



Covid-19 in Hallway Law and Democracy



Corona Virus is increasingly dangerous. In Indonesia, as of March 29, there were 1,285 cases (data from 30 provinces). There were 64 people recovered, while 114 died.

The province most affected was DKI Jakarta, with 675 Covid-19 patients (kompas.com, 3/29/2020). This virus has spread in 200 countries

According to worldometer records, until Sunday (3/29/2020), the highest number of cases was recorded in America with 142,047 cases, followed by Italy with 97,689 cases.

The number of cases in the two countries has exceeded the number of cases in China, where this case began. China has 81,439 cases recorded.

The Corona virus is no longer called the plague, but a pandemic because of its worldwide distribution. This viral infection does not look at the state, social status and physical condition.

The virus that originally started in Wuhan China, spread wildly to all corners of the world including Indonesia - which initially was "somewhat of a headache" was unlikely to be affected.

Lay writer from the aspects of medicine and health. But the author wants to try to clarify this situation in terms of law and democracy while sharing his thoughts for the restoration of this grim plague republic.

The regulatory side

In terms of legislation, at least we have two laws that explicitly regulate epidemics handling specifications, namely Law Number 4 of 1984 concerning Communicable Disease Outbreaks (Law 4/1984) and Law Number 6 Year 2018 on Health Outrage (Law 6/2018) .

The two instruments referred to by regulation are not yet completely regulated by the technical regulations below them, especially Law 6/2018. This is certainly a priority for the government.

The provisions in Law 4/1984 specifically in consideration consider it to provide a basis for why this law was published. One of them is to anticipate the development of science and technology and international traffic.

Whereas in the articles formulate strategic provisions. Such as defining an infectious disease outbreak as "an outbreak of an infectious disease in a society where the number of sufferers has increased significantly more than is normal in certain times and regions and can cause havoc." (Article 1 letter a). The type of disease can be determined by the Minister (Article 3).

Mitigation efforts also take various forms such as examination, treatment, care and isolation of patients, including acts of quarantine.

In addition, counseling can be done to the community (Article 5 paragraph (1). Interestingly, Article 6 paragraph (1) of Law 4/1984 contains aspects of democracy with the statement "efforts to prevent the epidemic as referred to in Article 5 paragraph (1) are carried out by involving the community actively."

In addition, what is interesting about Article 8 paragraph (1) is that those who suffer property losses due to epidemics can be compensated.

For effective regulation, Article 14 also regulates who hinders the handling of outbreaks, whether intentionally or negligently convicted (if intentionally threatened with a maximum of one year and / or a maximum penalty of one million and if negligent, criminal for a period of six months and / or fines as high as five hundred thousand).

If the government chooses to conduct health quarantine, it is regulated in Law 6/2018.



This health quarantine at the entrance and integrated area is the authority of the central government --- but can involve the regional government (Article 5 paragraphs (1) and (2)). The preparation of resources is the responsibility of the central and regional governments (Article 6).

In Article 9 paragraph (1) everyone must comply with the implementation of health quarantine. If you do not obey or obstruct criminal sanctions for a maximum of one year and or a maximum fine of one hundred million rupiah (Article 93).

Article 15 regulates health quarantine at the entrance and territory and health quarantine measures can be in the form of isolation, large-scale social restrictions, vaccinations and so on. Whereas in Article 49 in the framework of mitigation divided into quarantine types, there are house quarantines, area quarantines, hospital quarantines or large-scale social restrictions.

Government policy

The Indonesian government has established a public health emergency through the decision of the head of the national disaster management agency. Besides forming a task force unit (task force) for it. This is made possible by Article 10 of Law 6/2018.

Then, as of this writing, there is a consideration to be carried out lockdown --- which in Indonesian regulatory terms is better known as regional quarantine.

As for what has worked — even though halting — is a large-scale social limitation. The characteristics are seen in Article 59 paragraph (2) of Law 6/2018, namely (a) school and

workplace entertainment; (b) restrictions on religious activities and / or (c) restrictions on activities in public places or facilities.

Reportedly - reflecting Wuhan's fast-recovering experience --- the most effective lockdown option to overcome the Covid-19 pandemic in addition to rapid tests like South Korea did.

Only indeed, the government is required to conduct rapid, precise and measurable studies through a multi-disciplinary perspective. Such as food readiness, economic stability, socio-cultural impacts and security.

This is also mandated in Article 49 of Law 6/2018. Of course both practitioners and theorists experts are expected to contribute in giving careful consideration so that the government can decide accurately in breaking the circle of the spread of the Covid-19 pandemic.

Solution to democracy

Actually, besides the legal perspective, the government can capitalize democratic energy with all its limitations.

First, optimizing the transparency of information access. The government needs to be appreciated every time it announces a positive patient of Covid-19 followed by a distribution map.

This can help in democracy so that citizens have confidence in the government to overcome Covid-19. Only the spirit of transparency and access to information needs to be continued.

Second, avoid using foreign languages. The term lockdown, social distancing, work from home and so on, may be familiar in certain circles. However, in societies with uneducated social strata, such terms are not familiar.

We recommend using regulatory terminology. Like quarantine, social restrictions. Or stay at home to replace stay at home. The use of the term public friendliness must also be followed by an increase in the escalation of educational meaning.

Third, massive socialization, education and counseling by utilizing various vehicles, including measurable digital technology.

For the writer, when the government put aside 14 days for schools for example, it turned out that at the beginning of its implementation, it was translated differently by the public. There is an excursion vacation. Whereas this consolation is to prevent the spread of the plague, which should stay at home.

This must always be disseminated so as not to be mistaken.

Likewise public participation must continue to be built. In the public, starting from corporations, universities and even legal stall owners, it is very touching to share efforts to reduce the burden of fellow people affected by Covid-19.

Philanthropy from the heart apparently grows in capitalized bloom in times of crisis.

Fourth, the government, media, society and parliament must be sensitive to crises. Don't be noisy. Blame each other. Looking for loopholes in the calculation of political capital. Now is the time to work together. Stop the fight.

Likewise, the public must comply with the prohibition of outside activities.

However, on the other hand, the government needs to think about workers who cannot work at home. Including parliament both at the central and regional levels must exert all their capacity to critically support all policies that can stop the Covid-19 outbreak.

This is a big test for all. Maturity to democracy becomes a necessity.

Fifth, if the choice is to quarantine the area, then law enforcement must be strict. It's time for an authoritative state. This also includes making sure hoaks and misleading information can be dealt with immediately. Because this further confuses the atmosphere.

But on the other hand, all actions must be measured. Including treating the public to always be optimistic, think positive and take lessons from this case.

For writers, if Indonesia escapes Covid-19, we have future benefits. One of them is social capital discipline in the state.

Countries that can recover from Covid-19 are certain to get valuable lessons about when to discuss, when to act and when to obey extra rules.

At the same time this also shows the dual quality of leaders and their people. The leader and his people will look quality when tested during a crisis.

It's time, taglines such as: I am Pancasila, together with us or whatever the pamphlet is, manifested in a real, mutual cooperation and integrated manner. The unity of the government and its people against the Covid-19 pandemic.

Source: <https://nasional.kompas.com/read/2020/03/30/11163581/covid-19-di-lorong-hukum-dan-demokrasi?page=all#page5>