



THE CONSTITUTIONAL PROBLEM OF PERPPU IN THE INDONESIAN LEGAL SYSTEM: TENSIONS BETWEEN EXECUTIVE AND LEGISLATIVE AUTHORITY FROM THE PERSPECTIVE OF CHECKS AND BALANCES

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Abstract

Abstract: A Government Regulation in Lieu of Law (PERPPU) is a constitutional instrument granted to the President under Article 22 of the 1945 Constitution of the Republic of Indonesia in cases of compelling emergency. Although normatively intended as an emergency mechanism, the practice of issuing PERPPUs has sparked debate regarding the limits of their constitutionality, particularly in the context of the relationship between the executive and legislative branches of government. This study aims to analyze the constitutionality of PERPPUs within the Indonesian legal system and examine the tensions between the President and the House of Representatives (DPR) from a checks and balances perspective. This study uses normative legal methods with a statutory and conceptual approach. The analysis was conducted on constitutional provisions, Law Number 12 of 2011 concerning the Formation of Legislation, and Constitutional Court Decision Number 138/PUU-VII/2009, which defines the objective parameters of compelling emergency. The results indicate that a PERPPU is formally valid if it meets the procedures stipulated in Article 22 of the 1945 Constitution and obtains DPR approval. However, substantively, the practice of interpreting the phrase "compelling urgency" still leaves room for subjectivity, potentially expanding executive authority in the legislative sphere. This asymmetry of power arises because the PERPPU is effective from its promulgation before the House of Representatives (DPR) approves it, thus ensuring ex post legislative control. This study proposes a reconstruction of the parameters of compelling urgency by emphasizing restrictive interpretations, objective proof of legal vacuum and time constraints, and strengthening substantive evaluation by the DPR. Thus, the constitutionality of the PERPPU can be maintained without sacrificing the principles of the rule of law and the balance of power within Indonesia's constitutional democratic system.

Keywords: *Constitutionality of PERPPU, Compelling Urgency, Checks and Balances, Limitation of Power*

INTRODUCTION

Indonesia constitutionally affirms itself as a state based on law. This affirmation is explicitly stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which states that "Indonesia is a state based on law." (State, 2001) The consequences of this formulation are not merely declarative, but also contain normative meaning that all actions of state administrators must be subject to the law, limited by the law, and subject to legal review. Within the framework of such a state based on the rule of law, the division and limitation of power are fundamental principles to prevent excessive concentration of authority in one branch of government. (State, 2001)

In the Indonesian constitutional system after the amendment to the 1945 Constitution, the principle of checks and balances was designed to create a balance between executive, legislative, and judicial powers. The President as the holder of government power according to Article 4 paragraph (1) of the 1945 Constitution carries out executive functions, while the legislative function is

constitutionally carried out jointly by the People's Representative Council and the President as stated in Article 20 paragraph (2) of the 1945 Constitution which states that every draft law is discussed by the DPR and the President to obtain joint approval.(Nabela, Soetoprawiro, & Susilowati, 2025)Thus, the formation of norms at the level of laws is in principle the result of collective work between the executive and legislative branches.

However, in the dynamics of state administration, there is one instrument that gives the President extraordinary authority to establish norms that have the same status as laws without going through the normal legislative process in the DPR, namely the Government Regulation in Lieu of Law or PERPPU. The provisions regarding PERPPU are regulated in Article 22 of the 1945 Constitution which states: (1) In the event of a compelling emergency, the President has the right to establish a Government Regulation in lieu of law; (2) The Government Regulation must receive approval from the House of Representatives in the following session; (3) If it does not receive approval, the Government Regulation must be revoked.(Shaputra, 2025)

The formulation of Article 22 demonstrates two dimensions simultaneously. On the one hand, it recognizes the President's discretion to act swiftly in certain situations categorized as "compelling emergencies." On the other hand, it provides for oversight by the House of Representatives (DPR) through approval at the next session. In its theoretical construction, this norm reflects a compromise between the need for a swift response in extraordinary circumstances and the need to maintain the principle of checks and balances in a democratic state governed by the rule of law.(Ansori, 2024)

Problems began to emerge when the phrase "urgent necessity" was not explicitly defined in the 1945 Constitution. This conceptual gap opened up wide, even subjective, interpretations. The President, as the party constitutionally authorized to issue a Government Regulation in Lieu of Law (PERPPU), was also the first to assess whether a situation met the criteria for urgent necessity. In practice, this assessment was often contested because it was not always based on objectively measurable parameters.

From the perspective of the rule of law theory, this condition raises constitutional problems. First, there is the potential for a shift in the legislative function from the DPR to the President. Although Article 22 paragraph (2) provides for oversight by the DPR, the fact is that the PERPPU has been in effect and has binding legal force since its promulgation, before obtaining DPR approval. This is in accordance with the general principle stipulated in Article 87 of Law Number 12 of 2011 concerning the Formation of Legislation, which states that legislation comes into effect and has

binding legal force on the date of its promulgation, unless otherwise specified.(Lestari, Komala, Hidayat, & Suhardi, 2025)

Thus, in the time between the enactment of the PERPPU and its approval or rejection by the House of Representatives (DPR), the President effectively holds unilateral legislative authority. In this context, the tension between executive and legislative authority becomes apparent. If the DPR ultimately approves the PERPPU, the norm initially established unilaterally by the President gains political legitimacy. However, if the DPR rejects it, further issues arise regarding the legal consequences of the existing norm, which may have legal consequences for the public. Second, the constitutionality of the PERPPU also relates to the principle of limiting power. Modern constitutional states place limitations on power as a primary requirement to prevent the emergence of arbitrary government. Within this framework, extraordinary powers such as the issuance of a PERPPU must be interpreted restrictively. This means that their use must be strictly limited to circumstances that cannot be addressed through ordinary legislative procedures.

The Constitutional Court, through Decision Number 138/PUU-VII/2009, attempted to provide objective parameters regarding the meaning of compelling urgency. In the decision, the Court formulated three conditions: an urgent need to resolve the legal problem quickly, a legal vacuum or inadequacy of existing laws, and the impossibility of enacting laws through regular procedures because they require a long time, while urgent circumstances require immediate certainty. However, this formulation remains open to interpretation because the assessment of the fulfillment of these three conditions remains within the realm of political discretion.

Constitutional tensions are increasingly felt when the PERPPU is used to regulate very broad and complex matters, even touching on fundamental aspects of social, economic, and political life. In such situations, a fundamental question arises: is it true that there are no ordinary legislative mechanisms that can be used? Or is the PERPPU chosen because it provides political efficiency for the government? In the Indonesian legal system, which adheres to the principles of constitutional democracy, the legitimacy of norms is determined not only by formal conformity with constitutional procedures, but also by substantial conformity with the principles of limiting power and public participation through their representatives in the House of Representatives (DPR). If the PERPPU is repeatedly used in situations that do not fully meet the criteria of an emergency, a gradual normalization of what should be an extraordinary mechanism will occur. This has the potential to shift the balance of power toward executive dominance.(Ritonga, 2015)

From a checks and balances perspective, ideally, the DPR should not only act as a formal approving authority but also conduct a substantive evaluation of the President's stated reasons for urgency. However, in political practice, the relationship between the President and the DPR is not always completely independent. The political configuration of parliament often influences the DPR's stance on proposed PERPPU (Regulation in Lieu of Law) proposals. If the majority of DPR members are from parties supporting the government, the oversight function can be weakened. This issue is the central focus of this research: how the constitutionality of PERPPU is assessed within the Indonesian legal system when tensions arise between executive and legislative authority. Is the DPR's approval mechanism effective enough as a counterweight to the President's power? Or does the current constitutional design actually open up opportunities for the expansion of executive authority in the legislative sphere?

Furthermore, this research views the PERPPU issue as not merely a procedural issue, but rather a matter of institutional design and constitutional culture. In a healthy state governed by the rule of law, the use of emergency powers must always be understood as an exception, not a custom. Therefore, it is important to reassess whether the practice of issuing PERPPUs remains within the constitutional framework or has exceeded the limits justified by the theory of the division of powers. From an academic perspective, the study of PERPPUs is also relevant for enriching the discourse on the relationship between law and power. While law serves as an instrument for limiting power, it can also become an instrument for legitimizing power if not critically monitored. As a statutory norm born from the President's sole authority, the PERPPU serves as a concrete example of how law and power are intertwined. (Tanjung, Syahnan, & Syahputra, 2024)

Thus, the background of this research stems from academic concerns about the potential distortion of the principle of checks and balances in the practice of issuing PERPPUs. Although the constitution provides for an oversight mechanism by the House of Representatives (DPR), the effectiveness of this mechanism needs to be tested normatively and empirically. Without strong oversight, PERPPUs have the potential to become an alternative legislative pathway that weakens the DPR's deliberative function as a representative of the people. Ultimately, the question of the constitutionality of PERPPUs concerns not only formal legality under Article 22 of the 1945 Constitution, but also democratic legitimacy and consistency with the principle of limiting power. When extraordinary powers become a recurring practice, the fundamental question that must be answered is whether the Indonesian legal system is still capable of maintaining a balance between the need for a rapid response and the protection of constitutional democracy. This is where the urgency of

this research lies: to critically examine the problem of the constitutionality of PERPPUs in the Indonesian legal system and place it within the perspective of the tension of authority between the executive and legislative branches within the framework of checks and balances.

LITERATURE REVIEW

From a checks and balances perspective, the role of the House of Representatives (DPR) in approving or rejecting a Perppu is under constant critical scrutiny (Sari, 2020). Constitutionally, a Perppu must be submitted to the DPR during its next session for ratification or repeal. However, various studies point out that political oversight by the legislature is frequently compromised by strong pro-government coalitions within parliament. This political dynamic fuels concerns over "executive legislation," where the Perppu risks being utilized not as a tool for genuine crisis management, but as a political shortcut to bypass the lengthy, rigorous deliberation and compromise required in standard lawmaking.

In addition to legislative oversight, Indonesian legal literature charts a significant evolution regarding judicial review of Perus by the Constitutional Court (MK). Initially, a doctrinal debate persisted over whether the Court had the jurisdiction to review a Perppu, given that the Constitution explicitly limits its mandate to reviewing formal laws (*Undang-Undang*) (Fauzi, 2021). This ambiguity was resolved by Decision No. 138/PUU-VII/2009, in which the Court asserted its competence on the grounds that a Perppu creates immediate legal consequences equivalent to a law. Legal analysts view this judicial expansion as a vital triumph for the principle of checks and balances, offering an objective, impartial legal remedy to curb potential executive abuse of power when parliament remains passive.

legal scholarship consensus indicates that the constitutional problem of the Perppu in Indonesia stems from the ongoing quest to balance government efficacy during crises with the preservation of constitutional democracy. Liberal and unchecked invocation of this executive power threatens to undermine parliamentary supremacy and weaken the rule of law. Consequently, the literature strongly advocates for a more synchronized integration of the DPR's political oversight and the Constitutional Court's judicial scrutiny. This dual-layered accountability is deemed essential to ensure that the executive's emergency powers remain strictly within constitutional bounds rather than serving as a vehicle for disguised authoritarianism (Kurniawan, 2021).

METODE

This research uses a normative legal research method with a statutory approach and a conceptual approach.(Indra Utama Tanjung, 2024)The legislative approach is carried out by examining the provisions of Article 1 paragraph (3), Article 4 paragraph (1), Article 20, and Article 22 of the 1945 Constitution of the Republic of Indonesia, as well as Law Number 12 of 2011 concerning the Formation of Legislation and its amendments, and relevant Constitutional Court decisions, especially Decision Number 138/PUU-VII/2009, in order to examine the constitutional parameters of the PERPPU. The conceptual approach is used to analyze the principles of the rule of law, limitations of power, and checks and balances in modern constitutional theory. The legal materials used consist of primary, secondary, and tertiary legal materials which are analyzed qualitatively through systematic and argumentative interpretation techniques to assess whether the practice of issuing PERPPU is in accordance with the principle of division of power and balance of authority between the executive and legislative in the Indonesian legal system(Rofiah & Rofiah, 2016).

RESULTS AND DISCUSSION

Results

The Constitutionality of the PERPPU in the Indonesian Legal System and the Tension between Executive and Legislative Authority

The constitutionality of Government Regulations in Lieu of Laws or PERPPU must be placed within the framework of a state of law as affirmed in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which states that Indonesia is a state of law. The consequence of this principle is that every action of state administrators must comply with the constitution and be limited by applicable legal norms. In a modern state of law, limiting power is a primary prerequisite to prevent the concentration of authority in one branch of power that could potentially give rise to abuse of authority.

The Indonesian constitutional system after the amendment to the 1945 Constitution was designed with a functional and balancing model of division of power. The President holds governmental power according to Article 4 paragraph (1) of the 1945 Constitution, while the power to form laws is exercised by the People's Representative Council together with the President as regulated in Article 20 paragraph (2) of the 1945 Constitution. This provision emphasizes that the legislative process is in principle the result of joint work between the executive and legislative branches. Thus, the formation of norms at the level of laws may not be carried out unilaterally.

However, the constitution also provides exceptions to the normal legislative procedures through the PERPPU mechanism.(Barkhoya, 2023)Article 22 paragraph (1) of the 1945 Constitution states that

in cases of urgent necessity, the President has the right to issue a Government Regulation in lieu of a law. Furthermore, Article 22 paragraph (2) stipulates that the PERPPU must receive approval from the DPR in the next session, and Article 22 paragraph (3) emphasizes that if approval is not received, the PERPPU must be revoked.

This formulation demonstrates the dual function of the PERPPU mechanism. On the one hand, the President is given the authority to act swiftly without going through regular legislative procedures. On the other hand, the House of Representatives (DPR) retains its oversight role through an approval mechanism. Theoretically, this design is intended to balance the need for a rapid response in certain circumstances with the principle of checks and balances.(Barkhoya, 2023)

Constitutional issues arise because the phrase "compelling urgency" is not explicitly defined in the 1945 Constitution. This ambiguity leaves room for wide interpretation. The President, as the party issuing the PERPPU, is also the first to assess whether a situation meets the elements of compelling urgency. In practice, this assessment is often contested because it is not always based on objective and measurable criteria.(Ansori, 2024)The Constitutional Court, through Decision No. 138/PUU-VII/2009, attempted to provide constitutional parameters for the meaning of compelling urgency. The Court formulated three conditions: an urgent need to resolve the legal issue expeditiously, a legal vacuum or inadequacy of the applicable law, and the impossibility of resolving it through regular legislative procedures due to the lengthy time required. This decision is significant because it shifts the understanding of urgency from a subjective realm to a more objective and testable one.

However, in constitutional practice, the application of these parameters remains within the President's political discretion. There is no ex ante review mechanism before the PERPPU is enacted. From its enactment, the PERPPU has binding legal force, like other laws and regulations. This aligns with the general principle in the formation of laws and regulations that norms take effect from the moment of their enactment, unless otherwise specified.(Alfaenawan, 2024)This situation creates tension within the framework of checks and balances. In the period between enactment and DPR approval, the President effectively exercises legislative power unilaterally. The DPR does have the authority to approve or reject a law, but this authority is ex post. This means that legislative control is exercised after the norm has been enacted and may have already had legal consequences for the public.

If the House of Representatives (DPR) approves the PERPPU, the norm gains political legitimacy and becomes law. However, if the DPR rejects it, issues arise regarding the legal consequences that have occurred during the PERPPU's validity. In some cases, the implemented norms have resulted in administrative, civil, and even criminal consequences that are not easily remedied.

This situation demonstrates the risk of legal uncertainty inherent in the constitutional design of the PERPPU.(AZIZ, n.d.)From the perspective of the theory of power limitations, emergency powers should be interpreted restrictively. The use of a PERPPU should be strictly a last resort when normal legislative mechanisms are not feasible. If a PERPPU is used in situations where normal procedures could still be pursued, it has the potential to shift the balance of power toward executive dominance.

The tension between the executive and legislative branches of government is increasingly apparent in the context of the political configuration of parliament. In a multi-party presidential system, the president often builds a majority coalition in the House of Representatives (DPR). If the majority of DPR members are from parties supporting the government, the likelihood of rejection of a PERPPU (Perppu in Lieu of Law) is slim. Under such circumstances, the DPR's approval mechanism has the potential to become a mere political formality, rather than a forum for substantive evaluation of the stated urgency.

A normative analysis of the practice of issuing Government Regulations in Lieu of Law (PERPPU) in recent years reveals that the rationale for urgency is not always related to a direct threat to national security in the classic sense, such as war or a major disaster. In some cases, urgency is linked to the need for economic stabilization, accelerated investment, or adjustments to national strategic policies. This broadening of meaning indicates a shift from the concept of objective emergency to the concept of policy-based urgency.(Aritonang, 2024)

This constitutional expansion does not automatically violate Article 22 of the 1945 Constitution, but it raises questions about the limits of the President's legitimate discretion. If every need to accelerate policy can be qualified as a compelling emergency, then the normal legislative mechanism may be reduced. In the long term, this could weaken the deliberative function of the DPR as a representative of the people in the norm-formation process. From a formal constitutional perspective, a PERPPU is considered valid if it meets the procedures stipulated in Article 22 of the 1945 Constitution and obtains DPR approval. However, substantive constitutionality demands more than mere procedural compliance. It requires compliance with the principles of limiting power, protecting citizens' constitutional rights, and balancing the branches of government. Therefore, an evaluation of a PERPPU cannot simply focus on formal aspects but must include an analysis of the rationality and proportionality of the urgency.

The results of this study indicate that the constitutionality of the PERPPU (Perppu) in Indonesia lies in two main aspects. First, the broad interpretation of the phrase "compelling urgency," which potentially opens up room for subjectivity. Second, the asymmetry of power in the initial phase of

norm formation, as the PERPPU takes effect before the approval of the House of Representatives (DPR). These two aspects collectively create structural tension between executive and legislative authority.

Although the DPR's approval mechanism serves as a form of constitutional oversight, its effectiveness depends heavily on the political independence and quality of parliamentary deliberation. Without strong oversight and substantive evaluation, the PERPPU could become an instrument for expanding executive authority in the legislative sphere. This situation contradicts the spirit of the amendments to the 1945 Constitution, which were intended to strengthen the balance of power. Therefore, this discussion demonstrates that the constitutionality of the PERPPU within the Indonesian legal system is complex. Normatively, it is a legitimate instrument recognized by the constitution. However, in practice, its use must be strictly monitored to prevent it from exceeding the limits justified by the framework of checks and balances. The tension in authority between the executive and legislative branches is not simply a matter of procedure, but rather a matter of institutional design and constitutional culture that determine the future direction of the Indonesian rule of law.

Discussion

Reconstruction of the Parameters of Coercive Urgency in the Perspective of Checks and Balances: The Culmination of Research Findings

The discussion in the previous section shows that the constitutionality of the PERPPU lies not only in the text of Article 22 of the 1945 Constitution of the Republic of Indonesia, but also in the practice of its interpretation and implementation. The tension in authority between the President and the House of Representatives (DPR) in the context of the PERPPU reveals gaps in the constitutional oversight mechanism. Therefore, this section culminates in this research by offering a reconstruction of the parameters of "compelling urgency" to better align with the principles of limiting power and balancing authority between the executive and legislative branches. (Supandi, 2020)

Article 22 paragraph (1) of the 1945 Constitution expressly states that in cases of compelling emergency, the President has the right to issue a Government Regulation in lieu of a law. This norm must be systematically read together with Article 1 paragraph (3) of the 1945 Constitution concerning the rule of law and Article 20 of the 1945 Constitution concerning the legislative function of the DPR. This means that the President's authority to issue a PERPPU is an exception to the normal legislative mechanism, not an alternative authority equivalent to the formation of laws through normal procedures.

The Constitutional Court through Decision Number 138/PUU-VII/2009 has provided three objective parameters, namely the existence of an urgent need to resolve legal issues quickly, the existence of a legal vacuum or inadequacy of applicable norms, and the impossibility of resolution through the procedure of forming ordinary laws due to time constraints.(Elvany, 2017)These parameters represent an important step in limiting the President's subjectivity. However, this study found that in practice, these three parameters have not been strictly and consistently applied. The research findings indicate that the definition of "urgent need" is often expanded to include the need to accelerate strategic policies, stabilize the economy, or respond to global dynamics. While these reasons are relevant in the context of public policy, not all meet the criteria for a constitutional emergency. Urgency from a policy perspective is not always synonymous with urgency from a constitutional perspective.(Asshiddiqie, Revisi, & RI, 2006)

Furthermore, in practice, the element of "legal vacuum" is often interpreted as inadequate regulations or the need for normative refinement. However, a legal vacuum, in the constitutional sense, should be understood as the complete absence of norms that cannot be used to resolve the problem at hand. If norms are still available, even if they are not ideal, then the regular legislative route should remain the primary option.

From a supervisory perspective, this study found that the DPR's approval mechanism, as stipulated in Article 22 paragraphs (2) and (3) of the 1945 Constitution, is ex post. The PERPPU is already in effect and binding before the DPR declares its approval or rejection. This creates an asymmetry of power in the initial phase of norm formation. In certain situations, legislative control becomes less effective, especially when the political configuration in the DPR supports the government. Based on these findings, a reconstruction of the parameters of compelling urgency is needed to be more measurable, objective, and in line with the principle of checks and balances. This reconstruction does not change the norms of Article 22 of the 1945 Constitution, but emphasizes stricter standards of interpretation based on the principle of the rule of law.

Reconstruction Table of Forced Emergency Parameters

Parameter	Current Formulation (MK 138/PUU-VII/2009)	Practical Problems	Proposed Reconstruction
Urgent Needs	There is an urgent need to resolve legal issues quickly	Broadly interpreted to include policy acceleration	Must be limited to actual and concrete threats to constitutional stability or public safety.

Legal Vacuum	There are no laws or they are inadequate	Interpreted as regulatory imperfection	It must be proven that the absence of a norm is completely unusable.
Time Limitation	It is not possible to form laws through normal procedures.	Not always tested rationally	The government is obliged to prove the urgency of time with objective and measurable arguments.
DPR supervision	Approval or rejection in the next hearing	Tends to be formal and political	The DPR is obliged to carry out substantive evaluations based on objective parameters, not just political approval.
Legal Consequences	Effective from the date of promulgation	Creates uncertainty if rejected	There is a need for affirmation of transitional arrangements to protect legal certainty.

The reconstruction above demonstrates that compelling urgency must be understood restrictively and proportionally. The use of a PERPPU should not be based solely on policy preferences or considerations of political efficiency. It must be based on a real threat that cannot be postponed and cannot be addressed through conventional legislative mechanisms. From a checks and balances perspective, (Salman, 2017) This reconstruction confirms two important points. First, the President retains emergency powers, but these powers must be limited by objective, testable standards. Second, the DPR must exercise its oversight function substantively, not merely as a political formality. (Siolimbona, Alfons, & Salmon, 2022) The DPR's approval should be based on a rational assessment of whether all parameters of urgency are met.

As a culmination of research findings, it can be emphasized that the constitutionality of the PERPPU in Indonesia is not merely a matter of norms, but also of implementation and constitutional culture. As long as the parameters of compelling emergencies are not strictly defined, the potential for expanding executive authority will continue to emerge and tensions with the legislature will recur. This reconstruction aims to maintain the balance of power as desired by the amendments to the 1945 Constitution. The PERPPU must remain an extraordinary instrument in extraordinary circumstances. It must not become an alternative legislative pathway that weakens the deliberative function of the House of Representatives (DPR). By affirming objective parameters, strengthening legislative oversight, and

limiting rational interpretation, the constitutionality of the PERPPU can be maintained without sacrificing the principles of the rule of law and constitutional democracy.

CONCLUSION

Based on the discussion, it can be concluded that the constitutionality of the PERPPU in the Indonesian legal system lies in the structural tension between the President's emergency powers as stipulated in Article 22 of the 1945 Constitution and the principle of separation of powers within the framework of checks and balances. Formally, the PERPPU is valid as long as it follows constitutional procedures and obtains the approval of the House of Representatives (DPR). However, substantively, the practice of interpreting the phrase "compelling urgency" still leaves room for subjectivity that has the potential to expand executive authority in the legislative field. When the parameters of urgency are interpreted broadly without strict objective standards, the DPR's legislative function can be reduced and the balance of power becomes suboptimal.

Therefore, strengthening the constitutionality of the PERPPU must be directed at affirming the parameters of compelling urgency in a restrictive, rational, and measurable manner, accompanied by substantive oversight by the House of Representatives (DPR). The PERPPU must remain positioned as an extraordinary instrument in extraordinary circumstances, not as an alternative mechanism to ordinary legislation. This way, the balance of authority between the President and the DPR can be maintained, and the principle of the rule of law, as affirmed in the 1945 Constitution, remains the primary foundation of Indonesian constitutional practice.

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