not yet clear and comprehensive what can regulate the formation of laws based on policies relating to the formation, renewal and development of laws. as well as the insufficient fulfillment of procedures for drafting laws and regulations in terms of philosophical, juridical and sociological aspects

## 1. Introduction

As we already know, the Government has established and promulgated "Regulation Government in Lieu of Law Number 2 2022 Cipta Kerja (abbreviated as Perpu Ciptaker) on December 30 2022", even though the law should this was

declared Conditionally Unconstitutional by the Constitutional Court on November 25, 2021, through Decision No. 91/PUU-XVIII/2020. The Constitutional Court's decision mandates that changes be made by the legislature no later than two years after the decision is issued. Unless changes are made by this date, the Job Creation Law will be declared unconstitutional indefinitely. It is also unacceptable to issue new implementing regulations related to Law Number 11 of 2020 concerning Job Creation, because the Constitutional Court has ordered the government to stop all strategic activities or programs that have broad implications.

Government Regulations in Lieu of Laws are part of the legislative powers of the President in a number of countries that adopt a presidential system. The term for this Government Regulations in Lieu of Laws includes "*constitutional decree authority, executive decree authority, or presidential decree authority.*" This group of influential people has the power to introduce or veto laws. Government regulations or presidential regulations are additional examples of legal items issued by the president. There is a direct relationship between the divided state of government and the birth of a Perppu in a presidential government. Because the administration and legislature are given so much power under a presidential system, minority government is always a real possibility. In other words, the government is unstable because the executive does not receive sufficient support from the legislature. The President's hand in making the Perppu is one of the consequences. (*Sujatnika, 2023*)

In a joint press conference at the President's Office, Coordinating Minister for the Economy Airlangga Hartanto, Coordinating Minister for Political, Legal and Security Affairs Mahfud MD, and Deputy Minister of Law and Human Rights (Wamenkumham) Edward Omar Sharif Hiariej confirmed the issuance of a new set of economic regulations. Due to the critical need to forecast future international economic and geopolitical conditions, the Perpu was implemented. As a result, the government must move quickly to prepare the global economy to face the prospect of a global recession, rising inflation and eventually stagflation. He continued, saying that the world is facing a Ukraine-Russia and other unresolved , and that the facing

food, energy, financial, and climate change challenges, all of which are being felt by many other countries. (<https://setkab.go.id/Government-terbitkan-perppu-cipta-kerja>)

The Coordinating Minister for the Economy further said that the actions of business actors at home and abroad were heavily influenced by the Constitutional Court (MK) Decision Number 91/PUU-XVIII/2020 concerning the Job Creation Law. However, the government's pursuit of investment remains unchanged due to its importance to developing economies. Legal certainty, including for commercial actors, is anticipated with the presence of this Perpu. For this reason, maintaining legal certainty is very important. It is hoped that the Constitutional Court's decision can be enforced with the issuance of Perpu Number 2 of 2022 which provides much-needed legal certainty. He continued, the Chairperson The People's Representative Council of the Republic of Indonesia had already informed about the Work Cipta and President Joko Widodo had communicated with Chairperson the Indonesian Parliament Puan Maharani regarding the Perpu. ([www.bapeten.go.id](http://www.bapeten.go.id))

Following up on the description above, BAPETEN is holding socialization for the Government in Lieu of Law Number 2 of 2022 concerning Job Creation (Perppu Cipta Kerja). In her remarks, BAPETEN Deputy for Nuclear Safety Studies Dahlia Cakrawati Sinaga said Article 22 of the 1945 Constitution was the legal basis for establishing the Perppu. There is no definition for the phrase "forced urgency", to interpret "forced urgency" is the subjectivity of the President. The President has kept a close eye on current events in this area, such as the Constitutional Court ruling giving two years to update the Job Creation Law, as well as the global dynamics created by rising energy and food costs, climate change and supply chains disturbance. He continued, the DPR will discuss the Job Creation Perppu in January or February 2023, and the Job Creation Implementation Regulations will remain in effect unless they directly conflict with the Perppu.

Deputy Chairman of Commission IX DPR RI Kurniasih Mufidayati disagreed on the grounds that the conclusion of the Constitutional Court's decision

contradicted the Perppu Cipta Kerja. Responding to the direction of the Constitutional Court, he stated that the government must amend Law No. 11 of 2020 which is temporarily . According to the decision of the Constitutional Court , the Job Creation Law is unconstitutional due to formal flaws in the process of forming laws so that cannot be based on a clear, consistent and well-established methodology formulating laws. With the approval of the DPR and the President, many substantive changes have been made to the Job Creation Bill. He emphasized that the government had issued a Perppu which eliminated the legislative role of the DPR, and this had been carried out effectively. The DPR member from PKS also doubted the speed with which the Job Creation Perppu was issued; in fact, a Perppu can only be issued in an emergency. What caused the government to issue a Perppu, he wondered. He went on to say that inconsistency would naturally become a cause if it had anything to do with the global situation. Nevertheless, President Jokowi recently claimed with great pride that Indonesia's economic growth is the largest among the G20 countries. However, the reason for issuing the Perppu was because it was seen that Indonesia was in a state of emergency and its performance was not good. (Kurniasih, 2023)

A similar view was expressed by many Indonesian legal experts, including Constitutional Law Expert Zainal Arifin Mochtar when responding to the publication of the Perppu on Job Creation by President Joko Widodo. He considered the release date of the Job Creation Perppu suspicious, because it seemed to overlap or mislead the decisions of the Constitutional Court (MK). He claimed that the DPR would only carry out the President's wish, the Perppu, which has a limited scope. However, according to the Constitution, a Perppu is only granted in cases of a "forced emergency" declared by the president. A president who is subjective but will be objectified by the DPR or tried by the DPR, according to him, is a source of urgent need. (Mochtar, 2023)

The debate regarding the issuance of the Perppu Ciptaker has never been completed, moreover there are no standard parameters to measure and assess the

state of "compelling urgency" as a condition mandated by Article 22 of the 1945 Constitution for the issuance of Perppu, which in this case is indeed the subjectivity of the president.

According to Asshiddiqie,<sup>5</sup> Chief Justice of the Constitutional Court (MK) for the 2003-2008 period, this Perppu clearly violates the premise of a constitutional state that the Government is seeking justification for. This is not a model of respect for the rule of law, but an example of an arrogant legal authority that ignores the Constitutional Court and the DPR. ([www.republika.id](http://www.republika.id))

As a study of the study of state administrative law, there are several previous studies related to this study. The first research was conducted by Nyoman Nidia Sari Hayati. In his study, he analyzed the concept of the Omnibus Law in harmonization of laws and regulations in Indonesia. In his research, he aims to uncover and describe how the omnibus law concept actually is in building harmonization of legislation and what obstacles are experienced when this concept is implemented in Indonesia. By using a statutory approach, a comparative approach or known as a comparative approach,<sup>8</sup> and a conceptual approach, the findings from the results of this study show that harmonization of legislation is very important for the development of law and for the creation of legal certainty in Indonesia. However, an in-depth study is needed and it is necessary to involve many parties to make a law with the omnibus law concept. In addition, the formation process must be more transparent, of course, with the aim that it does not cause problems and harm the community. (Hayati et al, 2021)

The second research related to this research was carried out by Tri Nurhayati who raised the theme of sociological juridical studies on the application of Law Number 11 of 2020 concerning Job Creation and its derivative regulations. The purpose of this research is to find out and explain and analyze the purpose of establishing Law Number 11 of 2020 concerning Job Creation and its sociological impact on workers or workers in Indonesia. By using an empirical juridical approach,<sup>4</sup> the results of his research show that based on the theory of legal

applicability, Law No. 11 of 2020 concerning Job Creation is deemed not to be able to run optimally because it has several important notes regarding procedures and substances that further reduce the rights of workers and slightly deviate from the spirit of labor law. (Nurhayati, 2021)

Furthermore, the third research was conducted by Uhammad Irham Roihan who made friends about the Omnibus Law in terms of the Perspective of the Legislative System in Indonesia. In this study, the author intends to reveal the urgency of the Government using the Omnibus Law method in structuring laws and regulations and how the Omnibus Law is viewed from the perspective of the legal system in Indonesia. By using historical, comparative juridical and sociological approaches and qualitative approaches, the findings from this study indicate that the government's urgency in using the Omnibus Law method in structuring laws and regulations is one form of effort in achieving the goals of Indonesia's Vision in 2045, namely by simplification, harmonization and synchronization of laws and regulations towards the formation of regulations that have been out of control so far, namely making the Indonesian economy advanced and competitive as a manifestation of program planning for accelerating development and increasing people's welfare in the economic field by providing ease of doing business. (Roihan, 2020)

The difference from previous studies that have been carried out by researchers with current research lies in the object of study that is specific to the researcher. Previous research studies have only focused on the application of Law Number 11 of 2020 Concerning Job Creation from the perspective of the laws and regulations in Indonesia. whereas this research focuses on the issuance of Government Regulations in Lieu of the Job Creation Law based on the perspective of Indonesian legislation theory.

The laws and regulations in this country are clearly quite significant, so it is important to base them on a thorough analysis. The goal is to become an intellectual and moral understanding of the driving forces behind the creation of these rules and

regulations. So, on the basis of this understanding, the writer is interested in analyzing more deeply by formulating a major theme, namely "Juridical Analysis of the Issuance of Perppu Cipta Kerja Based on the Perspective of Legislation Theory".

## 2. Research Method

In this study, the authors used a normative juridical research approach, meaning that research was carried out in accordance with pre-existing legal principles, as codified in laws and regulations, or as societal norms and expectations (Amiruddin & Asikin, 2019). This study is analytically descriptive in nature, in that it details the relevant statutes and rules in relation to the relevant legal theory and practice that underpins the solution to the problem under investigation (Mamuji, 2005). The method of gathering legal material is theoretical literary study, which requires searching and obtaining information from various sources such as libraries and the World Wide Web. Specifically, the data sources taken in this study come from primary legal materials and secondary legal materials. The analysis technique applied in this study uses a qualitative juridical approach, which explores the meaning of the facts or legal materials studied, which is the ultimate goal as an object of research.

## 3. Results and Discussion

### Dogmatics of Compilation and Publication of *PERPPU CIPTAKER*

Based on Article 11 of Law Number 12 of 2011 concerning Formation of Legislation, dogmatically it has been decided that "the contents of Government Regulations in Lieu of Laws are identical to the contents of the Law". Then determine the substances that must be regulated by statutory regulations in accordance with Article 10 paragraph (1) of Law Number 12 of 2011 concerning the Formation of , such as:

- a. Further arrangements regarding the provisions the Constitution of Indonesia Year 1945;
- b. Order of an law to be regulated by law law;



- c. Ratification international agreements ;
- d. Follow on Court decisions ; and/or
- e. Fulfillment legal needs in society.

In Indonesia, regulations laws are compiled and classified as follows (based on Article 7 paragraph 1) Law Number 12 Year 2011 concerning Formation of Legislation:

- a. "Law -Constitution of the Republic of Indonesia Year 1945;
- b. Decree Deliberative Assembly People;
- c. Law -Laws /Regulations Substitute Government Laws
- d. Regulation Government;
- e. Regulation President;
- f. Regulations Region Province; and
- g. Regulations Region Regency/City."

#### **The Construction of Theoretical Understanding of the Preparation and Issuance of PERPPU CIPTAKER**

In the view of this theoretical basis, various theories, principles, and definitions emerged as anchors for the development of law. This knowledge is very important because it can be used to further rationalize the enactment of "laws. Science of Legislation, Theory of Legislation, State Law, Legal Certainty in Legislation, and Legislation Principles" are examples of these theories. From a quote by Maria Farida Indrati Soeprapto (1998:2) quoting Burkhardt Krems: "Legislation (Gesetzgebungs-wissenschaft) is an interdisciplinary science related to political and sociological science which in general can be divided into two major parts, namely:

- a. Legislative theory (Geetzgebungstheorie), which is oriented towards seeking clarity and clarity of meaning or understandings that are cognitive in nature.
- b. Science of Legislation (Gesetzgebungslehre) which is oriented towards doing actions in terms of forming normative laws and regulations."

As one of the stages of law creation side by side with implementation, law

enforcement, and legal knowledge, the formation of statutory regulations certainly has a significant impact on the clarity and clarity of the meaning of a statutory regulation as constructed in Legal Theory. Legal substance, often known as the content of statutory regulations, is an important part of any systemic approach to legal development. "Furthermore, according to Kreams, the scientific substance of legislation (Gesetzgebungslehre) is grouped into three parts, namely:

- a. Legislative Process (Gesetzgebungsverfahren).
- b. Statutory Method (Gesetzgebungs-l method).
- c. Legislative Engineering (Gesetzgebungstechnik)

The law regarding the formation of state legislation by Burkhardt Kreams is called "*staatsliche rechtssetzung*", it concerns:

- a. "Content of the rules (Inhalt der Regelung).
- b. Form and arrangement of regulations (Form der Regelung).
- c. Regulatory formation method (Method der Ausarbeitung der Regelung).
- d. Procedural and regulatory formation processes (Verfahren der Ausarbeitung der Regelung)."

The Realization of the *PERPPU CIPTAKER* using Burkhardt Kreams' thinking requires further study of the "production of laws and regulations" which includes the substance, form and arrangement of regulations, as well as the methodology, procedures and processes for forming regulations. To be clear, "content" and "content material" mean the same thing. The text of the law is highlighted in the supporting material. Lon Fuller's thoughts regarding positive legal "content" must fulfill eight elements, including:

- a. there must be general rules as guidelines in making decisions;
- b. Regulations that become guidelines for authorities must be announced (published);
- c. Laws (regulations) may not apply retroactively;
- d. The regulations are arranged in an understandable formula (clear)
- e. The rules may not conflict with each other;

- f. Regulations must not contain demands beyond what can be done (impossible to fulfill);
- g. Rules should not be changed frequently;
- h. There must be consistency between the promulgated regulations and day-to-day implementation (the government must strictly implement these regulations)."

Based on Fuller's thoughts regarding the content of normalizing a statutory regulation that requires the qualification of these elements, if it is identified with the preparation and issuance of the Perppu Ciptaker, of course it is very feared that it cannot be fulfilled in a comprehensive manner regarding the elements referred to. Why not, for example, the qualification of elements regarding "Rules rules may conflict each other will certainly become a separate debate and / or conflict in the process of enacting the Perppu Ciptaker, moreover the contents or contents of the Perppu Ciptaker are those that only negate returned most of the norms from the Job Creation Law which had previously been conditionally terminated and canceled by the Constitutional Court on the legal considerations that there were formal defects in the process of forming the law. Then, regarding "Regulations must not be changed frequently" and "There must be consistency between the regulations promulgated and their daily implementation (the government must strictly enforce these rules)" of course, such an ideal state of mind is very much felt towards the cognitive process of the preparation and publication of the Perppu Ciptaker at the end of 2022. Then, Fuller divides moral of law into two, namely: "*morality of duty* (moral obligation) and *morality of aspiration* (moral aspiration) which makes it law." morality emphasizes the value of doing one's and realizing one's greatest potential. Several different perspectives on duty can be found in aspirational morality (Fuller, 1965).

Hans Nawiasky, distinguishes legal norms country in 4 (four ) main categories , namely "*Statsfundamentalnorms* (fundamental norms of country), *Staatsgrundgesetz* (rules basic/principal country), *Formell Gesetz* (laws law

formal) and *Verordnung & Autonoe Satzung* (rules implementing and rules autonomous)." Hans thoughts in his book entitled "*General Theory of Law and State*" show how norms and their hierarchies at different levels determine the formation of norms (Kelsen, 1994). Furthermore, the descriptions above will certainly enrich our analytical material in understanding theoretically related to the preparation and issuance of the Perppu Ciptaker. In this case, the Government, especially the President, should have the authority to determine whether a Perppu is appropriate to use the Constitutional Court Decision Number 91/PUU-XVII/2020 concerning the formal cancellation of the Job Creation Law as the basis or preamble to drafting the Perppu Ciptaker. Looking back at the Constitutional Court's decision, it is clear that the main reason for canceling the Job Creation Law was because the Constitutional Court decided that since a law issued by the president and the DPR would affect the entire Indonesian population, the absence of the principles of transparency and "meaningful participation" were the key factors. However, with considerations by the Constitutional Court based on the legal grounds justifying this, the President actually revived the norms in the Job Creation Law by using a Perppu as a shortcut for his subjective authority.

#### **Limitations of Legal Politics in the Preparation and Issuance of PERPPU CIPTAKER**

Solly Lubis (2014), explained that the Preamble and Articles of the 1945 Constitution of the Republic of Indonesia provide a legal basis for public policy. Responding to Lubis, the 1945 Constitution is the highest law because it not only establishes a legal (juridical) basis, but also sets broad policy objectives (policy). In addition, the Constitution incorporates the value of policy signals and paradigmatic philosophical principles (Lubis, 2014). To achieve the goals of the state, Mahfud MD, legal politics requires the formation and enforcement of legal policies or official lines (policies) regarding law through the making of new laws or revisions of existing ones (Mahfud, 2009).

In politics, "lawmaking" refers to the process of making new laws and updating existing ones. This legislative politics consists of: "(a) policy (formulation) of legislation; (b) the policy (formation) of jurisprudential law or judge's decisions, (c) the policy of other unwritten regulations (Hamidi, 2011).

Policy making in the field of law content is carried out in such a way according to Hamidi (2011: 347)

- a. "Meeting elements philosophical, juridical and sociological;
- b. Reflect policies in fields of economy, social, culture, politics and defense;
- c. Reflects objectives and specific legal functions wish achieve;
- d. Reflecting desire to achieve and ideals in, economic, cultural other fields.

Considering that the status and position of *the Perppu Ciptaker* is the same as the Legislation (UU) both in terms of hierarchy and substance (content material), therefore, the formation of the Perppu Ciptaker law must adhere to the ideal standards regulated in Law no. 12 of 2011 concerning the Creation of Laws. These requirements are "philosophical, juridical, and sociological." According to Joeniarto (1980:15), the contents of positive law must reflect philosophical, historical, and sociological ideals. Here, the importance of history is seen from a legal perspective.

### **The Philosophical Values of Perppu Ciptaker**

Pancasila and the Preamble to the 1945 Constitution of the Republic of Indonesia provide a philosophical basis for the mystical nature of Indonesian society, which is reflected in the laws enacted on this basis. Pancasila serves as the foundation and ideology of the Indonesian state, making it an indispensable resource for all legal reform and innovation efforts. Notonegoro believes that the principles contained in Pancasila are aspects that cannot be removed from humans. The Pancasila precepts are universal moral principles which form the basis for all human behavior and are never replaced by other values. Pancasila as the ideals of national law and a model for the evolution of law contains at least four principles that must be followed in the

making and the application of *Perppu ciptaker*. First, the law should protect entire nation guarantee of the nation therefore is not permissible a product law to the seeds disintegration. Second, the law must be able to guarantee social justice by providing special protection to the weak will not be exploited in free against strong group. Third, law be built at the same time build line nomocracy (law). Fourthly, laws must not be based on primordial ties encourage the creation of religious tolerance based on humanity and existence (Mahfud, 2009:55). The philosophical foundation (*filosofische gronslad*, *philosophic gelding*) is a philosophical study of law that provides justification (*rechtsvaardiging*) for the formulation of statutory regulations or norms.

#### **Juridical Value of Perppu Ciptaker**

In order to provide a sense of security and legal justice to the people, new regulations are enacted to fill gaps in the law or to replace existing ones (Sulaiman, 2017: 27). In order to legally regulate something, an adequate legal basis is needed, which can be formal (a legal framework that gives authority to institutions) or substantive (content or material of a legal framework). Meanwhile, point of view, it is the technological basis that authority institutions to certain restrictions regarding the process of making laws (Astomo, 2018:78). The basis of law (*rechtsgrond*) or legality, especially in higher statutory regulations which give rise to statutory regulations, is called "juridical basis" (*jurdische gronslag*, *juridische gelding*).

#### **Sociological Value of Perppu Ciptaker**

Sociological foundations show how rules are formed to suit the needs of modern society. Whenever legal provisions conform to widely shared assumptions and knowledge, we say that law has a sociological basis (*sociologische gronslag*, *sociosche gelding*). This is very important to ensure that people obey the law and prevent rules and regulations from being ignored. On this sociological basis, it is anticipated that laws and regulations will gain broad social acceptance naturally, if

not spontaneously. Legislation that is generally approved will be given the force of law and will not require much effort on the part of government agencies. The rule of law depends on the acceptance of society where the law applies, as confirmed by recognition theory (anerkennungstheorie). More precisely, this social component accurately describes the actual way of life of people (Sulaiman, 2017).

#### 4. Conclusion

Based on the results of the researcher's analysis above, the writer can conclude that, judging from the theoretical aspects of law and statutory theory, the preparation and issuance of Government Regulations in Lieu of the Job Creation Law is still not clear and complete in providing a legal formation based on the relevant policies creation, renewal and development law. As well as the insufficient fulfillment of procedures for drafting laws and regulations based on philosophical, juridical and sociological aspects.

#### Reference

- Amiruddin & Asikin, Z. (2019). *Introduction to Legal Research Methods*, Rajawali Press, Jakarta.
- Astomo, P. (2018). *Legislation*, Jakarta: Rajawali Press.
- Attamimi, H.(1990). *The Role of Presidential Decrees of the Republic of Indonesia in the Administration of State Government (An Analyst Study: Presidential Decrees Functioning as Regulations in the Pelita I – Pelita V Period*, PPS Dissertation, University of Indonesia, p. 300.
- DPR-RI, *Kurniasih Values Job Creation Perppu Inconsistent with MK Decision*, <https://www.dpr.go.id/berita/detail/id/42628/t/Kurniasih+Nilai+Perppu+Cipta+Wor+k+Inkonsisten+With+ Decision+MK>, 02 January 2023, accessed on 07 February 2023.
- Hayati, N.N. S., Warjiyati, S., & Muwahid.(2021). Juridical Analysis of the Omnibus Law Concept in the Harmonization of Legislation in Indonesia. *Journal of Samudra Hukum Justice* Volume 16, Number 1, January – June. pp. 1-18, DOI: <https://doi.org/10.33059/jhsk.v16i1.2631>
- Hamidi,J. (2011). The New Paradigm of the Formation and Analysis of Regional Regulations (Study of Regional Regulations on Public Service and Regional Regulations on Public Information Disclosure." *Journal of Hukum* No. 3 Vol. 18 July.

- Fuller, L. (1964). *The Morality of Law*, Revised Edition, Yale University.
- Joeniarto, (1980). *Overview of the Sources of Constitutional Law in Indonesia*, Yogyakarta, Liberty, Yogyakarta.
- Kelsen, H. (1949) *General Theory of Law and State*, Harvard University Press.
- Khodzim, M. (2009). *Legal Systems Social Science Perspective*, Nusa Media, Bandung,
- Lubis, M.S. (2014). *Legal Politics and Public Policy*, CV. Mandar Maju, Bandung.
- Mahfud, M. MD. (2010). *Building Legal Politics, Upholding the Constitution*, Jakarta: Raja Grafindo Persada.
- Mamudji, S. (2005). *Research Methods and Legal Writing*, Publishing Agency, Faculty of Indonesian Law, Jakarta.
- Mahfud, M. MD, (2009). *Legal Politics in Indonesia*, PT. Raja Grafindo Persada, Jakarta.
- Mochtar, Z.A. (2023). Criticizes Perppu Job Creation : [As if Straddling the Constitutional Court's Decision ?page=all](#), 05 January 2023, accessed on 07 February 2023.
- Nurhayati, T. (2021). " Sociological Juridical Study of the Enforcement of Law Number 11 of 2020 Concerning Job Creation and Its Derivative Regulations ". *Journal of Kertha Semaya*, Vol. 9 No. 6, p. 1032-1043. DOI: <https://doi.org/10.24843/KS.2021.v09.i06.p11>
- Nuclear Energy Supervisory Agency (BAPETEN), *Internal Dissemination of Government Regulation in Lieu of Law Number 2 of 2022 Concerning Job Creation in the Nuclear Sector*, <https://www.bapeten.go.id/berita/socialization-internal-peraturan-Government-pengganti-undang-undang-2-tahun-2022-about-cipta-kerja-sector-ketenganukliran133132#:~:text=All%20Regulation%20Executor%20of%20UU,attended%20118%20participants%20internal%20BAPETEN>, 06 January 2023, accessed on 07 February 2023.
- Soeprapto, M.F.I. (1998). *Legislation*, Kanisius Publishers, Jogjakarta.
- Sulaiman, K.F. (2017). *Legislation Theory and Testing Aspects*, Yogyakarta: Thafa Media,
- Soemitro, R.H. (1990). *Legal Research Methodology and Jurimetry*, Ghalia Indonesia, Jakarta.
- Roihan, M. I. (2021). " Omnibus Law Viewed From the Perspective of the Legislative System in Indonesia (Study of Law Number 11 of 2020 Concerning Job Creation) " *THESIS Master of Law Program in Postgraduate Program, Faculty of Law, Islamic University of Indonesia*.  
Online : <https://dspace.uii.ac.id/handle/123456789/29548>



Republika, *Debate on the Impeachment Gap in Perppu Ciptaker* ,  
[https://www.republika.id/posts/36129/perdebatan-celah-pemakzulan-di-perppu-  
ciptaker](https://www.republika.id/posts/36129/perdebatan-celah-pemakzulan-di-perppu-ciptaker) , 05 January 2023, accessed on 07 February 2023.

Sujatnika,G. (2023). Job Creation Perppu: Unwanted End of Year Gift  
[https://law.ui.ac.id/perppu-cipta-kerja-kado-akhir-tahun-yang-tak-diinginkan-oleh-  
ghunarsa-sujatnika/](https://law.ui.ac.id/perppu-cipta-kerja-kado-akhir-tahun-yang-tak-diinginkan-oleh-ghunarsa-sujatnika/) , 06 January 2023, accessed on 07 February 2023.

Secretariat of the Cabinet of the Republic of Indonesia, Government Publishes Perpu Cipta Kerja ,  
<https://setkab.go.id/Government-terbitkan-perppu-cipta-kerja/> , 30 December 2022,  
accessed on 07 February 2023

# Ainuddin

## ORIGINALITY REPORT

15%

SIMILARITY INDEX

14%

INTERNET SOURCES

11%

PUBLICATIONS

5%

STUDENT PAPERS

## PRIMARY SOURCES

1	<a href="http://seminarcfp-mih.uns.ac.id">seminarcfp-mih.uns.ac.id</a> Internet Source	3%
2	Submitted to Fakultas Hukum Universitas Indonesia Student Paper	3%
3	<a href="http://russianlawjournal.org">russianlawjournal.org</a> Internet Source	2%
4	<a href="http://ojs.unud.ac.id">ojs.unud.ac.id</a> Internet Source	1%
5	<a href="http://en.mkri.id">en.mkri.id</a> Internet Source	1%
6	Penta Peturun. "Land Management Rights Before and After the Government Regulation in Lieu of Job Creation Law", <i>Administrative and Environmental Law Review</i> , 2023 Publication	1%
7	<a href="http://techniumscience.com">techniumscience.com</a> Internet Source	1%

8

Ahmad Aditya Putra Utama, Heru Suyanto.  
"Implementation of Double Track System in  
Conviction Towards Special Expertise Crime",  
Ius Poenale, 2021

Publication

<1 %

9

Budiman N.P.D Sinaga, Sahat H.M.T Sinaga.  
"Analysis of Reduction of Authority of The  
Constitutional Court Through The Law on  
General Election", SHS Web of Conferences,  
2018

Publication

<1 %

10

Fithriatus Shalihah. "Industrial Relations with  
Specific Time Work Agreements after the  
Decision of the Constitutional Court of the  
Republic of Indonesia Number 91/PUU-  
XVIII/2020 in The Perspective of Legal Justice",  
Jurnal Hukum Novelty, 2022

Publication

<1 %

11

[ejournal.balitbangham.go.id](http://ejournal.balitbangham.go.id)

Internet Source

<1 %

12

[jurnalius.ac.id](http://jurnalius.ac.id)

Internet Source

<1 %

13

[jurnal.unikal.ac.id](http://jurnal.unikal.ac.id)

Internet Source

<1 %

14

[journal.unnes.ac.id](http://journal.unnes.ac.id)

Internet Source

<1 %

15

jurnal.um-tapsel.ac.id

Internet Source

<1 %

---

16

voi.id

Internet Source

<1 %

---

Exclude quotes  On

Exclude matches  < 15 words

Exclude bibliography  On