

## The Policy in Covid-19 Pandemic Handling Reviewed Constitution and Operational Rules Related To State Financial Policy in Indonesia

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**ABSTRACT:-** The government issued three regulations at the same time to fight Covid-19. The three regulations are, first, Government Regulation in Substitute of Law (Perppu) No. 1 of 2020 concerning State Financial Policy and Financial System Stability for Handling Covid-19 Pandemic and / or in the context of facing threats that endanger the National Economy and / or Financial System Stability, All components of the nation must be one word, compact and together with the hope of being able to fight Covid-19. The public must not be confused and restless. Need to unite perception, where legal language can be interpreted by many opinions.

**Keywords:** policy, handling, constitution and stability.

### I. INTRODUCTION

#### 1.1 Background

The last few months in all parts of the world there is a pandemic known as COVID-19, this virus threatens the safety of the people is no exception in Bali. In Bali alone, the Bali Provincial Government's Task Force for the Acceleration of Co-19 Handling was recorded as of June 15, 2020 positive 760 patients were confirmed with 502 patients recovering and 6 patients died.<sup>1</sup> From the description of the data, Bali, which is known as a world tourist destination, is probably one of the provinces in Indonesia most affected by this virus because all tourism activities are totally closed, this is a problem not only for health but also for the economy and social order of the affected community, where indeed the majority of Balinese depend their lives on the tourism sector. To deal with this problem requires cooperation from the Provincial Government and the city / district and traditional villages as one of the important instruments that deal directly with the people of Bali. After the covid-19 case was first discovered in Depok on March 2, 2020, the rate of spread of Covid-19 in the country has soared sharply. Data reported at the time of the Task Force for the Acceleration of Covid-19 Handling starting April 19, 2020. Various efforts continue to be made by the government to prevent the virus from spreading. Nearly a month after the government issued a regulation that the community conducts WFH, LFH, PFH and others, various responses have been found by the community towards the co-19 problematics. No half-hearted Government issued three regulations to fight Covid-19. The three regulations are, first, Government Regulation in Substitute of Law (Perppu) No. 1 of 2020 concerning State Financial Policies and Financial System Stability for Handling Covid-19 Pandemic and / or in the context of facing threats that endanger the National Economy and / or Financial System Stability, second, Government Regulation (PP) No. 21 of 2020 concerning Large-Scale Social Restrictions in the framework of Accelerating Handling of Covid-19 and thirdly Presidential Decree (Presidential Decree) Number 11 of 2020 concerning Determination of Emergency Public

<sup>1</sup> <https://infocorona.baliprov.go.id> accessed on 1 June 2020, at 12.45.

Health Covid-19 We should positively view the issuance of the three regulations , illustrating that the Government is serious about dealing with the Covid-19 outbreak. For this reason, it is time to end the prolemik or public opinion over the handling of the Covid-19 outbreak. Do not be counter productive, while the rate of Covid-19 is spreading faster. All components of the nation must be one word, compact and together with the hope of being able to fight Covid-19. The public must not be confused and restless. Need to unite perception, where legal language can be interpreted by many opinions. Give the Government the opportunity to carry out the mandate of the law to carry out the role of government. However, there is no policy that can accommodate all the desires of people.

The government issued three regulations at the same time to fight Covid-19. The three regulations are, first, Government Regulation in Substitute of Law (Perppu) No. 1 of 2020 concerning State Financial Policy and Financial System Stability for Handling Covid-19 Pandemic and / or in the context of facing threats that endanger the National Economy and / or Financial System Stability, All components of the nation must be one word, compact and together with the hope of being able to fight Covid-19. The public must not be confused and restless. Need to unite perception, where legal language can be interpreted by many opinions.

### 1.2 Problem Formulation

As the description above that becomes a problem in research is the meaning of the existence of Perpu (Government Regulation in Substitute of Law) No. 1 of 2020 concerning state financial policy and stability of the state financial system?

## II. DISCUSSION

### 2.1 The Meaning of Perpu (Government Regulation in Substitute of Law No. 1 of 2020 concerning State Financial Policy and the Stability of the State Financial System.

We are aware and aware that the spread of Covid-19 declared by the World Health Organization as a pandemic in most countries around the world, including in Indonesia, shows an increase over time and has caused more casualties and material losses, which has implications for social, economic, and community welfare aspects.

Not only that, the implications of the Covid-19 pandemic have an impact among others on slowing national economic growth, decreasing state revenue, and increasing state spending and financing, so that various Government efforts are needed to save health and the national economy, focusing on spending on health, net social security, as well as economic recovery, including for businesses and affected communities. The Perpu also anticipates that the implications of the Covid-19 pandemic have also impacted on the deterioration of the financial system as indicated by the decline in various domestic economic activities so that it needs to be jointly mitigated by the Government and the Financial System Stability Committee (KSSK) to take anticipatory measures in order to maintain financial sector stability.<sup>2</sup>

Strategy The government and related institutions need to immediately take extraordinary policies and steps in the context of saving the national economy and financial system stability through various relaxation policies related to the implementation of the National Budget, especially by increasing spending on health, spending on social safety nets and economic recovery, and strengthen the authority of various institutions in the financial sector.

Seeing the global situation, the world is working hard to face Covid-19, this condition has met the parameters as the urgency to force the authority of the President to stipulate the Perppu (Government Regulation in Substitute of Law) as stipulated in Article 22 paragraph (1) of the 1945 Constitution. At the same time in order to provide a strong legal basis for the Government and related institutions to take policies and tactical and strategic steps in a very short time. We all agree that people's safety is the main thing.

If related to policy theory, then; There are several theories about policies including; according to Ealau and Pewitt (1973) policy is a valid provision, characterized by consistent and repeatable behavior from those who make or implement the policy. According to Titmuss (1974) defines policy as the principles governing action and directed towards specific objectives and according to Edi Suharto (2008: 7) states that policy is a provision

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<sup>2</sup> Jimly Asshiddiqie, , 2006, *Perkembangan & Konsolidasi Lembaga Negara Pasca Reformasi*, Cetakan Kedua Oktober 2006 (Cetakan Pertama Februari 2006), Jakarta: Konstitusi Press kerja sama dengan PT. Syaamil Cipta Media, P. 56. <sup>3</sup> Astim Riyanto, 2007, *Hukum Konstitusi Bagian Dari Hukum Tata Negara*, Makalah, Dipresentasikan di depan komunitas akademisi Fakultas Pendidikan Ilmu Pengetahuan Sosial (FPIPS) Universitas Pendidikan Indonesia (UPI) dalam rangka Dr.Astim Riyanto,SH,MH. memperoleh Jabatan Guru Besar Tetap dalam Bidang Ilmu Hukum Tata Negara spesialisasi Hukum Konstitusi pada FPIPS UPI di Bandung, P. 46.

that contains principles to direct the way to act that is planned and consistent in achieve certain goals.<sup>3</sup> In addition to the theory above, any policy can be defined in accordance with the theory that follows it, including:

1. Institutional Theory views policy as an institutional activity in which the structure and institutions of government are the center of political activity.
2. Group Theory which views policy as a group balance achieved in a group struggle at a certain time. Government policies can also be seen as the values of the ruling elite
3. Elite Theory views Government policy as the values of the ruling elite.
4. Rational Theory views policy as the achievement of goals efficiently through a fixed decision making system.
5. Incremental Theory, policy is seen as a variation on past policy or in other words the current government policy is a continuation of past government policies accompanied by gradual modifications.
6. Game Theory views policy as a rational choice in competing situations.
7. Another policy theory is the Mixed Theory which is a combination of a comprehensive and incremental rational model.

The stages of public policy according to William Dunn. is as follows:

#### 1. Arranging Agenda

The agenda setting is a very strategic phase and process in the reality of public policy. It is in this process that there is room to interpret what is called a public problem and priorities on the public agenda are contested. If an issue succeeds in gaining status as a public problem, and gets priority on the public agenda, then the issue is entitled to more public resource allocation than other issues.

In the agenda setting it is also very important to determine a public issue that will be raised in a government agenda. Policy issues are often referred to as policy problems. Policy issues usually arise because there have been disagreements among actors about the direction of action that has been or will be taken, or conflicting views about the character of the problem. According to William Dunn (1990), the issue of policy is a product or function of a good debate about the formulation, details, explanations and assessments of a particular problem. However, not all issues can enter into a policy agenda. There are several criteria for issues that can be made into a public policy agenda (Kimber, 1974; Salesbury 1976; Sandbach, 1980; Hogwood and Gunn, 1986) including:

- has reached a certain critical point - if ignored, will pose a serious threat;
- have reached a certain level of particularity with a dramatic impact;
- concerns certain emotions from the point of interests of many people (humanity) and is supported by the mass media;
- reach a very broad impact;
- questions power and legitimacy in society;
- Concerns a problematic issue (difficult to explain, but easy to feel its presence) Characteristics: Officials who are elected and appointed place the problem on the public agenda. Many problems are not touched at all, while others are delayed for a long time.

Illustration: State legislators and their co-sponsors prepare a bill to send it to the Health and Welfare Commission for review and approval. The draft stops at the committee and is not elected. The preparation of the policy agenda should be based on the level of urgency and essence of the policy, as well as stakeholder involvement. A policy must not obscure the level of urgency, essence, and involvement of stakeholders.

#### 2. Policy formulation

Problems that are already on the policy agenda are then discussed by policy makers. The problems were defined to find the best solution. The solution of the problem comes from various alternatives or available policy choices. Similar to the struggle of a problem to enter the policy agenda, in the stage of policy formulation each of the alternatives compete to be chosen as the policy taken to solve the problem.

#### 3. Adoption / Legitimacy of Policies

The purpose of legitimacy is to authorize the basic processes of government. If the act of legitimacy in a society is regulated by popular sovereignty, citizens will follow the direction of the government. But citizens must believe that legitimate government actions for regimes tend to diffuse reserves of good attitudes and good intentions towards government actions that help members tolerate government dissonance. Legitimacy can be managed through the manipulation of certain symbols. Where through this process people learn to support the government.

#### 4. Policy Evaluation / Evaluation

In general, policy evaluation can be regarded as an activity that involves the estimation or assessment of policies that include substance, implementation and impact. In this case, evaluation is seen as a functional activity. This means that policy evaluation is not only done at the final stage, but is carried out in the entire policy process. Thus, policy evaluation can include the stage of formulating policy problems, the proposed programs to resolve policy issues, implementation, and the stage of policy impact. We need to know why we have to know and understand every policy, because policies cannot be understood textually, but there are many things that are implied (contextual) that are not known by the public in setting policies. This is where the role of the media as a facilitator for information transformation to the people. Then every media must be independent or not influenced by certain political powers. In addition to the media as a tool, the community has a role to be able to analyze each policy and be able to help develop existing policies. These are the 2 objectives of studying government policy. There are 2 consequences arising from the establishment of policies, namely: policies that are oriented to public services in the sense that they are in accordance with the meaning of democracy and policies that poison the public / policies that are determined only for the benefit of a number of people, and this second impact is very counterproductive to values democratic value. As we have seen, one of the functions of politics is to make policies and policies exist because of 2 factors namely; the existence of social problems and the change of power which caused the policy to change. Policies can be realized in a way; Making Laws and Regulations, Planning Activities, Various interventions on the economic / social community. Because the policy is the government's actions and decisions, the policy is characterized by power that is dominated by the government and according to the law and authority of the government.

#### 5. Ethics Policy

Ethical policy is a provision or regulation made by a group to regulate the behavior of its members for the better. There are several objectives of studying ethical policy, including:

1. To control morale in groups.
2. So we know how to respond to policies implemented by the government.
3. To direct or give instructions to its members.

Now what needs to be boosted is the economic stimulus after the issuance of Perppu 1/2020, which is fast, real, responsive to the financial sector and transparent. Economic stimulus provided by the Government through Perppu (Government Regulation in Substitute) Number 1/2020 must be accompanied by adequate and appropriate fiscal and monetary policies. This is to be able to encourage time efficiency and effectiveness of the policy more quickly and clearly. At the same time there are technical schemes and budget distribution channels for affected sectors such as the health, social, economic and other strategic sectors, and must also be allocated with valid and up-to-date data for people who have lost their livelihoods because of Covid-19, so that they can be precise target. With Perppu (Government Regulation in Substitute) Number 1/2020, there is no reason the Government is not responsive to the financial sector. Because the financial sector is one of the most depressed sectors due to the outbreak of Covid-19. This is anticipated where the value of the rupiah is so depressed as a result of the Government facing multidimensional obstacles so that it seems slow to deal with Covid-19. As a result, various indicators, such as the value of the rupiah, show a significant decline, even below the fundamental value. Not a few investors who let go of ownership of financial assets in Indonesia and eventually pressured the rupiah to a significant level.

Perppu (Government Regulation in Substitute) Number 1/2020 is also demanded to be transparent when at the level of implementation. This is important considering the implementation and transparency of the budgeting if later it is approved by the political mechanism that runs in the DPR RI ( People's Representative Council of Indonesia). Must be ensured through the supervisory function. Technical distribution of the budget to strategic sectors must also be allocated with valid and up-to-date data for people who have lost their livelihoods because of Covid-19 so that they can be on target.<sup>3</sup>

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<sup>3</sup> Ikhsan Rosyada Parluhutan Daulay, 2006, *Mahkamah Konstitusi Memahami Keberadaannya Dalam Sistem Ketatanegaraan Republik Indonesia*, Cetakan Pertama, Jakarta: PT. Rineka Cipta, P. 45.

### III. CONCLUSION

#### 3.1 Conclusions

The government is saving health and the national economy, with a focus on spending on health, social safety nets, and economic recovery, including for businesses and affected communities. various domestic economic activities that need to be jointly mitigated by the Government and the Financial System Stability Committee (KSSK) to take anticipatory measures in order to maintain financial sector stability.

#### 3.2 Suggestions

That based on considerations as PERPU (Governments and related institutions need to immediately take policies and extraordinary steps in the context of saving the national economy and financial system stability through various relaxation policies related to the implementation of the State Budget (APBN) in particular by increasing spending on health, spending on social safety nets, and economic recovery, and strengthening the authority of various institutions in the financial sector.

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