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Evaluating The Implications of Indonesia's Omnibus Law: Legal, Political, and Economic Perspectives

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Abstract. The Omnibus Law in Indonesia, enacted as Law No. 6 of 2023, has generated significant debate regarding its legal, political, and economic implications. The law seeks to simplify complex regulations and promote investment by overhauling approximately 80 existing laws across various sectors. Its primary aim is to foster economic growth, ease business processes, and create job opportunities. However, the law has been met with strong opposition from various stakeholders, including academics, labor unions, and NGOs, who argue that it disproportionately benefits corporations and foreign investors while undermining labor rights and environmental protections. This research aims to analyze the legal, political, and economic implications of the Omnibus Law, evaluating its effectiveness in achieving its intended goals while assessing its impact on labor rights and democratic governance. The study employs a normative legal research methodology, focusing on doctrinal analysis of the law's provisions, consistency with constitutional principles, and alignment with democratic values. The findings reveal that while the law has the potential to stimulate economic growth, its legal ambiguities and bureaucratic inefficiencies pose challenges to effective implementation. Furthermore, concerns about transparency in the legislative process and the potential exacerbation of social inequality underscore the need for further refinement. The study concludes that the law must be adjusted to better align with Indonesia's constitutional principles and social justice ideals.

Keywords: Omnibus Law; Labor Rights; Economic Growth, Democratic Governance, Legal Reform.



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1. Introduction

In recent years, Indonesia has faced growing challenges in balancing economic reforms with the protection of workers' rights. As the country seeks to modernize its economy and improve its business climate, the introduction of the Omnibus Law has become a focal point for discussions on labor relations, social equity, and governance. This law, with its extensive revisions to existing regulations, has prompted both optimism and concern across various sectors of society. While proponents highlight the potential for job creation and foreign investment (Dewi et al., 2023), opponents argue that it risks exacerbating inequalities and eroding the rights of vulnerable workers (Al'afghani et al., 2021; Mochtar et al., 2024).

The implementation of the Omnibus Law in Indonesia has sparked significant debate regarding its impact on labor rights, economic growth, and democratic governance. While the government argues that the law is essential for streamlining regulations and attracting investment, critics contend that it undermines workers' rights, lacks transparency, and disproportionately benefits elite interests (Purwanto & Lubis, 2022; Shalihah, 2022). The law has been particularly controversial due to its sweeping changes to labor provisions, which some argue may lead to greater job insecurity, lower wages, and weakened labor protections. Concerns have also been raised about the limited public participation in the lawmaking process, which has further fueled skepticism about its fairness and inclusivity.

The right to work is enshrined in the 1945 Constitution of Indonesia, ensuring protection and fair treatment for all workers. In an effort to reform labor regulations and improve the business climate, the government enacted Law Number 6 of 2023, which amended Law Number 2 of 2022, commonly known as the Job Creation Law. This law introduced significant changes to key labor policies, including job termination procedures, salaries, severance payments, employment of foreign workers, working hours, health insurance, and pension protections. The government justified these reforms as necessary to enhance economic efficiency and attract foreign investment by simplifying complex and often contradictory legal frameworks (Siagian, 2021). However, the law's implementation has raised concerns that it may disproportionately prioritize economic growth over worker welfare, leading to potential exploitation and inequality in the workplace.

However, the passage of the Omnibus Law has been met with widespread criticism and controversy. One of the primary concerns is the lack of effective political communication, which has fueled public opposition and protests. The law's formulation was largely driven by elite interests, with minimal engagement from lower socioeconomic groups, raising concerns about the exclusion of



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vulnerable communities from the decision-making process (Fajri, 2023). Additionally, the legislative drafting process has been criticized for its legal inconsistencies and vague provisions, leading to uncertainty in its implementation.

The challenges in implementing the Omnibus Law further complicate its effectiveness. Legal ambiguities in the law create difficulties in enforcement, while bureaucratic inefficiencies limit its practical application. Strong opposition from academics, NGOs, and labor unions has further intensified the debate, reflecting broader concerns about governance and social justice (Hadi et al., 2023). Politically, the legislative process behind the Omnibus Law raises questions about transparency and adherence to democratic norms. Critics argue that the executive branch's dominance in drafting and passing the law has undermined the balance of power, contradicting the principle of separation of powers. Moreover, the law's potential to exacerbate social inequality contradicts the fifth principle of Pancasila, which emphasizes social justice for all Indonesians (Dwiono et al., 2024).

The aim of this research is to analyze the legal, political, and economic implications of the Omnibus Law in Indonesia. This study seeks to evaluate the law's effectiveness in achieving its intended economic goals while examining its impact on labor rights and democratic governance. By addressing both the benefits and drawbacks, this research aims to contribute to the ongoing discourse on legal reform and policy-making in Indonesia.

2. Method

This study employs a normative legal research methodology, specifically focusing on doctrinal analysis. The primary aim is to examine the legal implications of Indonesia's Omnibus Law by analyzing its provisions, consistency, and alignment with constitutional principles. Doctrinal analysis involves a detailed review of relevant legal texts, including the Omnibus Law itself, Indonesia's 1945 Constitution, and other related regulations, to identify legal inconsistencies and ambiguities. By adopting this approach, the study seeks to clarify how the law affects labor rights and democratic governance within the framework of Indonesian legal norms.

Additionally, the study adopts a legislative perspective, examining the law's formulation, legislative process, and its alignment with established legal standards and democratic values. This perspective emphasizes the role of law-making in shaping public policy and its impact on the socio-political landscape. Data analysis in this research is descriptive, focusing on providing an in-depth examination of the law's provisions and their potential effects. The descriptive analysis will explore the legal, political, and economic aspects of the law by



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reviewing academic literature, legal commentaries, government reports, and other relevant sources. The findings aim to contribute to the ongoing discourse on legal reforms in Indonesia, evaluating the effectiveness of the Omnibus Law and its potential consequences on labor rights, governance, and economic development.

3. Results and Discussion

3.1 The Purpose and Challenges of Indonesia's Omnibus Law: A Critical Overview

Omnibus Law in Indonesia, officially known as Law No. 6 of 2023, is a legislative framework designed to address multiple challenges within the country's legal and economic landscape through a single, comprehensive package. Referred to as the "sapu jagat" or "all-encompassing" law, this reform package aims to simplify regulations, promote economic growth, and create new job opportunities. Initially introduced through the Job Creation Law (Law No. 11 of 2020), the omnibus law seeks to streamline regulatory complexity by overhauling approximately 80 existing laws and revising over 1,200 articles across various sectors. This ambitious legislation reflects the Indonesian government's desire to modernize the economy, attract foreign investment, and improve the business climate (Harahap et al., 2024).

One of the primary objectives of the omnibus law is to address long-standing challenges related to cumbersome and overlapping regulations that hinder investment and slow economic growth. In particular, the law aims to simplify licensing processes and reduce bureaucratic red tape that many businesses face when trying to operate in Indonesia (Buana & Budiman, 2022). By tackling these issues, the omnibus law seeks to foster a more conducive business environment, enabling entrepreneurs and corporations to navigate the regulatory framework more efficiently. Furthermore, the law introduces labor market reforms designed to create more flexibility in the workforce. For instance, it allows for part-time work and adjusts working hours to better align with industries that have fluctuating workforce demands. These provisions are intended to provide employers with more operational flexibility, while also addressing concerns about job creation and workforce optimization.

Moreover, the omnibus law also addresses land procurement regulations. By simplifying these rules, the law aims to reduce barriers for businesses seeking to establish operations in the country (Dwiono et al., 2024). This is expected to benefit a wide range of sectors, including manufacturing, agriculture, and real estate development. Simplified land acquisition procedures should ultimately encourage both domestic and foreign investment by reducing the time and costs associated with establishing businesses in Indonesia (Sisinaru & Harijanti, 2022).



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These changes are particularly significant given the current state of Indonesia's business climate, which, according to the World Bank's Ease of Doing Business Index, ranked 73rd in 2020. The government hopes that by enacting this law, Indonesia can move up the ranks to a more competitive position, with a target of reaching 53rd place in the future.

Despite these positive goals, the omnibus law has faced significant backlash. Critics argue that the law disproportionately benefits large corporations and foreign investors while potentially undermining labor rights and environmental protections. One of the major areas of concern is the law's amendments to labor provisions. These amendments include changes such as limiting severance pay, reducing workers' rights to paid leave, and altering regulations on job termination. Such changes have led to widespread protests and criticism from labor unions and worker advocacy groups, who argue that the law prioritizes the interests of businesses over workers' well-being (Mochtar & Rishan, 2022). These provisions are seen by many as a step backward in the protection of labor rights, potentially leading to greater job insecurity and exploitation of workers, particularly in low-wage sectors.

Environmental advocates have also voiced strong concerns about the omnibus law, particularly regarding its potential to weaken environmental protections (Mahardika, 2021; Hadi et al., 2023; Pratama et al., 2024). The law introduces provisions that relax certain environmental regulations, which critics fear could lead to increased deforestation, greater environmental degradation, and more harm to Indonesia's already vulnerable ecosystems. Indonesia, which is home to some of the world's most biodiverse rainforests, has long struggled with deforestation driven by agricultural expansion and illegal logging. The relaxation of environmental laws under the omnibus framework could exacerbate these issues, jeopardizing the country's natural resources and contributing to climate change.

Despite these criticisms, many supporters of the omnibus law argue that it is a necessary step toward reforming Indonesia's economy and improving its competitiveness on the global stage. Organizations such as the Indonesian Chamber of Commerce and Industry (Kadin) have praised the law for its potential to enhance Indonesia's business climate. Supporters contend that the omnibus law is an essential tool for addressing Indonesia's "hyper-regulation" problem, where excessive and conflicting regulations create obstacles for businesses and discourage investment. By simplifying and harmonizing regulations, the law is seen as a way to reduce the administrative burden on businesses, thus making it easier to operate and grow in Indonesia (Yuzuru, 2024).

In terms of implementation, the omnibus law has faced significant challenges, particularly regarding public participation and transparency. Critics argue that



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the law was passed with insufficient consultation and input from the public, which raises concerns about the inclusivity of the legislative process (Mochtar et al., 2024). The process of enacting the law, particularly the issuance of the Government Regulation in Lieu of Law that legalized it, has been criticized for neglecting the principle of meaningful public participation. The Constitutional Court ruled that the process failed to ensure adequate consultation with the public, signaling a need for more inclusive decision-making, particularly when the law in question has far-reaching consequences for society as a whole (Nurhayati and Zahir, 2022).

This ruling highlights the broader concerns about the democratic nature of the lawmaking process and the legitimacy of the omnibus law itself. While the law may be an important step toward regulatory reform and economic growth, its implementation has been marred by controversies regarding its impact on labor rights, environmental protections, and the quality of public participation in the legislative process. The law's critics emphasize that true economic reform cannot come at the cost of social and environmental justice, and that any efforts to improve the business climate must also consider the welfare of workers and the protection of the environment (Kususiyanah et al., 2024). Overall, this suggests that while the omnibus law aims to modernize Indonesia's legal and economic systems, it faces substantial criticism from various sectors of society. As the law moves forward, it will be essential to monitor its impact on labor rights, the environment, and the broader social fabric to ensure that its benefits are equitably distributed and that the voices of all stakeholders are adequately heard. The debate surrounding the omnibus law underscores the balance promoting economic growth and safeguarding environmental protections.

3.2 Legal Uncertainty, Labor Rights, and Public Participation

The Omnibus Law in Indonesia, particularly Law No. 6 of 2023, was introduced with the goal of streamlining regulations and improving the investment climate by overhauling more than 1,200 articles across various sectors. The law aimed to simplify the country's regulatory framework, reduce bureaucratic hurdles, and attract foreign investment by addressing overlapping regulations and simplifying administrative procedures (Sarjana et al., 2023). While these objectives were designed to create a more conducive environment for businesses, the law has faced significant criticism, particularly concerning legal uncertainty, lack of public participation, and potential adverse impacts on labor rights and environmental protections.

A central issue with the Omnibus Law is its legal uncertainty. Although its primary objective is to harmonize conflicting regulations, critics argue that the law lacks a solid legal foundation. The Omnibus Law deviates from existing legal norms,



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particularly within Indonesia's civil law system, raising concerns about its compatibility with the Constitution. Many critics believe the law undermines the principle of equality before the law and caters primarily to the interests of political groups and corporations rather than the general public (Hariyanto, 2022; Jazuli et al., 2022). This legal uncertainty has made implementation difficult, as stakeholders struggle to navigate the unclear provisions in the law.

Another major concern surrounding the Omnibus Law is its lack of transparency and inclusivity during the drafting process. The law was developed without sufficient consultation with the public and relevant stakeholders, particularly workers and marginalized communities. This lack of inclusivity has led to widespread concerns that the law prioritizes the interests of business owners and foreign investors over those of ordinary citizens and workers. Critics also argue that the law's formulation does not comply with the standards set by Law No. 12 of 2011, which mandates broad public consultation in the lawmaking process. This absence of transparency has raised questions about the democratic integrity of the Omnibus Law (Al'afghani, 2021; Antari, 2022).

Labor rights have been a particularly contentious aspect of the law. Provisions in the Omnibus Law, such as the decentralization of minimum wage-setting powers to local governments, are seen as weakening labor protections. Critics argue that this could lead to lower wages for workers, as local governments may not set wages that reflect the true cost of living in their areas. Furthermore, changes to labor contracts, including modifications to the Specific Time Work Agreement (PKWT), are viewed as exploitative (Shalihah, 2022). The law also introduces greater flexibility in working hours and overtime, which some see as prioritizing corporate productivity at the expense of workers' well-being. Moreover, the law's provisions on outsourcing and the ease of terminating workers—especially those suffering from long-term illnesses—raise concerns about job security and fairness (Sisinaru and Harijanti, 2022).

Environmental protections within the Omnibus Law have also been questioned. Environmental advocates have raised concerns that the law's relaxation of regulations could exacerbate deforestation and harm Indonesia's ecosystems. These critics argue that the Omnibus Law prioritizes economic growth over environmental sustainability, which could have long-term negative consequences for the country's natural resources.

In response to these criticisms, Indonesia's Constitutional Court (MK) declared the Omnibus Law, particularly the Job Creation Law, conditionally unconstitutional. The Court's ruling emphasized the need for revisions to ensure that the law complies with constitutional principles, particularly in terms of labor protections and public participation in the law-making process (Dewi et al., 2023). This decision underscores the challenges of balancing economic goals with



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the need to uphold constitutional and social justice principles.

Despite these challenges, the Omnibus Law does present potential benefits, such as simplifying administrative procedures, improving the ease of doing business, and fostering investment. By reducing bureaucratic obstacles and providing a more consistent regulatory framework, the law could help Indonesia address its "hyper-regulation" problem and create a more business-friendly environment. However, these potential benefits must be carefully weighed against the law's shortcomings in terms of labor rights, legal clarity, and environmental protection. The Omnibus Law has the potential to stimulate economic growth and improve Indonesia's investment climate, but its implementation faces significant challenges. Legal uncertainties, the erosion of labor protections, environmental concerns, and the lack of public participation in the drafting process highlight the difficulties of balancing economic goals with constitutional and social justice principles (Mahy, 2022; Nurhayati & Zahir, 2022; Sanders et al., 2024). To ensure that the law achieves its intended objectives without compromising workers' rights or environmental sustainability, it must be reformed to address these issues. Strengthening public consultation, clarifying legal provisions, and ensuring robust protections for labor and the environment will be crucial for the law's long-term success and acceptance by the broader population.

3.3 Reformulation and Implementation of Indonesia's Omnibus Law

The reformulation and implementation of Indonesia's Omnibus Law require substantial improvements to address criticisms related to legal uncertainty, lack of public participation, and imbalances in labor and environmental protections. While the law aims to streamline regulations and promote economic growth, these objectives must be balanced with safeguarding the rights of workers and the environment. To strengthen the law's formulation, it is essential to focus on increasing transparency, ensuring legal clarity, and creating mechanisms for inclusive participation.

A major issue with the Omnibus Law is the lack of public consultation during its drafting process (Mochtar & Rishan, 2022; Mochtar et al., 2024). This has led to concerns that the law may reflect the interests of businesses, particularly large corporations and foreign investors, at the expense of workers and marginalized communities. Strengthening the law's reformulation would require a more inclusive approach, allowing diverse stakeholders such as civil society, trade unions, and environmental organizations to have a voice in the lawmaking process. Public consultations and transparent discussions could help address concerns and ensure that the law reflects the needs of the wider population. By ensuring that the law's formulation aligns with democratic principles, the government can build trust and support for the law among the general public.



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In addition to improving public participation, the law must provide legal certainty to businesses, workers, and other stakeholders. The Omnibus Law's primary goal is to simplify regulations, but its implementation has encountered challenges due to vague provisions and ambiguities in critical areas such as labor regulations, land procurement, and environmental protections (Harahap et al., 2024; Kususiyanah et al., 2024). To resolve this, the law should include clear, detailed guidelines for implementation, ensuring that all parties understand their rights and obligations. This would involve creating a legal framework that harmonizes existing regulations without undermining constitutional principles or disregarding Indonesia's civil law system. Any deviations from established legal norms should be carefully justified and grounded in law, ensuring that the reforms are both legally sound and constitutionally compatible.

Moreover, it is crucial that the Omnibus Law protects labor rights while promoting economic growth. The law's provisions on labor contracts, severance pay, minimum wages, and job security have sparked concerns that workers could face exploitation and insecurity. To strengthen the law's fairness, these provisions should be revised to ensure that workers' rights are upheld, particularly in areas such as paid leave, severance packages, and job stability (Mahardika, 2021; Mahy, 2022; Hariyanto, 2022; Jazuli et al., 2022; Nurhayati & Zahir, 2022). Additionally, while the law allows local governments to set minimum wages, there should be safeguards in place to prevent wages from being set too low. Ensuring fair wages across regions would help avoid exacerbating economic inequalities and ensure that workers are properly compensated for their labor.

Environmental protections within the Omnibus Law also need to be reinforced. Critics argue that the law's provisions may undermine efforts to protect Indonesia's environment, especially in relation to deforestation and ecosystem preservation (Mahardika, 2021; Pratama et al., 2024). Strengthening environmental regulations is critical to ensure that economic development does not come at the cost of the country's natural resources. The law should include clear environmental standards, along with monitoring and enforcement mechanisms, to ensure that businesses comply with sustainability practices. Public oversight, along with independent environmental assessments, would help hold industries accountable for any environmental harm caused by their operations (Chandra & Sobirov, 2023).

Finally, to ensure that the Omnibus Law meets its objectives and is aligned with constitutional principles, judicial oversight should be enhanced. The Constitutional Court's ruling that parts of the law were conditionally unconstitutional underscores the need for closer scrutiny and potential revisions. Strengthening judicial oversight would ensure that the law adheres to constitutional principles and addresses any legal challenges in a timely manner.



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Therefore, the reformulation and implementation of the Omnibus Law require careful consideration of public input, legal clarity, labor protections, and environmental safeguards. By addressing these areas, the law can achieve its goal of fostering economic growth while ensuring fairness and sustainability. Ensuring that the law respects democratic principles, protects workers' rights, and prioritizes environmental conservation will make it a more effective and inclusive tool for Indonesia's development.

4. Conclusion

Indonesia's Omnibus Law, formally known as Law No. 6 of 2023, aims to streamline regulations, foster economic growth, and improve the business climate by simplifying bureaucratic processes and attracting foreign investment. However, its implementation has sparked considerable controversy due to concerns over legal uncertainty, inadequate public participation, and potential negative impacts on labor rights and environmental protections. The law's broad scope, intended to overhaul over 1,200 articles across various sectors, has raised questions about its alignment with constitutional principles and the civil law system.

While supporters argue that the law could reduce Indonesia's regulatory burden and improve the ease of doing business, critics contend that it disproportionately benefits large corporations and foreign investors, potentially at the expense of workers and the environment. The law's controversial provisions on labor contracts, severance pay, minimum wages, and outsourcing have sparked fears of exploitation, particularly among vulnerable workers. Additionally, the relaxation of environmental regulations has raised concerns about further deforestation and environmental degradation.

To ensure the Omnibus Law's success, significant reforms are needed. These include improving public consultation and transparency during the legislative process, clarifying legal provisions, and safeguarding labor and environmental protections. Strengthening judicial oversight and ensuring that the law aligns with constitutional principles will be critical for its long-term effectiveness. By balancing economic growth with social justice and environmental sustainability, the law can fulfill its potential to create a more business-friendly environment without sacrificing workers' rights or ecological well-being. Ultimately, careful reformulation and implementation will be necessary to make the Omnibus Law an inclusive and effective tool for Indonesia's development.

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