Presidential Emergency Legislation in Indonesia: A Comparative Study of Fast-Track Mechanisms in Ecuador and Colombia

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Abstract: This research analyzes the presidential authority to issue Government Regulations in Lieu of Law (Perpu) during urgent conditions in Indonesia and explores the potential institutionalization of fast-track legislation as a more accountable alternative. Using statutory and conceptual approaches, the study identifies five fundamental problems with the current Perpu mechanism: disruption of legislative processes, judicial review conflicts, unlimited and subjective content scope, lack of legislative discussion, and unclear nomenclature. These issues risk executive overreach and weaken the principle of separation of powers. The research then compares Indonesia's system with fast-track legislative mechanisms in Ecuador and Colombia. Both countries empower the president to expedite urgent bills with a 30-day legislative response period; Ecuador limits this to economic matters and grants the president authority to enact bills if the legislature fails to act, while Colombia has no such clear consequence. Based on this comparison, the study advocates abolishing the president's authority to issue Perpu and replacing it with a formal fast-track legislative process involving the House of Representatives. This approach preserves democratic accountability, ensures legal certainty, restores separation of powers, and prevents unilateral executive actions prone to arbitrariness. The research concludes that amending Article 22 of the 1945 Constitution to institutionalize fast-track legislation offers a constitutionally sound and transparent solution to urgent legislative needs in Indonesia.

Keywords: Perpu; Fast Track Legislation; Law; Comparative law

Introduction

The pure division of powers from trias politica notion requires that the executive power only executes the law. In additional, the president is only allowed to implement laws and eliminate intervention in legislation. Legislation in power sharing is the legislature's authority, in this case, the People's Representative Council of the Republic of Indonesia (DPR).[1] The

[1] Cipto Prayitno, "Analisis Konstitusionalitas Batasan Kewenangan Presiden

teachings of trias politica require that power is not confined to one state institution. Power must be limited by sharing or separating it between state institutions to prevent the inappropriate use of authority.[2] Even so, this teaching has experienced developments resulting from constitutional dynamics and changes to the constitution. In various Articles of the Constitution of 1945, the principles of separation of powers and checks and balances understanding are intertwined.[3]

The *Perpu* (Government Regulation in Lieu of Law) is legal instrument often viewed as a "necessary evil"—intended for urgent situations but frequently criticized for being overreaching and lacking clarity.[4] Despite its purpose of addressing crises, Perpu is loosely defined in the 1945 Constitution and was only formalized in naming and hierarchy through later legislation. The President holds dominant authority in issuing a Perpu, which, while legally permitted, can disrupt the balance between executive and legislative powers.[5] The article examines three controversial Perpu: Perpu Ormas (2017), which altered mass organization laws;[6] Perpu Pilkada (2014), questioned for its urgency and rushed amendments;[7] and Perpu Covid-19 (2020), criticized for granting legal immunity potentially conflicting with anti-corruption laws and constitutional principles.[8] These cases reflect broader concerns over the legitimacy, necessity, and potential misuse of Perpu as a legislative tool.

The Perpu, issued in a short process as stipulated in the constitution, refers to the phrase kegentingan memaksa or 'force majeure'. The force majeure in the constitution has required the formation of a Perpu quickly. However, as previously explained, this process has minimal legislative participation in discussing the substance of the material. In the end, the House of Representatives (DPR) is only in the downstream position in passing the Perpu without knowing or being able to correct the substance of the Perpu. DPR is limited to the process of accepting or not merely. Fast Track Legislation is a mechanism for forming laws quickly. Fast Track

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2 Efi Yulistyowati, Endah Pujiastuti, and Tri Mulyani, "Penerapan Konsep Trias Politica

3 E. Zaenal Muttaqin, "Konsep Pemisahan Kekuasaan (Separation of Power)

4 Manan and Harijanti.

5 Fitra Arsil, "Menggagas Pembatasan Pembentukan Dan Materi Muatan Perppu:

6 Arsil, "Menggagas Pembatasan Pembentukan Dan Materi Muatan Perppu:

7 Eka Sariati, Salmon Eliazer Marthen Nirahua, and Victor Juzuf Sedubun, "Urgensi Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2020

8 Tigor Einstein, Muhammad Ishar Helmi, and Ahmad Ramzy, "Kedudukan

Legislation, in this study, is a mechanism for forming laws quickly or extraordinarily or through a mechanism that is not the same as making laws under normal conditions.

The President's Authority to Form PERPU and its Legal Regulations

The naming of *Perpu* (Government Regulation in Lieu of Law) is not explicitly formalized in the 1945 Constitution, as seen in Article 22(1), where it is written in lowercase—indicating it is not an official constitutional term.[9] The formal recognition and placement of *Perpu* in the legal hierarchy only appear in later statutory laws, such as Law 10 of 2004 and Law 12 of 2011, which place *Perpu* on equal footing with formal laws. This contrasts with the earlier MPR Decree No. III of 2000, where *Perpu* was considered subordinate to laws, limiting the president's power in issuing them to avoid legal conflict with existing legislation.

Under the current legal framework, *Perpu* is equal to laws in both hierarchical position and content scope, as established in Article 7(1) and Article 11 of the Law on the Formation of Legislation. While *Perpu* and laws share similar regulatory weight, their key differences lie in the circumstances of their issuance and the process of enactment.[10] *Perpu* can be issued unilaterally by the president during a compelling urgency, bypassing the typical legislative process, which raises concerns about the potential for executive overreach given its equal legal status to formal laws.

Articles 12 and 22 of the 1945 Constitution provide the president with authority during abnormal or urgent conditions, but the content allowed under Article 22 should not overlap with the emergency powers outlined in Article 12, which relate specifically to war or national danger. While the Law on the Formation of Legislation (Article 11) equates the content of a *Perpu* to that of a law, this creates a contradiction:[11] *Perpu* are meant for urgent, exceptional circumstances, yet they are allowed to carry content typically reserved for laws passed through a lengthy, structured legislative process. The author argues that the content of a *Perpu* should be

[9] Ali Marwan Hsb, "Judicial Review Dan Legislative Review Terhadap Peraturan Pemerintah Pengganti Undang-Undang,"

[10] Ricca Anggraeni and Indah Mutiara Sari, "Menelisik Tertib Hukum Peraturan Pemerintah Pengganti Undang-Undang Melalui Validitas Suatu Norma Hukum,"

[11] Daniel Samosir, "Faktor-Faktor yang Menyebabkan Materi Muatan Undang-Undang Bertentangan Dengan UUD 1945,"

restricted and distinct, emphasizing that it should only address matters of urgent legal necessity, as mentioned in Article 10 letter e of the 2011 Law.

However, the concept of "fulfillment of legal needs in society" in Article 10 letter e is vague and open to broad interpretation. This lack of clear limits allows *Perpu* to become a tool of open legal policy—legislation that grants wide discretion to lawmakers without predefined boundaries.[12] Unlike other legal mandates (e.g., constitutional orders, international agreements), which require specific regulatory follow-up, open legal policy enables the president and DPR to act without constraint. When combined with the vague standard of "compelling urgency" in Article 22, this ambiguity risks turning *Perpu* into a legal instrument subject to presidential subjectivity rather than objective legal necessity.[13] This raises significant concerns about potential misuse and calls into question the adequacy of current legal safeguards and definitions.

Problematics of the Authority for Establishing Perpu

Before explaining in detail the problems presented by Perpu, it is necessary to briefly review 3 (three) Perpu relating to Ormas, Pilkada, and Covid-19 Perpu. First, concerning the Perpu for Ormas, which has experienced a shift in understanding the mechanism for dissolving political parties. Law Number 17 of 2013 concerning Community-Based Organizations (Ormas Law), the dissolution of community-based organizations has a multilevel dissolution paradigm. In addition, the final stage of dissolving a social organization is in the hands of the court, which accommodates the due process of law.[14]

The existence of the Perpu for Ormas negates the court's participation in the dissolution of political parties. The government in the Perpu for Ormas has carried out a "potong kompas or compass cut" in only placing the dissolution of mass organizations in its own hands through its minister, who deals with human rights law issues. This is reflected in Article 61 paragraph (3) and Article 80A Perpu Ormas. The court's non-involvement has eliminated the due process of law. In addition, applying the principle of a contrarius actus contradicts Article 28 and Article 28E

[12] Mardian Wibowo, "Menakar Konstitusionalitas Sebuah Kebijakan Hukum Terbuka Dalam Pengujian Undang-Undang,"

[13] Farhan Permaqi, "Politik Hukum Pembentukan Peraturan Pemerintah Pengganti Undang-Undang Dalam Asas Hal Ikhwal Kegentingan Yang Memaksa

[14] M. Beni Kurniawan, "Konstitusionalitas Perppu Nomor 2 Tahun 2017 Tentang Ormas Ditinjau Dari UUD 1945,"

paragraph (3). Revocation of the rights of citizens must go through a court process, not determined unilaterally by the government.[15]

The two *Perpu Pilkada* ultimately failed to take root, as they did not meet the critical elements of urgency outlined by the Constitutional Court. According to the Court, a legitimate state of urgency requires three conditions: a situation that must be resolved through legal means, a legal vacuum or insufficient existing law, and an immediate need that cannot be addressed through the normal legislative process.[16] However, both the *Perpu Pilkada* and Law Number 22 of 2014 concerning the Election of Governors, Regents, and Mayors were enacted simultaneously on October 2, 2014, leaving no legal vacuum or time gap between them. Since the Pilkada Law had not yet been implemented, claims of its inadequacy were baseless, making the issuance of the *Perpu* legally unjustifiable. As a result, many viewed the *Perpu Pilkada* as a political maneuver to protect the president's image amid intense political pressure, rather than a genuine response to constitutional urgency.[17]

Third, the Perpu Covid-19 provides excessive immunity to state administrators or government. Article 27 paragraph (2) Perpu Covid-19 being the executor of the Perpu Covid-19 cannot be prosecuted criminally and civilly. This of course ignores the procedure for granting immunity rights.[18] This condition does not reflect a situation that promotes the principle of equality before the law. Apart from that, it is constitutionally contrary to Article 1 paragraph (3) and Article 2 of the 1945 Constitution.[19]

Perpu Covid-19 makes the government and/or executors of Perpu Covid-19 always have good faith. It places its executors to be assumed as angels who are imaged as radiating goodness. There is an assumption that in its implementation, the Perpu Covid-19 puts forward the presume of innocent so that the executors cannot be prosecuted criminally and civilly.

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[15] Muhammad Reza Winata, "Politik Hukum Dan Konstitusionalitas Kewenangan Pembubaran Organisasi Kemasyarakatan Berbadan Hukum

[16] Ibnu Sina Chandranegara, "Pengujian Perppu Terkait Sengketa Kewenangan Konstitusional Antar-Lembaga Negara,"

[17] Chandranegara.

[18] Victor Imanuel W. Nalle, "Kritik Terhadap Perpu Di Masa Pandemi: Pembatasan Hak Tanpa Kedaruratan,"

[19] Surya Oktaviandra, "A*nalisis Aspek Legalitas, Proporsionalitas, Dan Konstitusionalitas Ketentuan Imunitas Pidana Bagi Pejabat Pemerintah Dalam Undangundang Nomor 2 Tahun 2020:*

In addition, each of its policies is not an object of dispute at State Administrative Court or Peradilan Tata Usaha Negara (PTUN).[20]

Furthermore, in general, the existence of the Perpu has several problems. First, the pattern of relations forming the law is disturbed, and it is not in accordance with the power-sharing format, which emphasizes separation of power principle. Strictly speaking the 1945 Constitution, through Articles 20, 20A, and 21, mandates that the formation of laws is the legislative authority.[21] Although the president has the right to participate in the submission and discussion of laws, this is not the president's authority. Second, a debate about reviewing the Perpu in the Constitutional Court emerged. Functionally, the existence of a constitution is to limit an authority.[22] The 1945 Constitution expressly limits the existence of judicial review at the Constitutional Court to limited reviewing laws. Perpu is not the object of review in the Constitutional Court. It is because it is not regulated in the constitution and only adds new authority to the Constitutional Court, not based on the principle of limitation of power in the constitution. The behavior of interpretation of the 1945 Constitution has brought down the dignity of the 1945 Constitution as the supreme law of the land. [23] No matter how urgent the Constitutional Court views the review of the Perpu, it cannot be justified. Third, the Perpu content material is *unlimited material* and determined subjectively by the president. The kind of unlimited material on the Perpu begins with the ambiguity at the time of setting Article 11 of the Law on the Formation of Legislation. Article 11 equates the contents of the Perpu with the law. As a result, the material contained in Article 10, paragraph (1) letter e of the Law on the Formation of Legislation provides *unlimited material*.

Unlimited material is reflected in the formulation of Article 10, paragraph (1) letter e of the Law on Formation of Legislation. In *a quo* Article "fulfillment of legal needs in society," this norm is quite biased if given to the president in the Perpu regulation. Moreover, the existence of the president's subjectivity regarding matters of coercive urgency in Article 22 paragraph (1) of the 1945 Constitution can plunge the president into

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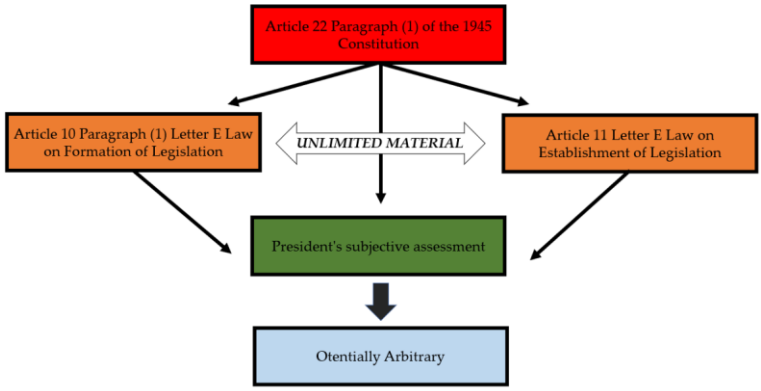
[20] *Fradhana Putra Disantara, "Aspek Imunitas Dalam Penanganan Corona Virus Disease 2019,"*

21 Fahrul Reza, "DPD sebagai Pembentuk Undang-Undang dan Peranannya dalam Fungsi Legislasi Pascaputusan Mahkamah Konstitusi,"

[22] Sri Soemantri Martosoewignjo, "Fungsi Konstitusi Dalam Pembatasan Kekuasaan,"

[23] Ni'matul Huda, "Pengujian Perppu oleh Mahkamah Konstitusi,"

arbitrariness. When described in a pattern of relations between Article 22 paragraph (1) of the 1945 Constitution, Article 10 paragraph (1), and Article 11 of the Law on Formation of Legislation is as follows:

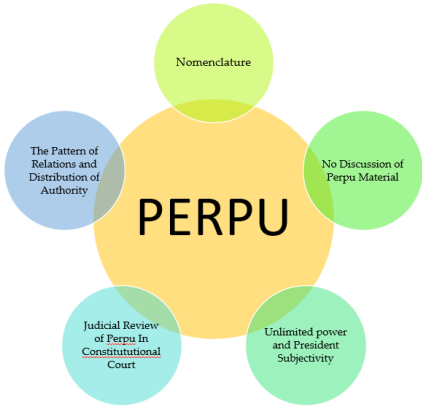


Fourth, there is no discussion of Perpu materials and limitations on approval to accept or not. This limited finance is reflected in Article 52 paragraph (3) Formation of Legislation. DPR in responding to Perpu is only limited to approving or not to a Perpu. Thus, DPR could be trapped in presidential politics if its majority is a coalition of presidential supporters. DPR is only the ratification institution for each Perpu issued by the president. The bad implication if this condition is allowed to affect the flow of government.

Fifth, there is the problematic of Perpu nomenclature itself. Perpu has an extension of Government Regulation in Lieu of Law. If this name is cut into two parts, it will create two phrases: Government regulations; and Constitution. The 1945 Constitution does not clearly state the rule's name that embodies Article 22 paragraph (1). The new Perpu nomenclature or name is found in the Law on the Establishment of Legislation. In comparison, government regulations are rules that are intended to implement laws. Thus, if the purpose of the Perpu is to carry out executive affairs in matters of urgency, it would be inappropriate to use the word Government Regulation. The author states that there should be a presidential regulation.

In Article 13 of the Law on the Formation of Legislation, presidential regulations contain material for administering governmental powers. This is emphasized in Appendix II of the Law on Formation of Legislation number 26, which mentions the necessity to contain considerations in the form of philosophical, sociological, and juridical matters in terms of governmental action.

The problems of Perpu are described as follows:



Comparison With Colombia and Ecuador

In this research, will be presented the comparison of authority in fast track legislation. In this comparison, two countries will be presented that have a mechanism for forming laws by means of fast track legislation. The first country is Colombia. Colombia is a country that has similarities with Indonesia. Colombia implements a presidential system of executive power.

In the 1991 Colombian constitution, the President's authority to make laws quickly or fast track legislation is regulated in Article 163. In Article 163 of the Colombian constitution it is stated:

> *The President of the Republic may solicit the urgent passage of any legislative bill. In such a case, the respective House shall take a decision on the matter within a 30-day limit. Even within this deadline, a declaration of urgency may be reiterated at all constitutional stages of the bill. Should the President insist on the urgency, the bill shall have priority in the day's agenda excluding the consideration of any other matter until the appropriate House or committee reaches a decision about it. If the legislative bill to which the message of* urgency *refers is under study by a permanent committee, the committee, at the request of the government, shall deliberate jointly with the corresponding committee of the other House in order to complete the first reading.*

In the Colombian constitution there is no mention of the term fast track legislation. The Colombian constitution only regulated that the president has the authority to submit a any bill for discussion to the respective House. The draft was proposed by the president for further discussion by the respective House.

Discussion of the presidential bill has a deadline of 30 (thirty) days. It is unclear whether there will be any consequences if the legislature rejects this. In the process of quickly forming a draft law, the president can request discussion more quickly. The President can ask to make the proposed law a priority by setting aside discussions on other issues.

Ecuador's constitution provides for a fast law formation process or fast track legislation. In Article 140 of the 2008 Ecuador Constitution it is stated:

> *The President of the Republic will be able to send to the National Assembly bills qualified as urgent on economic matters. The Assembly must adopt, amend or turn them down within thirty (30) days at the most as of their reception.*
>
> *Procedures for submittal, discussion and adoption of these bills shall be the regular ones, except with respect to the previously established time-limits. While a bill qualified as urgent is being discussed, the President of the Republic will not be able to send another, unless a State of Exception has been decreed.*
>
> *When the Assembly does not adopt, amend or turn down the bill qualified as urgent in economic matters within the stipulated time-limits, the President of the Republic shall enact it as a decree-law or shall order its publication in the Official Register. The National Assembly shall be able, at any time, to amend or repeal it, on the basis of the regular process provided for by the Constitution.*

Ecuador's constitution gives the president the freedom to send draft laws to the National Assembly for rapid discussion on urgent grounds. The constitution gives power to the president but limits it to draft laws relating to the economy only. Discussions are held no later than 30 (thirty) days in the national assembly. Within this time limit, the National Assembly must provide an answer, either approval, rejection or changes to the material of the proposed law.

During the period for submitting the draft law, the president is not permitted to submit other bill. This is to avoid the emergence of queues for submissions and requests for discussion of other draft laws. If within 30 (thirty) days the National Assembly does not provide an answer, either approval, rejection or revision, the president has the right to enact the bill into law. The laws stipulated by the National Assembly are permitted to amend or revoke them at any time in accordance with the constitution.

When comparing two countries, Ecuador and Colombia, we find similarities and differences. The similarities between the two countries; Firstly, the both of constitution give the authority to send any bill to the legislative body to respond urgent issue. Second, there is a time limit for discussions, 30 (thirty) days. Meanwhile, the differences are: first, Colombia does not limit the material content regulated in bill, whereas Ecuador only

allows the submission of bill relating to the economy issues. Second, in the Colombian constitution there are no clear consequences if the legislative body does not give approval or rejection if it exceeds 30 (thirty) days. Meanwhile, the Ecuadorian constitution states that if it exceeds 30 (thirty) days, the draft law submitted can be passed into law.

The Institution of Fast Track Legislation

Implementation of the legislation process in Indonesia has a condition of uncertainty over time. The formation of laws and regulations is only required in 5 (five) stages: Planning, Preparation, Discussion, Approval or Determination, and Promulgation. As explained above, five stages must be passed in the formulation of the stages. The phrase "and" at the end of the point before the last makes this stage cumulative. Thus, implementing laws and regulations will not meet the formal requirements for formation without these stages.

The stages in the Law on Formation of Legislation does not have an exact measure in terms of time duration. In practice, laws are sometimes formed over a long period, but some are discussed briefly. In fact, when viewed from the substance of the material, it should have been formed with a longer duration. The long duration is intended so that the substance of the material can obtain sufficient input in terms of community participation. Finally, there is an impression that the formation of laws and regulations is based on the authorities' political will.[24]

The process of forming legislation quickly or fast track legislation is not a new thing. However, it should be noted that fast track legislation does not yet have a place in developing laws and regulations in Indonesia. Fast track legislation is related to the number of participants, legislative workload, and complexity.[25] However, fast track legislation focuses on going through the process stages quickly in discussing a draft law.[26]

As an effort to reinforce the argument, it is necessary to examine various studies that have discussed fast track legislation in various countries. Several research findings that describe fast track legislation in studies in England refer to 8 (eight) things. Dian Kus Pratiwi in her quote stated that the existence of fast track legislation has a specific purpose. The

[24] Bayu Aryanto, Susi Dwi Harijanti, and Mei Susanto, "Menggagas Model Fast-Track Legislation Dalam Sistem Pembentukan Undang-Undang Di Indonesia,"

[25] Christine Reh et al., "The Informal Politics of Legislation: Explaining Secluded Decision Making in the European Union,"

[26] Ibnu Sina Chandranegara, "Pengadopsian Mekanisme Fast-Track Legislation Dalam Pengusulan Rancangan Undang-Undang Oleh Presiden,"

existence of fast track legislation in England has clear and concrete goals. This goal emphasizes that fast track legislation must be enforced rigidly. In the UK, fast track legislation is used to improve legislation that contains errors, follow up on court decisions, formation of laws for certain events, formation of laws for British compliance with international commitments, changes to budget laws, tackling terrorism, maintaining peace by Scotland, Wales and Northern Ireland and reducing public protest in the making of laws.[27]

Ecuador is one of the countries that recognizes fast track legislation. This authority is based on Article 140 of the Ecuadorian Constitution. In *a quo* Article, the president can submit draft laws to legislative to discuss draft laws through the mechanism of fast track legislation. The legislative is then allowed to approve, reject or change the substance of the draft law sent by the president. If the legislative does not respond, either by not issuing an approval, refusing or changing the president, it can stipulate a *decree-law* or *decree-ley* whose position is under the law.

In Ecuador, there are three important things related to fast-track legislation. First, the draft law comes from the president. Second, the authority possessed by the legislature is not limited to accepting or approving and rejecting, it even extends to the process of changing the substance of the draft law submitted by the president. Third, there is leeway for the president to determine rules in a state of emergency, if the legislature does not respond. The president is given the authority to make decree-laws or decreto-ley rules at a lower level than laws.

Discourse on the institutionalization of fast-track legislation began to become debatable, along with the conditions of the legislative process that were unclear regarding the duration of time. According to Ibnu Sina Bayu Aryanto they recommended the institutionalization of fast-track legislation with a note that the President removed the authority to form Perpu. The authority to form a Perpu based solely on exigencies of coercion and the subjectivity of the president deserves to be replaced by a fast-track legislation process. At the very least, in the process of fast-track legislation, it will be possible to discuss laws to overcome the urgency of coercion but still pay attention to the stages in forming statutory regulations. Fast-track legislation will have the following benefits:

It is a settlement of conditions of urgency through express legislation or fast-track legislation. Discussions related to draft legislation using the fast-track legislation method must place two elements at once: the

[27] Kus Dian Pratiwi, "Peluang Dan Tantangan Fast Track Legislation Dalam Pembentukan Undang-Undang Di Indonesia,"

parameter of urgency and the duration of time for deliberating the law. As the organization tasked with drafting legislation, the DPR must have complete authority to establish the moment of urgency. Second, it is related to the duration of time. Presumably, 30 (thirty) working days can be given to discuss the draft law given by the president. Meanwhile, if the legislature does not respond to this, the legislature is deemed to have rejected the draft law.

There is a discussion of DPR through procedures that the Law has stipulated on the Formation of Legislation. The authority in terms of fast-track legislation, DPR has time to discuss the substance of the draft law submitted by the president. Even though it seems rushed, this is still more feasible than the current condition, which only gives the authority to approve or reject a Perpu. There is to restore the identity of the principle of separation of power under *trias politica*. This principle only reaffirms the authority of DPR in forming laws. The question arises, whether forming a law with fast track legislation requires going through procedures following the formation of ordinary statutory regulations as stipulated in Law 12 of 2011. The author highlights that all procedures in Law 12 of 2011 should have been carried out except in drafting the academic manuscript. Nearly, now DPR produces many laws in just a little over 1 (one) a month.

Furthermore, it needs to be conveyed with regard to whether fast track legislation is only limited to conditions of "forced urgency," or not. In this regard, bearing in mind that fast track legislation is a means to replace the authority of the Perpu, it is best to limit that fast track legislation will only be used in conditions of "forced urgency." This argument is intended to reinforce and limit DPR in its efforts to discuss laws in a fast track legislation but does not have an element of coercive urgency.

The proposed amendment to Article 22 of the 1945 Constitution introduces a formal mechanism for fast-track legislation in emergency situations. Under the revised provision, the president may submit a bill directly to the House of Representatives (DPR) for accelerated processing during a declared emergency. The DPR is then required to either approve, amend, or reject the bill within 30 days of its receipt. If the DPR fails to respond within that period, the draft automatically becomes law by presidential declaration. This change aims to institutionalize a clear, time-bound process for urgent legislative needs, potentially replacing or limiting the current use of Perpu. However, such a system would require strong safeguards to prevent abuse and ensure that "emergency" is clearly and objectively defined.

Conclusion

In conclusion, the current authority of the Indonesian president to issue Government Regulations in Lieu of Law (Perpu) presents significant challenges, including potential executive overreach, lack of clear content limits, and weak legislative oversight. This undermines the principle of separation of powers and raises concerns about arbitrary use of authority. By comparing Indonesia's system with the fast-track legislative mechanisms in Colombia and Ecuador, this research highlights valuable lessons. Both Colombia and Ecuador empower their presidents to accelerate urgent legislation within a clear 30-day timeframe, promoting timely decision-making while maintaining legislative involvement. Ecuador's approach notably limits this authority to economic matters and includes clear consequences if the legislature fails to act, thus balancing executive initiative with parliamentary control. These comparative insights suggest that Indonesia should abolish the president's unilateral authority to issue Perpu and instead institutionalize a fast-track legislative process that involves the House of Representatives in a structured and time-bound manner. Such reform would enhance democratic accountability, legal certainty, and adherence to the trias politica doctrine, ensuring that urgent legislative needs are met without compromising constitutional principles or enabling arbitrary executive action.

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