



## Study On Government Policy In Managing The Corona Disease Virus Pandemi 2019 (Covid-19) In Indonesia

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### Abstract

The current development of the Covid-19 pandemic is very worrying where there is an increase in special corona cases in Indonesia. This study aims to identify and analyze the policies taken by the government in handling the Covid-19 pandemic and the steps taken by the government to mitigate the impacts, especially the economic and social impacts of the Covid-19 pandemic. The legal research method used is the normative legal research method. The approach used in this research is a statutory approach and a conceptual approach. This research is based on the legislation governing the handling and handling of the Covid-19 pandemic as well as an analysis of the concept of establishing these laws and regulations. The results of this study are in the context of handling Covid-19, starting with the government issuing a policy on Large-Scale Social Restrictions which refers to Law Number 6 of 2018 concerning Health Quarantine. The implementing regulations are Government Regulation Number 21 of 2020 concerning Large-Scale Social Restrictions, as well as the Presidential Decree on Health Emergencies. Until now, the government has issued a PPKM policy which is carried out regularly. To address the economic and social impact of Covid-19, the government has taken several policies, including: Regulation of the Minister of Finance of the Republic of Indonesia Number 23/Pmk.03/2020 concerning Tax Incentives for Taxpayers Affected by the Corona Virus Outbreak; Regulation of the Financial Services Authority of the Republic of Indonesia Number 11 /Pojk.03/2020 concerning National Economic Stimulus as a Countercyclical Policy for the Impact of the Spread of Corona Virus Disease 2019; and Instruction of the President of the Republic of Indonesia Number 4 of 2020 concerning Refocussing of Activities, Reallocation of Budgets, and Procurement of Goods and Services in the Context of Accelerating Handling of Corona Virus Disease 2019 (Covid-19).

**Keywords:** Policy, Handling, Covid-19

### A. Introduction

The government plays a major role in achieving the goals of the state, where nowadays most countries adhere to the notion of a welfare state. Based on the constitution, namely the 1945 Constitution of the Republic of Indonesia, Indonesia fulfills the characteristics of a welfare state, especially based on the Fourth Paragraph of the Preamble to the 1945 Constitution of the Republic of Indonesia, which is then embodied into the Body, namely the articles. The notion of a welfare state is clearly stated in the 1945 Constitution of the Republic of Indonesia because it regulates several things, namely that an economy based on the principle of kinship, the state controls the earth, water, natural resources and production branches that are important for the prosperity of the people, financing basic education, developing a national social security system, empowerment community and the provision of health service

facilities and public service facilities (Achmad, 2021). To realize the goals of the welfare state, the task of the executive as executor is very important because of the wider scope of community welfare based on the times. The task of the executive in government to realize the welfare of the people by Lemaire is referred to as *bestuurzorg*, namely the implementation of general welfare by the government (Nulhaqim & Sulastri, 2019; Akib, 2016; Kunyanti, & Mujiono, 2021). Because the scope of the *bestuurzorg* is very broad, it is impossible for the executive to only use the binding authority (*gebondenbevoegheid*) regulated in the legislation. Because written laws and regulations certainly cannot regulate everything completely and are not always up to date, the government can also use "free discretion", namely the authority to take action on its own initiative to resolve a critical problem or issue. urgent and there are no provisions in the regulations issued by the legislative power known as *freies ermessen*. The norm will become the applicable law if it is desired by the community, written, issued by the state and contains an order, which explains that the law is obeyed not because it is judged to be fair or good, but because the law is written and ratified by the authorities.

Use of authority This is needed especially after the development of the corona virus disease 2019 (Covid-19) outbreak which later became an epidemic and is now a pandemic on a global scale (Sidiq et al., 2021). The Central Government has issued various laws and regulations related to the Covid-19 Pandemic. The implementation of government authority in the form of these policies must of course also be accompanied by considerations regarding the steps and consequences that may arise. It is hoped that the policies taken can be implemented with measurable steps and with the desired result, namely preventing the spread of Covid-19 in Indonesia (Dadi, 2021; Prawira et al., 2021). The coronavirus has the same symptoms as the flu and progresses rapidly to lead to more severe infections and organ failure. Bats, snakes, and various other exotic animals are still considered as vectors of the Corona virus or Covid-19. Regardless of whether the information is true or not, Covid-19 has proven itself capable of transmitting between humans. Transmission was so fast that the World Health Organization declared the Corona virus pandemic or Covid-19. A global pandemic or epidemic indicates a very fast Covid-19 infection that almost no country or region in the world is spared from the Corona virus. The increase in the number of cases occurred in a short time so that it needed immediate treatment because there was no specific drug to treat cases of Corona virus infection or Covid-19. Thus, the Government issued a policy to deal with the corona virus disease 2019 (Covid-19) in Indonesia. The purpose of this study is to find out and analyze government policies in handling the 2019 corona virus disease (Covid-19) pandemic in Indonesia, as well as the impact of the 2019 corona virus disease (Covid-19) pandemic and its handling in Indonesia.

## B. Research Methods

The legal research method used in this research is the normative legal research method. Normative legal research itself is a research method that examines law from an internal perspective with the object of research being legal norms. The approaches used in this research are the statutory approach and the conceptual approach. This research is based on the laws and regulations governing the handling and management

of the Covid-19 pandemic as well as an analysis of the concept of establishing these laws and regulations. Because this research is a normative legal research, the sources of legal materials used are primary legal materials and secondary legal materials. Primary legal materials are in the form of legal principles and norms contained in laws and regulations, and secondary legal materials in the form of legal books and journals, legal dictionaries and encyclopedias as well as sources from the internet related to the topics discussed in this study.

### **C. Discussion**

#### **1. Government Policy in Handling the 2019 Corona Virus Disease (Covid-19) Pandemic in Indonesia**

The spread of the Covid-19 pandemic started from Wuhan China in December 2019 and until now has penetrated 182 countries from 194 countries, in the course of 4 months and the spread is very powerful. One of the initial causes of Covid-19 is thought to be transmission or spread through bats which are then consumed by humans.<sup>6</sup> The spread in several countries is indicated to be positive, can be cured, and died. Global spread and data for the second week of April 2020, the number of positive and dead in the world, namely 1,853,155 people, 423,625 people recovered, and 114,246 people died. While the current data in 2021 reached 223 countries, there were around 198,234,951 confirmed deaths, 4,227,359. While in Indonesia, the data dated 02/08/2021 were positive for 3,462,800, recovered 2,842,345, and died 97,291. Due to the widespread and massive spread of Covid-19 in Indonesia, the government must take policies to overcome it. Policy setting is an important factor for the state to achieve its goals.

This policy is then followed and implemented by the actors (stakeholders) in order to solve a particular problem. Furthermore, it was stated that Indonesia was in the status of a non-natural national disaster due to Covid-19.<sup>8</sup> The policy on dealing with Covid-19 in Indonesia, using PSBB (Large-Scale Social Restrictions), which started from several regions, such as DKI Province, has started from April 10, 2020 until with 23 April 2020, and then followed by other provinces and districts/cities, such as Banten Province in Tangerang Regency, and Tangerang City. In West Java Province, starting from Bogor Regency, Bogor City, Bekasi City, and Depok City. The government's policy regarding PSBB is an Intra-Legal policy based on statutory regulations and legal principles, and also the freedom to consider Extra-Legal, because many things have not been regulated in laws and regulations, but Covid-19 is a Pandemic that spreads so fast. within two months it has penetrated 162 countries from 194 countries, the epicenter from China, to Italy, and now the United States,

It is not easy to predict the spread and suddenly it has become big, like what happened in the superpower United States, overwhelmed by the Verus Covid-19 pandemic. The great ability of this virus to infect and spread is evidenced by the record that so far there are still many people infected with Covid-19 with an increasing number. The PSBB policy itself refers to Law Number 6 of 2018 concerning Health Quarantine. To support its implementation, the government released two derivative regulations, namely Government Regulation Number 21 of 2020 concerning Large-Scale Social Restrictions and Presidential Decree on Health Emergencies. With the

existing regulations, the President asked regional heads not to make their own policies and to remain coordinated with the central government through the Chair of the Task Force. The PSBB can be proposed by the governor/mayor to the Minister of Health with the consideration of the Chair of the Task Force, or it can be proposed by the Chair of the Task Force to the Minister of Health. At the same time, the public is also asked to maintain a safe distance to break the chain of transmission of the virus. Maintaining a safe distance between people (social distancing) and limiting all access in and out of and from an area is considered effective in controlling the spread of Covid-19 (Zahrotunnimah, 2020). The government has implemented the PSBB policy to prevent the spread of Covid-19 transmission.

The technical details and requirements regarding PSBB are stated in the Regulation of the Minister of Health of the Republic of Indonesia Number 9 of 2020 concerning Guidelines for Large-Scale Social Restrictions in the Context of Accelerating the Handling of Corona Virus Disease 2019 (Covid-19) which was signed by the Minister of Health of the Republic of Indonesia. PSBB is a restriction on certain activities of residents in an area suspected of being infected with the 2019 corona virus disease (Covid-19) in such a way as to prevent the possibility of its spread. In order to be able to set PSBB each region must meet the criteria. The number of cases and or the number of deaths due to the disease is increasing and spreading significantly and rapidly to several regions. There is an epidemiological link with similar events in other regions or countries. If PSBB is implemented in an area, the implementation of PSBB includes several things, namely holidays from school and work places, restrictions on religious activities, restrictions on activities in public facilities.

However, holidays and restrictions are excluded for certain services such as food service needs, health services and finance. Restrictions are also excluded for health services, markets, shops, supermarkets and health facilities. PSBB is implemented during the longest incubation period of the Covid-19 virus or for 14 days and can be extended if there is evidence of spread. The Covid-19 pandemic can be categorized as a public health emergency, which is an extraordinary public health event marked by the spread of infectious diseases and/or events caused by nuclear radiation, biological pollution, chemical contamination, bioterrorism, and food that poses a health hazard and has the potential to spread across regions or across countries.<sup>9</sup> The handling of health emergencies is based on Law Number 6 of 2018 concerning Health Quarantine (Poluakan et al., 2019; Diantha, 2019). The Health Quarantine Law clearly explains the existence of restrictions on the entry and exit of individuals to areas that have been declared the source of the outbreak, including also regulating orders to carry out regional quarantine isolation, vaccinations and so on to stop the spread of outbreaks in Indonesia.

The Health Quarantine Law stipulates that there are several types of health quarantine, namely Home Quarantine, Hospital Quarantine, Regional Quarantine and Large-Scale Social Restrictions. Regional quarantines have also been carried out in several countries that have been severely affected by the Covid-19 pandemic. Several countries in Europe and China have implemented regional quarantines. The regional quarantine prohibits residents from entering or leaving areas affected by Covid-19. The regional quarantine also emphasizes the existence of "social/individual distancing" with a policy of prohibiting all activities that gather masses. In the event of

a public health emergency such as the Covid-19 pandemic, in the affected area, home quarantine, regional quarantine, hospital quarantine can be carried out.

Or Large-Scale Social Restrictions by Health Quarantine Officials.<sup>10</sup> Implementation of Home Quarantine, Regional Quarantine, Hospital Quarantine, or Large-Scale Social Restrictions must be based on epidemiological considerations, the magnitude of the threat, effectiveness, resource support, operational technical, economic, social, cultural considerations, and security.<sup>11</sup> However, specifically regarding regional quarantine and large-scale social restrictions, the determination must be made by the minister.<sup>12</sup> Based on the latest data on Covid-19 which amounted to 6,248 cases<sup>13</sup>, this has entered the criteria for an extraordinary public health event because it is marked by the spread of the disease. infectious disease that poses a health hazard and has the potential to spread across regions or across countries based on the Health Quarantine Law. Determination of regional quarantine in accordance with the law is urgently needed. Because this is closely related to Indonesia's position as a country with the characteristics of a welfare state, which must be actively involved in organizing public welfare, including in the health sector. Specifically regarding the authority in the health sector based on Law Number 23 of 2014 concerning Regional Government as last amended by Law Number 9 of 2015 concerning the Second Amendment to Law Number 23 of 2014 concerning Regional Government (UU Pemda) health is a concurrent government affair which is the authority of the Region so that the Regional Government has the authority to make policies in the health sector in certain cases if it is not regulated differently by other laws and regulations. As a follow-up to the Covid-19 pandemic, the government then took a policy to implement PSBB.

To support its implementation, the government released several derivative regulations, namely Government Regulation Number 21 of 2020 concerning Large-Scale Social Restrictions in the Context of Accelerating the Handling of Corona Virus Disease 2019 (Covid-19) and then Presidential Decree Number 11 of 2020 concerning Determination of Public Health Emergency Corona Virus Disease. 2019 (Covid-19) and Regulation of the Minister of Health of the Republic of Indonesia Number 9 of 2020 concerning Restriction Guidelines. Large-Scale Social Services in the Context of Accelerating the Handling of Corona Virus Disease 2019 (Covid-19). With these regulations, the President asked regional heads not to make their own policies and to remain coordinated with the central government through the Chair of the Task Force. The PSBB can be proposed by the governor/mayor to the Minister of Health with the consideration of the Chair of the Task Force, or it can be proposed by the Chair of the Task Force to the Minister of Health.

## **2. The Impact of the 2019 Corona Virus Disease (Covid-19) Pandemic and its Management in Indonesia**

The impact of Covid-19 is not only in the health sector, but also in various fields, especially in the economic field. The impact of Covid-19 is exacerbated by policies that inevitably have to be taken by the government. Because with the implementation of physical distancing, then social distancing and finally in some areas the PSBB was established and now the PPKM policy is being implemented, economic activities will be greatly affected. The government must deal with the impact of this policy as a manifestation of an anticipatory government as one of the government models. To cope

with the consequences of the Covid-19 response policy, the government then took several policies, especially in the economic sector, which include:

- a) Regulation of the Minister of Finance of the Republic of Indonesia Number 23/Pmk.03/2020 concerning Tax Incentives for Taxpayers Affected by the Corona Virus Outbreak;
- b) Regulation of the Financial Services Authority of the Republic of Indonesia Number 11/Pojk.03/2020 concerning National Economic Stimulus as a Counter-cyclical Policy for the Impact of the Spread of Corona Virus Disease 2019;
- c) Instruction of the President of the Republic of Indonesia Number 4 of 2020 concerning Refocussing of Activities, Reallocation of Budgets, and Procurement of Goods and Services in the Context of Accelerating Handling of Corona Virus Disease 2019 (Covid-19);

In addition to these steps through policy making, the government must also be assisted by the private sector, especially regarding the implementation of credit relaxation/credit restructuring for sectors affected by the coronavirus (Covid-19) outbreak as regulated in POJK No. 11/POJK.03 /2020 on Economic Stimulus as a Countercyclical Policy. In addition to these steps, the government has actually made efforts to minimize the economic impact, namely by not implementing a regional quarantine. Some of the economic impacts that can occur are that many sectors, both trade, informal and tourism, suffer losses. The cycle of money circulation is chaotic, due to the large number of losses experienced by entrepreneurs. However, it cannot be denied that some commodities are profitable, especially those who provide health equipment or anything related to the eradication or prevention of Covid-19. In addition, the Government also issued several policies as a form of assistance to the community as follows:

- a) Easing electricity costs As a form of assistance to the community, the Government is freeing electricity costs for PLN consumers with a power of 450 VA for the next 3 months, namely for April, May and June costs. Meanwhile, users who subscribe to a subsidy of 900 kwh of power will receive a 50 percent discount or discount for the same period of time. This means paying only half for April, May, and June 2020.
- b) Credit relief A number of groups, such as online motorcycle taxi drivers, fishermen, and taxi drivers, are guaranteed to get a motor vehicle loan concession for 1 year starting April 1, 2020. Interest payments or installments are given leeway for 1 year. Not only that, the Government will also provide relief for small and medium sector entrepreneurs who make loans under Rp. 10 billion. They will be given a 1 year postponement of installments and reduced interest.
- c) Spend a budget of Rp. 405, 1 Trillion To meet a number of needs amid the Covid-19 outbreak, the Central Government disbursed a budget of Rp. 405.1 trillion through the 2020 State Budget (APBN). This policy has been established through a Government Regulation in Lieu of Law (Perpu) on Economic Stability during the Covid-19 Pandemic. The budget for the health sector will be prioritized for the protection of health workers, especially the purchase of PPE, the purchase of medical equipment such as test kits, reagents, ventilators, and others. In addition, upgrading of referral hospitals includes athletes' homestay, incentives for doctors, nurses and hospital personnel as well as compensation for the death of medical personnel and the handling of other health problems. At least Rp. 75 trillion will be

directed to spending in the health sector, Rp. 70.1 trillion for tax incentives and people's business credit stimulus, and Rp. 110 trillion will be allocated for social protection. Others will be used to finance the national economic recovery program and reserves.

#### **D. Conclusion**

In the context of handling the Covid-19 pandemic, the Government has issued a policy on Large-Scale Social Restrictions (PSBB). The PSBB policy itself refers to Law Number 6 of 2018 concerning Health Quarantine. To support its implementation, the government released two derivative regulations, namely the Government Regulation on Large-Scale Social Restrictions (PP Number 21 of 2020) and the Presidential Decree on Health Emergencies. With the existing regulations, the President asked regional heads not to make their own policies and to remain coordinated with the central government through the Chair of the Task Force. The PSBB can be proposed by the governor/mayor to the Minister of Health with the consideration of the Chair of the Task Force, or it can be proposed by the Chair of the Task Force to the Minister of Health. At the same time, the public is also asked to maintain a safe distance to break the chain of transmission of the virus. Maintaining a safe distance between people (social distancing) and limiting all access in and out of and from an area is considered effective in controlling the spread of Covid-19.

To overcome the impact of Covid-19, the government has taken several policies, especially in the economic sector, which include:

- a) Regulation of the Minister of Finance of the Republic of Indonesia Number 23/Pmk.03/2020 concerning Tax Incentives for Taxpayers Affected by the Corona Virus Outbreak;
- b) Regulation of the Financial Services Authority of the Republic of Indonesia Number 11/Pojk.03/2020 Concerning National Economic Stimulus as a Counter-cyclical Policy Impact of the Spread of Corona Virus Disease 2019
- c) Presidential Instruction of the Republic of Indonesia Number 4 of 2020 concerning Refocussing of Activities, Budget Reallocation, and Procurement of Goods and Services in the Context of Accelerating Handling of Corona Virus Disease 2019 (Covid-19);
- d) Policies as a form of assistance to the community such as reducing electricity costs, credit relief, and pouring out a budget of Rp. 405.1 trillion to meet needs amid the Covid-19 outbreak through the 2020 State Budget (APBN).

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