Reconfiguring Regional Regulation Oversight in Indonesia: Constitutional Limits, Judicial Review, and Central Government Authority

Walim
Department of Law, Universitas 17 Agustus Cirebon, Cirebon, Indonesia

Abstract: This research discusses the changes in regional regulation supervision in Indonesia after the Decision of the Constitutional Court Number 137/PUU-XIII/2015 and Number 56/PUU-XIV/2016. This research examines the constitutional boundaries of the central government authority, preventive supervision, and judicial review. This study uses normative legal research and applies statutory, conceptual and case approaches. Legal materials were collected through library research and analyzed through grammatical, systematic and teleological interpretation. The results showed that the two decisions of the Constitutional Court limited the executive's power to revoke the Regional Regulations that have been promulgated and confirmed the role of the Supreme Court in the judicial review. But the reforms also point up problems of ensuring regulatory consistency, enhancing preventive supervision and providing effective judicial remedies. In an effort to overcome these challenges, the present study proposes an integrated oversight framework that combines preventive executive supervision, judicial review and administrative coordination within constitutional and statutory boundaries. The framework focuses on assessment and harmonisation of draft Regional Regulations, clearer institutional responsibilities, better coordination between central and regional governments, and more effective judicial review procedures. It also says that administrative and fiscal measures must have an express legal basis and cannot be used as indirect instruments for the repeal of enacted Regional Regulations. The proposed framework seeks to promote legal certainty and regulatory consistency, while protecting regional autonomy and the independence of the judiciary.

Keywords: Regional regulations, judicial review, regional autonomy, constitutional court, executive oversight.

Correspondents Author:
Walim, Department of Law, Universitas 17 Agustus Cirebon, Cirebon, Indonesia
Email: walimshmh77@gmail.com

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Introduction

Regional autonomy is one of the important pillars in the Indonesian constitutional system. The regional government is authorized to carry out the affairs of the government according to the needs and characteristics of each region (Bagherifam et al., 2025). The idea behind this arrangement is to enhance local democracy, public services and governance effectiveness (Erlingsson et al., 2025). In this case, the Regional Regulation (Peraturan Daerah) is an important legal product in the translation of regional policies and public aspirations into binding legal norms (He et al., 2023; Yu et al., 2025). They are formed by regional heads and Regional Legislative Councils (Dewan Perwakilan Rakyat Daerah), the embodiment of democratic process at the local level (Ayres et al., 2025). However, the exercise of regional regulatory authority must be in accordance with the national legal system and the constitutional principles of Indonesia as a unitary state (Mujib & Muchlas., 2023). The growing importance of regional regulation in local governance has also posed challenges in the areas of regulatory quality, legal consistency and institutional accountability. Rules of the regions may conflict with superior laws, go beyond the competence of the regional authorities, or impose unnecessary administrative and economic costs. Such problems may affect legal certainty, public interests and the implementation of national policies. Thus, the supervision must be effective so that the regional autonomy remains within the limits of the Constitution and the law. The challenge is to strike a proper balance between the autonomy of the regional governments to design local policies and the duty of the central government to preserve the coherence of the national legal system (Boufounou et al., 2024; Sánchez-Hernández., 2024). The executive power to revoke some of Regional Regulations was given to the central government as regulated in Law No. 23 of 2014 on Regional Governance (Fanani., 2023; Giantoro et al., 2024). Under Article 251, the Minister of Home Affairs and the governors as representatives of the central government had the power to cancel regional regulations which were considered to be contrary to higher legislation, the public interest or morality. This mechanism was a form of executive review to ensure consistency in regulation and to avoid having problematic regional regulations remain in effect. But the arrangement also posed a basic constitutional question as to how far executive agencies could, by administrative decision, nullify regulations that had been jointly determined by elected legislative councils and regional executives. The issue was not simply whether the central government could supervise regional policies, but whether an executive institution could invalidate a legal product that had been enacted through a regional legislative process. This distinction became central to the constitutional review of Article 251 of Law No. 23 of 2014 (Marpaung et al., 2021). A major milestone in a constitutional debate over the executive's power to annul were the Constitutional Court Decisions No. 137/PUU-XIII/2015 and No. 56/PUU-XIV/2016.

These decisions repealed the relevant provisions of Article 251 concerning the executive power to repeal regency and municipal regulations and provincial regulations (Priyanto., 2025). The Constitutional Court highlighted the constitutional jurisdiction of judicial review, in particular the role of the Supreme Court to review regulations below statutes against statutes. The decisions have thus caused a fundamental change to the institutional framework of the monitoring of the Regional Regulations in Indonesia. The constitutional significance of these decisions lies in the distinction between executive supervision of regional government administration and the authority to determine the validity of enacted legal norms. The latter falls within the judicial review function assigned to the Supreme Court under Article 24A paragraph (1) of the 1945 Constitution. Consequently, administrative supervision cannot be used as a substitute for judicial review of an enacted Regional Regulation (Sukardi & Wardana., 2024). This transformation has implications for the relationship between the authority of the central government, regional autonomy and judicial institutions. The power of executive annulment is removed, the judicial review is constitutionally strengthened, and the chance of unilateral executive intervention in regional lawmaking is limited. However, it also leads to practical questions about the effectiveness and accessibility of legal remedies against problematic Regional Regulations. Judicial review is a formal legal process and requires an eligible applicant to start proceedings. So, the existence of judicial review mechanism does not mean that all problematic regional regulations will be reviewed immediately. In such a case, it is necessary to assess whether the existing institutional framework provides adequate guaranties for legal certainty and the public interest. The removal of executive annulment authority therefore does not eliminate the need for central government oversight. Instead, it requires a clearer division between preventive measures taken before a Regional Regulation is enacted and judicial remedies available after its enactment (Karkin & Janssen., 2020; Laffin., 2009). The developments have made preventive oversight increasingly important in the formation of Regional Regulations. Preventive supervision is exercised prior to the adoption of a draft regulation through methods such as evaluation, facilitation, consultation and legal harmonization. The evaluation of certain types of draft Regional Regulations is within the scope of Law Number 23 of 2014, and Law Number 13 of 2022 strengthens the harmonization process in the national legislative framework (Dubale et al., 2025; Nirwan et al., 2025). These mechanisms make it possible to identify potential legal conflicts during the drafting process and not wait until a regulation has entered into force. However, the effectiveness of ex-ante oversight depends on the scope of the assessment, the quality of legal review, institutional coordination and the capacity of the regional governments to incorporate recommendations in the final regulatory text. However, preventive supervision must remain within the scope of the authority granted by legislation. Its purpose is to improve the legal quality of draft Regional Regulations, not to give central

government institutions control over regional legislative decisions beyond their statutory powers. The current state of the art in this field indicates that the debate on the oversight of regional regulation has focused primarily on three major themes: the constitutional legitimacy of the executive's power of annulment, the consequences of the decisions of the Constitutional Court for the supervision of the central government, and the function of judicial review in guaranteeing the hierarchy of the legal system. The other discussions have been on preventive mechanisms, in particular the assessment and harmonization of drafts of Regional Regulations. These perspectives have helped to understand the institutional changes that followed the decisions of the Constitutional Court. However, a deeper analysis is still required on the relationship between preventive executive oversight and repressive judicial review and, in particular, on the way in which both mechanisms can be applied within the constitutional boundaries of the central and regional government. Although these studies have addressed the constitutional status of executive review and the role of judicial review, the institutional relationship between preventive executive supervision and post-enactment judicial review still requires further examination. In particular, the legal boundaries for coordinating these mechanisms without restoring executive annulment authority need to be clarified. The research gap concerns the absence of a sufficiently clear institutional framework that connects preventive executive supervision with judicial review while respecting the constitutional limits established by the Constitutional Court. Discussions so far have tended to focus on these mechanisms in isolation and have left open important questions about how they are coordinated and what their complementary roles might be. More specifically, it is still to be determined the extent of interference of the central Government in the approval of Regional Regulations, the legal limits of the administrative control once they are in force and the effectiveness of the judicial review to confront regulations possibly in conflict with superior norms. To ensure that the enhancement of central government supervision will not be an indirect revival of the executive annulment powers declared unconstitutional, these problems need to be solved (Tuasikal & Homer., 2024). This study proposes an integrated approach to regional regulation oversight by distinguishing the functions of preventive executive supervision, judicial review, and administrative coordination. Its contribution lies in explaining how these mechanisms can operate together without transferring the judicial authority to annul enacted Regional Regulations back to the executive branch. The study also deals with the legal feasibility of the enhancement of preventive mechanisms, the improvement of the efficiency of judicial review procedures and the clarification of the administrative responsibilities of the central government. The objective of this research is to propose an institutional reconstruction that can guaranty constitutional compliance, protect regional autonomy and strengthen legal certainty, without prejudice to the independence of judicial institutions. In this context, this study addresses three research questions. Firstly, how

do Constitutional Court Decision No. 137/PUU-XIII/2015 and No. 56/PUU-XIV/2016 set constitutional limits on the authority of the central government to cancel Regional Regulations (Sudrajat et al., 2026). Second, what are the legal and institutional implications of these decisions for preventive executive oversight and repressive judicial review. Third, how can regional regulatory oversight be restructured to improve regulatory effectiveness, while respecting the constitutional division of authority between central and regional governments. The method of this study is normative legal research with statutory, conceptual and case approaches to answer these questions. Long term, it is intended to build a constitution-based framework for reconfiguration of regional regulation oversight in Indonesia.

Research Method

This study uses normative legal research (doctrinal legal research) to analyze the constitutional and institutional implications of the oversight of regional regulations after the Constitutional Court Decision No. 137/PUU-XIII/2015 and No. 56/PUU-XIV/2016 (Priyanto., 2025; Sukardi & Wardana., 2024). The research is focused on the analysis of legal norms, constitutional principles, statutory provisions and relevant judicial decisions concerning the authority of the central government and regional governments in supervising Regional Regulations (Hutchinson., 2025; Majeed et al., 2023). The research was carried out in several systematic stages, starting with the identification of legal issues and the formulation of research questions, the selection of research approaches, the collection and classification of legal materials, and qualitative legal analysis. This design was selected because the research examines the validity, scope, and limits of legal authority established by constitutional provisions, statutory regulations, and judicial decisions. It therefore focuses on legal interpretation and institutional authority rather than on measuring the empirical performance of government institutions, Figure 1 shows the whole research process.

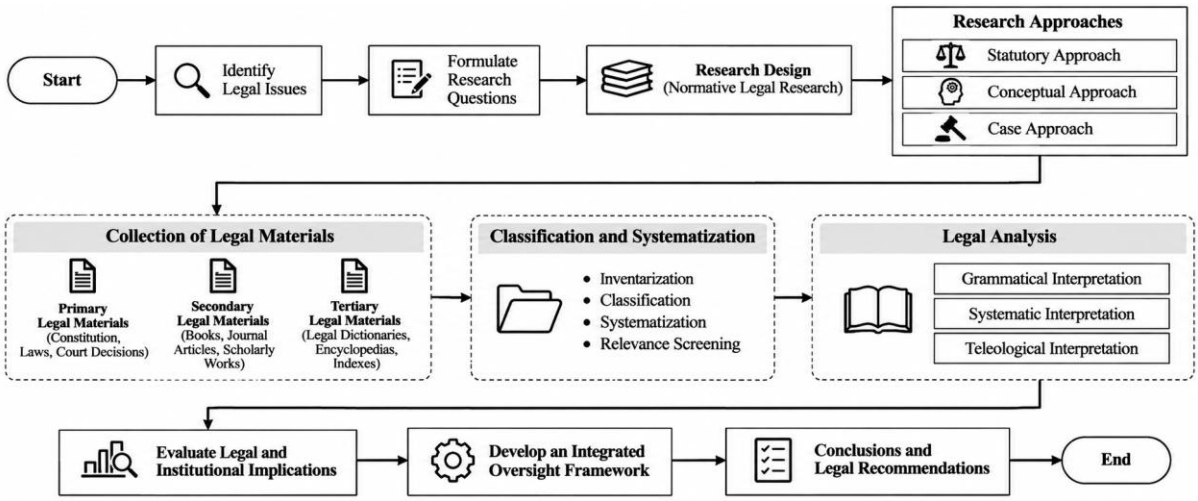


Figure 1 Research Methodology Framework

These approaches deal with different aspects of the research questions. This approach is statutory in examining the distribution of authority under the 1945 Constitution and legislation on regional government and the formation of regulations. The conceptual approach provides the basis for assessing the relationship between separation of powers, regional autonomy, executive supervision and judicial review. The case approach discusses the constitutional reasoning in the Constitutional Court Decisions No. 137/PUU-XIII/2015 and No. 56/PUU-XIV/2016, particularly its implications for executive authority over enacted Regional Regulations (Raof et al., 2025). Legal materials are primary, secondary and tertiary legal materials. The main materials are the Constitution of 1945, the related laws and the decisions of the Constitutional Court. Secondary sources include law journals, law reviews, books written by academics. Law dictionaries, law encyclopedias relevant to the issue are tertiary sources. The selection of legal materials was based on their relevance to the research questions and their direct relation to the supervision of regional regulations. Primary legal materials were selected because they offer the constitutional and statutory basis for supervisory authority and judicial review. Secondary sources were included when they provided a relevant legal analysis or interpretation of the two Constitutional Court decisions, regional autonomy and the limits of executive power. Some tertiary materials were used to clarify legal terminology and concepts. They are extracted from library research and electronic legal documents. The collected legal materials are classified and qualitatively analyzed by grammatical, systematic and teleological interpretation (Goźdź-Roszkowski., 2021).

Grammatical interpretation is used to analyze the wording of relevant constitutional and statutory provisions. Systematic interpretation is applied in an effort to understand the provisions in relation to the other rules of the Indonesian legal system, especially the division of authority between the executive institutions and the judiciary. The constitutional purposes of the provisions and the reasoning of the Constitutional Court decisions are discussed from the viewpoint of teleological interpretation. These techniques allow the analysis to define the legal boundaries of preventive executive supervision and judicial review of adopted Regional Regulations. The analysis discusses the limits of executive power in the constitution, the effectiveness of preventive control, and the position of judicial review of problematic Regional Regulations. The findings are then analyzed against a prescriptive legal framework to propose an integrated oversight framework that enhances regulatory accountability while preserving judicial independence and regional autonomy. The resulting legal analysis is used to formulate a prescriptive oversight framework that distinguishes the authority to evaluate draft Regional Regulations, the judicial authority to review enacted regulations, and the administrative responsibilities that may be exercised within the limits of existing legislation (Garlicki., 2007).

Result and Discussion

Constitutional Transformation of Regional Regulation Oversight

The constitutional basis of the supervision of regional regulations in Indonesia has been dramatically changed after the Constitutional Court Decision No. 137/PUU-XIII/2015 and No. 56/PUU-XIV/2016. Before these decisions, Law No. 23 of 2014 Article 251 provided the central government executive power to annul some Regional Regulations. This arrangement rendered the Minister of Home Affairs and governors as supervisory authorities who could administratively react to regional regulations which were considered inconsistent with higher laws or public interest or morality. But the exercise of such authority raised constitutional questions regarding the relationship between executive supervision and judicial review. The decisions of the Constitutional Court created an important distinction between the power of administrative supervision and the power to annul legal norms which have been enacted. The constitutional reasoning of the Court emphasized that the review of regulations below statutes against statutes is the authority of the Supreme Court based on Article 24A paragraph (1) of the 1945 Constitution. Thus, the executive annulment mechanism based on the relevant provisions of Article 251 could no longer be an alternative means of invalidating enacted Regional Regulations. This change reflects the constitutional significance of upholding institutional boundaries in the exercise of governmental authority. From the perspective of the separation of powers, the decisions confirm the principle that executive bodies cannot exercise judicial functions beyond the boundaries defined by the Constitution. Regional Regulations are formulated through the regional heads and Regional legislative councils in a legislative process. Their legal validity cannot thus be established by unilateral administrative decisions of officials of the central government. The constitutional problem is in the institutional competence to determine the validity of an adopted legal norm. Even if the central government has a legitimate interest in ensuring consistency between regional and national regulations, this interest does not automatically confer the authority to invalidate a Regional Regulation by means of an executive decision. The authority of the Supreme Court based on Article 24A paragraph (1) of the 1945 Constitution is the review of regulations under the statutes. It is necessary, therefore, to distinguish the executive function of supervision from the judicial function of reviewing the legal validity of enacted regulations. However, this constitutional limitation should not be interpreted as relieving the central government of its responsibility to supervise regional governance. Rather, it calls for a clearer differentiation between the supervision of the formation of regulations and the judicial determination of the validity of regulations already enacted. The main finding is that the Constitutional Court rulings changed the institutional mechanism of regional regulation oversight, but not the need for it. The

executive's power to repeal adopted Regional Regulations was limited, while preventive supervision and judicial review continued to perform their separate roles in the legal system. This distinction is the basis for setting up a framework of oversight that is respectful of constitutional authority and, at the same time, makes sure regional regulations are in harmony with the national legislation.

Legal and Institutional Implications for Repressive Oversight

The elimination of the executive authority to annul has increased the importance of judicial review as the constitutional mechanism to examine the validity of enacted Regional Regulations. Within this framework, the Supreme Court plays a key role in the decision on whether the Regional Regulation contradicts the higher legislation. This institutional design strengthens the independence of the judiciary and prevents executive institutions from unilaterally invalidating regional legal products. But the effectiveness of this arrangement also depends on the accessibility, procedural efficiency and institutional capacity of the judicial review mechanism. An important institutional constraint is the procedural nature of judicial review. Judicial review is not administrative supervision. The latter can be performed by government bodies while they carry out their statutory duties. The former is a formal legal proceeding. The challenge shall be filed by a qualified applicant in the applicable judicial proceeding. This implies that potentially problematic Regional Regulations could continue to be in force if no eligible party requests a review. This situation shows that judicial review, even if constitutionally required, does not automatically mean that all regional regulations get enough monitoring. The other problem is about the legal effects which can occur pending the judicial review proceeding. A Regional Regulation normally remains in force until its legal status is changed by a suitable legal mechanism. Thus, the time between the entry into force of a regulation and the delivery of a judicial decision may create uncertainty for the citizens, businesses and public institutions affected by the regulation. This concern is especially relevant when a regional provision may create administrative burdens or conflicts with higher-level legislation. However, mere pendency of an application for judicial review cannot ipso facto entitle the central government to suspend or ignore the Regional Regulation. Any measure relating to the implementation of a regulation that has been adopted shall have a specific legal basis and shall be taken by an institution which is competent to take such a measure. Where temporary legal protection is required, that must be decided by a judicial mechanism established by applicable law and not by unilateral executive discretion. These conditions should not be described by default as an absolute administrative void. The central government maintains supervision functions within the limits of its statutory authority, especially through the evaluation and facilitation of draft regulations and the broader supervision of regional government administration. The more specific institutional problem

is the absence of the previous executive annulment mechanism for enacted Regional Regulations and the need to ensure the effectiveness of the remaining oversight mechanisms. Thus, enhancing the effectiveness of judicial review should be accompanied by stronger preventive supervision and improved coordination between the central and regional institutions.

Strengthening Preventive Oversight through Regulatory Harmonization

The limitation of the authority of the executive to repeal has led to the increasing importance of preventive supervision as a tool to maintain the quality and consistency of Regional Regulations. The scope of preventive supervision must nevertheless remain proportionate to the authority provided by legislation. Evaluation and harmonization should focus on legal compliance, consistency with higher regulations, and the requirements for forming legislation. They should not become instruments through which central government institutions determine regional policy choices that remain within the lawful authority of regional governments. Preventive oversight is designed to identify violations of law at the stage of drafting, whereas repressive oversight considers the validity of regulations only after their enactment. In this way, potential conflicts with higher legislation can be resolved before they turn into binding legal provisions. Preventive supervision should therefore be interpreted not as an administrative procedure, but as an integral part of the quality assurance of regulation. Undang-Undang Nomor 23 Tahun 2014 provides an assessment framework for several types of Draft Regional Regulations including regional development planning, regional budgets, regional taxes and levies and spatial planning. Assessment mechanisms of this kind enable the central government to reflect on the legal and policy implications of particular draft regulations prior to their implementation. But the scope of the compulsory evaluation is limited, meaning not all draft Regional Regulations will be subjected to the same level of substantive scrutiny. This requires the strengthening of regulatory harmonization, in particular of the draft regulations that may have a significant impact on public rights, economic activities, public services and regional development. The issuance of Law No. 13 of 2022 is an important foundation for strengthening harmonization of legislation. The harmonization process is intended to ensure consistency of the draft regulations with the principles of legislative formation, the national legal hierarchy and applicable statutory provisions. Involving legal drafting institutions in this process can improve the quality of the formulation of regional regulations and minimize the risk of legal conflicts after the enactment of the regional regulation. harmonization is not merely a formal requirement. Its success will depend on the quality of the legal analysis, the competence of the legal drafters and the willingness of regional governments to adopt substantial recommendations. A stronger

preventive oversight framework should therefore include three complementary measures. First, the assessment of draft Regional Regulations should be based on clear legal criteria and risk-based priorities. Draft regulations that have far-reaching effects on constitutional rights, public interests, investment activities and public services shall be subject to more thorough legal review. Second, the coordination between the Ministry of Home Affairs, the legal offices of the provinces and the institutions concerned with the legal harmonization must be strengthened, so as to avoid duplication of responsibilities. Third, the harmonization process should be documented in a digital system that logs legal assessments, recommendations and changes to draft regulations. These measures would strengthen the preventive supervisory power of the Central government and would not restore the executive annulment power repudiated by the Constitutional Court. The central government would still have a role to play in improving the quality of draft regulations, while the legal validity of enacted regulations would be within the constitutional framework of judicial review. This is an important distinction to balance appropriate regulatory oversight with respect for regional autonomy. In practice, the procedure should start by forwarding draft Regional Regulations for assessment or harmonization where needed by law. Then the responsible central or regional institution verifies their compliance with higher regulations and issues written recommendations. Regional governments still have the responsibility to take into account and follow up on those recommendations within the applicable legislative procedures. The process should also document the legal basis for each recommendation to promote transparency and accountability.

Reconstructing an Integrated Framework for Regional Regulation Oversight

The above analysis means that the institutional architecture of regional regulatory surveillance must integrate preventive administrative supervision with repressive judicial review. The proposed integration does not mean that preventive supervision and judicial review are merged in one single institutional process. Each mechanism has its own legal basis, its responsible institution and its application phase. Preventive supervision is carried out during the process of drafting Regional Regulations, while judicial review is carried out on regulations that have been enacted whose validity is disputed before the competent court. Administrative coordination connects these mechanisms by promoting information exchange and legal follow-up without interfering with the authority of the Supreme Court. The two mechanisms have different legal functions and are not to be considered interchangeable. Preventive oversight is intended to prevent regulatory conflicts at the stage of their adoption, and judicial review is to establish the legality of already adopted regulations. The integrated framework should thus enhance the coordination between these mechanisms, while respecting their

respective constitutional boundaries. The initial component of the proposed framework is the strengthening of preventive regulatory evaluation. The central government should improve the quality of legal review in the drafting process, especially for regulations with significant impact on public rights, regional economic activities and the implementation of national policy. The improved system must be supported by skilled legal drafters, consistent evaluation standards and efficient coordination among relevant institutions. The aim is to ensure that regional regulatory initiatives conform to the national legal framework, not to enhance the central government's role in local regulatory policymaking. The evaluation process should identify the relevant legal provisions, explain any possible inconsistency and propose recommendations to be followed up during the drafting process. The legislative authority and procedures established by law are responsible for the ultimate responsibility for establishing Regional Regulations. This allows an improvement of regulatory quality through preventive evaluation, without replacing the regional legislative decision-making. The second element is the improvement of the judicial review procedures. The Supreme Court's review mechanism should allow for a practical and accessible process for the scrutiny of Regional Regulations that are alleged to conflict with higher legislation. Timely resolution of applications could be facilitated by procedural efficiency, transparent case administration and appropriate use of electronic judicial services. Any proposal for an expedited review procedure shall be developed within the applicable statutory framework and respect judicial independence. Similarly, proposals for temporary judicial measures, for instance, the temporary suspension of a regulation, must have a clear legal basis and not be introduced solely by administrative discretion of the executive branch. The proposed reform should be about access to procedure, transparency of case files and speedy processing of applications under the current judicial system. Any introduction of interim measures or expedited procedures must be based on a suitable legal basis. It should therefore be regarded as possible procedural improvements rather than as powers that can be exercised by executive institutions without legislative authorization. Third, to clarify the administrative responsibilities of the central government once a Regional Regulation has been issued. The central government, although it can no longer use the annulment mechanism struck down by the Constitutional Court, still performs other supervisory functions within the limits of applicable legislation. These functions may include monitoring the administration of regional government, providing legal advice, facilitating the amendment of regulations, and coordinating with relevant institutions after detecting potential legal conflicts. Any administrative or fiscal measure must have an explicit statutory basis and must not be an indirect mechanism for annulling a Regional Regulation. Accordingly, administrative supervision after enactment should be directed at monitoring the implementation of regional government responsibilities, providing legal assistance, and facilitating coordination where regulatory problems are identified. If a conflict concerns the

validity of an enacted Regional Regulation, the matter should be brought before the competent judicial institution. Administrative or fiscal measures should only be applied when expressly authorized by legislation and should not produce the same legal effect as an executive annulment. The proposed integrated framework may be summarized on the basis of the following institutional comparison.

Table 1 Proposed Framework for Regional Regulation Oversight in Indonesia

Oversight dimension	Institutional responsibility	Proposed strengthening
Preventive oversight	Central and regional institutions within statutory authority	Legal evaluation and harmonization of draft Regional Regulations
Executive annulment	No unilateral executive annulment of enacted Regional Regulations under the constitutional limits established by the Court	Maintain the constitutional division of authority
Judicial review	Supreme Court	Improve procedural accessibility, transparency, and case administration
Institutional coordination	Central and regional government institutions	Documented coordination and follow-up of legal recommendations
Administrative supervision	Central government within statutory authority	Monitoring of regional administration and legally authorized administrative measures
Legal certainty	Depends on preventive mechanisms and judicial outcomes	More consistent regulatory quality and effective legal remedies

The framework proposed in Table 1 operates through the division of institutional responsibilities, not the concentration of supervisory authority. Preventive evaluation and administrative coordination are performed by the central government institutions within the limits of their statutory powers. The role of the regional government in the formation of Regional Regulations is still the same, as well as the role of the Supreme Court in the judicial review of the regulations that have been enacted. In this way, the effectiveness of the framework depends on the coordination between institutions without transferring judicial powers to the executive branch.

Discussion: Balancing Constitutional Authority and Regulatory Effectiveness

The findings show that the main problem of regional regulation supervision in Indonesia is not only the lack of executive power to cancel, but also the need to build an effective institutional framework after the constitutional reallocation of supervision authority. The decisions of the Constitutional Court reinforced the constitutional position of judicial review and limited the intervention of the executive in the validity of enacted Regional Regulations.

But constitutional legitimacy is not enough to ensure effective regulatory control. The legal system must also have preventive mechanisms able to identify regulatory inconsistencies and judicial procedures able to resolve legal disputes in an effective manner. As for regional autonomy, the enhancement of preventive control must not lead to excessive central government control over the legislative process at the regional level. Regional governments must have sufficient authority to develop regulations that reflect the local needs and priorities. Central government supervision should thus concentrate on legal consistency, compliance with statutory requirements and coordination of the national legal system. This method allows regional autonomy within the limits of the constitution without reducing the regional governments to administrative extensions of the central government. This requires a clear distinction between national legal consistency and regional policy autonomy for this balance. The central government may supervise the regional regulations to ensure that they fulfil the constitutional and statutory requirements, but such supervision should not replace policy decisions that fall within the lawful responsibilities of the regional governments. In this sense, the constitutional prohibition of annulment by the executive is also a protective element against excessive administrative intervention in the legislative processes of the regions. The proposed reconstruction also impacts legal certainty and the investment climate. Different rules in different regions can create uncertainty for citizens, businesses and public institutions. From a legal perspective, regulatory harmonization can reduce inconsistencies in the drafting process, while judicial review provides a remedy when an enacted regulation is alleged to conflict with higher legislation. Both mechanisms contribute to legal certainty through different institutional functions. However, their actual effects on investment and regional economic activity require empirical assessment beyond the scope of this normative legal study. More effective preventive harmonization can reduce the likelihood of enactment of conflicting provisions, and more effective judicial review can provide a legal remedy once conflicting provisions are enacted. Nevertheless, the improvements of regulatory quality and investment certainty should be considered as expected institutional benefits of the proposed framework, rather than as results empirically proven by this normative legal research. The legal feasibility of the proposed institutional reforms is an important factor. The improvement of preventive evaluation and interinstitutional coordination is possible through the development of existing administrative procedures, as long as these measures are within statutory authority. In contrast, the introduction of new judicial powers, such as specific interim measures or expedited procedures, may require relevant regulatory or legislative reform. Administrative and fiscal sanctions must likewise be based on clear statutory provisions and must not become instruments for the indirect invalidation of Regional Regulations. The present study is based on normative legal research of legislation, constitutional principles and relevant court decisions. Thus, its findings amount to a doctrinal and prescriptive assessment of the existing

oversight framework and the possible path of institutional reconstruction. The study does not empirically assess the performance of regional evaluation institutions, the real duration of the judicial review proceedings and the economic impact of the problematic Regional Regulations. Future empirical research would benefit from including central government agencies, regional legal offices and judicial institutions to evaluate the actual implementation of the proposed framework. In general, the debate favors a holistic approach to preventive executive oversight, judicial review and administrative supervision in specific constitutional and statutory roles. This model allows for the enhancement of regional oversight regulation without affecting judicial independence or regional autonomy. The basic idea is that effective regulatory governance is achieved through institutional coordination and legal accountability rather than by concentrating annulment power in one branch of government.

Conclusions

The analysis shows that the Constitutional Court Decision No. 137/PUU-XIII/2015 and No. 56/PUU-XIV/2016 has changed the system of oversight on Regional Regulation in Indonesia by narrowing the executive authority to repeal enacted Regional Regulation. The decisions confirm the authority of the Supreme Court to review regulations under statutes and draw the constitutional line between executive oversight and judicial review. Yet, curtailing executive veto does not eliminate the need for central government oversight. Preventive review and legal harmonization continue to be important when trying to detect possible conflicts with higher regulations before they are adopted, and judicial review provides a legal mechanism for the examination of regulations which have already entered into force. These results suggest that a clear separation of preventive administrative and judicial powers is required for effective supervision. The study suggests an integrated framework that links preventive executive supervision, judicial review, and administrative coordination within their constitutional and statutory boundaries. In this framework, the central government is tasked with the assessment and harmonization of draft Regional Regulations within the framework of the central government's legal authority. Regional governments continue to play their role in the formation of regional regulations, and the Supreme Court performs judicial review over enacted regulations. Administrative and fiscal measures must also be authorized by law and cannot be used to indirectly restore the power of executive nullification. The suggested framework offers an institutional framework for enhancing regulatory coherence and legal certainty without undermining regional autonomy and judicial independence. Further research needs to be conducted with central government institutions, regional governments and judicial institutions to study the proposed framework implementation and evaluate its practical effectiveness.

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