
POST-COVID-19 PANDEMIC, INNOVATION OF LOCAL GOVERNMENT POLICY PERSPECTIVE OF STATE ADMINISTRATION LAW

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ABSTRACT

KEYWORDS

Post-Covid 19 Pandemic,
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Administrative Law

Handling Post-Covid-19 Pandemic within the framework of a unitary state is not only the responsibility of the central government but also the roles and responsibilities of local governments. This is important for the government to innovate policies for handling the post-Covid-19 pandemic without overriding the policies that have been issued by the central government. This study aims to identify innovations in local government policies in handling the Post-Covid-19 pandemic from the perspective of Administrative Law. The research was conducted in a normative juridical manner with a qualitative approach to the urgency of local government policy innovation in handling the Post-Covid-19 pandemic. In this case, an analysis of Mataram City's regional policies is needed in handling the Post-Covid-19 Pandemic. This gives an understanding that local governments in making policies need synchronization with the central government, especially in analyzing a policy in accordance with state administrative law. The forms of policy innovations carried out by local governments in handling the post-Covid-19 pandemic include: 1) Strengthening the Regional Health System; 2) Strengthening the Social Protection System; and 3) Economic Recovery.

INTRODUCTION

The development of the Corona Virus Disease 2019 (Covid 19) outbreak has been declared a pandemic by the World Health Organization (WHO). This is considering the spread of Corona Virus Disease 2019 (Covid 19) not only in mainland China, especially Wuhan, but also in various countries in the world. This is what causes countries to make every effort to break the chain of the spread of the corona virus, and reduce the number of spread and increase in victims (Iswahyudi et al., 2020). Indonesia is one of the countries that seeks to minimize the prevention of the spread of Covid19. The first case of the spread of the corona virus in Indonesia was 2 (two) residents of Depok City, West Java, which was announced by President Joko Widodo on Monday, March 2, 2020. Since then, this pandemic has spread rapidly to various regions. Reported by kompas.com on April 7, 2020, there have been 2738 cases in Indonesia, of which 2313 were treated, 221 died and 204 recovered. This is almost 10% of deaths from the number of cases. (Kompas.com, 2021)

In addition, the corona pandemic has many negative effects, including in the fields of education, trade, industry, tourism, economy and others. For example, in the economic sector, because many activities have been paralyzed, it has an impact on the economy, even the rupiah exchange rate has fallen to above 16,000 rupiah / U.S.A. Dollar. From the number of fatalities and the magnitude of the effects of the corona pandemic, it does not mean that the government is not doing anything. Several strategies and policies have been made to prevent the spread and transmission of the disease resulting in death. But many of these policies are felt to be inappropriate and inappropriate, so that these policies do not escape criticism from politicians, practitioners, academics to the general public.

The coronavirus outbreak is forcing all countries to revise their development plans. Targets were realistically adjusted, assumptions changed according to current circumstances, and short-term program priorities were shifted largely to addressing the Covid19 epidemic. Meanwhile, capital-intensive development policies such as infrastructure are subject to a moratorium and will be reviewed to be re-implemented after the Covid-19 emergency response period is declared over. The social and economic impacts that have hit Indonesia due to this pandemic have forced all levels of government, both central and regional, to make corrections to the development plans that have been set. Especially what has been stated in the planning and budget documents considering that at the time of compiling it did not take into account the pandemic at all. Appropriate adjustments and measured policies in dealing with the corona outbreak will be the starting point for recovery.

Apart from these policies, one of the important things is the synergy between the central government which plays an important role in policy making with local governments and the rapid anticipation carried out by regional governments in handling the Post-Covid19 pandemic. Because local governments are felt to be closer to the community, various policies will be considered more effective, as stated by (O'Toole, 1986) that policy performance can be influenced by conditions including the political, social, and economic environment that can influence policy, so that policy implemented (Purwanto & Sulistyastuti, 2012).

Therefore, it is appropriate when the Central Government really cooperates with the Regional Government as a partner in solving this problem, where the Regional Government is more aware of the characteristics of the community and its own territory. However, this does not mean that local governments can do whatever they want, but they must be based on a clear legal basis and follow the correct administrative steps. To find out, this paper was written and took a case study in one of the cities, namely Mataram City. So the author provides a problem formulation about, what is meant by policy in the perspective of Administrative Law and innovation of Regional Government policies in carrying out post-Covid-19 pandemic handling?

METHOD RESEARCH

This methodology uses qualitative methods by focusing on understanding social phenomena in society (Sugiyono, 2013) The technique or approach taken is by means of Data Collection Techniques with Documents, where here the author collects Laws, Literacy Books and Scientific Journals as data material to facilitate the author in conducting analysis. This research is applied by using normative legal research. Or also referred to as literature study research that uses as research material. The documents include regulations or legislation, books, scientific journals and news from credible and accountable media.

RESULT AND DISCUSSION

1. Public Policy Administrative Law Perspective

a. Policy

(Abdul, 2012) says that "policy, whatever its scope, is actually patterned actions, leading to certain agreed-upon goals and not just random decisions to do something." Temporary (Nawawi, 2009) "Policy is a principle or way of acting that is chosen to direct decision making". On the other hand Easton mentions government policy as "the power of allocating values to society as a whole".

b. Public Policy

Understanding Policy according to Anderson in (Winarno, 2012) explains as follows: "policy is a direction of action that has a purpose set by an actor or a number

of actors in overcoming a problem or a problem". public which means general, community, or state.

In the concept of public policy, there are many opinions that give different meanings, but the concept gives meaning to public policy. The concept actually provides an explanation of the depth of analysis in order to formulate the limitations of the concept of public policy. The author explains the opinions of experts on the definition of public policy for the purposes of analysis in this paper, including Robert Eyestone (Winarno, 2012) who argues that broadly public policy can be defined as the relationship between a government unit and its environment.

Furthermore, Harold D. Lasswell and Abraham Kaplan in (Islamy, 2015) give the meaning of wisdom as "a projected program of goals, values and practices" (a program of achieving goals, values and directed practices).

The opinion above emphasizes that policy is a program that has a goal to be achieved. Then (Riant, 2012) said that public policy (public policy) is: "the way to achieve the aspired common goals. If the ideals of the Indonesian people are to achieve a just and prosperous society based on Pancasila (Divinity, Humanity, Unity, Democracy, and Justice) and the 1945 Constitution (the Unitary State of the Republic of Indonesia which is based on law and not solely on power), then public policy is all infrastructure. and means to reach that "destination"

Based on the definition of the concept of public policy above, public policy must have or contain goals or objectives that it wants or will achieve. The meaning of public policy is often associated or given meaning as a political act, the meaning of public policy is in line with the opinion of W.I. Jenkins in (Abdul, 2012) states that public policy is: "a set of interrelated decisions taken bay a political actor or group of achieving them within a specified situation where these decisions should, in principle, be within the power of these actors to achieve" (a series of interrelated decisions taken by a political actor or group of political actors with regard to the goals that have been chosen and the ways to achieve them in a situation where the decisions are in principle still within the limits of the power of authority). of the actors).

Chief J.O. Udoji has a slightly different view from the opinion of W.I. Jenkins above, Chief J.O. Udoji emphasizes more on public policy (public policy) that has a specific purpose and can influence the community. The definition of public policy (public policy) according to Chief J.O. Udoji (Abdul, 2012) is as follows "a sanctioned course of action addressed to a particular problem or group of related problems that affect society at large". large population).

Based on the above notions of public policy put forward by scientists, it can be explained how public policy has a broad and very dynamic dimension, so that it can be a further development of knowledge and public policy can also be interpreted as a series of decisions or actions that determined by the government in which there are stages that are interrelated and have goals to be achieved.

In this study, the author also cites Anderson's views in (Islamy, 2015) which says public policy is a series of actions that have a specific purpose that is followed and carried out by an actor or group of actors in order to solve a particular problem. From Anderson's view, it can be concluded that every policy must have a specific goal to solve a particular problem, and that goal can be achieved if the policy can be implemented properly.

2. Public Policy Analysis

Carl W. Patton and David S. Savicky in (Dwijowijoto & Wrihatnolo, 2008) explain that policy analysis is an action needed to make a policy, either a new policy altogether, or a new policy as a consequence of a new policy. there is. Policy analysis has five procedures, while the five procedures can be described as follows:

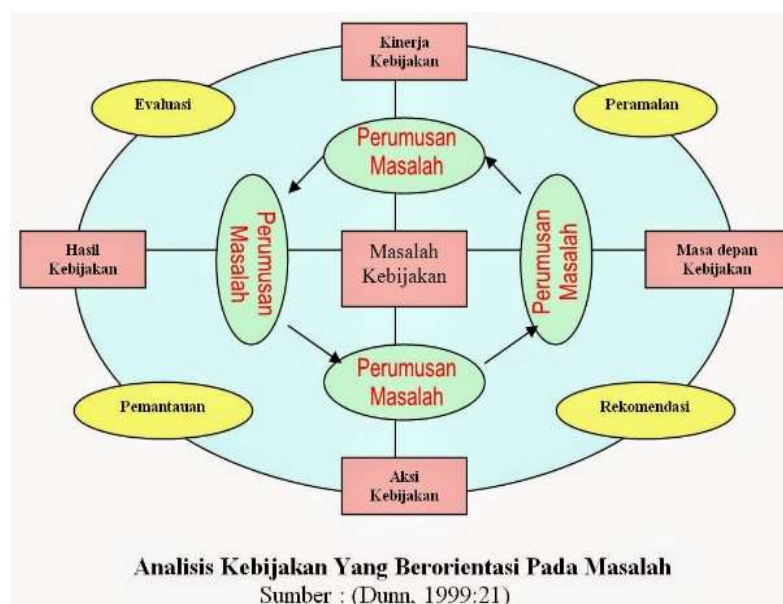


Image 1
Source Problem-Oriented Policy Analysis, Dunn (2000:21)

From Figure 1. above, it is known that in use in policy analysis procedures (such as problem formulation, forecasting, monitoring, evaluation, recommendations) it is possible to provide information about transforming analysis from one information to another.

There are three main forms of policy analysis according to (Abeliovich et al., 2000), namely prospective, retrospective and integrated analysis. Prospective analysis is an analysis in the form of production and transformation of information before policy action is initiated and implemented, retrospective analysis is in the form of production and transformation of information after policy action is initiated and implemented, while integrated analysis is a form of analysis that combines the operating styles of practitioners who are concerned with the creation and transformation of information. before and after policy action is taken so that it can be said that integrated policy analysis is a combination of the two forms of analysis.

Administrative Law

As explained in the book of State Administrative Law (Atmosudirdjo, 1983) regarding the understanding of Administrative Law in a broad sense which consists of five elements, namely:

1. Administrative Law as an element of Administrative Law In his book, it is explained that Administrative Law is Executive law or what is called the law of implementing the Act, or concerning control in the use of public power (where power is in the State Sovereignty);

2. Administrative Law as an element of State Administrative Law State Administrative Law is the law regarding correspondence, secrets of positions and services, archives, registration and documentation, reporting, legalization and statistics, procedures for storing and compiling official reports, publications, civil registration, NTR recording, information and state publications. Another term for State Administrative Law is Bureaucratic Law
3. Administrative Law as an element of administrative law in a narrow sense which is the Law of State Household Management, internal and external; Internal Households are those related to internal affairs of administrative agencies such as: welfare affairs and civil servant personnel, material affairs, operational finance affairs, equipment, and buildings and housing, transportation affairs, communication affairs and so on. previously held by the community, but for various reasons so that it becomes a State affair through agencies, institutions, and agencies;
4. As an element of Development Administration Law, which regulates the implementation of development;
5. Administrative Law as an element of Environmental Administrative Law.

Regional Administrative Law

In (Atmosudirdjo, 1983) the notion of Regional Administrative Law is: 1) the law that regulates the intricacies of government and regional administration (heteronomous Regional Administration Law) and 2) the law created by the government/regional administration itself (autonomous regional administration law).

Legal sources of regional heteronomous Administrative Law are: 1) the 1945 Constitution (article 18), 2) MPR Decrees, 3) Laws, especially Law No. 9 of 2015, 4) Government Regulations, 5) Presidential Decrees, and 6) Ministerial regulations, especially the Minister of Home Affairs.

The Heteronomous Regional Administrative Law regulates the status of the Autonomous Region, regulates the duties and functions of regional organs and regulates the regional organizational structure.

The sources of law in Regional Administrative Law consist of: 1) Regional Regulations 2) Regional Head Regulations concerned and 3) Regional Head Regulations and Decrees. So that the Autonomous Regional Administrative Law becomes interpretive, elaboration and operational-procedural. (Atmosudirdjo, 1983)

3. Case Study of Local Government Policy of Mataram City Policy innovation for handling post-covid-19 pandemic.

Here the author takes the city of Mataram as the area to be analyzed by local government policies regarding local government policies in implementing regional policy innovations for handling the post-covid-19 pandemic based on the perspective of administrative law. Before proceeding to the analysis, it is good to know a little about the area of Mataram City itself.

Mataram City is the capital city of West Nusa Tenggara Province, Indonesia. Sasak customs are quite coloring the people in this city. The population of Mataram city in 2021 is 441,561 people, with a population density of 7,203 people/km². And Mataram City has an area topography at an altitude of less than 50 meters above sea level (asl) with an altitude range of 9 km, located at 08° 33' - 08° 38' South Latitude and 116° 04' - 116° 10' East longitude.

The geological structure of Mataram City is mostly clay and tuff sediments which are alluvial deposits originating from the activities of Mount Rinjani, visually it looks like a broken stone slab, while underneath there is a layer of sand. The city of Mataram

consists of 6 sub-districts and 50 sub-districts. In 2017, the population reached 419,506 people with an area of 61.30 km² and a population distribution of 6,843 people/km².

The Sasak tribe is the majority ethnic group in addition to the Balinese, Chinese, Malays and Arabs. The harmony of inter-tribal life in Mataram was disrupted by the outbreak of the Lombok riots on January 17, 2000, which dragged issues of religion and race as the cause of the riots. Most of the people of Mataram City use Sasak language in their daily life, in addition to Indonesian, Balinese, Samawa languages, and Bima languages. The Sasak language itself is divided into several dialects, depending on the area of each user on the island of Lombok, and can be used as a reference for differences in social strata in society.

Mataram city as the capital of West Nusa Tenggara province is a multi-ethnic and religious city. The influence of Sasak and Balinese culture can be felt in this city. As for the diversity of the population of Mataram city according to their religion, based on data from the Ministry of Home Affairs in 2021, namely 82.67% of Muslims who are generally followed by the Sasak tribe. Then 13.99% Hinduism is followed by Balinese, then 2.36% Christian where 1.54% is Protestant and 0.82% Catholic, most of whom are from East Nusa Tenggara, Batak and Chinese. Some of them are Buddhist, namely 0.98%, followed by the Chinese community and the Sasak tribe is the majority ethnic group in Mataram City, the Sasak tribe is identical to Islam, so that the original inhabitants of Mataram City who are Sasak are usually followers of Islam. The patriarchal culture is still passed down from generation to generation.

Here the author will analyze several innovations in local government policies regarding the handling of the post-Covid-19 pandemic. That this Covid-19 has entered Indonesia on March 2, 2020, President Ir. Joko Widodo announced the Covid-19 case directly at the State Palace. Since the first case, the victims began to fall to hundreds of people died and in the Post-Covid-19 Handling the Central Government here, of course, issued policies to overcome this. Not only policies regarding the handling of the Post-Covid-19 Pandemic but also with policies for the recovery of all fields after this pandemic.

The local government of the city of Mataram, which is one of the autonomous regions in Indonesia, must of course follow various policies issued by the central government. In addition, the Mataram City Government itself has the right to issue its own policies for handling the post-Covid-19 pandemic in its regions, which of course must be in harmony with the central government or not go out of line from the restrictions or rules issued by the Central Government.

Based on the HDI category classification by UNDP, Mataram City's HDI is included in the high HDI classification because it is in the 70-80 percent range. In West Nusa Tenggara Province, there are only 2 administrative regions with a high HDI classification, namely Mataram City and Bima City. Meanwhile, the other 8 districts are in the Medium HDI classification.

The COVID-19 pandemic has had an impact on human development in the city of Mataram. This can be seen from the slowdown in the growth of the Human Development Index (HDI) in 2020 compared to previous years. The HDI of Mataram City in 2020 was 78.91 or decreased by 0.19 points compared to the previous year's achievement of 79.10. The decline in the HDI value of Mataram City in 2020 was strongly influenced by the decline in the adjusted average per capita expenditure. This indicator decreased from 15.43 million rupiah in 2019 to 14.97 million rupiah or its growth slowed down by minus 2.97% in 2020.

In 2021, Mataram City's HDI will increase to 79.14%. Per capita expenditure, which previously experienced a decline, in 2021 showed an increasing trend to 14.99 million Rupiah or grew by 0.13 percent. The spread of the corona virus or coronavirus disease 2019 (covid-19) has made economic activity in the city of Mataram contracted, namely of minus 5.50%. Its performance is much slower than the achievement of economic growth after the Lombok earthquake in 2018 (4.98%) and in 2019 of 5.58%. Almost all economic sectors, both formal and informal, have been affected by COVID-19 as an implication of the implementation of health protocols in the form of restrictions on community activity and mobility and operational restrictions on shopping and entertainment centers. In 2021, Mataram City's economic performance began to recover, growing by 3.27 percent. The scenario for the recovery of the Health sector and the economy has had a positive impact on improving the performance of economic sectors in Mataram City.

In the employment sector, the COVID-19 pandemic has had an impact on the reduced job opportunities available in the city of Mataram. Based on BPS data from Mataram City (as of August 2020), the Open Unemployment Rate (TPT) in Mataram City in 2020 rose to 6.83% from 5.51% in 2019. In 2021, the unemployment rate began to decline to 5.19 percent in line with the recovery of the leading economic sector of Mataram City.

Following are the policies of the Mataram City Government for handling post-covid-19 pandemics:

1. Strengthening the Regional Health System.
 - a. Optimizing the implementation of public health insurance through Universal Health Coverage (UHC) 100%. Mataram City Government currently has reached 96% UHC.
 - b. Accelerating the Achievement of Covid-19 Vaccinations, especially the 3rd Dose vaccine (booster vaccine), which has only achieved 22.82 percent to August 2022 by optimizing socialization to the environmental level and strengthening coordination across programs (POLRES, Ministry of Religion, Provincial Education Office, etc.).
2. Strengthening the Social Protection System.
 - a. Fulfillment of Basic Needs for the poor, vulnerable, poor, disabled, neglected children and neglected elderly;
 - b. Periodic updating of the Integrated Social Welfare Data (DTKS) to ensure the correctness of the social security program, whether intervention comes from the Central Government, Provincial Government, and Local Government.
3. Economic Recovery.
 - a. Expansion of job opportunities through optimizing job training based on competency clusters;
 - b. Optimizing the implementation of the Job Fair;
 - c. Strengthening competitiveness and facilitating the marketing of MSME products;
 - d. Revitalization of economic supporting facilities such as traditional markets, IKM centers and tourist attractions;
 - e. Stabilization of prices for basic and essential necessities through people's market activities, establishment of inflation-responsive villages and high-level meetings to control inflation.
 - f. Normalization of the operations of Trade and Shopping Centers, while still following the Covid-19 Health protocol.

The policy direction is a guideline to direct the chosen strategy, so that it is more focused in achieving the goals and objectives from time to time for 5 (five) years. The direction of regional development policies is also a guideline for determining the focus of the development stages during the five-year period of regional heads in order to achieve the RPJMD targets in stages. The emphasis of the focus or theme every year during the RPJMD period has continuity in order to achieve the vision, mission, goals, and targets that have been set. The results of the formulation of the policy direction are then formulated specifically with respect to the time horizon for the achievement of a logical policy direction when one policy direction is implemented before or becomes a prerequisite for other policy directions. The direction of the Mataram City Regional Development Policy for 2021-2026 is as follows.

a. Year 1-2022.

Encouraging economic recovery, strengthening the regional health system and improving the quality of public infrastructure.

b. Year 2-2023

Accelerating economic recovery, strengthening the regional health system, fulfilling sustainable public infrastructure and improving the quality of human resources.

c. Year 3-2024.

Economic transformation, development of inclusive public infrastructure and development of human resources with character.

d. Year 4-2025

Accelerating economic transformation, strengthening inclusive and environmentally friendly Public Infrastructure, and developing competitive human resources.

e. Year 5-2026.

Accelerating economic transformation, fulfilling public infrastructure that is inclusive, environmentally sound and resilient, and utilizing superior human resources.

If judging from the perspective of the success of policies according to (Randall B. Repley and Grace A. Franklin 1986) then the policies issued today have not been fully successful. In terms of implementation it can be said to be successful but in terms of impact it cannot be said to be successful because we do not know the results of the efforts made in a short time. In addition, Repley and Franklin said that one of the assessments of the success of the policy is the public's compliance with the policies carried out.

For the author himself, the level of community compliance is still not high, one of which has been stated above is because there is no guarantee for the community to meet their daily needs as long as the rules for the prevention and handling of Covid-19 are carried out and when viewed from a legal perspective, today the majority government issue a circular, not a policy or decision letter. Legally, this has not been able to bind the community as the object of the regulation. If we see this happening in direct line with the central government, so that local governments do the same thing.

So it is important for the government to provide certainty, the way is with a clear and binding policy to the community. Thus, the success of a policy implementation is felt to be higher. As for whether or not it is appropriate, it depends on how the analysis and policies are issued.

CONCLUSION

One of the big problems that must be solved today is the Covid-19 pandemic. Appropriate policies from the government are needed to handle this case. On the other hand, it is not only the right policy but also in its implementation. One of the tools that play an important role in implementing policies is the Regional Government. Local government is the level of government that knows better about the conditions of the area and its people.

Administratively, the Regional Government, especially the City of Mataram, has innovated policies for handling the Post-Covid-19 pandemic according to what was issued by the central government. Likewise with the existence of circular letters for handling the Post-Covid-19 pandemic. Of course this is issued on a clear legal basis and does not violate the rules, which illustrates the existing policies in accordance with the principles of regional administrative law.

However, there are things that need to be improved, namely in decision making and policy design and implementation. Decision making must be based on laws and regulations according to the hierarchy above, which is legally binding on the community and the level of community compliance will be higher. Meanwhile, from planning and implementing policies to be more equitable, especially in information and targeting accuracy, because these two things are important factors for implementing an appropriate policy.

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