

ABSTRAK

Tentara Nasional Indonesia (TNI) merupakan komponen utama pertahanan negara yang memiliki peran strategis dalam menjaga kedaulatan dan keutuhan wilayah Negara Kesatuan Republik Indonesia. Seiring perkembangan dinamika ancaman global serta kebutuhan modernisasi pertahanan, terjadi perubahan regulasi dari Undang-Undang Nomor 34 Tahun 2004 menjadi Undang-Undang Nomor 3 Tahun 2025. Penelitian ini bertujuan untuk menganalisis urgensi perubahan undang-undang tersebut serta mengkaji implikasi yuridisnya terhadap sistem birokrasi pemerintahan Indonesia.

Penelitian ini merupakan penelitian hukum normatif, dengan pendekatan perundang-undangan (*statute approach*) dan pendekatan historis (*Historical approach*), serta bersumber pada bahan hukum primer seperti Undang-Undang nomor 34 tahun 2004 tentang tentara nasional indoneisa jo undang-undang nomor 3 tahun 2025 tentang tentara nasional indonesia, peraturan pemerintah nomor 39 tahun 2010 tentang administrasi prajurit tentara nasional indonesia. Analisis dilakukan secara deskriptif, argumentative, dan evaluative terhadap urgensi perubahan undang-undang tentara nasional Indonesia berdasar pada fungsi utama dalam system pertahanan negara

Hasil penelitian menunjukkan bahwa perubahan UU TNI didasari oleh kebutuhan penguatan struktur pertahanan negara dan Perluasan ruang penugasan TNI dalam operasi militer selain perang. Namun, perubahan pada ketentuan penempatan prajurit aktif di jabatan sipil berpotensi menimbulkan tumpang tindih kewenangan dan membuka ruang kembalinya praktik dwifungsi militer apabila tidak dibatasi secara ketat. Oleh karena itu, diperlukan mekanisme pengawasan dan kontrol sipil yang kuat agar profesionalisme TNI tetap terjaga dalam sistem pertahanan demokratis di Indonesia. sehingga penguatan sistem pertahanan negara harus diorientasikan pada profesionalisasi militer serta optimalisasi fungsi TNI sebagai komponen utama pertahanan.

Kata Kunci: TNI, Perubahan Undang-Undang, Pertahanan Negara, Implikasi Yuridis, Supremasi Sipil.

ABSTRACT

The Indonesian National Armed Forces (TNI) is the main component of national defense, playing a strategic role in maintaining the sovereignty and territorial integrity of the Unitary State of the Republic of Indonesia. In line with the development of global threats and the need for defense modernization, there has been a change in regulations from Law No. 34 of 2004 to Law No. 3 of 2025. This study aims to analyze the urgency of these legislative changes and examine their legal implications for the Indonesian government bureaucracy.

This research is normative legal research, using a statute approach and a historical approach, and is based on primary legal materials such as Law Number 34 of 2004 concerning the Indonesian National Army in conjunction with Law Number 3 of 2025 concerning the Indonesian National Army, Government Regulation No. 39 of 2010 concerning the administration of Indonesian National Army soldiers. The analysis was conducted descriptively, argumentatively, and evaluatively on the urgency of amending the Indonesian National Army Law based on its main function in the state defense system.

The results of the study show that the amendment to the TNI Law was based on the need to strengthen the national defense structure and expand the scope of the TNI's duties in military operations other than war. However, changes to the provisions on the placement of active soldiers in civilian positions have the potential to cause overlapping authorities and open the door to a return to the practice of dual military functions if not strictly limited. Therefore, a strong civilian oversight and control mechanism is needed to maintain the professionalism of the TNI in Indonesia's democratic defense system. Thus, the strengthening of the national defense system must be oriented towards the professionalization of the military and the optimization of the TNI's function as the main component of defense.

Keywords: *TNI, Amendment to the law, National defense, Legal implications, Civilian supremacy.*