

ABSTRAK

Keterlibatan Presiden dalam proses legislasi memberikan potensi ketegangan hubungan antara eksekutif dan legislatif. Masalah fungsi legislasi dalam sistem pemerintahan Indonesia tidak hanya masalah pembahasan dan persetujuan bersama antara DPR dan Presiden, tetapi juga menyangkut pengesahan oleh Presiden. Tujuan : menganalisis proses terbentuknya peraturan terkait lembaga DPR dan menganalisis politik hukum kedudukan DPR dalam UUD NRI 1945 dalam menjalankan fungsi legislasi, anggaran dan pengawasan. Metode : Jenis penelitian ini menggunakan metode penelitian hukum normatif dengan pendekatan perundang-undangan, historis, dan konseptual. Teknik pengumpulan data menggunakan studi kepustakaan yang berkaitan literatur hukum tata negara, jurnal dan pendapat para ahli dengan menggunakan analisis deskriptif historis. Hasil penelitian : (1) Pemilu DPR pertama kali dilaksanakan pada masa UUDS 1950 dengan menetapkan Undang-Undang Nomor 7 Tahun 1953 tentang Pemilu. Kewenangan legislasi yang semula DPR hanya sekedar sebagai pertimbangan, namun setelah perubahan DPR berwenang untuk membentuk Undang-undang; (2) setelah perubahan UUD NRI 1945 hingga empat kali, kelembagaan di Indonesia memberikan ketegasan terkait pelaksanaan pemisahan kekuasaan. Pada masa reformasi tugas pokok fungsi dan wewenang DPR semakin dipertegas meskipun pemisahan kekuasaan belum berjalan sepenuhnya karena masih ada dominasi eksekutif.

Kata Kunci : Dewan Perwakilan Rakyat, Politik Hukum, Indonesia

ABSTRACT

The President's involvement in the legislative process creates the potential for tension in the relationship between the executive and the legislature. The issue of the function of legislation in the Indonesian government system is not only a matter of discussion and joint approval between the DPR and the President, but also concerns approval by the President. Objectives: to analyze the process of forming regulations related to the institution of the DPR and to analyze the legal politics of the position of the DPR in the 1945 Constitution of the Republic of Indonesia in carrying out its functions of legislation, budgeting and oversight. Method : This type of research uses normative legal research methods with statutory, historical and conceptual approaches. The data collection technique uses literature studies related to constitutional law literature, journals and expert opinions using historical descriptive analysis. Research results: (1) The first DPR election was carried out during the 1950 UUDS by enacting Law Number 7 of 1953 concerning Elections. Originally, the legislative authority of the DPR was only for consideration, but after the amendment, the DPR has the authority to form laws; (2) after amendments to the 1945 Constitution of the Republic of Indonesia up to four times, institutions in Indonesia provide firmness regarding the implementation of the separation of powers. During the reform era, the main tasks and functions of the DPR were emphasized, even though the separation of powers had not been fully implemented because there was still executive domination.

Keywords : House of Representatives, Legal Politics, Indonesia