

**SUPERVISION OF THE PEOPLE'S REPRESENTATIVE
COUNCIL OVER THE PRESIDENT'S POLICY IN DECLARING A
STATE OF EMERGENCY**

***PENGAWASAN DEWAN PERWAKILAN RAKYAT TERHADAP
KEBIJAKAN PRESIDEN DALAM PENETAPAN STATUS
DARURAT NEGARA***

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ABSTRACT

This research is motivated by the increasing use of emergency powers by the President in responding to national crises which has the potential to expand executive power and impact the protection of citizens' rights. This research aims to analyze the regulation and effectiveness of the DPR RI's supervision of the President's policy in determining state emergency status based on Article 12 of the 1945 Constitution of the Republic of Indonesia. The method used is normative juridical research with a qualitative descriptive analytical approach through literature study and analysis of statutory regulations. The research results show that normatively the DPR RI's oversight mechanism has been regulated through legislative, budget and oversight functions, including approval of Government Regulations in Lieu of Laws. However, empirically, this supervision still tends to be formal and does not fully guarantee accountability and protection of citizens' rights. Therefore, the DPR RI's supervisory function needs to be strengthened so that the principles of the supremacy of law and constitutional democracy are maintained in emergency conditions.

Keywords : Supervision of the House of Representatives, State Emergency Status, Presidential Policy, Constitutional Accountability.

ABSTRAK

Penelitian ini dilatarbelakangi oleh meningkatnya penggunaan kewenangan darurat oleh Presiden dalam merespons krisis nasional yang berpotensi memperluas kekuasaan eksekutif dan memengaruhi perlindungan hak warga negara. Penelitian ini bertujuan untuk menganalisis pengaturan serta efektivitas pengawasan Dewan Perwakilan Rakyat terhadap kebijakan Presiden dalam penetapan status darurat negara berdasarkan Pasal 12 Undang Undang Dasar Negara Republik Indonesia 1945. Metode yang digunakan adalah penelitian yuridis normatif dengan pendekatan kualitatif deskriptif analitis melalui studi kepustakaan dan analisis peraturan perundang-undangan. Hasil penelitian menunjukkan bahwa secara normatif mekanisme pengawasan Dewan Perwakilan Rakyat telah diatur melalui fungsi legislasi, anggaran, dan pengawasan, termasuk persetujuan terhadap Peraturan Pemerintah Pengganti Undang-Undang. Namun, secara empiris, pengawasan tersebut masih cenderung formal dan belum sepenuhnya menjamin akuntabilitas serta perlindungan hak warga negara. Oleh karena itu, diperlukan penguatan fungsi pengawasan Dewan Perwakilan Rakyat agar prinsip negara hukum dan demokrasi konstitusional tetap terjaga dalam kondisi darurat.

Kata Kunci : Pengawasan Dewan Perwakilan Rakyat, Status Darurat Negara, Kebijakan Presiden, Akuntabilitas Konstitusional.

I. INTRODUCTION

The declaration of a state of emergency is a constitutional instrument used by the government to respond quickly and effectively to crisis situations, such as health crises, major disasters, or threats to national security. However, this instrument has the potential to significantly expand executive powers, thereby prompting debate on the limitations of presidential power and the importance of *checks and balances* in a constitutional state. In many presidential systems, including Indonesia, the role of the legislature in overseeing emergency policies is the main reference for preventing the abuse of such authority. This global phenomenon highlights the structural challenge