

The Role Of Oversight Of The House Of Representatives In Facing Covid-19 Pandemic

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Abstract

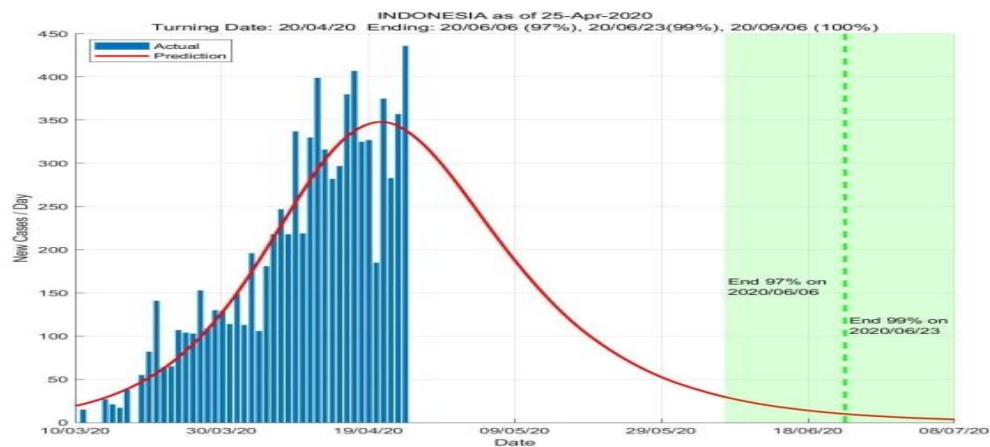
The emergence of Pandemic COVID 19 in Indonesia that suddenly and significantly increased to make the Indonesian government decided that this pandemic is an emergency disaster set in Presidential Decree No. 12 of 2020. Because of this, the government made a quick move to deal with this problem, especially by the House of Representatives who have important functions in government supervision. The House of Representatives must focus on supervising government policies that have been established or that will be formed and certainly suspend the function of legislation that is not related to the context of handling COVID 19 which has not been able to run effectively and efficiently. In this regard, the Government, especially the House of Representatives, emphasized that it should be able to prioritize supervision in protecting the community to face an emergency disaster.

Keywords : Surveillance, government, Pandemic

A. INTRODUCTION

Indonesia is one of the countries facing pandemic COVID 19. Starting from the local case, Covid-19 spread throughout the world to change utilizing transmission that is called the case of imports from outside the original territory or local transmission between the population. So far, the events that first occurred with regards to Covid-19 presumably have not given a whole picture of this virus. Looking back, China is the first country or trigger country COVID 19 virus that was originally only 2 people affected by the virus but quickly and significantly the virus spread to spread not only in this part of the country but to all countries in the world.

Until March 2, 2020 it was officially announced the first case of COVID in Indonesia by President Joko Widodo, two citizens who made direct contact with foreign foreigners from Japan who came to Indonesia. From the beginning it was a virus spreading that continued to dash significantly. In Indonesia it is recorded that until 12 May 2020 there were 14,749 people expressed positive Covid-19 including 1,007 died and 3,063 cured. Because the condition is finally the government of Indonesia issued a presidential decree number 12 the year 2020 concerning the determination of Non-natural disaster spread Virus disease Corona 2019 (COVID-19) as the national disaster.¹



Sumber: kumparan.com²

The problem above occurs because there are several factors, one of which is due to its severity and lack of firm government in cracking down on pandemic Garry

¹ Bima Baskara, “Rangkaian Pertama Peristiwa Covid-19” <https://bebas.kompas.id/baca/riset/2020/04/18/rangkaian-peristiwa-pertama-covid-19/> (Diakses pada 18 Mei 2020, pukul 18.40)

² Kumparan, “Indonesia diprediksi jadi salah satu negara terlama yang akhiri corona” <https://kumparan.com/kumparansains/indonesia-diprediksi-jadi-salah-satu-negara-terlama-yang-akhiri-pandemi-corona-1tft4ADbLKO/full> (Diakses pada 18 Mei 2020, pukul 19.10)

19, the policy-issued policies are indeed appropriate but issued in a late time so that the policy does not bring a big influence to overcome this pandemic. For example, in the policy of The SBB is stated in the regulation of the Minister of Health or Permenkes number 9 the year 2020, on the guidelines of social restriction of large scale in order to accelerate the handling of Corona Virus Disease 2019 (Covid-19). Permenkes is a derivative of government regulation or PP number 21 the year 2020 on large-scale social restrictions (PP PSBB) in order to accelerate the handling of Covid-19. This regulation does not bring great influence and also many people who still violate it because of the lack of this regulation that eventually spread the virus outbreak are not resolved properly.

Many strategic policies are issued by the government, but due to lack of supervision in implementing the policy so that there is a lot of wrong people in understanding the policy and vulnerable to ignore because of lack of socialization and attention from the Government to the community so they do not understand how important implement the policy made by the Government, also still the government in addressing this problem.

As we know the House of Representatives is a representative institution as a manifestation of the will of the people in determining the policy of the State through legislation rules. Therefore, the role of PARLIAMENT is very important for the authority to supervise the government as well as to understand the extent of its realization and effectiveness in the field.

Many problems that arise among the community in the face of Pandemic Garry 19 in this country make more attention or concern to the Government of Indonesia, especially by the Board of legislative of the People's Representative Council. However, this time as recently happens that the House of Representatives is actually busy taking care of the other and not focus to pandemic very seriously this.

The general purpose of writing this research is to understand and know the development of the law, especially the State administrative law. and aims to be a reference in writing other scientific writings. The special purpose of this research is to know the supervision of government, especially the institution legislative the House of Representatives who have a constitutional function in the field of supervision on the implementation of disaster management pandemic Covid 19. Examining the constraints faced by the Government in supervising the implementation of policies that have been established and then can be found solutions to overcome these obstacles.

Based on the descriptions of the background above there are two issues in the writing of this law, including the following: 1. What are the duties and authority of the House of Representatives? 2. What is the role of the House of Representatives (DPR) in implementing the supervisory function of government policies in addressing the pandemic COVID 19 in Indonesia?

B. DISCUSSION

1. Duties and authority of the House of Representatives (DPR)

In Indonesia's constitutional system there are several high state institutions, one of which is the People's Representative Council (DPR) which is a people's representative institution. Based at the central level is the House of Representatives while sitting at the provincial or city level is the Regional House of Representatives (DPRD). The House of Representatives (DPR) has a role in conveying all the aspirations of the Indonesian people or helping to build the regions where he is assigned to become more developed and better-off economically.

The DPR's oversight function is a form of relationship in the concept of checks and balances, as a concept of supervision between state institutions (Sanit; 2004). In other words, one of the functions that the DPR has, namely the oversight function

within the legislative power, namely the government, is in controlling the policies of the DPR's representative as a representative institution.³

Unlike the Constitution of the state of Indonesia 1945 before the change, the Constitution of the state of Indonesia 1945 after the change, clearly regulate the function of DPR. According to article 20A paragraph 1 as a high institution state of DPR has a function. The House of Representative (DPR) functions include:⁴

1 Legislation functions.

The house of Representative as a state high institution has a function as an institution that has a power forming legislation.

2 Budget function

The House of Representative as a state high institution has the function as an institution that has the power to discuss and give approval or not give approval against the draft law on the state budget proposed by the president.

3 Monitoring function.

The House of Representative as a state high institution has functioned as an institution that has control over the implementation of the law and the state budget.

One of the meaning of the DPR's supervisory function is related to the rights of the DPR which are regulated by article 20A paragraph 2 of the 1945 Constitution of the Republic of Indonesia, which reads "In carrying out its functions, in addition to the rights stipulated in other articles of this Basic Law, the House of Representatives has the right of interpellation, the right of inquiry, and the right to express opinions "and furthermore about the rights of this HOUSE regulated in article 77 paragraph 1 of legal number: 27 of 2009 concerning the MPR, DPR, DPD, and DPRD, which reads: DPR

³ Sunardi, "Fungsi Pengawasan DPR terhadap Pemerintah dalam Mewujudkan Good Governance dan Clean Government ditinjau dari perspektif Politik Hukum". Jurnal Meta Yuridis, Vol.1 No.2, Tahun 2018, Hal.28

⁴ Undang-Undang Dasar Tahun 1945 Bab VII tentang Dewan Perwakilan Rakyat Pasal 20A Ayat 1

has the right: a) interrogation, b) Polls, and c) express opinions; Based on the votes of Article 20A paragraph 2 and article 77 paragraph 1 of the legal number: 27 of 2009 above, the DPR has the authority to exercise the right of interpellation, vote and express opinions, as oversight of the executive, namely the Government, in carrying out the law and the state budget.⁵

During the current administration, in line with the lack of authority of the DPR in carrying out its functions of questioning government policies that are felt to be unknown or lacking in benefits to the community, the performance of the DPR's oversight function is questioned.

The most actual example of this is the question of the DPR's supervision function on the Government concerning the policies that have been established to deal with Pandemic COVID 19 which is becoming a disaster in Indonesia today. This pandemic problem is crucial for Indonesia because this pandemic almost changes the whole life of all Indonesian people and changes the state of Indonesia. Like the number of Indonesians who have to lose their jobs, they cannot do their normal activities normally. This Pandemic is completely impactful for all conditions of the Indonesian state as a whole. To date, as we know, there has been no comprehensive steps done by the DPR to supervise these policies to address the pandemic, where the House of Representatives can assist in implementing the policy in Indonesian society.

2. The role of the House of Representatives (DPR) in implementing the supervision function of government policies in addressing the pandemic COVID 19 in Indonesia

The Coronavirus outbreak (Covid-19) is continuing to swallow victims. The whole party is expected to be able to exert all the power to be together - similarly looking for ways and solutions to combat the Coronavirus to expire soon. And in

⁵ Undang-Undang Nomor 27 Tahun 2009 Tentang MPR, DPR, DPD, dan DPRD Pasal 77 Ayat 1

handling the Pandemic 19 pandemic is currently impressed to rely solely on policies made by the government as an executive institution. The handling and control of COVID 19 are also required the involvement of the House of Representatives (DPR) as a legislative institution that has the function of legislation, budgeting, and of course supervision. The House of Representatives is expected or required to focus on the handling of COVID 19 because it is not possible if all these treatments are charged by the government in the field of executives only. For the Indonesian Parliament, one of its efforts is to focus on completing the discussion of the budget of Covid-19 virus handling and delayed the discussion of the bill that does not come into contact with this virus.

Although in dealing with the Covid-19 pandemic, it is necessary to emphasize the oversight function by the House of Representatives, but the other two functions namely the legislative function and the budget function are also very necessary to combat this pandemic. Discussing the legislative function, the DPR RI will analyze the Government Regulation in place of Law (Perppu) Number 1 of 2020 which in the coming session of the ratification bill will be submitted by the Government to the DPR RI. The House of Representatives in this function will assess whether the Perppu that has been formed has fulfilled the conditions that compelled the issuance of the Perppu in the 1945 Constitution of the Republic of Indonesia. In the budget function, the Perppu established by the government is the basis for the presence of the 2020 Amended State Budget, the APBN has a total of Rp 405.1 trillion in funds intended for health, economic and social handling during the Covid-19 pandemic. While in the oversight function, the DPR RI forms a special team to oversee all policies that have been made by the government so that all activities in the field are by what has been planned.⁶

⁶ Komisi v DPR RI, “Jelaskan Penanganan Covid-19,Rifqinizamy Gelar Kelas Virtual Parlemen”, <http://www.dpr.go.id/berita/detail/id/28397/t/Jelaskan+Penanganan+Covid->

With the emergence of the Covid 19 pandemic, the House of Representatives formed a task force to fight Covid-19. The formation of this task force is actually too late to be formed, this task force should have been formed since the beginning of this outbreak to appear in Indonesia as a form of partiality of the House of Representatives to the Indonesian people who were essentially formed to represent all the people of Indonesia even to protect the people.

In addition to forming the Task Force against COVID 19, which was an initiation of the members of the House of Representatives, the House of Representatives also formed the COVID Handling Supervision Implementation Team -19. The two teams have different tasks. The Supervisory Team was formed to carry out the constitutional function of the DPR in the field of supervision in supervising the work of the government and ensuring that the policies established can run by the plan to deal with the Covid-19 pandemic. A supervisory team was formed to ensure that the implementation of the Covid-19 pandemic management carried out by the government in terms of regulation, institutional and disaster mitigation can be carried out effectively and on target. One of the things the Supervisory Team has done is to oversee the use of the budget allocated by the government in Perppu Number 1 of 2020 concerning State Financial Policy and Financial System Stability signed by President Joko Widodo for handling Covid-19 can be used wisely.⁷

Whereas the Task Force itself was formed to realize the participation of board members as part of civil society, the Task Force Members did not use the State Budget (APBN) in combating Covid-19. The budget used for the formation of the Task Force Team comes from contributions from DPR members. The Covid-19 Opposition Task

19%2C+Rifqinizamy+Gelar+%E2%80%98Kelas+Virtual+Parlemen%E2%80%99 (Diakses pada Tanggal 19 Mei 2020, Pukul 19.00)

⁷ Tsarina Maharani, “Selain Satgas Lawan Covid-19, DPR Bentuk Tim Pengawas Penanganan Covid-19”, <https://nasional.kompas.com/read/2020/04/10/15213441/selain-satgas-lawan-covid-19-dpr-bentuk-tim-pengawas-penanganan-covid-19> (Diakses pada tanggal 20 Mei 2020, Pukul 20.00)

Force seeks to ensure that the needed assistance and supplies are received as soon as possible and are on target. In addition, the Covid-19 Opposition Task Force provides donors in each area to meet the needs of various medical devices to Personal Protection Equipment (PPE) to all hospitals or health centers that are used as a reference for Covid-19 patients in the area. This DPR formed Task Force raises financial assistance from Members of the DPR RI and concerned parties so that it can help PPE needs for medical personnel and hospitals and meet basic needs for people who have lost their jobs and do not have income to meet their daily needs due to the PSBB policy (physical distancing). Actions taken by Members of the House of Representatives Commission I are to instruct their members with a variety of movements, starting with the movement of distributing masks and disinfectants free of charge, even by cutting salaries that are used to meet the PPE needs of medical personnel and meet the basic needs of people in need. April for food packages for residents. And so on the movement continues to this day in each electoral district.⁸

The government continues to make efforts to accelerate the handling of Covid-19 in Indonesia. There are several obstacles faced by the central government in combating this pandemic. First, Personal Protective Equipment and Masks are very difficult to get, even though both items are needed by the whole world because we have a world pandemic. Second, the workload borne by medical personnel is very high, it is not free from the increasing number and uncontrolled patients who come to the hospital because of exposure to the Covid-19 virus. The next obstacle is the need for a special place for quarantine health workers who handle Covid-19. Many donations helped to deal with this problem, not only the central government but many private companies also helped by providing their hotels for workers who fight this pandemic can be placed

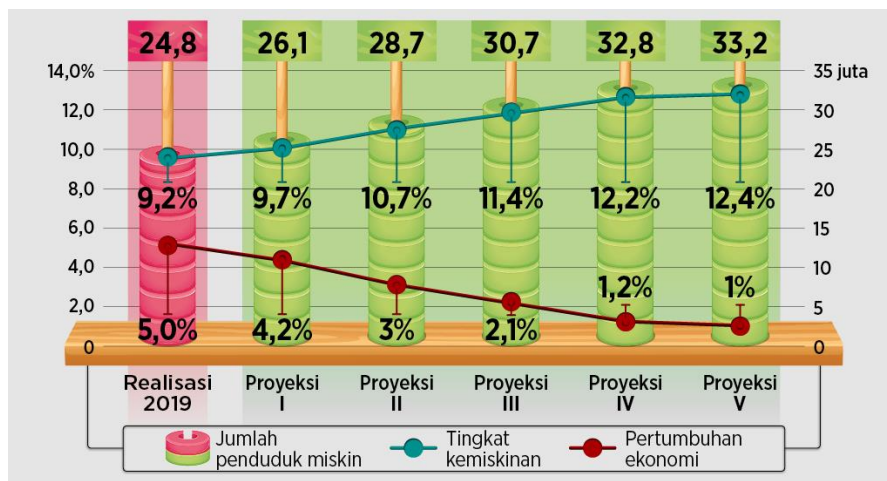
⁸ Komisi I DPR RI, “Pembentukan Satgas Lawan Covid-19 DPR, Merupakan Keberpihakan Kepada Rakyat”, <http://www.dpr.go.id/berita/detail/id/28412/t/Pembentukan+Satgas+Lawan+Covid-19+DPR%2C+Merupakan+Keberpihakan+pada+Rakyat> (Diakses pada tanggal 21 Mei 2020, Pukul 13.30)

in a more appropriate place so that they rest enough to be able to continue working on COVID -19. Finally, one of the obstacles in handling the virus is the absence of a special vaccine to treat Covid-19.⁹

Regarding this lack of medical devices, doctors, nurses and other frontline health workers are not ready to treat coronavirus patients, due to limited access to supplies such as gloves, medical masks, respirators, goggles, face shields, isolation clothes, and aprons. However, by starting to move quickly from the National Disaster Management Agency (BNPB) team and assisted by officials who assisted in handling this pandemic, one of them was a team formed by the DPR, namely the task force team to obtain Personal Protective Equipment (PPE) in a short time and accordance with the most standard Personal Protective Equipment standards and can be distributed throughout Indonesia evenly.

Not only that, but the spread of the Coronavirus (Covid-19) has also infected millions of people in the world. This pandemic has caused the economic slowdown, almost most of the people of Indonesia lost their jobs because, at the layoffs, not only workers who lost their jobs, many entrepreneurs also went bankrupt due to this pandemic.

⁹ Kiswondari, “Menkes Terawan Keluhkan 5 Hambatan Penanganan Corona”, <https://nasional.sindonews.com/berita/1576939/15/menkes-terawan-keluhkan-5-hambatan-penanganan-corona> (Diakses pada Tanggal 21 Mei 2020, Jam 19.00)



Sumber: <https://katadata.co.id/infografik/2020/05/01/ancaman-kemiskinan-akibat-krisis-covid-19>

The action taken by members of the DPR was to invite the public to comply with Government regulations to decide on the spread of Covid-19. The government was also asked to meet the needs of citizens, in addition to also needing cooperation between communities in meeting the needs of the community whose income is reduced due to the impact of COVID 19. Residents are invited to participate in handling Covid-19 in cooperation. This can be done in the smallest community in the community. Because with the use of such a method can withstand or prevent conflicts in the community due to the Covid-19 pandemic, because these times make many people experience economic pressure.¹⁰

Not only that, but the Task Force (Satgas) and the Indonesian National Police (POLRI) also issued a circular related to restrictions on the purchase of staples and important materials (bapokting). The purpose of the policy is to ensure the availability of basic commodities for the community amid the coronavirus pandemic. The policy was the result of an agreement between

¹⁰ Komisi VIII DPR RI, “Anggota DPR Ajak Masyarakat Gotong Royong Lawan Covid-19” <http://www.dpr.go.id/berita/detail/id/28566/t/Anggota+DPR+Ajak+Masyarakat+Gotong+Royong+Lawan+Covid-19> (Diakses pada Tanggal 22 Mei 2020, Pukul 20.00)

modern retailers and market traders. Because if it is not limited to several commodities, there is a possibility that there will be panic buying in the market. The National Police Task Force, together with relevant stakeholders, take steps to ensure the availability of bapokting and other food commodities. In addition to availability, the Food Task Force also guarantees the smooth distribution to meet the needs of the community and support the Task Force for the acceleration of the handling of the coronavirus (Covid-19).¹¹

As we know the government has a very important role in dealing with the Covid-19 virus which is getting worse in Indonesia. Through the policies that have been issued by President Joko Widodo and his staff, they have made various efforts to overcome and reduce the victims of the impact of Pandemic Covid-19. Because the executive agency cannot carry out this task alone, it needs the support of parliament to accelerate the handling of Covid-19. And one of them is the House of Representatives. And what should be prioritized by the House of Representatives in the context of dealing with the Covid-19 pandemic is the budget and supervisory functions such as meeting the medical needs of doctors and nurses throughout Indonesia as well as meeting the needs of people affected by economic pressures due to job losses caused by the pandemic this.

Although the House of Representatives has taken many actions to combat Covid-19, the House is still considered not optimal in dealing with this pandemic to protect the people of Indonesia because, in the midst of a pandemic that really disrupts the lives of many people in this country, it can be seen that the House of Representatives (DPR) continues to carry out its legislative functions outside the pandemic's seriousness, one of which is the work copyright bill, the omnibus law bill which is

¹¹ Vendi Yhulia Susanto, “Kesepakatan dengan pedagang, Satgas Pangan Polri batasi Pembelian Bahan Pangan Pokok” <https://nasional.kontan.co.id/news/kesepakatan-dengan-pedagang-satgas-pangan-polri-batasi-pembelian-bahan-pangan-pokok> (Diakses pada tanggal 22 Mei 2020, Pukul 21.00)

classified as very controversial among the people and has received a lot of rejection, especially from workers. Parliament should be wise in determining which needs to be prioritized first, and in the current conditions what is needed is the budget function and the oversight function. Because in the midst of this pandemic there are many far more critical issues that need to be addressed and prioritized by the DPR.

C. Conclusion

The oversight function is a function used to ensure that activity planned to be carried out in the field by the plans and policies established as the basis for the activity. One function of the DPR is the oversight function that is used against executive power. During the current administration, the performance of the DPR's oversight function in the face of the increasingly massive pandemic Covid-19 in Indonesia is considered to be not optimal. The Indonesian House of Representatives has formed a special team, namely a surveillance team and a task force team opponent Covid-19 to fight and deal with this virus. Not considered optimal because the DPR is still carrying out legislative functions during this pandemic by discussing topics that are not related to current conditions. Because during this pandemic many issues are far more critical and need to be prioritized by the House of Representatives.

There are at least 4 important actions that need to be maximized by the Indonesian Parliament. First, the House of Representatives explores issues regarding differences in data submitted by the government and information held by IDI (Indonesian Doctors Association) because at this time there needs to be cooperation and synergy between the Task Force for the Acceleration of Countermeasures for Covid-19, Ministry of Health and all ministries / Institutions to handle COVID -19 is more effective. Second, the DPR can play a role in urging the government to provide incentives for companies that produce PPE, so that production can be fast and the price is affordable. Third, the DPR must ensure that PSBB (physical distancing) in each region can run according to

policy and is effective, there are still many who do not implement the policy because there are still many workers who work in the business sector that is permitted by the government. The DPR must also know the details of the budget prepared by the government to deal with a pandemic and have its calculations to criticize the use of the funds budget so that it is right on target and by the allocation.

REFERENCES

- Bima Baskara, “Rangkaian Pertama Peristiwa Covid-19”
<https://bebas.kompas.id/baca/riset/2020/04/18/rangkaian-peristiwa-pertama-covid-19/> (Accessed in 18 Mei 2020, at 18.40)
- Kumparan, “Indonesia diprediksi jadi salah satu negara terlama yang akhiri corona”
<https://kumparan.com/kumparansains/indonesia-diprediksi-jadi-salah-satu-negara-terlama-yang-akhiri-pandemi-corona-1t4ADbLKo/full> (Accessed in 18 May 2020, at 19.10)
- Sunardi, “*Fungsi Pengawasan DPR terhadap Pemerintah dalam Mewujudkan Good Governance dan Clean Government ditinjau dari perspektif Politik Hukum*”.
Jurnal Meta Yuridis, Vol.1 No.2, Year 2018, Page 28
- Undang-Undang Dasar Tahun 1945 Bab VII tentang Dewan Perwakilan Rakyat Pasal 20A Ayat
- Undang-Undang Nomor 27 Tahun 2009 Tentang MPR, DPR, DPD, dan DPRD Pasal 77 Ayat 1 1 (State Gazette of the Republic of Indonesia Year 2009 Number 123, Supplement to the Republic of Indonesia State Gazette Number 5043)
- Komisi v DPR RI, “Jelaskan Penanganan Covid-19, Rifqinizamy Gelar Kelas Virtual Parlemen”,
<http://www.dpr.go.id/berita/detail/id/28397/t/Jelaskan+Penanganan+Covid19%2C+Rifqinizamy+Gelar+%E2%80%98Kelas+Virtual+Parlemen%E2%80%99> (Accessed in 19 May 2020, at 19.00)
- Tsarina Maharani, “Selain Satgas Lawan Covid-19, DPR Bentuk Tim Pengawas Penanganan Covid-19”,
<https://nasional.kompas.com/read/2020/04/10/15213441/selain-satgas-lawan-covid-19-dpr-bentuk-tim-pengawas-penanganan-covid-19> (Accessed in 20 May 2020, at 20.00)
- Komisi I DPR RI, “Pembentukan Satgas Lawan Covid-19 DPR, Merupakan

Keberpihakan Kepada Rakyat”,
<http://www.dpr.go.id/berita/detail/id/28412/t/Pembentukan+Satgas+Lawan+Covid-19+DPR%2C+Merupakan+Keberpihakan+pada+Rakyat> (Accessed in 21 May 2020, at 13.30)

Kiswondari, “Menkes Terawan Keluhkan 5 Hambatan Penanganan Corona”,
<https://nasional.sindonews.com/berita/1576939/15/menkes-terawan-keluhkan-5-hambatan-penanganan-corona> (Accessed in 21 Mei 2020, at 19.00)

Komisi VIII DPR RI, “Anggota DPR Ajak Masyarakat Gotong Royong Lawan Covid-19”
<http://www.dpr.go.id/berita/detail/id/28566/t/Anggota+DPR+Ajak+Masyarakat+Gotong+Royong+Lawan+Covid-19> (Accessed in 22 Mei 2020, at 20.00)

Vendi Yhulia Susanto, “Kesepakatan dengan pedagang, Satgas Pangan Polri batasi Pembelian Bahan Pangan Pokok”
<https://nasional.kontan.co.id/news/kesepakatan-dengan-pedagang-satgas-pangan-polri-batasi-pembelian-bahan-pangan-pokok> (Accessed in 22 Mei 2020, at 21.00)