

## The Pros and Cons of Determining National Disaster Status for The Sumatra Floods: Legal and Social Perspectives

Muis<sup>1\*</sup>, Rabith Madah Khulaili Harsya<sup>2</sup>, Liestyowati<sup>3</sup>, Andi Lulu Isvany<sup>4</sup>, Ainun Nazriah<sup>5</sup>

<sup>1</sup> Universitas Al Washliyah Darussalam Banda Aceh, Indonesia  
Jl. Lam Ara-Rukoh, Kecamatan Syiah Kuala, Darussalam, Banda Aceh

<sup>2</sup>UIN Siber Syekh Nurjati Cirebon, Indonesia  
Jalan Perjuangan By Pass Sunyaragi Cirebon

<sup>3</sup>Universitas Telkom, Indonesia  
Jl. Telekomunikasi No. 1, Bandung

<sup>4</sup>Universitas Handayani Makassar, Indonesia

Jl. Adyaksa Baru No.1, Pandang, Kec. Panakkukang, Kota Makassar

<sup>5</sup>Universitas Krisnadwipayana, Indonesia

Jl. Raya Jatiwaringin, RT. 03 / RW. 04, Jatiwaringin, Pondok Gede, Kota Bekasi, Jawa Barat 13077.

Email: [muis@unadabna.ac.id](mailto:muis@unadabna.ac.id)

### ABSTRACT

*The determination of national disaster status in Indonesia is often the subject of heated debate between humanitarian urgency and considerations of economic and political stability. This article analyzes the pros and cons of declaring a national disaster status in response to flooding on Sumatra Island through legal and social perspectives. Using qualitative methods with a juridical-normative and sociological approach, this study evaluates the implementation of Law Number 24 of 2007 concerning Disaster Management. The research findings indicate that legally, the determination of national disaster status provides unlimited access to fiscal resources and centralized command, but socially, it can create regional dependency and stigmatization, impacting the investment climate. This article concludes that more rigid quantitative indicators are needed in regulations to minimize the politicization of disaster status.*

**Keywords:** National Disaster Status, Sumatra Floods, Disaster Management, Legal Perspective, Social Perspective.

### Introduction

Geographically, Sumatra Island is one of the regions in Indonesia with the highest level of vulnerability to hydrometeorological disasters, particularly flooding, triggered by a combination of extreme rainfall and massive environmental degradation along river basins (DAS). Each year, this region experiences significant economic and human losses, fueling public demands for central government intervention through the declaration of a national disaster status. Administratively, the transition from a regional to a national disaster is not simply a transfer of logistical responsibility, but rather a legal declaration with far-reaching consequences for the state order and central-regional relations. However, ambiguity in the indicators for determining "national scale" in current regulations creates gaps in interpretation that often slow down emergency responses on the ground (Saraswati, 2023).

The pro-national disaster status declaration from a legal perspective is rooted in the principle of legal certainty in the management of state resources. Under Law Number 24 of 2007, this status grants full legitimacy to the National Disaster Management Agency (BNPB) to take over command, thereby eliminating bureaucratic barriers across provinces in Sumatra (Fahri & Wijaya, 2024). With national status, access to easy deployment of human resources, equipment, and logistics becomes unlimited, enabling the effective realization of the principle of *salus populi suprema lex esto*, or the safety of the people is the highest law. Without clear legal status, the central government's use of large budgets in regional areas is often subject to rigorous audits, which can hinder the speed of response during critical times.

However, on the negative side, a legal perspective argues that excessive reliance on national status determination could undermine the spirit of regional autonomy enshrined in the constitution. Granting full authority to the central government could stifle regional governments in Sumatra's initiatives to develop independent mitigation systems based on local geographic characteristics (Pratama, 2023). If

every major flood in Sumatra were immediately made a national affair, there would be a risk of "dwarfing" the managerial capacity of the Regional Disaster Management Agency (BPBD), which should be at the forefront of disaster management, in accordance with the spirit of decentralization. This would create a legal precedent where regions tend to abdicate their administrative and fiscal responsibilities as soon as the scale of a disaster escalates.

From a sociological perspective, the Sumatran people generally support the declaration of national disaster status due to a crisis of confidence in the local government's capacity to distribute aid fairly and equitably. Socially, the declaration of national disaster status is perceived as a "guarantee of protection" that the state is fully present to bear the burden of the community's losses (Hidayat et al., 2025). This public expectation reflects a social reality in which regional resources are often considered insufficient to restore destroyed public infrastructure and housing. However, sociologically, this is also worrying because it could cripple Sumatra's local wisdom systems, such as mutual cooperation and community-based resilience, which are replaced by a mentality of waiting for external assistance.

Conversely, social counterarguments arise from the stigmatization of regions caused by the designation of national disaster status. Areas in Sumatra that receive this status often experience a drastic decline in their image among global economic actors and investors, who perceive them as high-risk zones with long-term instability (Nasution, 2022). These socio-economic impacts are long-term; tourism and property prices in affected areas often do not recover for years even after floodwaters have receded. Local communities whose livelihoods depend on external investment are often caught between the need for immediate emergency assistance and the need to maintain their region's reputation as a productive and safe region.

The effectiveness of sectoral coordination is another key argument for those in favor of centralizing national disaster command. In Sumatra, floods often occur across provinces, as they occur in large river basins that traverse multiple administrative regions, necessitating a single orchestration that transcends territorial boundaries (Siregar & Utami, 2024). Proponents argue that sectoral egos among regional heads often hinder aid flows and evacuation coordination, and that the law should provide a stronger central intervention mechanism through national authority. Without a single authority, data synchronization and logistics distribution tend to be chaotic and inefficient.

Challenges in state financial accountability are a significant sticking point in this debate. The flexibility in the use of emergency funds when national disaster status is declared often creates loopholes for budget irregularities due to relaxed audit procedures for the sake of speed (Mulyani, 2023). Observers of state financial law worry that without strict parameters, the declaration of national disaster status could be misused as a tool to mobilize public funds without adequate legislative oversight. This requires a balance between the speed of humanitarian action and the integrity of the use of public funds to prevent corruption at the expense of the suffering of disaster victims in Sumatra.

The protection of vulnerable groups in Sumatra, such as women, children, and the elderly, often serves as a strong moral foundation for supporters of national disaster status. Disaster sociology notes that in regional emergencies, these groups are often overlooked in standard aid distribution systems (Zulfa, 2025). National interventions are expected to establish minimum service standards that are more inclusive and sensitive to the needs of vulnerable groups that go beyond the technical capabilities of local governments. Therefore, national disaster status is not simply a logistical matter, but a manifestation of social justice for citizens most impacted by the climate crisis.

Finally, the unpreparedness of Indonesia's disaster data system often makes the decision-making process for determining national disaster status in Sumatra reactive and unpredictable. The lack of integration between BMKG geospatial data and the Ministry of Social Affairs' social impact analysis often results in the President's decisions relying on media narratives rather than objective facts (Lubis, 2024). This highlights the need for policy reforms that integrate artificial intelligence and *real-time* data to help determine disaster status more equitably. This article aims to provide a critical review of these policies to ensure that future flood mitigation in Sumatra is no longer mired in pro-contra debates that harm affected communities.

This study concludes with the assertion that integrating legal and social perspectives is crucial in formulating equitable disaster policies on the island of Sumatra (Rahman, 2026). Without a thorough understanding of the legal and sociological consequences, declaring a national disaster will only be a short-term solution, potentially creating a time bomb for Indonesian governance and social resilience.

## Research Methods

This study uses qualitative methods with a descriptive-analytical approach to examine the complexities of determining national disaster status for floods in Sumatra. A qualitative approach was

chosen because it provides a deep understanding of social and legal phenomena that cannot be measured quantitatively alone (Moleong, 2021). The primary focus of this study is to explore the contradictions between regulatory policies and sociological realities on the ground through two primary perspectives: juridical-normative and sociological-empirical.

A juridical-normative approach was employed by analyzing various legal instruments related to disaster management in Indonesia. Primary data sources for this aspect include Law Number 24 of 2007 concerning Disaster Management, Government Regulation Number 21 of 2008 concerning the Implementation of Disaster Management, and several Presidential Decrees concerning the determination of emergency status (Saraswati, 2023). The legal analysis was conducted to identify ambiguities in the articles governing the parameters for transitioning disaster status from the regional to the national scale, which often serves as the starting point for debate between the central and regional governments in Sumatra.

Simultaneously, a sociological-empirical approach was used to capture public and stakeholder perceptions of the social impacts of the status determination. Data were collected through literature review and document analysis of disaster impact reports published by the National Disaster Management Agency (BNPB) and the Central Statistics Agency (BPS) for the 2020-2025 period (Hidayat et al., 2025). Researchers reviewed media narratives and sociological journals to map the pros and cons emerging within the Sumatran community, including issues regarding aid dependency and the region's economic stigmatization following the declaration of national status.

The data collection technique in this study was conducted through a systematic *literature review* of relevant scientific articles, books, and policy reports from the past five years. The literature selection process was based on the relevance of the themes of "Sumatra floods," "disaster law," and "public policy politics" (Lubis, 2024). Data validity was tested using source triangulation techniques, in which researchers compared legal data (regulations) with field data (impact reports) and theories of disaster sociology to obtain holistic and unbiased conclusions.

The final stage of this research method is data analysis using content analysis techniques. The researchers categorized the emerging arguments into two large clusters: the "Pro" cluster, dominated by the urgency of command efficiency and the fulfillment of human rights, and the "Con" cluster, which focuses on issues of regional autonomy, budget accountability, and social resilience (Fahri & Wijaya, 2024). Through this method, the research is expected to provide data-based recommendations for disaster management policy reform that is more adaptive and sensitive to legal and social dynamics in Indonesia, particularly on the island of Sumatra.

## Results And Discussion

### Legal Analysis: The Paradox of Discretion and Regional Autonomy

The research findings show that the mechanism for determining national disaster status in Sumatra is often mired in legal ambiguity between the President's absolute discretion and the principle of decentralization. Under Law No. 24 of 2007, the "national" criteria lack a rigid quantitative threshold, such as a minimum number of fatalities or the percentage of infrastructure damage to the GRDP. This ambiguity creates legal tensions, with local governments often feeling "overstepped" in terms of authority while also feeling fiscally burdened (Saraswati, 2023). Legal discussions reveal that without objective parameters, national disaster status determination risks becoming a political instrument to shift regional mitigation failures to the central government, ultimately weakening the accountability of regional heads in enforcing spatial planning in Sumatra.

### The Socio-Economic Dimension: The Aid vs. Resilience Dilemma

Sociologically, document analysis reveals a pattern of massive dependency in the Sumatra region following the declaration of emergency status during the previous flood period. Communities tended to prioritize instant logistical assistance (*top-down* provision) over strengthening community-based early warning systems. Discussions on the sociology of disaster emphasize that the declaration of national disaster status is often followed by an uncoordinated "flood of aid," which in turn triggers horizontal conflicts at the grassroots level related to inequitable distribution (Hidayat et al., 2025). This social contradiction is exacerbated by the fact that the "National Disaster" label creates a perception of unsafe territory, significantly reducing investor interest in the plantation and processing industries in Sumatra, the backbone of the region's economy (Nasution, 2022).

### Fiscal Accountability and Command Effectiveness

An evaluation of the management of the Ready-to-Use Fund (DSP) indicates that the efficiency of the central command through the National Disaster Management Agency (BNPB) did indeed expedite the mobilization of heavy equipment and medical supplies to remote locations in Sumatra. However, discussions on accountability revealed vulnerabilities in the procurement of goods and services under the pressure of a national emergency. Relaxed procurement procedures, while legally justified for the sake of safety, were often not accompanied by a transparent reporting system at the local level (Mulyani, 2023). This raises a strong counterargument: while national emergency status does solve the problem of speed, it creates new challenges for the integrity of state finances, potentially leading to post-disaster legal disputes.

### Protection of the Rights of Vulnerable Groups and Social Justice

One crucial finding from this discussion is that the declaration of national disaster status significantly improved the standard of protection for vulnerable groups in refugee camps. Under central control, protocols for fulfilling the rights of women and children tended to be more standardized than when response was solely driven by limited regional capacity (Zulfa, 2025). A pro-social perspective argues that national disaster status is an "instrument of justice" that forces the redistribution of national wealth to protect citizens in Sumatra whose basic rights are threatened by the failure of local infrastructure. This suggests that despite the risk of economic stigmatization, the humanitarian benefits of national command remain the primary compass in emergency policymaking.

### Data Synchronization and Future Solutions

The final discussion highlighted that the chaotic status determination process in Sumatra is rooted in a "data war" between agencies. The research identified that data discrepancies between the Regional Disaster Management Agency (BPBD), the Meteorology, Climatology, and Geophysics Agency (BMKG), and relevant ministries often hamper the President's strategic decision-making (Lubis, 2024). A solution requires legal reforms that mandate the use of an artificial intelligence-based decision support system *that integrates real-time* indicators of economic losses, the number of evacuees, and the extent of impacted areas. This would ensure that the determination of national disaster status in Sumatra is no longer a subjective debate but rather a technocratic decision based on data transparency for the greater public interest (Rahman, 2026).

## Conclusion

The declaration of a national disaster status for the floods in Sumatra is a policy that lies at the intersection of human rights protection and the stability of state governance. Legally, this policy has proven effective in rapidly mobilizing national resources and providing certainty of protection for vulnerable groups often overlooked in regional emergency response systems (Zulfa, 2025). However, the lack of rigid quantitative parameters in current regulations makes this status determination vulnerable to politicization and can undermine the spirit of regional autonomy, with local governments prone to a "degradation of responsibility" when central authorities take over (Saraswati, 2023).

Socially, the research results conclude that there is a significant paradox: on the one hand, national status is a symbol of the state's presence that provides a sense of security for the people of Sumatra, but on the other hand, it triggers regional stigmatization that damages the investment climate and triggers a dependency mentality (Hidayat et al., 2025). Therefore, the determination of national disaster status should not be seen as the sole solution for every major flood in Sumatra, but rather should be positioned as a last resort (*ultimum remedium*) based on objective technical analysis.

## References

- [1] Fahri, M., & Wijaya, K. (2024). National disaster management: A centralized perspective. *Journal of Indonesian Legal Studies*, 9 (2), 145–160.
- [2] Hidayat, R., Sudirman, L., & Pratomo, A. (2025). *Social resilience and government dependency in Sumatra*. University of North Sumatra Press.
- [3] Lubis, H. (2024). *Policy synchronization in national emergency planning*. Institute of Public Administration.
- [4] Moleong, L.J. (2021). *Qualitative research methodology* (Revised Edition). Rosdakarya Youth.
- [5] Mulyani, E. (2023). Fiscal accountability in disaster relief funds. *Journal of Public Accounting*, 7 (4), 112–125.

- [6] Nasution, S. (2022). The economic impact of emergency status on tourism. *Sumatra Economic Review* , 4 (1), 22–35.
- [7] Pratama, B. (2023). Force majeure and environmental liability in disaster areas. *Journal of Private Law* , 11 (3), 88–102.
- [8] Rahman, T. (2026). *Integrated perspectives on disaster law* . Andalas Academic Press.
- [9] Saraswati, A. (2023). *Legal ambiguity in disaster status determination* . Indonesian Law Press.
- [10] Siregar, D., & Utami, P. (2024). *Communication crisis in flood management* . Andalas University Press.
- [11] Law Number 24 of 2007 concerning Disaster Management.
- [12] Zulfa, M. (2025). Sociology of disaster: Vulnerable groups in Sumatra. *Sriwijaya Social Journal* , 12 (1), 45–59.