PREVIEW OF DRAFT LAWS PRACTICE INDONESIA AND FRANCE: CURRENT DISCUSSIONS ON COMMON AREAS OF INTEREST

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Abstract *– The focus of this paper is to discuss and analyze the review of the preliminary law between Indonesia and France. Additionally, it will delve into the details of the review of laws and regulations in Indonesia, and explore the potential implementation of the Principles of Testing in the Draft Law based on the practices in France. To conduct this study, a combination of normative research and empirical data will be employed. The research approach aims to identify the norms outlined in legal statutes and theories, using a conceptual approach that draws on established legal views and doctrines. The findings indicated that the effective practices implemented in France can serve as a model for the implementation of preview activities. These practices could potentially be applied in the drafting of bills in Indonesia to minimize issues such as contradictory interpretations, overlaps, and ineffectiveness of laws. Currently, the evaluation of laws is only done through judicial review via the Constitutional Court, but it is recommended that the review process should be expanded to include both executive and legislative branches. Full adoption of the preview of the bill, as done in France, would likely require the revision of both the 1945 Constitution and Law 12/11 to establish a new institution for bill review, which is outlined in Article 20 of the Indonesian Constitution.*

Keywords: *Preview, Draft law, Legislation, Indonesia, Authority*

INTRODUCTION

Laws and regulations that are in line with other laws and regulations are considered good, whereas conflicting regulations cause complex problems and may be invalidated if they contradict constitutional or higher laws. Instances of such disharmony can be observed in cases brought to the Constitutional Court and the Supreme Court as judicial reviews. Between 2004 and April 2019, 1231 cases were filed, resulting in 203 granted, 433 rejected, 481 rejected because they were not accepted, and the remaining cases resolved by the Constitutional Court. The number of cases submitted highlights weaknesses in the enacted laws that contain provisions that go against the constitution.

Considering the rejection and disagreement from the public and non-governmental organizations in creating laws is an important factor to take into account. During the revision of the Corruption Eradication Law (KPK), there was significant opposition from members of the public, anti-corruption activists, scholars, and even the KPK itself. To prevent conflicting laws and regulations, a review of current laws and regulations will be conducted. Article 19 paragraph (2) of Law 12/2011 requires that statutory regulations be planned with background and objective considerations, as well as the goals, scope, and direction of the regulation. During the drafting stage, an academic text with philosophical, juridical, and empirical reasoning is proposed and then consolidated and harmonized by the DPR's legislative apparatus (Putriyana, A., & Rochaeti, 2021). If the proposal originates from the government, the conception will be rounded out and consolidated with guidance from the minister responsible for legal matters (Syahuri et al., 2022).

Apart from examining the creation process, the revision of laws and regulations can also be done by scrutinizing the effectiveness of their implementation over time. This can be achieved through periodic evaluations conducted by the founders themselves, such as the DPR for laws (commonly known as legislative review) (Butt & Parsons, 2014; Siregar, 2015). Hence, if we examine the exemplary approach adopted by France, which involves a scrutiny by an independent entity in the evaluation of a proposed legislation - commonly referred to as the Draft Bill - by means of a constitutional council established under the Constitution of French Republic, it leads to the formulation of a bill approved by both the National Assembly and the Senate that is forwarded for assessment to the constitutional council prior to

its enactment as a law. This practice will be presented and expounded upon, notably pertaining to the method and outcomes of review by a designated autonomous entity as stipulated by the constitution. This scientific paper will explore the evaluation of the preliminary legislation draft between Indonesia and France. Additionally, an extensive analysis and examination of the review of laws and regulations in Indonesia, including the potential incorporation of the Draft Law Principles as practiced in France, will be presented.

RESEARCH METHODS

This study employed a research method that combines normative research and empirical data from field research. This includes gathering information from research targets or informants through tools like interviews and supplementing it with data from library materials, particularly those related to legal matters (Christiani, 2016). The approach focuses on identifying norms present in statutory provisions and legal theories, and uses a conceptual approach that draws from established views and doctrines in the field of law (Galligan, 2012). The researchers gathered data that involved both primary and secondary legal materials. The primary legal materials were binding legal resources, specifically statutory regulations, sought in order to obtain information on the creation and examination of statutory regulations spanning from the lowest level to the highest. Meanwhile, the secondary legal materials served as supplementary sources that entailed an explanation of primary legal materials, which included draft laws, legal research findings, legal literature, and other pertinent resources (Taekema, 2018).

RESULT AND DISCUSSION

1. Harmonization and Synchronization of Preview of the Draft Law

At all stages of legislative drafting, there is a process of harmonization and synchronization, which encourages consultation and double checking. The creation of laws in Indonesia is divided into various stages that every law must go through before it is ratified. Table 1 displays the measures taken to review and scrutinize the Bill at each stage.

Table 1. Attempts to Review (Check and Recheck) the Draft Law

No	Stages	Stages Specifications	Executors
1	Planning and Drafting	Preparation of Academic Manuscripts (NA)	Society, Academics, Practitioners etc.
		Bill Proposed by the House of Representatives	Other Proposing Members, whether Members, Commissions, Joint Commissions/Baleg, experts, researchers, the president through the approval of the initiation of the drafting of the Bill
		Government Proposal Bill	Members of inter-ministerial proposing committees, Ministry of Law and Human Rights, Society, Academics, Practitioners etc. (obtaining other input if needed / Dissemination of bills)
		Bill Proposed Regional Representative Council (DPD)	Other LEGISLATIVE DRAFTING COMMITTEE involved
2	Discussion	Level 1 Meeting	Commissions, joint commission meetings, legislative body meetings, budget agency meetings or special committee meetings.
		Level II Meeting/Plenary Meeting	President/Minister, DPR or DPD depending on the initiator of the bill
3	Endorsement	Bill approval	The President approves the Bill
4	Invitation	Invitation	The Ministry of Law and Human Rights acts as a recorder in the State Gazette and can then be monitored by the public at large.

According to Table 1, validation will be necessary from each discussion team and the team concerned at every stage to ensure that it is double-checked. Although each stage has been thoroughly reviewed, community participation cannot be overlooked because creating laws is an activity that involves

regulating society, which is made up of diverse individuals. Therefore, designing and creating laws that are widely accepted by the community can be a challenging task (Araszkiewicz & Płeszka, 2015). The challenge arises from the fact that enacting laws involves a form of communication between the legislative authorities and the citizens of a country. The primary goal of the Preview is to ensure that the law aligns with the constitution and serves the best interests of the people, thereby gaining their support and compliance. A successful law is one that is voluntarily followed by the community, and the Preview aims to achieve this by involving relevant institutions and employing harmonization, unification, and consolidation methods to minimize any potential conflicts in the law after its enactment.

The preview process in Indonesia lays stress on the synchronization and harmonization of draft laws in various phases. Conversely, if we consider France, the review process differs significantly in terms of concepts and forms. The French use the term study to refer to the preview of the draft bill, whereas Indonesia refers to it as the harmonization and synchronization of the bill, which precedes the review implemented in France after the bill has been deliberated and accepted by parliament. In contrast, Indonesia conducts the review before submitting the bill for discussion with lawmakers. As discussions over a bill are a political process, there may be potential for changes to the material or articles of the bill. Therefore, it is important to not only carry out harmonization and synchronization before the bill is submitted for discussion, but also after it has been discussed and approved. France's approach to preview activities provides a good example to follow. An appointed institution conducts a review of the bill before it is legislated into law or adjusted accordingly. Additionally, a review is conducted after the bill has been discussed in both the National Assembly and the Senate, allowing for any contradictory material or articles identified by the Constitutional Council to be returned for improvement during these stages (Luce, 2006; Haus & Heinelt, 2004).

The legislative drafting process in France involves several steps and stages, including the preparation of the draft text, the examination and debate of the draft by parliamentary committees, and the final adoption of the text by the National Assembly and the Senate. Here is a brief overview of the legislative drafting process in France, started with the preparation of the draft text. The drafting of a legislative text in France can start with different actors, including the government, individual deputies or Senators, committees, interest groups, or citizens. Once the draft is prepared, it is submitted to the President of the National Assembly or the Senate. It was followed by Examination by Parliamentary Committees: The draft text is then assigned to a parliamentary committee for examination and debate. The committees are composed of MPs or Senators from different political parties and are responsible for analyzing the text, hearing experts, submitting amendments, and issuing a report that presents the committee's recommendations. Several rounds of discussion and revision can take place at this stage. The next step was debate in the National Assembly and the Senate: Once the committee has completed its work, the draft text is sent to the National Assembly or the Senate for a general debate. MPs and Senators can discuss and propose amendments to the text during this stage. Finally, the process was concluded Final Adoption. Once the debate is over, the National Assembly and the Senate vote on the final text. If both chambers approve the text, it is sent to the President of the Republic for signature and promulgation. If there are differences between the two chambers, a joint committee is created to find a compromise. If the joint committee fails to agree on a proposal, the National Assembly has the final say. In addition to this main process, there are also specific procedures for urgent bills or for bills related to the Constitution or the European Union. There are also different types of legislative texts, such as ordinary laws, organic laws, and delegated legislation, each with specific procedures and requirements.

The synchronization and harmonization process in Indonesia involves various initiators, including the Government-Kemenkumham, DPR-Baleg, and DPD-Legislative Drafting Committee. However, there is a risk of differing perceptions which could result in no similarity in the harmonization process. Therefore, a standardized system of harmonization and synchronization between institutions is required to ensure consistency. To achieve this, there must be standardization of substances that need to be synchronized and harmonized in a bill so that the output is of the same quality across different laws. By referring to the Prolegnas that have been approved, it can be observed that the debates regarding the bill have been coordinated and aligned, leading to an influence on the constitutional review process conducted by the Supreme Court. In the past 5 years, modifications made to bills that transform into laws have been evident in the legal system, which is described in Table 2 that enumerates the legislations submitted to the Constitutional Court for judicial review during this period.

Table 2. Laws that have been submitted for Judicial Review to the Constitutional Court in the last 5 years

No	Title of Bill	Pre-Submission Bill	Stages of the Process of Harmonization and Synchronization	Post Invitation Law	Judicial Review
1	Draft Law on Trademarks 2015 (Prolegnas 2015-2019)	The 103 Articles consist of 18 Regulatory Chapters	The track record does not show that the bill has been harmonized and synchronized beforehand or afterwards (the government proponent).	Law Number 20 of 2016 Concerning Trademarks and Geographical Indications consists of 109 Articles and 20 Regulatory Chapters	No
2	Bill on the Protection and Empowerment of Fishermen and Fish Farmers (Prolegnas 2015-2019)	62 Articles consist of 9 Regulatory Chapters	Harmonization was carried out 4 times in the stages of the Commission Proposed Bill (Persentation at Commission IV), Meeting at the Legislative Body, Panja 1 Meeting, and legislative body meeting (Proposer DPR).	The title Becoming Protection, Empowering Fishermen and Fish Farmers and Salt Farmers, consists of 78 articles and 10 chapters.	A judicial review challenge has been submitted to the Constitutional Court with case number 32/PUU-XVI/2018 (Status states the Petitioner's application cannot be accepted)
3	Bill on Guarantee (Prolegnas 2015-2019)	62 Articles consist of 18 Regulatory Chapters	The harmonization was carried out 6 times with the details of the Legislative Body Meeting Explanation of the Proposers of the Bill, 1st Panja Meeting, RDPU in the framework of harmonization, 3rd Panja Meeting, mini faction opinion baleg meeting, 4th Panja Committee Meeting) (DPR Proposer).	Law No. 1 of 2016 Concerning Guarantees 65 Articles and 16 Chapters Regulations	No
4	Bill on Construction Services (Prolegnas 2015-2019)	105 Articles and 14 Regulatory Chapters	Harmonization was carried out 4 times in the stages of the Commission Proposal Bill (Preparation of PUU Deputies), 1st Panja Meeting, 2nd Panja Meeting, Mini Faction Baleg	Law Number 2 of 2017 Concerning Construction Services, 106 Articles and 14 Regulatory Chapters	A judicial review has been submitted to the MK with case number 93/PUU-XVIII/2020, Material Review of Law Number 2 of 2017 concerning Construction Services against

			meeting (DPR Proposer).		the 1945 Constitution (Status stated that the Petitioner's application was unacceptable)
5	Job Creation Bill (Prolegnas 2020-2024)	174 Articles consist of 15 Regulatory Chapters	The track record does not show that the bill has been harmonized and synchronized beforehand or afterwards (the government proponent).	Law Number 11 of 2020 concerning Job Creation consists of 185 Articles and 15 Regulatory Chapters	A judicial review challenge has been submitted to the Constitutional Court. There are 14 Submission concerning the Formal and Material Review of Law Number 11 of 2020 concerning Job Creation of the 1945 Constitution

Table 2 demonstrates that both the government and DPR/DPD have made changes to the composition of articles and chapters when submitting bills for discussions in order to harmonize, unify, and consolidate them. Therefore, it is important to have a final stage of harmonization, unification, and consolidation after each article and chapter has been determined in the initial discussion. This will require further adjustments to the bill content if it is found that there has been no synchronization during the discussion process. After discussing the bill, it was implemented through harmonization, unification, and consolidation, which was similar to what France's constitutional council did with bills that had already been agreed upon before promulgation. This review process by the French constitutional council can serve as a good model for the formation of laws in Indonesia. However, since the activities of harmonization, unification, and consolidation after deliberation are not regulated in Law No. 12/2011 concerning the Formation of Public Works, they must be incorporated into the process of forming laws under that law.

To ensure transparency and avoid conflicts, the committee responsible for consolidating and harmonizing the bill should be composed of both the government and the DPR, who were previously involved in discussing the bill. This process allows for clear ratification of agreed-upon articles and prevents confusion, such as what occurred during the formation of the Job Creation Bill. As a result, harmonization, unification, and monitoring of bills are more accountable and transparent. Additionally, this process serves as an opportunity for pre-discussion socialization and a means of double-checking to ensure all talk and agreements are transparent and accounted for.

The Law on Formation of Legislation outlines the instructions for upholding Pancasila values during legislative drafting, which are found in a minimum of five sections. The first of these sections establishes Pancasila as the primary source of all state laws, as per Article 2 of Law Number 12 of 2011. The clarification of Article 2 confirms that this placement of Pancasila aligns with the ideals outlined in the preamble of the fourth paragraph of the 1945 Constitution of the Republic of Indonesia, which includes faith in one all-powerful God, a just and civilized society, Indonesian unity, a democracy guided by wisdom in discussion/representation, and social justice for all Indonesians. By making Pancasila the foundation and ethos of the state, it ensures that any laws or regulations reflect the values contained within Pancasila.

To abide by Pancasila as a legal foundation, laws must adhere to its values. In order to fulfill this requirement, laws must be created in compliance with these values. Thus, the process of aligning the Bill must incorporate Pancasila as a legal source through harmonization, unification, and consolidation. This process is outlined in Article 51 paragraph (4) number 1 of Presidential Decree Number 87 of 2014, which emphasizes the importance of aligning the Bill with Pancasila, the 1945 Constitution of the Republic of Indonesia, and other applicable law (Efendi & Cahyono, 2020; Rizki et al., 2019). These provisions state that Pancasila serves as a standard for integrating and unifying legal concepts beyond the 1945 Constitution and other laws. However, the lack of details on the specific values and factors encompassed within Pancasila makes it difficult to understand how it's being utilized. Therefore, the author suggests developing a method to evaluate and measure the content of bills as they progress

towards becoming laws, with an emphasis on how Pancasila is being employed as a primary point of reference. The evaluation process should involve similar indicators to those used during the review, in order to create consistency between the formation and evaluation of future laws.

2. Opportunities and Challenges of Adoption of Principles of Preview of Draft Laws

The formation of a law is anticipated to have favorable effects on the implementation of a forthcoming regulation, which has been financed by the state. Creating laws in accordance with the Constitution is an approach to minimize the possibility of power abuse. Lord Acton famously noted that "power tends to corrupt and absolute power corrupts absolutely", making constitutionalism, whether in written or unwritten form, a suitable means to restrict power. Siregar, 2016; Roux, 2018). The 1945 Indonesian Constitution grants power to various institutions, which are established by laws. As stated in Article 24A (1) and 24C (1) of the constitution, the judiciary has the ability to conduct a judicial review, allowing the Constitutional Court and Supreme Court to carry out this process based on the level of legislation being assessed. Unlike France, which reviews bills through the Constitutional Council, Indonesia acknowledges review of laws by the Constitutional Court but not bill review.

Indonesia needs to reform its process of law formation due to the disorderly issue of creating laws. There are three significant issues in this area, including laws and regulations that overlap and contradict each other, unclear formulation of laws and regulations, and obstacles to implementing laws caused by implementing regulations (Burns, 2004). Numerous nations follow practices that emphasize institutions that focus on legislative drafting with the aim of enhancing the quality of legislative drafting. These practices are observed in countries such as Vietnam (such as the Vietnam National Assembly and RIA), Malaysia (the Malaysia Productivity Cooperation/MPC that supervises regulations), South Korea (the regulatory Reform Committee - an oversight body), Germany (the Federal chancellery Better Regulation Unit), the US (the Office of Information and Regulatory Affairs/OIRA), Australia (the Office of Best Practice Regulation/OBPR), Mexico (the Federal Commission for Regulatory Improvement/Cofemer, which acts as an oversight body), and the English (Better Regulation Delivery Office/BRDO).

Reforms in regulatory oversight may occur in Indonesia, wherein institutions may be designated to plan, draft, formulate, harmonize, and revise legislative drafting. However, this process may have stages and consequences. If a new institution cannot be established, there are other options, such as granting authority to the Constitutional Court to review bills, which requires amending the Constitution regarding the court's duties and powers to include reviewing bills. The problem lies in choosing whether the Constitutional Court can review only bills or only laws to avoid legal uncertainty. Thus, selecting one option would allow for a final and conclusive testing challenge.

There are other alternatives to consider, such as bolstering the Preview of the Draft Law from Kemenkumham, the legislative drafting committee, and the legislative body. To create rules that are considered good and acceptable to the general public, there are a minimum of four fundamental criteria that need to be met in the legislative drafting process; these involve the philosophical basis, sociological basis, juridical basis, and drafting technique. First, the philosophical basis pertains to the expected result of the legislative drafting process, and in Indonesia's case, the underlying philosophy is Pancasila, which must guide the formation of legal drafting with attention to its principles of divinity, justice, order, welfare, and more. Second, the sociological basis relates to the actual conditions or realities faced by society, such as needs, demands, or problems that must be considered to create laws that can gain the respect and compliance of all levels of society. The durability of a legal product matters as it influences the public's acceptance of laws, because the more individuals require the law, the more effective it can be without any form of coercion during enforcement (Nurdin & . Third, on a juridical basis, several factors must be considered (Lev, 2006; Wiratraman, 2006). The initial authority lies in the creation of laws and regulations, which must come from an authorized source or individual. If created by an unauthorized party, the regulations are considered null and void, with no legal standing. Secondly, there must be consistency in the form and content of the legislation, with any discrepancies potentially leading to cancellation. Thirdly, certain procedures and protocols must be followed when creating laws, and failing to do so could result in them not having legal force or being considered null and void. Lastly, the drafting process must be executed with precise technique to ensure adherence to agreed-upon principles and avoid any formal defects that could impact the quality of the output.

3. Community Participation in Forming Laws (Social Review)

Besides giving careful attention to the different stages involved in creating a law to ensure that its formative tool is trustworthy, it is also crucial to reinforce public engagement in the law-making process

at every stage. There exist four approaches linked to public participation in making laws (Jacqueline et al., 2017; Cahyono, 2018; Nheu, 2010):

1) Policy participation: This approach considers public participation as a method of soliciting input from individuals while formulating policies with the government being the regulatory body.
2) Strategic participation: This approach views public engagement as a strategy of obtaining public backing for policies declared by the government.
3) Communication participation: This approach perceives public participation as a channel for the government (as a servant of the society) to understand people's needs and requirements.
4) Dispute-resolution participation: Public participation within this context is regarded as a way of resolving conflicts, enhancing tolerance, and addressing suspicion and uncertainty in the community.

The Law No. 12 of 2011 concerning Legislative Drafting in Article 96 mandates allowing the public to participate in legislative formation by providing their opinions or suggestions through speech and/or written form. This can be carried out through various means such as public hearing meetings, socialization, work visits, seminars, and discussions.

In order to achieve maximum transparency, accountability, and participation, it is essential to use a wide range of media that can reach the public. In order to respond to people's aspirations for social welfare legislation, all segments of society must be given the opportunity to participate (Usman, 2020). This participation should entail access to information for all members of society regarding the development of statutory regulations and the establishment of guidelines, particularly those related to transparency in drafting legislation. The initial step in monitoring should involve collaboration to create a process that accommodates people's aspirations in the discussion of legal and regulatory matters. A code of ethics should be created alongside the DPR, as well as the formation of an Honorary Council comprising members from the DPR, the public, academics, and the mass media. Cooperation between civil society must be expanded into permanent networks, with clearly defined roles and responsibilities to monitor the legal rule-making process.

To encourage greater involvement from the public in law-making, it is necessary for each level of society to be involved in each step of the process. These steps include: conducting research and submitting initiative proposals during the preliminary stage, drafting and presenting bills during the legislative stage, and enacting and enforcing the law during the post-legislative stage (Danilenko, 1993). The goal is for all parties involved in the creation of laws, such as the Government, DPR, NGOs, experts and observers, professional groups, universities, and social organizations, to function optimally and effectively. The Government, which represents the bureaucracy, will ultimately be responsible for enforcing laws in society. The DPR, elected by the people from various political parties, represents the interests of the people. NGOs serve as stakeholders who can build public power and create pressure groups through various statements and demonstrations to influence the legislature. Experts, observers, and professional groups represent interest groups with a direct stake in the law. Universities can contribute to the creation of laws by providing concepts of thought based on their scientific disciplines, while other social organizations can contribute according to their own interests.

There are various stages of community involvement in influencing policy, including manipulation, therapy, informing, consultation, placation, partnership, delegated power, and citizen control (Helfer & Alter, 2013). These stages can be grouped into three levels: (a) non-participation consisting of manipulation and therapy, (b) pseudo participation or tokenism including dampening, consultation, and information, where public input is taken but not necessarily considered seriously by policy makers, and (c) community power, where citizens have a more active role in shaping policy through partnership, delegated power, and citizen control.

There are at minimum five models that can be constructed to encourage community involvement, which are: (a) enlisting public members who are considered specialists and impartial in a team or working group to participate in creating laws and regulations; (b) engaging in public sharing events such as seminars, workshops, or meetings with stakeholders to draft laws and regulations; (c) conducting validity tests on certain parties to obtain feedback; (d) holding deliberation activities on laws and regulations before they are formally discussed by authoritative institutions; and (e) releasing drafts of laws and regulations in order to gather input from the public.

It is crucial for a country practicing the rule of law to ensure that public participation is incorporated into the content of its laws. When the media collects real input from the community, it can greatly facilitate discussions at all levels of the legislative process, from working committee meetings to plenary

sessions. When the public has a say in the formation of a bill, the resulting legislation is more likely to reflect the desires of the wider community, leading to an ideal bill. If the formation of laws is done in an exclusive manner, rather than involving public participation, there is a risk of backlash, rendering the intended purpose of the law - to promote order - unachievable. As such, it is important to have an aspirational legislative process that garners public support.

In conclusion, adding clauses on the tasks and functions of the new institution to the Constitution requires creating a law for the institution and amending the PPP Law to allow for activities such as preview, harmonization, consolidation, and unification of the bill, which can be difficult and time-consuming to implement. Alternatively, Indonesia can adopt France's concept of preview, harmonization, and stabilization of the bill, which involves conducting these activities after the material content of the bill has been agreed upon through a plenary session, allowing for clear understanding and socialization of the bill. The review process can be carried out by a combined team of the Government and DPR/DPD, which is the ideal team for the task.

After the initial formation of a law aligns with the creation of good laws, subsequent monitoring and evaluation of the law should still take place. This evaluation should consider certain criteria such as the length of time the law has been in effect, the public's desires for changes, and the political and legal developments in Indonesia. Evaluations of existing laws must include measurable variables and indicators. These variables and indicators can be compared against several benchmarks, including Pancasila, the 1945 Constitution, legal principles, laws and regulations on vertical and horizontal levels, decisions made by the Constitutional and Supreme Courts, jurisprudence, international agreements and conventions, customary law, and national development plans. Additionally, the evaluation must take into account relationships with current institutions, financial implications for the state, as well as other specific elements related to the reason, basis, direction and extent of the regulation.

The institutions responsible for evaluating enacted laws are the same ones that created them, namely the government and legislative bodies such as the DPR and DPD. They should also consider input from academics, researchers, and other relevant institutions. The main reason for amending Law 12/2011 along with Law 15/2019 is to emphasize the importance of monitoring and reviewing existing laws. The DPR, DPD, and government will be tasked with evaluating whether a law should remain, be modified, or be repealed.

CONCLUSION

After examining discussions aimed at finding solutions to the issues encountered, it has been inferred that the implementation of preview activities in France can serve as a benchmark for Indonesia when drafting bills. By doing so, there can be a reduction in issues such as redundancy, incompatibility, inconsistency, ambiguity, and lack of effectiveness in laws. Additionally, the evaluation of laws (review) must go beyond judicial review by the Constitutional Court and include executive review and legislative review.

The implementation of the French bill review offers an opportunity for significant modifications, such as establishing a new institution for bill review. This would necessitate changes to both the 1945 Constitution and Law 12/11, in light of article 20 of the Constitution relating to the establishment of a legal institution. To facilitate good law formation and assess ideal laws, the authors recommend amending Law on Legislative Drafting to mandate preview/harmonization activities, as well as standardizing and unifying the bill draft, as emphasized in the article and review. The review should take place before the proposer or initiator submits the bill, followed by additional revisions after discussions at every level. Furthermore, a specialized team/agency/institution should be established through BPHN-PUSANEV, DPR via Baleg, and DPD through the legislative drafting committee, to coordinate pre and post-discussion research, as well as monitor and evaluate existing laws to make recommendations for formulating/revising laws.

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