



# *Strengthening Executive Preview as a Mechanism to Simplify Regional Regulation of Regency/ Municipality In The Political of Law Dimension*

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**Abstract—** Obesity regulation at the municipal or regency level impedes investment and commercial ventures. The National Medium-Term Development Planning 2020–2024 has devised a strategy for simplification regulation. This essay examines the factors that contribute to obesity and how to combat them in terms of political of law that are related to the legislative process. Using doctrinal methodology to conduct library research. It was discovered that the regency/municipality's obesity regulations marked the beginning of the era reforms that created various regulations to validate the authority in the maintenance government region, moving from centralized regime to decentralized one with broad autonomy. Strengthening the executive preview mechanism used in the stages of the process for producing regional regulations. Strengthening with firmness and synergy institution executor executive preview in giving outcomes recommendations. These outcomes stem from the maturation formation program planning regional regulation through analysis necessary for regional regulation, recommendations for regional regulation bills that cannot be promulgated further due to material contradictions, and/or recommendations for postponing the process to use simplifying techniques with similar regional regulation bills. This strengthening for quantity control and raise quality regional regulation to achieve objective simplified regulations.

**Keywords—** Executive Preview; Political of Law; Regional Regulation; Simplification Regulation.

## I. INTRODUCTION

Regulatory obesity or excessive quantity of legal products remains one of the issues in structuring of statutory regulations in Indonesia. The type of legal product that the author highlights is regency/municipality regional regulations. Based on integrated data from the National Network for Legal Documentation and Information (JDIHN)[1], as of May 2024, the total data recorded for regional regulations is 58,155 from 514 regencies and municipalities throughout Indonesia.[2]

Central and regional legal products are integrated into the National Regulatory System which applies certain rules to maintain the existence of the system itself. One of these rules is known as the norm level principle which gives rise to the consequence that regulations or legal products at a lower level must not conflict with legal products at a higher level. Failure to maintain the national regulatory system causes a consequence on decreasing the quality of legal products and uncontrolled quantity of legal products which has derivative impacts, namely the effectiveness and efficiency of the legal products themselves.[3] Excessive amounts of ineffective legal products will hurt the existence of the rule of law. In conditions like this, people can distance themselves from the law, and the level of people's trust and dependence on the law will also decrease. The legal and governance system in Indonesia places legislation as an important instrument in running the state system and society.[4] Apart from that, other influences from the large number of legal products published will cause disharmony, overlap, conflict between regulations or legal products, multiple interpretations, non-compliance with principles, unnecessary burdens, and high costs.[5]

President Joko Widodo has complained about this negative impact, in March 2018, in a government working meeting[6] attended by Regents and Mayors throughout Indonesia, the President mentioned that there were still a

large number of legal products, most of which came from regional governments. This has a negative impact, namely hampering investment and the business climate in Indonesia which will affect global competition.

In 2020, a national mid-term development plan for 2020-2024 was prepared in Presidential Regulation Number 18 of 2020 which stipulates one of the strategic directions for implementing the Nawacita mission, namely by simplifying all forms of regulations through an omnibus law approach. The issuance of Law No 15 of 2019 as the first amendments concerning the Formation of Legislative Regulations has given rise to efforts to control the formation of regional legislation which are conducted by withdrawing the authority to harmonize regency/municipality regional legal products which is often carried out by the legal section of the secretariat. The regency/municipality area becomes the central authority, namely, the organization that conducts government affairs in the role of formulating laws and regulations, in this case, Regional Office of Ministry of Law and Human Rights. This is further strengthened by the obligation of harmonization for regional regulations initiated by the regency/municipality The Regional House of Representatives which was previously harmonized by The Regional House of Representative's apparatus under the authority of Regional Office of Ministry of Law and Human Rights as mandated in Law No 13 of 2022 concerning Amendments Second, Law No 12 of 2011. In addition, according to the Minister of Home Affairs Regulation No 80 of 2015 in conjunction with No 120 of 2018, facilitation and/or evaluation takes place within the context of supervision and control of regional legislation by the provincial secretariat legal bureau as an extension of Ministry of Home Affairs (central). This harmonization, facilitation and/or evaluation mechanism is usually called a *priore preview mechanism*[7] because it is carried out by the executive, it is called an *executive preview*.

The policy direction for simplifying or simplifying legal products in the regions has not yet achieved the targeted achievements. Judging from the graph of regional legal products through JDIHN, in the 4 (four) year period from 2020-2024 it produces almost the same quantity of products every year. Apart from that, if you search the JDIH website for districts/cities in Indonesia at random, you can find several titles and content of regional regulations that are still related, for example, related to child protection and child-friendly cities, published in 2 (two) regional regulations which should be able to be used as one product. remembering that the group is still the same, namely related to children. Examples of regions that issue these regional regulations are Surakarta Municipality[8], Semarang Municipality [9], Serang Regency[10], Bantul Regency[11], and Madiun Regency.[12]

According this description, the author is keen on discussing what factors influence obesity in regency/municipality regional regulations and how to overcome them in the political-legal dimension. From a legal and political perspective, as a democratic country, law is a product of interest contestation through political institutions that help citizens in an equal position in government. Democracy as a framework for public leadership is an ideal, and not a reality, so legal development, even law enforcement, always faces dilemmas. Reality shows that power distorts a person's views which in turn influences a person's leadership behavior. Parties having an interest in legislation have tried to influence the perspective of ideal leadership, which turns their power into a corrupt one so that potential law becomes a commodity from its formation to its enforcement.[13] According to Prof. Mahfud MD, Legal politics derives from the fundamental notion that law is a political product, viewing law as a formalization or crystallization of interacting and conflicting political wills.[14] The political dimension of law involves the process of forming and carrying out law, which might reveal the nature and direction in which the law will be created and enforced. Through a political-legal approach, the author tries to examine the problem of obesity in regency/municipality regional regulations and look for appropriate mechanisms to overcome it.[14]

## II. LITERATURE REVIEW

### A. *Executive Preview*

In terms of a unitary state, the authority of the central government to control regional government units is the authority to supervise the running of regional government in regulation. The object that is supervised or controlled by the central government is control over the establishment of legal norms for governments under it or what is known as the general norm control mechanism. This is also called the abstract review system which is carried out by the executive, legislative or judicial institutions. There are three types of abstract reviews when viewed from the subject who carries them out, the first is an executive review carried out by an executive agency, for example, testing regency/municipality regulations by the provincial government; the second is a legislative review carried out by the Regional House Representatives and the Regional Government which determines the regional regulations themselves by making changes; and third is a judicial review carried out by the court.[15]

Another mechanism for controlling norms can also be carried out using an abstract preview procedure, which is done out before legal norms become binding for the public.[16] This mechanism is aimed at legal norms that have not been promulgated or not yet promulgated and are binding for the public (general and abstract norms). If the abstract preview is carried out by an executive or government agency or organ, the mechanism is usually called "*executive abstract preview*" or abbreviated to "*executive preview*".[17]

The executive preview mechanism in the context of monitoring regency/municipality regional regulations includes a harmonization mechanism by Regional Office of Ministry of Law and Human Rights and facilitation and/or evaluation by the legal bureau of the provincial regional secretariat. The preview mechanism is a-priori, that is, it has a preventive element whose main aim is to prevent or avoid errors.[7]

### *B. Politics of law*

According to Prof. Mahfud MD, legal politics departs from the basic assumption that law is a political product which views law as a formalization or crystallization of interacting and competing political wills.[14] The political dimension of law involves the process of forming and carrying out law, which might reveal the nature and direction in which the law will be created and enforced.[14] Legal politics can be related to the "blueprint" of the envisioned policies/regulations, notably containing the foundation of Pancasila as the basis of the state and the state's goals. Legal politics is also linked to the tug-of-war between political interests, which means a struggle at the drafting level regarding political interests.[18]

Satjipto Rahardjo defines legal politics as the activity of selecting the methods that will be used to attain specific social and legal goals in society. Several important questions emerge from the study of legal politics. First, consider the aims that can be achieved with the current legal system. Second, what strategy and which one feels best to apply to reach that goal. Third, when and how should the law be changed? Fourth, can a standard and established pattern be formed to aid decide the process of selecting goals and how to achieve them.[19]

## III. METHOD

The research method used is normative or doctrinal legal research which examines primary legal materials sourced from literature.[20] The statutory method was applied in this research, with the conceptual approach being the major approach. Apart from that, to complement and support this research, a historical approach were also used.

## IV. RESULT AND DISCUSSION

### *A. Policy Factors that Influence Obesity Regency/Municipality Regional Regulations Conclusion*

Obesity in regency/municipality regional regulations does not appear suddenly but is an accumulation of regulations over a certain period. Symptoms of obesity began to appear with the implementation of broad autonomy. The birth of the reform era initiated the dynamics of regencies/municipalities to produce regulations. This dynamic aligns with the path of policy or legal politics, the pattern of implementing broad autonomy and the principle of decentralization in districts/cities, which is marked by changes in regulations regarding regional government. The factors that influence obesity in regency/municipality regional regulations will be chronologically divided into 2 (two) phases, namely as follows:

#### *1) Regency/Municipality Regional Regulations in the Early Era of Reform*

In the early era of reform, Law No22 of 1999 concerning Regional Government was born. The broad autonomy that is accompanied by the division of central and provincial authority causes the Regency/Municipality Government to need to determine authority that can be exercised even if there is no order from higher statutory regulations. The transitional condition of changing the political line from centralization to decentralization creates "failure" in the administration of regional government. The Regency/Municipality Government does not know the authority that must be exercised in the era of broad autonomy if a Regional Regulation is not made that will regulate matters that fall under regional authority to provide clarity for the institutions or regional apparatus that will be formed to manage these affairs. Regency/Municipality Governments are increasingly aggressive in making regional regulations regarding their authority.[21] Ni'matul Huda called this condition a "booming" in regional regulations.[22]

Many of the regional regulations that were formed in the early reform era were divided into 3 (three) types of content. The first thing that is often formed is regional regulations relating to institutions so that they can accommodate the interests of elites in the regions without paying attention to the parameters of the real need for the establishment of an institution. Second, licensing is the entry point for determining various levies due to the assumption that the costs must be borne by the region in the process of issuing a permit, so the burden of these costs is ultimately borne by the person applying for the permit. The third is related to levies such as taxes and levies to increase local original income but does not pay attention to the cost and benefit aspects for the communities affected by these regulations.[21]

#### *2) Regency/Municipality Regional Regulations in the Implementation Era of Law No 32 of 2004 and Law No 23 of 2014*

In this era, there was a transition in the administration of regional government based on Law No 22/1999 to Law No 32/2004 to Law No 23/2014. Every time there is a change to the regional government law, the regency/municipality-level legal product will automatically undergo various changes to adapt to the regulations above it.[21]

If at the beginning of the implementation of broad autonomy (the initial era of reform), regions competed to create regional regulations containing levies, then when Law No 32/2004 was implemented, this condition continued because the regions still wanted to exhaust all opportunities for forming regional regulations related to efforts to increase original income area.[21] This pattern continues even though the Regional Government Law has been changed several times, the desire to exhaust all opportunities for forming Regional Regulations is still used without considering the latest policy direction, namely simplification of regulations.

#### *B. Executive Preview as a Preventive Supervision Mechanism for the Formation of Regency/Municipality Regional Regulations*

The executive preview mechanism for the formation of regency/municipality regulations conducts at various stages, namely as follows:

##### *1) Planning*

The Ministry of Home Affairs as the institution that oversees regional government through the Directorate General of Regional Autonomy has prepared a mechanism for analysis of regional regulatory needs by issuing Ministry of Home Affairs Letter No 188.34/6458/OTDA dated 26 November 2019 regarding Technical Instructions for Analysis of Regional Regulatory Needs. Analysis of regional regulatory needs is a tool for fostering the formation of regional regulations to produce quality legal products[23] and follow up on policy directions to simplify regulations. Analysis of regional regulatory needs is carried out by (1) determining the priority of institutional/community needs regarding regional regulations, (2) comparing the realization of the program to formulate regional regulations with the regional regulations stipulated each year, and (3) calculating the budget for drafting regional regulations proportionally. [24] The regency/municipality analysis of regional regulatory needs is considered by the legal bureau of the provincial regional secretariat as an extension of the Ministry of Home Affairs.

##### *2) Preparation*

At this stage, a process for harmonizing, rounding out, and strengthening the concept of proposed regional regulations or what is called a harmonization mechanism can be conducted by Regional Office of Ministry of Law and Human Rights for regency/municipality regulations. Based on Regulation of Ministry of Law and Human Rights No 22 of 2018 concerning Harmonization of Draft Legislative Regulations Formed in Regions by Drafter of Legislative Regulation, the definition of harmonization or harmonisation of draft legislative regulations is the process of harmonizing the substance of draft legislation and the techniques for drafting statutory regulations so that they become statutory regulations that constitute a unified whole within the framework of the national legal system. When exactly the harmonization mechanism is carried out is not yet clear which stage it falls into, but in practice in the regions, it is carried out at the preparation and discussion stage because the harmonization mechanism is included in the category of preparation for the formation of legislation.[25] Meanwhile, according to the harmonization guidelines in the Decree of the Minister of Law and Human Rights Number M.HH-01.PP.02.01 of 2023 concerning Guidelines for Harmonizing, Rounding Up and Consolidating the Concept of Draft Regional Regulations and Draft Regional Head Regulations, harmonization mechanisms should be implemented at every stage of the formation of statutory regulations-promulgated.

The harmonization mechanism has been present in regency/municipality areas since the publication of the amendment law regarding the formation of statutory regulations. There are 2 (two) mandate phases for harmonization by Regional Office of Ministry of Law and Human Rights:

##### *a) Regime of Law No 15 of 2019 concerning Amendments to Law No 12 of 2011*

The authority to implement harmonization, which was previously held by law bureaus and could include vertical agencies from ministries that carry out government affairs in the field of law, has changed to ministries or institutions carrying out government affairs in the field of forming laws and regulations. In this Law 15/2019 regime, the existence of vertical institutions or ministries is strengthened, which previously was optional becomes definitive and even the existence of law firms is eliminated in this harmonization mechanism. This mechanism only applies to Regional Regulations initiated by the executive, while Regional Regulations initiated by the legislature/The Regional House Representatives are still being harmonized by the Regional House Representatives institution that specifically handles the topic of legislation.[25]

##### *b) Regime Law No 13 of 2022 concerning the Second Amendment to Law No 12 of 2011*

The mechanism for harmonization of regency/municipality regional regulations by the Regional Office of the Ministry of Law and Human Rights is increasingly strengthened in the regime of this law. Previously, harmonization was carried out for regency/municipality regulations initiated by the executive only, but now this is not excluded, which means that all regency/municipality regulations, whether initiated by the executive or legislative/The Regional House Representatives, need to go through this harmonization mechanism.[25]

##### *3) Discussion*

At the discussion stage, regency/municipality regional regulations will carry out an evaluation mechanism for types of regional regulations with certain content by the provincial secretariat legal bureau as an extension of the Ministry of Home Affairs (central) as well as other related institutions or ministries. In addition, for all regional

regulations that are not included as regional regulations that will be evaluated, facilitation will be conducted by the provincial secretariat legal bureau. Evaluation and facilitation is a form of supervision, guidance and control of regional legislation by the Ministry of Home Affairs or the legal bureau of the provincial regional secretariat as an extension of it.

The evaluation mechanism is regulated in the Regional Government Law which states that regional regulation bills regulates regional long-term development plans, regional med-term development plans, regional income and expenditure budgets, changes to regional income and expenditure budgets, accountability for implementing regional income and expenditure budgets, regional taxes, Regional levies and regional spatial planning must receive an evaluation from the governor before being determined. Meanwhile, the regional regulation bills facilitation mechanism is regulated in Minister of Home Affairs Regulation No. 80 of 2015 in conjunction with No. 120 of 2018.

Apart from the evaluation or facilitation mechanism by the provincial secretariat legal bureau or other vertical institutions, in this discussion stage, a harmonization mechanism can also be conducted by Regional Office of Ministry of Law and Human Rights. As explained in the drafting stage, the harmonization mechanism is between the drafting and discussion stages as part of the preparation for the formation of statutory regulations.

#### 4) *Issued and Promulgated*

This stage is known as requesting a register number by the regency/municipality to the governor before the draft regional regulation is stipulated and promulgated. Base on Regulation of Minister of Home Affairs Number 80 of 2015 concerning The Formation of Regional Legal Products, the definition of register number is the assignment of numbers in the context of supervision and administrative order to establish the number of draft regional regulations issued by the regional government before stipulation and promulgation. The legal bureau of the province regional secretariat or other names, after correcting the results of evaluation and facilitation, grants regency/municipality a register number regional regulatory bill. This register number is important in the process of forming regency/municipality regulations because if the register number is not given by the Governor to the regency/municipality government then the regional regulation bills cannot be promulgated in the regional gazette.

#### 5) *Dissemination*

At this stage, the a-priore executive preview mechanism is no longer known but has entered an a-posteroretical review.[7]

### C. *Strengthening the Executive Preview as a Mechanism to Simplify Regency/Municipality Regional Regulations*

In the political dimension of law, as stated by Mahfud MD, law is a political product. Political influence can be a determinant which leads to the assumption and concept that law is a political product which is based on *das sein* (reality) by conceptualizing law as law.[14] The relationship between law and politics, if law is seen as an influenced variable (dependent variable) while politics is placed as an influential variable (independent variable). Law, as an abstract regulator is the crystallization of interacting and contending political wills.[14] Regulations as legal products are essentially scenes of contestation so that the aspirations of all political forces can be accommodated in political decisions that become regulations. Therefore, the political dimension of law is also related to the process of forming laws and regulations at various stages. In the context of the formation of regional regulations, the contestation of interests between stakeholders can be reflected in several stages such as the planning stage which will produce a program for the program for formulating regional regulations, the preparation stage which will be related to the harmonization process with the Regional Office of Ministry of Law and Human Rights, the discussion stage up to the determination and promulgation which will be related to the evaluation and/or facilitation process with the legal bureau of the provincial regional secretariat and/or related vertical institutions, as well as the granting of register number by the Governor as an extension of the Minister of Home Affairs.

Satjipto Rahardjo's perspective on legal politics is also tied to the development of standard and established patterns as a tool that can help decide on the process of picking goals and successfully attaining those goals.[19] When related to context of the formation of regency/municipality regulations, the executive preview mechanism is a series of instruments to carry out control or supervision as well as controlling regional legal products to achieve policy direction in the field of structuring statutory regulations. One of the legal policy directions promoted in the national mid-term development plan is the simplification or simplification of regulations. This simplification is carried out from the types of regulations at the central level to the regency/municipality level.

The executive preview mechanism as a form of preventive oversight of the formation of regency/municipality regulations should be able to become an instrument in implementing simplification of regulations at the regency/municipality level. Launching from the official website of the Ministry of Home Affairs, it is stated that the Ministry of Home Affairs is trying to follow up on the President's mandate, namely so that regions do not need to make excessive regional regulations which lead to regulatory obesity. This effort was carried out by developing a analysis of regional regulatory needs.[23] Analysis of regional regulatory needs is a planning mechanism for the formation of Regional Regulations which includes the process of identifying needs and analyzing needs in the context of a program for forming Regional Regulations that are by regional authority,

needs, conditions and capabilities. Needs identification is the process of inventorying and selecting proposed themes and/or titles of regional regulation bills held internally by the Regency/municipality Government and The Regional House Representatives, while needs analysis is a process of coordinating (harmonizing) the results of identifying the needs of the Regency/Municipality Government and identifying the needs of The Regional House Representatives by taking into account the scale priority for the formation of regional regulations which are implemented jointly between the Regency/Municipality Government and The Regional House Representatives. Base on Ministry of Home Affairs Letter No 188.34/6458/OTDA regarding Technical Instructions for Analysis of Regional Regulatory Needs, analysis of regional regulatory needs is carried out by (1) determining the priority of institutional/community needs regarding regional regulations, (2) comparing the realization of the program for formulating regional regulations with regional regulations stipulated each year, and (3) calculating the budget for drafting regional regulations proportionally.

Analysis of regional regulatory needs is implemented at the planning stage for the formation of a Regional Regulation. This planning stage is very important, if it is successfully prepared well, it will facilitate the formation of regional regulations and the implementation of other components because the components in the program for formulating regional regulations are interrelated to issue good legal products.[21] However, in practice, this stage is often skipped, as conveyed by Makmur Marbun as Director General of Regional Autonomy at the Ministry of Home Affairs at the Identification and Mapping Priority Scale of Regional Regulation Needs meeting in Jakarta.[24]

The development conditions for the preparation of the program for formulating regional regulations at the planning stage for the formation of Regional Regulations often do not have a clear direction and are correlated with regional development needs and planning. The drafting process was not followed by a study of the urgency of the proposed regional regulation, especially attributional regional regulations. The implication is that it will create ambiguity in the purpose of establishing Regional Regulations, so it is not surprising that many of the contents of Regional Regulations do not correlate with objective conditions because what is produced is only a list of regional regulation bills titles, not a plan for the community's legal needs to realize the goal of regional autonomy.[21] Therefore, analysis of regional regulatory needs tries to answer problems in the planning process for the formation of regional regulations so that this mechanism needs to be strengthened and districts/cities must implement analysis of regional regulatory needs before the program for formulating regional regulations is stipulated. Apart from that, when the analysis of regional regulatory needs results are out, regency/municipality regional governments in determining the number of regional regulations to be formed should strictly follow the priority scale that has been given an assessment. The number of Regional Regulations does not merely take the maximum limit for the formation of Regional Regulations per year and uses analysis of regional regulatory needs only as a formal process for forming Regional Regulations, but also guides and follows up on the results of the analysis of regional regulatory needs in the context of planning the number of Regional Regulations to be formed. This is to achieve the policy direction of regulatory simplification.

Another mechanism for executive preview in the context of simplifying regulations is at the preparation and discussion stage through a harmonization mechanism by Regional Office of Ministry of Law and Human Rights and evaluation/facilitation by the legal bureau of the provincial regional secretariat. Base on The Decree of The Minister of Law and Human Rigts No M.HH-01.PP.02.01 OF 2023 concerning Guidelines for Harmonizing, Rounding and Consolidating the Concept of Draft Regional Regulations and Draft Reional Head Regulations, harmonizing mechanism is instrument for reviewing, assessing or controlling the norms of the Regional Regulation Bills regarding the conformity of material content and writing techniques with Pancasila, The 1945 Constitution of the Republic of Indonesia, legal principles, higher or equivalent regulations, court decisions, jurisprudence, international agreements/conventions, law customs, national long-term development planning, national mid-term development planning, local government work planning, relationships with existing institutions, consequences for regional finances, and other elements specifically the reasons for formation, basis of authority, and basis for formation, direction and reach of regulations for harmonization mechanisms. Meanwhile, base on Regulation of Minister of Home Affairs concerning Formation of Regional Legal Products, evaluation or facilitation is the review and assessment of Regional Regulations on regulations in the field of regional government and other regulations, which conflict with the public interest, higher regulations, and/or morality.

The relationship between harmonization, evaluation and/or facilitation mechanisms with the policy direction of simplifying regency/municipality regional regulations is that the firmness of Regional Office of Ministry of Law and Human Rights or the Provincial Government in providing recommendations for the bill regional regulations cannot be continued in the process or cancelled if the material content does not match to avoid regional regulations that are ineffective or of low quality. Apart from that, it is necessary to provide recommendations if the content of the material can be carried out using regulatory simplification techniques either using a broad omnibus law method such as the Job Creation Law or something simpler such as a regulatory consolidation or unification system. If this is done and the regions are willing to follow up on it, the number of additional regency/municipality regulations can be controlled and their quality at the same time improved. If the region does

not follow up on the results of its recommendations for evaluation and facilitation mechanisms, the consequence will be that the regional regulation bills will not get a register number in the stipulation and promulgation stage so the regional regulation bills cannot be implemented in the region. However, for the harmonization mechanism, there are no consequences or implications such as evaluation/facilitation if the results of the recommendations are not followed up by the Regency/Municipality Government. However, with synergy between the agencies implementing the executive preview, the provincial secretariat legal bureau can reiterate to the regions to follow up on recommendations from the results of the harmonization mechanism by showing the recommendations and the results of the follow-up as a prerequisite for submitting evaluation or facilitation.

In fact, strengthening evaluation or facilitation mechanisms to direct regency/municipality regulations to use regulatory simplification techniques using unification methods or unifying/uniforming regulations[26] on regional taxes and levies has proven successful and has even been carried out simultaneously throughout Indonesia. The consequence if a region does not comply with these recommendations is that it will delay or even fail to enact regional regulations related to regional taxes and levies, which regional regulations are important for the region as an instrument for collecting. If this success can be applied to other Draft Regional Regulations, simplification of regency/municipality Regional Regulations can be realized, even though it will not immediately undergo significant changes, strengthening the executive preview mechanism at several stages is anticipated to be capable of overcoming the obsession with regency/municipality Regional Regulations.

## V. CONCLUSION

Obesity of regency/municipality regulations is an accumulation of regional regulations over a certain period. Factors influencing obesity regency/municipality regulations through 2 (phases) of the emergence of regulations regarding regional government. First, the initial era of reform with Law No 22/1999, this era is called the Regional Regulation "boom". Many regional regulations are formed relating to institutions, regional regulations on licensing, and regional regulations related to levies to increase local original income. The next phase is the issuance of Law No 32/2004 and 23/2014. In this phase, the desire to produce as many regional regulations as possible to legitimize the region using its authority is still the same as in the previous phase, even the regions still want to exhaust all opportunities for forming regional regulations related to efforts to increase local original income.

The executive preview mechanism as a form of preventive oversight of the formation of regency/municipality regulations should be able to become an instrument in implementing simplification of regulations at the regency/municipality level. At the planning stage, regencies/municipalities must implement analysis of regional regulatory needs before the program for formulating regional regulations is stipulated and following the priority scale that has been given an assessment in determining the amount of regional regulations that will be formed. At the stages of preparation, discussion and promulgation, need to be firm in providing recommendations for the Draft Regional Regulations to not be able to continue the process or be cancelled if the material content does not match and using regulatory simplification techniques such as consolidation or unification system. So, regency/municipality regulations can be controlled and their quality at the same time improved.

## REFERENCES

- [1] Jaringan Dokumentasi dan Informasi Hukum Nasional, *Daftar Jenis Dokumentasi Hasil Integrasi, 2024*. [Online]. Available: <https://www.jdih.go.id/dokumen-hukum>
- [2] Tari Oktaviani and Nibras Nada Nailufar, *Jumlah Kabupaten dan Kota di Indonesia 2023*, [Online]. Available: <https://nasional.kompas.com/read/2023/08/31/00150051/jumlah-kabupaten-dan-kota-di-indonesia-2023>
- [3] Diani Sadiawati et all, *Strategi Nasional Reformasi Regulasi Mewujudkan Regulasi yang Sederhana dan Tertib*, Jakarta: Kementerian PPN/Bappenas, 2015.
- [4] Pusat Studi Hukum dan Kebijakan Indonesia, *Kajian Reformasi Regulasi di Indonesia: Pokok Permasalahan dan Strategi Penanganannya*, Jakarta: Yayasan Studi Hukum dan Kebijakan Indonesia (YSHK), 2019.
- [5] W. Setiadi, "Simplifikasi Regulasi Dengan Menggunakan Metode Pendekatan *Omnibus Law*," *Jurnal Rechts Vinding*, vol. 9, no. 1, pp. 39-52, 2020, doi: <http://dx.doi.org/10.33331/rechtsvinding.v9i1.408>.
- [6] Fabian Januarius Kuwado and Inggried Dwi Wedhaswary, *Jokowi Targetkan Setiap Menteri Pangkas 100 Aturan Penghambat Investasi Per Bulan*, [Online]. Available: <https://nasional.kompas.com/read/2018/03/28/15365951/jokowi-targetkan-setiap-menteri-pangkas-100-aturan-penghambat-investasi-per>
- [7] Bayu Dwi Anggono, *Pokok-pokok Pemikiran Penataan Peraturan Perundang-undangan di Indonesia*. Jakarta: Konstitusi Press, 2020.
- [8] *Jaringan Dokumentasi dan Informasi Hukum, Daftar Dokumen Hukum, 2024*. [Online]. Available: <https://jdih.surakarta.go.id/>

- [9] *Jaringan Dokumentasi dan Informasi Hukum, Daftar Dokumen Hukum, 2024*. [Online]. Available: <https://jdih.semarangkota.go.id/>
- [10] *Jaringan Dokumentasi dan Informasi Hukum, Daftar Dokumen Hukum, 2024*. [Online]. Available: <https://jdih.serangkab.go.id/>
- [11] *Jaringan Dokumentasi dan Informasi Hukum, Daftar Dokumen Hukum, 2024*. [Online]. Available: <https://jdih.bantulkab.go.id/produkhukum/result.html>
- [12] *Jaringan Dokumentasi dan Informasi Hukum, Daftar Dokumen Hukum, 2024*. [Online]. Available: <https://jdih.madiunkab.go.id/index.php?hal=cariperda>
- [13] Pokja Penyusunan DPHN 2019. *Dokumen Pembangunan Hukum Nasional Tahun 2019*, Jakarta: Badan Pembinaan Hukum Nasional Kemenkumham, 2019.
- [14] Mahfud MD, *Politik Hukum di Indonesia*, Depok: PT RajaGrafindo Persada, 2018.
- [15] Jimly Asshiddiqie, *Perihal Undang-Undang*, Jakarta: Konstitusi Press, 2006.
- [16] Ni'matul Huda, *Hukum Pemerintahan Daerah*, Bandung: Nusa Media, 2009.
- [17] King Faisal Sulaiman, *Teori Peraturan Perundang-undangan dan Aspek Pengujiannya*, Yogyakarta: Thafa Media, 2017.
- [18] Ida Bagus Gede Putra Agung Dhikshita, Deni Clara Sinta, and Candra Dwi Irawan, "Politik Hukum dan *Quo Vadis* Pembentukan Undang-Undang Dengan Metode *Omnibus Law* di Indonesia", *Jurnal Legislasi Indonesia*, vol 19, no 2, pp. 165-184, 2022, doi: <https://doi.org/10.54629/jli.v19i2.878>.
- [19] Sopiani and Zainal Mubaroq, "Politik Hukum Pembentukan Peraturan Perundang-undangan Pasca Perubahan Undang-Undang Nomor 12 Tahun 2011 tentang Pembentukan Peraturan Perundang-undangan", *Jurnal Legislasi Indonesia*, vol 17, no 2. pp. 146-153, 2020, doi: <https://doi.org/10.54629/jli.v17i2.623>.
- [20] Peter Mahmud Marzuki, *Penelitian Hukum Edisi Revisi*, Jakarta: Prenadamedia Grup, 2016.
- [21] Enny Nurbaningsih, *Problematika Pembentukan Peraturan Daerah: Aktualisasi Wewenang Mengatur Dalam Era Otonomi Luas*, Depok: Rajagrafindo Persada, 2019.
- [22] Ni'matul Huda, *Problematika Pembatalan Peraturan Daerah*, Yogyakarta: FH UII Press, 2010.
- [23] Admin Wilayah I, *Analisis Kebutuhan Perda (AKP) dan Indeks Kepatuhan Daerah Dalam Pembentukan Perda (IKD) Sebagai Salah Satu Instrumen Dalam Rangka Melahirkan Produk Hukum Daerah yang Berkualitas*, [Online]. Available: [http://eperda.kemendagri.go.id/Berita/Detail\\_Berita/81201](http://eperda.kemendagri.go.id/Berita/Detail_Berita/81201)
- [24] Rico Afrido Simanjuntak, *Kemendagri Siapkan Analisis Kebutuhan Perda*, [Online]. Available: <https://nasional.sindonews.com/read/824455/15/kemendagri-siapkan-analisis-kebutuhan-perda-1657613256>
- [25] Hermi Sari BN, Galang Asmara, and Zunnuraeni, "Pengarmonisasian Rancangan Peraturan Daerah Inisiatif Eksekutif oleh Kementerian Hukum dan Hak Asasi Manusia", *Jurnal Dinamika Sosial Budaya*, vol 22, no 2, pp. 314-335, 2020, doi: <http://dx.doi.org/10.26623/jdsb>.
- [26] Andi Elvira Fajarwati P, Lauddin Marsuni, and Abd. Rahman, "Unifikasi Peraturan Daerah tentang Pajak dan Retribusi Daerah Berdasarkan Prinsip *Omnibus Law*", *Jurnal of Lex Theory*, vol 2, no 1, pp. 108-122, 2021, doi: <https://doi.org/10.52103/jlt.v2i1.588>.

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