

Progressive Efforts to Optimize Policies to Prevent the Spread of Covid-19 in Indonesia



Khalifah Sophy Sarahwati¹, Nabitatus Sa'adah²

^{1,2}Fakultas Hukum, Universitas Diponegoro

ABSTRACT: This study aims to analyze policies to tackle the spread of Covid-19 in Indonesia, specifically looking at the progressive side of efforts to contain the spread of Covid-19 in Indonesia. The research method used in this research is normative juridical with a statutory approach and the data used in this study are secondary data. Based on the research results, it is known that Covid-19 Government Regulation is a progressive step in handling the Covid-19 case in Indonesia. However, this initial step must be followed by other concrete efforts as a progressive effort to optimize the prevention of the spread of Covid-19 in Indonesia. Steps to optimize the implementation of governmental coercion in the steps to implement Covid-19 Government Regulation can be in the form of; restrictions on the mobility of goods and people, closure of schools and workplaces, restrictions on religious activities, closure of public facilities, fulfillment of basic needs of the population, and followed up with the drafting of provincial and regencial/municipal regulations.

KEYWORDS: Progressive, Regulation, Countermeasures, Spread, Covid-19.

INTRODUCTION

The issuance of a statement by the WHO (World Health Organization) on March 11, 2020, which stated that:¹

“WHO has been assessing this outbreak around the clock and we are deeply concerned both by the alarming levels of spread and severity, and by the alarming levels of invection. We have therefore made ehe assessment that Covid-19 can be characterized as a pandemic,”

indicatedthatWHO had called on countries to take urgent and aggressive action against the virus that has been declared a pandemic. Then WHO also stated that each country needed to detect, test, treat, isolate, track, and mobilize its citizens to prevent this case from spreading in public transmission.

Director General of the World Health Organization Tedros Adhanom Ghebreyesus, on March 10, 2020, had sent a letter to President Joko Widodo regarding the Indonesian government's inability to handle the Covid-19 cases comprehensively.²In line with this, it is stated in the fourth paragraph of the preamble of The Constitution of The State of The Republic ofIndonesia of the Year 1945 (The 1945 Constitution of the Republic Indonesia)the requirements of the activity of the state to, “protect the whole Indonesiannation and the entire native land of Indonesia and toadvance the public welfare, and to educate the life of thenation”Then,Article 28I section (4) of The 1945 Constitution of the Republic Indonesia states that:

“The protection, advancement, enforcement andfulfillment of human rights shall be the responsibilityof the state, particularly the government.”

Whereas, in the case of the Covid-19 pandemic, the government should endeavor to comprehensively handle, eradicate and take action related to the protection rights of its citizens, in this case the fulfillment of health rights as stipulated in Article 28H and Article 34 of The 1945 Constitution of the Republic of Indonesia. In relation to efforts to protect and prosper citizens, the state must be present and play an active role in intervening in people's lives.

The government, which is every state administrator in the central government and local governments, should work to serve the community with an orientation towards the level of action and the level of results based on human rights.³Due to this negligence

¹World Health Organization, “WHO Director-General’s opening remarks at the media briefing on COVID-19 on 11 March 2020, accessed through <https://www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020>, on April 5, 2020.

²I Wayan Agus Purnomo, “Menyangkal Krisis Menuai Bencana”, accessed through <https://majalah.tempo.co/read/laporan-utama/159957/salah-langkah-jokowi-hadapi-wabah-corona?>, on April 5, 2020.

³Retno Jusniati, “Integrasi Standar Perlindungan, Penghormatan, dan Pemenuhan HAM dalam Tugas dan Fungsi Satuan kerja Perangkat Daerah, Jurnal Ilmu Hukum Internasional Fakultas Hukum Universitas Jambi, 7 April 2010, p. 81.

Progressive Efforts to Optimize Policies to Prevent the Spread of Covid-19 in Indonesia

and unpreparedness towards Covid-19, the Indonesian government can be said to have 'missed'. Based on case data in the field, since the government officially announced the discovery of positive cases of Covid-19 on March 2, 2020, currently there are 2,092 confirmed cases, with details of 1,751 people receiving medical treatment, and 150 people being declared cured.

If drawn through the corridors of State Administrative Law, related to state intervention to avoid abuse of power, such intervention must be based on law.⁴ Thus, a strong and effective government in accordance with the embodiment of the constitution is a prerequisite for the success of state administration as the principle of good governance. In the case of the Covid-19 response in Indonesia, in a special case the right to health is officially a positive legal right protected by the government and the government is obliged to fulfill the health rights of its citizens through real and concrete efforts.⁵ It was said that Indonesia's readiness in responding to and dealing with the Covid-19 pandemic was said to be quite slow. Although the reference for handling the pandemic has been regulated in Law Number 6 of 2018 Regarding Health Quarantine, the order in Article 11 Section (3) of the law, which states: *"Further provisions regarding the response to Emergency Public Health are regulated by a Government Regulation"*, until after the warning issuance by WHO against Indonesia on March 2, 2020 due to being slow in handling the Covid-19 case, on March 31, 2020 a new Government Regulation of the Republic of Indonesia Number 21 of 2020 Regarding Large-Scale Social Restrictions in the Context of Accelerating Handling of the Corona Virus Disease 2019 was issued, hereinafter referred to as Covid-19 Government Regulation.

As law is created to regulate the state system and has a role as guardian of public order, on the other hand, law is created to overcome certain problems that arise in society, but often the law created creates new problems in its implementation.⁶ Because the Covid-19 pandemic is still a problem that falls into urgency, even with the issuance of Government Regulation Number 21 of 2020, it is stated that it cannot be said to be optimal in dealing with this outbreak. The government's authority to enforce the Administrative Law is in the form of Government Coercion, where government organs have the authority to manifest citizens' compliance, if necessary, by coercion, against violations of certain laws or certain obligations.⁷

Based on the background described above, this research will specifically discuss the following problems; first, what is the impact after the issuance of Government Regulation Number 21 of 2020 Regarding Large-Scale Social Restrictions in the Context of Accelerating the Handling of Corona Virus Disease 2019 (Covid-19)? Second, what is the form of progressive steps to implement government's coercion towards optimizing Government Regulation Number 21 of 2020 Regarding Large-Scale Social Restrictions in the Context of Accelerating Handling of Covid-19?

DISCUSSIONS

1. Large-Scale Social Restriction Policy (PSBB) as an effort to combat the spread of Covid-19 in Indonesia

Planning for the formation of laws and regulations is part of the building of positive law in Indonesia which has an important role in building national laws.⁸ Positive law is actually a government policy that aims to regulate and protect its people. The positive law is Covid-19 Government Regulation, which is as a follow-up to Law Number 6 of 2018 as the principle of coordination over the embodiment of the issuance of a law, as stated in its article point that after a law is formed, regulations must be formed under it in the mandate of the embodiment of the law which is in line with the ideals of constitutional law. Judging by Article 7 section (1) of Law Number 15 of 2019 as the amendment to Law Number 12 of 2011 Regarding the Formation of Laws and Regulations, regulates that the types and hierarchy of statutory regulations consist of; The 1945 Constitution of the Republic of Indonesia, the Decrees of the People's Consultative Assembly, Laws/Government Regulations in Lieu of Laws, Government Regulations, Presidential Regulations, Provincial Regulations; and Regency/City Regulations.

When described, the hierarchy of the Legislation in Indonesia is as follows:

⁴ Prajudi Armosudirjo, *"Hukum Administrasi Negara"*, (Jakarta: Ghalia, 1994), p. 25.

⁵ Fheriyal Sri Iswiawaty, *"Tanggung Jawab Negara dalam Pemenuhan Hak Atas Kesehatan Masyarakat Berdasarkan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945"*, Jurnal Ilmu Hukum Legal Opinion Fakultas Hukum Universitas Padjajaran, Edisi 2, Volume 3, Year 2015, p. 3.

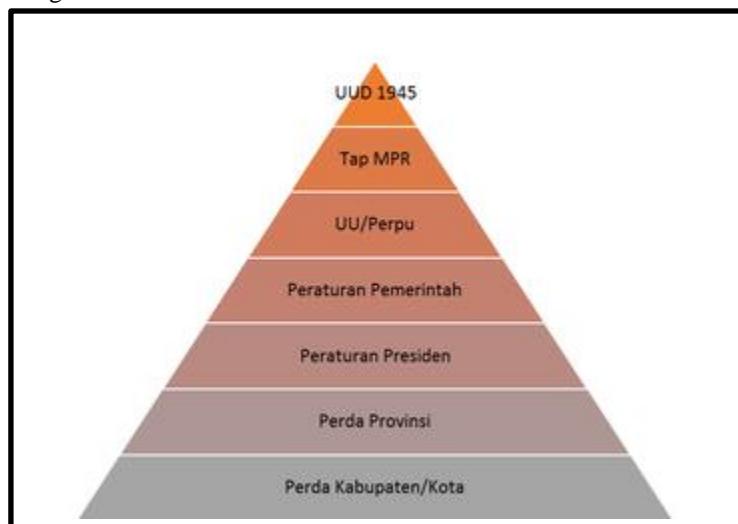
⁶ Ani Yuliani, *"Daya Ikat Pengundangan Peraturan Perundang-Undangan"*, Jurnal Legislasi Indonesia Direktorat Jenderal Peraturan Perundang-Undangan Kementerian Hukum dan HAM RI, Vol. 14, Nomor 04, December, 2017, p. 430

⁷ Ridwan HR, *"Hukum Administrasi Negara"*, (Jakarta: PT. Raja Grafindo, 2006), p. 305-306.

⁸ Hendra Wahanu Prabandani, *"Rekonstruksi Mekanisme Perencanaan Pembentukan Peraturan Pemerintah dan Peraturan Presiden di Indonesia"*, Jurnal Hukum dan Undang-Undang, Biro Hukum Kementerian PPN/ Bappenas Republik Indonesia, Vol. 1, Nomor 1, Tahun 2018, p. 89.

Progressive Efforts to Optimize Policies to Prevent the Spread of Covid-19 in Indonesia

Image I: Hierarchy of Legislation in Indonesia



Source: Law Number 15 of 2019 Regarding the Formation of Laws and Regulations

In addition to the types of laws and regulations contained in the hierarchy, these are also regulated, recognized for its existence and have binding legal force for every citizen, such as the regulations set by People's Consultative Assembly, People's Representative Council, Regional Representative Council, the Supreme Court, the Constitutional Court, the Audit Board, the Judicial Commission, Bank Indonesia, Ministers, agencies, institutions, or commissions at the same level as established by Law or the Government at the behest of the Law, Provincial People's Representative Councils, Governors, Regional/Municipal People's Representative Council, Regents/Mayor, Village Heads or the equivalent.

The hierarchy of legislations above shows that the basic law of the Unitary State of the Republic of Indonesia is the 1945 Constitution of the Republic of Indonesia and the source of all sources of law of the Unitary State of the Republic of Indonesia is Pancasila. Thus, it can be said that a law is the result of a follow-up to the mandate of the 1945 Constitution of the Republic of Indonesia which should be followed up with the regulations below for a technical and detailed explanation regarding a regulation of the need for legal products in society.

Since the issuance of Law Number 6 of 2018, until March 2020, Government Regulation Number 21 of 2020 has only been issued which follows up on technical matters of the law. The concept of a modern legal state is based on elements of state governance based on statutory regulations or based on applicable law, so that every exercise of state power is always based on pre-existing rules.⁹

It is said that Indonesia agrees on the principle of legality, that anything related to the legal needs of society must be regulated by an applicable law. If this principle is clearly implemented and implemented in a concrete manner, then in every mandate of the constitution it should have been regulated in a law as well as in the levels below it. Thus, if there is an urgent situation as in the case review of the issuance of Government Regulation Number 21 of 2020 on Law Number 6 of 2018, if at any time a legal need occurs, the government is ready and alert in implementing and handling more effectively and efficiently without waiting for the legal formulation first.

Since being declared as a country infected with Covid-19 in early March 2020, the fulfillment of legal needs was only fulfilled at the end of March and until now Indonesia has only studied and considered the proper implementation in preventing the outbreak of this pandemic. So it is true what was said in the letter from WHO, that Indonesia is considered to be slow in handling a pandemic which is categorized as a common enemy of each of these countries.

The progressive efforts taken by Indonesian government after the issuance of Covid-19 Government Regulation are as follows; closure of access to arrivals and departures from within and outside the country as regulated in Article 2 section (1) point a of Covid-19 Government Regulation, closure of schools and workplaces as regulated in Article 4 section (1) point a, and the policy of limiting religious activities by issuing a prohibition on worshiping in places of worship as regulated in Article 4 section (1) point b of Covid-19 Government Regulation. The efforts mentioned above are referred to as progressive efforts at the time of the spread of Covid-19 in Indonesia, this is because many other positive rules were violated by the issuance of the Covid-19 countermeasures policy, this is solely for the sake of protecting the safety of Indonesian people, which are all people of Indonesia. This policy is in line with the

⁹Haposan Siallagan, "Penerapan Prinsip Negara Hukum di Indonesia", Jurnal Sosiohumaniora, Fakultas Hukum Universitas HKBP Nommensen, Vol, 18, No.2, July, 2016, halaman 136.

Progressive Efforts to Optimize Policies to Prevent the Spread of Covid-19 in Indonesia

substance of progressive law which places the interests of human protection above the interests of implementing positive law.¹⁰In essence, progressive law wants to realize law for humans, not humans for law. Law for humans does not mean that humans are free to use the law at will, but it must be based on a good moral attitude, which is based on the morality of Pancasila.

2. Progressive Efforts to Optimize Policies to Prevent the Spread of Covid-19 in Indonesia

The progressive efforts made by the government to prevent the spread of Covid-19 are still based on law, because Indonesia is a rule of law, as mentioned in the Constitution of the Republic of Indonesia, in particular Article 1 section(3).¹¹The most important authority that can be exercised by the government to enforce material administrative law is government coercion (*bestuursdwang/polittiedwang*). Government action is based on law, which in this study is written and unwritten in order to realize legal ideals in fulfilling protection for the community in social activities. What is meant by administrative sanctions are administrative legal instruments that impose obligations/orders and/or withdrawal of state administrative decisions imposed on those in charge of businesses and/or activities on the basis of disobedience to laws and regulations.¹²

In a study of the urgency of implementing government coercion in order to deal with the pandemic situation in Indonesia, the form of adjustment efforts between *das sein* and *das sollen* in the form of strategic steps to optimize Covid-19 Government Regulation is to ensure the implementation of consistent and constitutive state administration. As it was said that:

*“Als via de diverse formele toezichtmechanismen of anderszins blijkt dat de heden kwalitatief of kwantitatief, en zo nodig aansluitend bestuursdwang toe te passen. Zoals eerder opgemerkt waren bij de voorbereiding van deze bepalingen de termen publiek belang en publieke belangen in deze context nog onbekend. In de bijdrage wordt duidelijk gemaakt hoe deze verplichtingen en waarborgen in de praktijk functioneren.”*¹³

in the case emerged as a formal or material supervision, it is necessary to have an administrative enforcement in the need for public fulfillment whose problems are still unknown to guarantee the contribution of the government in carrying out its obligations to guarantee practice in concrete forms.

Government coercion reaps references to Law Number 24 of 2007 regarding Disaster Management in conjunction with Government Regulation Number 21 of 2008 regarding Disaster Management, which in this case states that there is government coercion in a state of emergency within a certain period of time. Furthermore, in Article 59 of Law Number 6 of 2018 regarding Health Quarantine, the provisions state the existence of Large-Scale Social Restrictions in the section of public health emergencies in the aim of preventing the spread of disease, in this case Covid-19, in accordance with statutory provisions.

The welfare of the people is one of the goals of a state whose realization requires a certain mechanism that is reflected in public policies that are made in relation to resolving issues that are important for further study.¹⁴The promulgation of Government Regulation Number 21 of 2020 regarding Large-Scale Social Restrictions in the Context of Accelerating Handling of Corona Virus Disease 2019 (Covid-19) is a turning point for Indonesia's status as a Covid-19 emergency who are considered not progressive in handling the spread of cases. In connection with that, the conclusion obtained is that the government is not yet precise in deciding which systems, procedures, and handling are appropriate and efficient.

The following are some steps to optimize Government Regulation Number 21 of 2020 that should be carried out by the government, such as:

1. Article 2, relating to Large-scale Social Restrictions on the movement of people and goods on a provincial or regency/municipal scale. In this case, the policy on the issuance of the Government Regulation must be continuous with follow-up from each province and regency/city. The mobility in and out of people and goods is one of the factors triggering the spread of Covid-19. As it is known, if an outbreak occurs, there must be a prohibition on going out and entering one area to another. With regard to a goods, in this case, import and export can also trigger the spread of the virus. Because it is known that Covid-19 is a new virus which is still being studied in its research phase. So that each person of every age can determine their age, and every object or item can become a stopover and a tool or element for the spread of this virus. Each region must

¹⁰Putera Astomo, 'Perbandingan Pemikiran Hans Kelsen Tentang Hukum Dengan Gagasan Satjipto Rahardjo Tentang Hukum Progresif Berbasis Teori Hukum', *Yustisia*, 90.1 (2014), 5–14.p. 10.

¹¹Kornelius Benuf, 'Urgensi Kebijakan Perlindungan Hukum Terhadap Konsumen Fintech Peer To Peer Lending Akibat Penyebaran Covid-19', *Jurnal RechtsVinding*, 9.2 (2020), 203–217.p. 204.

¹²I Made Ari Permadi, "Kewenangan Badan Lingkungan Hidup dalam Pemberian Sanksi Administratif Terhadap Pelanggaran Pencemaran Lingkungan", *Jurnal Magister Hukum Udayana*, Vol. 5, No. 4, Year 2016, p. 653.

¹³Jans de Pree, "Publieke Belangen, Overheidsbeleid en Investerings in Infrastructuur", dalam "New Perspectives on Investment in Infrastructures", (Netherland: Amsterdam University Press, 2008), halaman 308, e-book was accessed through https://www.jstor.org/stable/pdf/j.ctt45kcx6.13.pdf?ab_segments=0%252Fbasic_SYC-5152%252Ftest&refreqid=excelsior%3A1f84f27215cfe86cb004a322f8c3925a, on April 18, 2020.

¹⁴Agus Suryono, "Kebijakan Publik Untuk Kesejahteraan Rakyat", *Jurnal Transparansi Ilmiah Ilmu Administrasi*, Universitas Brawijaya, Vol. VI, No. 02, September 2014, p. 98.

Progressive Efforts to Optimize Policies to Prevent the Spread of Covid-19 in Indonesia

limit and even block the entry and exit mobility of persons and goods by issuing a Provincial Regulation and a Regencial/Municipal Regulation;

2. Article 3, which is related to the number of cases and/or the number of deaths due to the disease which has increased and spread significantly and rapidly to several regions. Therefore, it does not only stop through this Government Regulation without further follow-up, but must be balanced with concrete implementation of this Government Regulation;
3. Article 4 section (1) point a, which is related to Large-scale Social Restrictions regarding closure of schools and workplaces. In this case, the availability of access to learn at home for people from the lower and upper classes must be comprehensive and evenly distributed so that the obligation to receive education is not compromised by the existence of the Large-scale Social Restrictions. Then, with regard to workplace vacation, not only for State Civil Apparatus in government, but factories or the lowest scope such as traditional markets and workplaces in any category and anywhere must also be closed, so that the level of spread of COVID-19 can decrease until it is completely resolved;
4. Article 4 section (1) point b which is related to restrictions on religious activities. Progressive steps have been taken by issuing Fatwa of Indonesian Ulema Council against Islam and other religions related to prohibition of worshipping in other religious places and anywhere. This must also be directly proportional to the restriction of other religious ceremonies, such as funeral ceremonies, traditional ceremonies, group recitation and study, wedding processions and other religious activities. If this is taken seriously enough in handling and in collaboration with related parties, particularly for monitoring, for example the Police to participate in patrolling, it can be concluded that the spread and positive number of Covid-19 will decrease;
5. Article 4 section (1) point c and Article 4 section (2), which are related to activity restrictions in public places or facilities. Places that used to be a gathering point for community activities, such as playgrounds, public transportation, shopping centers, and recreational areas, should be closed by providing appeals and warnings to the public regarding the temporary closure of public facilities due to steps to prevent the spread of COVID-19;
6. Article 4 section (3), which is related to the fulfillment of basic needs of the population. As a consideration regarding fulfillment of the needs of the population, with the large economic impact that has been experienced by Indonesia since the Covid-19 hit, here are some progressive steps, such as:
 - a) The food needs of the population can be fulfilled by using parts of state budget and regional budget;
 - b) Particularly, if in situation where state and regional budget is not possible to fulfill it, the fulfillment of basic needs of the population can be prioritized to families in the status of poor household to get assistance for the basic needs of the population in the form of basic necessities; and
 - c) In the scale of education, schools and colleges can implement a refund policy of a percentage of colleges' single tuition fee and schools' tuition fee, or in another way, by fulfilling needs of internet data quota each month to students who study online.
7. Article 6 section (1), which is related to the follow-up to this Government Regulation by the Governor/the Regent/the Mayor. In this case, not only each region is a red zone, but all areas in Indonesia that are main or public roads must be closed within the specified operating hours. Then the head of the related regions can issue a progressive and preventive step in the form of issuing a Provincial Regulations and Regencial/Municipal Regulations related to:
 - 1) Clause in Government Regulation Number 21 of 2020;
 - 2) Prohibition for migrants to return home;
 - 3) Obligation to report in each region regarding the arrival and departure of residents with clear information;
 - 4) Coordination with local health agency if there are residents who have just arrived from outside the area to be tested for COVID-19 and then quarantined at home for 14 (fourteen) days;
 - 5) Closure of central transportation roads during operating hours and stopping the pace of public transportation at each terminal, station, airport, busway base, and pedicab base;
 - 6) Closure of night entertainment venues and places that in this case are used as meeting points;
 - 7) Restaurants to apply take away system;
 - 8) Curfew for the people; and
 - 9) Also, provisions in the supermarkets regarding maximum shopping period of 30 minutes with equipments like hand sanitizer and hand-washing basin and the obligation to wear a mask.

Thus, the common thread that can be drawn based on the progressive steps to impose government coercion in the implementation of Government Regulation Number 21 of 2020 can be said to be a little clear. In line with that, the concept of progressive law that is shared in Indonesia is one of the main keys to solving legal needs in society by forming a legal product that is interpreted as civilizing the nation, so that ideals are built parallel to efforts to achieve common goals.¹⁵

Therefore, it doesn't just stop with the issuance of Government Regulation Number 21 of 2020 in order to prevent the spread and as an effort to handle and eradicate Covid-19. The need for continuity in the framework of checks and balances between

¹⁵Mukhidin, "Hukum Progresif Sebagai Solusi Hukum yang Mensejahterakan Rakyat", Jurnal Pembaharuan Hukum, Vol, 1, No.3, September-December 2014, p. 269.

Progressive Efforts to Optimize Policies to Prevent the Spread of Covid-19 in Indonesia

power holders in order to formulate appropriate and targeted policies for society is said to be a necessity. As it is known, the separation of powers is difficult to carry out because it is impossible for state institutions to share power with each other, so it is necessary to apply the distribution of power to create checks and balances.¹⁶In addition, the delegation of power from the center to the regions is an urgent matter and should be implemented immediately. The delegation refers to the distribution of authority and power to the authorities from the center to the regions to carry out certain activities in detail and clearly in order to avoid an arena of choice that invites immeasurable discretion.¹⁷

Government coercion is in the realm of discretionary power and in terms of the authority of public officials here to exercise authority based on official initiatives given by law as appropriate. For instance, each regional head in carrying out his/her authority is based on the follow-up to Article 53 of Law Number 24 of 2007 in conjunction with Article 52 of Government Regulation Number 21 of 2008 in conjunction with Government Regulation Number 21 of 2020 to mobilize apparatus to supervise the area, prohibiting the entry and exit of a person, establishing health checkpoints, carrying out regional security activities, and meeting basic needs of its citizens. In this case, government coercion in violations of Large-scale Social Restrictions is eliminated in an effort to avoid and limit all activities that cause the spread of Covid and, thus, not to torment the people.

As for the implementation of the anticipation of discretion that torments the citizens, as:

“...there is a demonstrable trend at present in all democratic countries to leave a large amount of discretion in the hands of authorities legislation conferring powers on the Administration is usually drafted in broad and general terms. This leaves the administrator free to exercise his power according to his own judgment. Such a development is disquieting because broad powers present possibilities of being misused and exercised in an arbitrary and discriminatory manner. It thus becomes necessary to devise proper safeguards to neutralise such an eventuality so that injustice is not done to any person. The statute conferring discretionary power hardly even creates any control mechanism to oversee the exercise of power by the concerned administrator. Therefore, the courts have to play a major role in the process of controlling the functioning of the Administration,”¹⁸

which is with the role of the existence of an administrative court through State Administration, as well as in the provisions of Administrative Law in the form of administrative sanctions along with criminal sanctions. Administrative sanctions in the form of Government Coercion can be directly implemented by the Government unilaterally (*eenzijdige*) without the need to wait for a court ruling, in order to stop activities that could spread Covid-19. In this way progressive steps are carried out as well as the General Principles of Good Governance.

CLOSING

Covid-19 Government Regulation is a progressive step in handling the Covid-19 case in Indonesia. However, this initial step must be followed by other concrete efforts as a progressive effort to optimize the prevention of the spread of Covid-19 in Indonesia. The steps to optimize the implementation of government coercion in the steps to implement PP Covid-19 can be in the form of; restrictions on the mobility of goods and people, closure of schools and workplaces, restrictions on religious activities, closure of public facilities, fulfillment of the basic needs of the population, and also with the drafting of provincial and regency/municipal regulations.

BIBLIOGRAPHY

Books:

- 1) Jans de Pree, “Publieke Belangen, Overheidsbeleid en Investerings in Infrastructuur”, dalam “New Perspectives on Investment in Infrastructures”, (Netherlands: Amsterdam University Press, 2008), page 308, e-book was accessed through https://www.jstor.org/stable/pdf/j.ctt45kcx6.13.pdf?ab_segments=0%252Fbasic_SYC-5152%252Ftest&refreqid=excelsior%3A1f84f27215cfe86cb004a322f8c3925a.
- 2) Prajudi Armosudirjo, “Hukum Administrasi Negara”, (Jakarta: Ghalia, 1994).
- 3) Ridwan HR, “Hukum Administrasi Negara”, (Jakarta: PT. Raja Grafindo, 2006).

Journals:

- 1) Agus Suryono, “Kebijakan Publik Untuk Kesejahteraan Rakyat”, Jurnal Transparansi Ilmiah Ilmu Administrasi, Universitas Brawijaya, Vol. VI, No. 02, September, 2014.
- 2) Ani Yuliani, “Daya Ikat Pengundangan Peraturan Perundang-Undangan”, Jurnal Legislasi Indonesia Direktorat Jenderal Peraturan Perundang-Undangan Kementerian Hukum dan HAM RI, Vol. 14, Nomor 04, December, 2017.

¹⁶Indra Rahmatullah, “Rejuvinasi Sistem Check and Balances dalam Sistem Ketatanegaraan di Indonesia”, Jurnal Dewan Perwakilan Rakyat Republik Indonesia, 11 Oktober 2013, p. 1.

¹⁷Mila Marwiyah Hasibuan, “Pendelegasian Wewenang dalam Hukum Administrasi Negara”, Jurnal Ilmu Administrasi Publik FISIP Universitas Sriwijaya, p. 102.

¹⁸Rakesh Chandra, “Administrative Discretion”, International Journal of Academic Research and Development, Vol. 2, Issue 4, July 2017, p. 131.

Progressive Efforts to Optimize Policies to Prevent the Spread of Covid-19 in Indonesia

- 3) Fheriyal Sri Iswiawaty, "Tanggung Jawab Negara dalam Pemenuhan Hak Atas Kesehatan Masyarakat Berdasarkan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945", Jurnal Ilmu Hukum Legal Opinion Fakultas Hukum Universitas Padjajaran, Edition 2, Volume 3, Year 2015.
- 4) HaposanSiallagan, "Penerapan Prinsip Negara Hukum di Indonesia", Jurnal Sosiohumaniora, Fakultas Hukum Universitas HKBP Nommensen, Vol. 18, No.2, July, 2016.
- 5) Hendra WahanuPrabandani, "Rekontruksi Mekanisme Perencanaan Pembentukan Peraturan Pemerintah dan Peraturan Presiden di Indonesia", Jurnal Hukum dan Undang-Undang, Biro Hukum Kementerian PPN/ Bappenas Republik Indonesia, Vol. 1, Nomor 1, Year 2018.
- 6) I Made Ari Permadi, "Kewenangan Badan Lingkungan Hidup dalam Pemberian Sanksi Administratif Terhadap Pelanggaran Pencemaran Lingkungan", Jurnal Magister Hukum Udayana, Vol. 5, No. 4, Year 2016.
- 7) I Wayan Agus Purnomo, "Menyangkal Krisis Menuai Bencana", accessed through<https://majalah.tempo.co/read/laporan-utama/159957/salah-langkah-jokowi-hadapi-wabah-corona?>
- 8) Indra Rahmatullah, "Rejuvinasi Sistem Check and Balances dalam Sistem Ketatanegaraan di Indonesia", Jurnal Dewan Perwakilan Rakyat Republik Indonesia, October 11, 2013.
- 9) Kornelius Benuf, 'Urgensi Kebijakan Perlindungan Hukum Terhadap Konsumen Fintech Peer To Peer Lending Akibat Penyebaran Covid-19', Jurnal RechtsVinding, 9.2 (2020), 203–217.
- 10) Mila Marwiyah Hasibuan, "Pendelegasian Wewenang dalam Hukum Administrasi Negara", Jurnal Ilmu Administrasi Publik FISIP Universitas Sriwijaya, page 102.
- 11) Mukhidin, "Hukum Progresif Sebagai Solusi Hukum yang Mensejahterakan Rakyat", Jurnal Pembaharuan Hukum, Vol, 1, No.3, September-December 2014.
- 12) Rakesh Chandra, "Administrative Discretion", International Journal of Academic Research and Development, Vol. 2, Issue 4, July 2017.
- 13) Retno Jusniati, "Integrasi Standar Perlindungan, Penghormatan, dan Pemenuhan HAM dalam Tugas dan Fungsi Satuan kerja Perangkat Daerah", Jurnal Ilmu Hukum Internasional Fakultas Hukum Universitas Jambi, 7 April 2010.
- 14) Putera Astomo, 'Perbandingan Pemikiran Hans Kelsen Tentang Hukum Dengan Gagasan Satjipto Rahardjo Tentang Hukum Progresif Berbasis Teori Hukum', *Yustisia*, 90.1 (2014), 5–14
- 15) World Health Organization, "WHO Director-General's opening remarks at the media briefing on COVID-19 on 11 March 2020", accessed through<https://www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020>, on April 5, 2020.