



LAW & SOCIAL POLICY | RESEARCH ARTICLE

Law Enforcement During the Implementation of Large-Scale Social Restrictions in The Covid-19 Era: A Legal Perspective

Hiksyani Nurkhadijah^{1*}, Andika Prawira Buana², Palupessy Palupessy³

Abstract: The purpose of the study was to analyze the effectiveness of the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City and also to find out the factors that influence the application of sanctions during the implementation of large-scale social restrictions in the city of Makassar. this research uses empirical legal research methods, namely to analyze the law seen as patterned community behavior in the lives of people who always interact and relate in societal aspects. The results of this study indicate the effectiveness of the application of sanctions during the implementation of PSBB in the city of Makassar, this has several obstacles in the results to find violators during the implementation of PSBB in the city of Makassar where there are some people who are still indifferent to the application of health protocols and regulations set by the government regarding the application of large-scale social restrictions in the city of Makassar. Factors affecting the application of large-scale social restrictions in Makassar City such as the existence of people who do not comply with the application of health protocols enforced during large-scale social restrictions appealed to by the government and the task force on the road which results in an increase in the spread of Covid-19, and there are people who do not believe covid is a deadly disease so they do not comply with the regulations enforced during large-scale social restrictions appealed to by the government. Assertiveness in prosecuting an act that results in a violation either that does not comply with the implementation of health protocols or regulations that have been appealed to by the Makassar government on the implementation of large-scale social restrictions.

Keywords: Law Enforcement; Social Restriction; Legal Protection; Covid-19;

Received: 11 November 2022

Revised: 20 January 2023

Accepted: 17 Juni 2023

¹**Affiliation:** Faculty of Law, Universitas Sawerigading, Makassar, Indonesia

***Corresponding author:** Hiksyani Nurkhadijah, Faculty of Law, Universitas Sawerigading, Makassar, Indonesia

E-mail: hiksyanisanie@gmail.com

1. INTRODUCTION

Large-Scale Social Restrictions, hereinafter Indonesia is known as PSBB, is a policy issued by the Central Government through the Ministry of Health of the Republic of Indonesia as a step to overcome the Corona Virus Disease-2019 (Covid-19) pandemic outbreak. (Taufiqurakman et al., 2022; Wardhani, 2021) The policy is outlined in the Regulation of the Minister of Health of the Republic of Indonesia Number 9 of 2020 concerning Guidelines for Large-Scale Restrictions in the Context of Handling Covid-19. As on the basis of considering the Minister of Health Regulation that the spread of Covid-19 with the number of cases and / or the number of deaths has increased and expanded across regions and across countries and has an impact on political, economic, social, cultural, defense and security aspects, as well as the welfare of the people in Indonesia. (Hasrul, 2020)

A study outlines that since the beginning of 2020, precisely in March, Indonesia has been shocked by one of the phenomena, namely the Covid-19 pandemic. (Risma & Zainuddin, 2021; Yamali & Putri, 2020) As of August 2020, the total number of cases in Indonesia was 165,887 with 7,169 deaths in 34 provinces. The spread and increase in the number of covid-19 cases occurred very quickly. The spread is caused by the fact that the corona virus is a virus that is quite dangerous and deadly. (Zendrato, 2020) In 2020, the development of this virus transmission is quite significant because the spread has been worldwide and all countries feel the impact, including Indonesia. (Handika et al., 2020; Kamal, 2022; Yamali & Putri, 2020)

Related to the impact of the Corona Virus spread and the response policy carried out by the government through Permenkes No. 9 of 2020, is a policy that must be implemented throughout Indonesia. (Ristyawati, 2020;) Likewise in Makassar City where the policy began to be implemented from April 4, 2020 to May 7, 2020 the implementation of PSBB is regulated in Permenkes Number 9 of 2020 concerning PSBB Guidelines in the context of Accelerating Handling of COVID-19 is Large-Scale Social Restrictions as also referred to in Government Regulation Number 21 of 2020 concerning Large-Scale Social Restrictions in the Context of Accelerating Handling of Corona Virus



Disease 2019 (COVID-19). The implementation of Large-Scale Social Restrictions in Makassar city itself is regulated in South Sulawesi Governor Regulation Number 22 of 2020 concerning Guidelines for the Implementation of Large-Scale Social Restrictions in Handling Corona Virus Disease 2019 in the South Sulawesi Province Region and Makassar Mayor Regulation Number 22 of 2020 concerning the Implementation of Large-Scale Social Restrictions in Makassar City, South Sulawesi Province. (Muhyiddin, 2020)

The implementation of Large-Scale Social Restrictions itself was carried out because the transmission of the Covid-19 virus in Makassar was increasing and the number of positives was drastically increasing so that the Makassar government took steps and implemented PSBB regulations to slow down the chain of transmission of Covid-19 so that the number of positives could slowly decrease. In implementing the Large-Scale Social Restrictions in Makassar City as can be seen that there are several regulations that must be followed, for example using masks and washing hands and keeping a distance if you want to leave the house and if you want to go out, only in important circumstances if it is not important then at home, and there are also officers monitoring vehicles at a number of border points and several intercity commercial vehicles that are still on the move are stopped, schools or campuses are prohibited from carrying out activities as usual in the sense that when things are still normal and are transferred to online school or college activities in their respective homes, offices are also carried out online, and closure in places of learning, tourist attractions, and entertainment venues so that the chain of transmission of the covid -19 virus can be prevented and the occurrence of an increase in the number of positive Covid-19 viruses.

As must be known in the regulations that have been made, there are sanctions applied in South Sulawesi Governor Regulation Number 22 of 2020 concerning Guidelines for the Implementation of Large-Scale Social Restrictions in Handling Corona Virus Disease 2019 in the South Sulawesi Province Region, in Chapter VIII concerning sanctions in Article 28 which reads "Violations of the implementation of Large-Scale Social Restrictions are subject to sanctions according to the provisions of the Law", and there are also sanctions applied in Makassar Mayor Regulation Number 22 of 2020 concerning the Implementation of Large-Scale Social Restrictions in Makassar City, South Sulawesi Province, in Chapter VI concerning sanctions Article 25 paragraph 2 reads "In addition to the sanctions as referred to in paragraph 1, criminal sanctions will also be imposed in accordance with the provisions of applicable laws and regulations".

The contents of Article 84 "In addition to investigating officials of the Indonesian National Police, certain civil servants within the ministry that organizes government affairs in the health sector are given special authority as investigators as referred to in the Law governing criminal procedure law to investigate criminal acts in the field of Health Quarantine".

Furthermore, Article 93 contains "Any person who does not comply with the implementation of Health Quarantine as referred to in Article 9 paragraph (1) and/or obstructs the implementation of Health Quarantine so as to cause a Public Health Emergency shall be punished with a maximum imprisonment of 1 (one) year and/or a maximum fine of Rp 100,000,000.00 (one hundred million rupiah)". (Jaya et al., 2020)

If there are still those who do not comply with the regulations that have been applied in Law Number 6 of 2018 concerning Health Quarantine as described in article 84 and article 93, they will be transferred to the Criminal Code and give sanctions regulated in the Criminal Code in articles 212, 216, 218 of the Criminal Code. The content of Article 212 of the Criminal Code "Any person who by force or threat of force resists an official in the performance of his lawful duty, or a person who by virtue of a statutory obligation or at the request of an official renders assistance to him, shall, being guilty of resisting an official, be punished by a maximum imprisonment of one year and four months or a maximum fine of 4,500 IDR." (Sari et al., 2020)

The regulations that have been applied properly must be followed and will be given if there are violators or people who are still indifferent to the implementation of the Covid-19 Large-Scale Social Restrictions in Makassar City and will be given as regulated in Law Number 6 of 2018 concerning Health Quarantine and there are also criminal sanctions if they ignore and do not follow the rules that have been applied and will be given sanctions that have been regulated in articles 212, 216, 218 of the Criminal Code. The implementation of Large-Scale Social Restrictions, more precisely in the city of Makassar, we often see many violations that occur from not wearing masks, maintaining distance, washing hands, As for those who still want to benefit themselves and open their shops so that the economy can continue but do not think about what is happening in the current situation, in this case it can be a question whether the regulation is only made to scare local residents or just a formality so that our own city can be recognized that the implementation of Large-Scale Social Restrictions regulations in Makassar city is very strict and no one dares to violate these regulations and how can we make some people who are still indifferent to government regulations comply with these regulations so that we can avoid the number of positive numbers of the Covid-19 virus in Makassar city.

2. Research Method and Materials

This research is referred to as empirical research because the author conducts research to see the process of the role of law enforcement officials in imposing sanctions on people who violate the Covid 19 PSBB regulations in Makassar City. In this study, with the type of empirical legal research, the research approach is: Library Research, the target of this library research is mainly to find the theoretical basis of the object of study by studying books, laws and regulations and the application of sanctions given as an initial basis for analysis. Field Research, in this research the author goes to the field and conducts interviews directly with certain parties, in connection with the problems involved in this research.

3. Results and Discussion

3.1. Implementation of Sanctions During the Implementation of Large-Scale Social Restrictions in Makassar City

The effectiveness of the application of sanctions during the implementation of large-scale social restrictions in Indonesia includes a series of sanctions including criminal sanctions, administrative sanctions, and social sanctions in terms of the implementation of large-scale social restrictions regulated in Presidential Decree No. 11 of 2020 concerning the Determination of Large-Scale Public Health Emergency Corona Virus Disease 2019 for all regions in Indonesia and also regulated in Government Regulation No. 21 of 2020 concerning Large-Scale Social Restrictions in the Context of Accelerating Handling of Corona Virus Disease 2019 for all regions in Indonesia. 11 of 2020 concerning the Determination of Corona Virus Disease 2019 Public Health Emergency for all regions in Indonesia and also regulated in Government Regulation No. 21 of 2020 concerning Large-Scale Social Restrictions in the Context of Accelerating the Handling of Corona Virus Disease 2019 (COVID-19), and in Makassar City the rules are regulated in South Sulawesi Governor Regulation Number 22 of 2020 concerning Guidelines for the Implementation of Large-Scale Social Restrictions in Handling Corona Virus Disease 2019 in the South Sulawesi Province Region, and Makassar Mayor Regulation Number 22 of 2020 Implementation of Large-Scale Social Restrictions in Makassar City, South Sulawesi Province which is regulated to prevent the spread of Covid-19.

The application of sanctions during the implementation of the Large-Scale Social Restrictions in Makassar City predominantly includes the provision of administrative sanctions and social sanctions in the form of fines and light sanctions such as push ups, sweeping the streets, memorizing the Pancasila, singing Indonesia Raya, photos with traffic writings and spreading on social media, etc., should these sanctions be regulated in the Makassar Mayor Regulation Number 22 of 2020 Implementation of Large-Scale Social Restrictions in Makassar City, South Sulawesi Province, and in Indonesia the provision of criminal sanctions has been given to 15 teenagers in Pekanbaru City, Riau Province, due to violating regulations during the implementation of Large-Scale Social Restrictions as well as being added with administrative sanctions in the form of paying fines, in Pekanbaru City the application of sanctions follows the regulations of the Law of the Republic of Indonesia Number 6 of 2018 concerning Health Quarantine, If there are violations related to during the implementation of Large-Scale Social Restrictions, criminal sanctions will be imposed which have been regulated in Law No. 6 of 2018 concerning Health Quarantine, Article 84 and Article 93 which are related to the Indonesian Criminal Code (KUHP) in articles 212, 216, 218 of the Criminal Code which will be subject to criminal sanctions for violators.

In contrast to the imposition of sanctions on violators of Large-Scale Social Restrictions in the city of Makassar itself, which will only be given administrative sanctions and social sanctions, in the form of paying fines and push-ups, sweeping the streets, etc., to the extent that criminal sanctions cannot be found in the city of Makassar during the author's research because in Perwali No. 22 of 2020 concerning the Implementation of Large-Scale Social Restrictions in Makassar City, South Sulawesi Province, only regulates the application of administrative sanctions and social sanctions, and there are so many violators of these regulations and the lack of attention from law enforcement officials to violators of Large-Scale Social Restrictions, as we know that an imposition of sanctions on violators must be in accordance with the applicable provisions and if it is not in accordance with what is applied, it can clearly be said that the application of sanctions during the implementation of Large-

Scale Social Restrictions in Makassar City is less effective. In the research, the author will conduct research or collect data by interviewing several individuals including the Task Force, Police, Legal Practitioners, and the Community. In this case, where a question is needed in order to find out the opinions related to the implementation of Large-Scale Social Restrictions in Makassar City, such as the security forces, the health department, people who are bound in a political or legal science more precisely as legal practitioners, and among the people who are the object of the application of the law and where people are more appropriate to be required to follow these regulations.

As for the results of interviews regarding the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City, the results of interviews conducted directly by the author to the Police, Task Force, Legal Practitioners, Community. The following are the results of these interviews:

3.1.1. Law Enforcer

In the implementation of data collection through interviews with the Makassar City Police who handle issues regarding the imposition of sanctions on violators of Large-Scale Social Restrictions, this article presents the results of an interview with a member of the Police who works at the Makassar Port Resort Police, the responses of the interviewees regarding how the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City and what kind of sanctions will be applied when there are violators, and whether there are criminal sanctions that will be imposed?, According to the source, "The application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City follows the rules of Perwali No. 22 of 2020, so that the application of sanctions itself is carried out in accordance with the provisions of the regulation", and "The sanctions carried out are in the form of sanctions regulated in the Perwali which follow the sanctioning policies carried out by law enforcement officials, as for sanctions verbally or in writing, but for sanctions that are more dominant to be used, namely administrative sanctions", and "for the city of Makassar itself, where criminal sanctions have not been found against violators of Large-Scale Social Restrictions itself because the provision of sanctions follows the rules in force, namely Makassar City Mayor Regulation Number 22 of 2020 in Makassar City, so for the application of sanctions used in the form of administrative sanctions for violators of Large-Scale Social Restrictions."

There are also responses from resource persons regarding regulations related to the provision of sanctions during Large-Scale Social Restrictions, and criminal sanctions and administrative sanctions and the application of both sanctions that can be imposed on a violator, and administrative sanctions that are often given to violators of Large-Scale Social Restrictions. According to the Interviewee that "Regulations related to the provision of sanctions for the city of Makassar they follow the relevant rules regarding Large-Scale Social Restrictions, namely the Makassar City Mayor Regulation 22 of 2020", and for the provision of criminal sanctions and administrative sanctions "Both can be applied because they are in accordance with the provisions of the applicable regulations in Indonesia, but specifically in the city of Makassar itself more apply the application of administrative sanctions for violators of Large-Scale Social Restrictions," administrative sanctions because "To get to criminal sanctions to be applied to violators of Large-Scale Social Restrictions itself lacks support in the regulations that have been regulated in the Makassar City Mayor Regulation regarding Large-Scale Social Restrictions, therefore administrative sanctions are applied to violators of Large-Scale Social Restrictions". And there are also factors that affect the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City and the process of imposing sanctions for violators, according to the interviewees, there are 2 factors that affect the application of sanctions during Large-Scale Social Restrictions, "The first factor is not complying with the implementation of health protocols that have been appealed to by the government, the second factor is not complying with wearing masks, washing hands, maintaining distance, staying away from crowds, limiting mobilization and interaction", those are 2 factors that affect the application of sanctions if there are violators. And in the process of imposing sanctions for violators, such as "The process of imposing sanctions for violators of Large-Scale Social Restrictions follows the procedures in the applicable regulations in the Perwali which refer more to the application of administrative sanctions, if there are violators

who violate the health protocol, then sanctions will be imposed in accordance with the provisions of the applicable regulations".

Furthermore, on the provision of sanctions for violators of Large-Scale Social Restrictions in accordance with the regulations that have been implemented and obstacles in implementing sanctions for violators of Large-Scale Social Restrictions, as well as the effectiveness of imposing sanctions on violators of Large-Scale Social Restrictions. According to the source that "Regarding the regulations that have been applied for the time being, they are in accordance with the regulations that have been implemented in the Perwali regarding the imposition of sanctions on violators of Large-Scale Social Restrictions", and what are the obstacles according to the source "There are no obstacles to imposing sanctions, but what is an obstacle to the implementation of Large-Scale Social Restrictions properly is the lack of community compliance with the advice that has been given and can result in the spread of Covid-19". From the results of the author's interview with the Police, according to the author, their law enforcement officers carry out in accordance with the regulations that have been enacted such as the Makassar City Mayor Regulation Number 22 of 2020, the police also make many appeals to the public so that they can comply with health protocols, for sanctions that are given only in the form of administrative sanctions such as, paying fines, push ups, cleaning the streets, etc. To reach the provision of criminal sanctions has not yet been achieved. To reach the provision of criminal sanctions there is no yet because the Makassar City Mayor Regulation only regulates the application of administrative sanctions and likewise if there is it cannot be implemented because the Perwali cannot apply criminal sanctions, except for Regional Regulations or Laws that apply in Indonesia comprehensively.

3.1.2. *Team Task Force of Covid-19*

In the implementation of data collection through interviews with the Covid-19 Task Force of Makassar City which deals more with appeals during the implementation of Large-Scale Social Restrictions on health protocols and regulated regulations, the author conducted an interview with one of the members of the Covid-19 Task Force who is part of the implementation of Large-Scale Social Restrictions in Makassar city, the responses of the interviewees regarding how the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City and what kind of sanctions will be applied when there are violators, and if there are violators, what sanctions will be imposed on these violators?", According to the source, "The application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City follows the rules of the Makassar City Mayor Regulation Number 22 of 2020, so that the application of sanctions itself is carried out in accordance with the provisions of the regulation and in Makassar city the application of sanctions is in the form of social sanctions and administrative sanctions that are applied and enforced for violators of Large-Scale Social Restrictions in Makassar city", and regarding what sanctions according to the Interviewee "there are 2 sanctions that will be imposed, namely social sanctions and administrative sanctions for violators of Large-Scale Social Restrictions", and according to the Interviewee "For the implementation of Large-Scale Social Restrictions in the city if there are violators, administrative and social sanctions will be imposed."

As for the responses from the resource persons regarding other questions in the form of, what regulations relate to the imposition of sanctions during PSBB, and whether criminal sanctions and administrative sanctions can both be imposed on a violator, and why only administrative sanctions are often given to violators of Large-Scale Social Restrictions?, according to the Interviewee, "For Makassar city, it is more following the Makassar City Mayor Regulation Number 22 of 2020", the response from the Interviewee regarding criminal sanctions and administrative sanctions can be imposed for violators of Large-Scale Social Restrictions, "for Makassar city, administrative sanctions are often applied because only administrative sanctions are regulated in the Makassar City Mayor Regulation Number 22 of 2020", and why only administrative sanctions are often given to violators of Large-Scale Social Restrictions, according to the Interviewee, "Because only administrative sanctions

are regulated in the Perwali if there are criminal sanctions regulated which clearly the implementation of imprisonment will also apply". As for the factors that influence the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City and the process of imposing sanctions for violators, according to the interviewees, the factors that influence the application of sanctions are, "People who do not wear masks, people who gather in crowds, people who still open their businesses when they have been urged to close, more precisely people who are less compliant with health protocols and applicable regulations", and how is the process of imposing sanctions "That is, the penalties regulated in the Makassar City Mayor Regulation Number 22 of 2020, namely administrative sanctions."

As for the questions regarding the duties and functions of the Task Force during the implementation of Large-Scale Social Restrictions in Makassar City, the researcher asked about the application in the field, did the task force also play a role in imposing the Sanctions?, what were the roles of the task force during the implementation of Large-Scale Social Restrictions?, did the task force only play a role in the health sector and did not enter the realm of law?, Are the task force procedures sufficient to implement the Large-Scale Social Restrictions regulations?, How is the support of facilities and infrastructure in the implementation of Large-Scale Social Restrictions? Is it already there or not? The following are the responses from resource persons regarding the Task Force in sanctioning and their role during Large-Scale Social Restrictions in Makassar City "Obviously the task force plays a role but they work according to their respective procedures. The Covid-19 Handling Task Force is tasked with implementing and controlling the implementation of strategic policies relating to the handling of Covid-19, this task force is also tasked with resolving strategic policy issues related to handling the virus quickly and appropriately, and determining and implementing policies and other steps needed in handling Covid-19", and whether the task force only plays a role in the health pathway and does not enter the realm of law and whether the task force procedures are sufficient to implement the Large-Scale Social Restrictions regulations "The task force does not only play a role in the health pathway but they work together to urge the public to comply with health protocols and the application of applicable regulations. The procedures applied are sufficient because every day there is an increase in individuals who comply with health protocols and applicable regulations", and how is the support of facilities and infrastructure in the implementation of Large-Scale Social Restrictions, "At the beginning of the implementation of Large-Scale Social Restrictions there was no infrastructure, in the middle of the implementation of Large-Scale Social Restrictions there was only direct infrastructure support from the city government, in the form of masks and hand sanitizer and disinfectant spraying equipment". From the results of the author's interview with the Task Force, it can be described that the task force in the city of Makassar carries out their procedures in accordance with their duties and functions that have been implemented, as for the officer units that are incorporated include the police, health, military, Satpol PP, etc., which are referred to as the Covid-19 Task Force. This article describes the results of their responses regarding the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar city and the role of the task force in the implementation of Large-Scale Social Restrictions, their roles such as the Covid-19 Handling Task Force is tasked with implementing and controlling the implementation of strategic policies related to handling Covid-19, this task force is also tasked with resolving strategic policy issues related to handling the virus quickly and precisely, and determining and implementing policies and other steps needed in handling Covid-19. And in the application of sanctions during Large-Scale Social Restrictions in Makassar city, it is quite good in its implementation performance, but there is a lack of effectiveness in the community because there are some people who are less obedient or obedient to health protocols and regulations regarding Large-Scale Social Restrictions in force, the Task Force has tried its best to appeal to the public so that they can follow the direction of the

government regarding this matter, and also implement the application or imposition of sanctions for PSBB violators in Makassar City.

3.1.3. *Legal Practitioners*

In the implementation of data collection through interviews with Makassar City Legal Practitioners who are more knowledgeable about the regulations in imposing sanctions on violators of Large-Scale Social Restrictions, the author conducted an interview with one of the Legal Practitioners concerned as one of the lawyers in Makassar city, the following are the responses of the interviewees regarding how the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City, and what kind of sanctions will be applied when there are violators, and if there are violators what sanctions will be imposed on these violators?", According to the source, "In Makassar city, the application of sanctions in the form of social sanctions and administrative sanctions are applied and enforced for violators of Large-Scale Social Restrictions in Makassar city. There are 2 sanctions applied, namely, social sanctions and administrative sanctions, but it depends on the type of offense they violate. For now, the sanctions that are often imposed are administrative sanctions and social sanctions."

There were also responses from resource persons regarding other questions in the form of, What regulations relate to the imposition of sanctions during Large-Scale Social Restrictions, and whether criminal sanctions and administrative sanctions can both be imposed on a violator, and why only administrative sanctions are often given to violators of Large-Scale Social Restrictions, according to the resource person, "In the city of Makassar, the regulations relating to the imposition of sanctions during PSBB only follow the regulations of the Makassar City Mayor Regulation Number 22 of 2020". And whether criminal sanctions and administrative sanctions can be imposed on violators, according to the Interviewee, "Both sanctions can be imposed for violators of Large-Scale Social Restrictions in Indonesia but specifically for the city of Makassar itself, the sanctions imposed are only in the form of administrative sanctions because for the entry to criminal sanctions the Perwali only regulates administrative sanctions and there is no explanation that regulates violators will be imposed criminal sanctions in the city of Makassar during Large-Scale Social Restrictions". And why only administrative sanctions are often given to violators of Large-Scale Social Restrictions, according to the Interviewee, "Because only these sanctions are applied in the Makassar City Mayor Regulation Number 22 of 2020". And there are also factors that influence the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City and the process of imposing sanctions for violators.

According to the interviewees, there are 2 factors that influence the application of sanctions, namely "The first factor is not complying with the implementation of health protocols and regulations regarding the implementation of Large-Scale Social Restrictions in Makassar City which have been appealed to by the government as well as appealed directly on the road by the task force to the public so that the spread of Covid-19 does not occur, and violators that lead to sanctions for people who violate the rules, the second factor is not complying with wearing masks, washing hands, maintaining distance, staying away from crowds, limiting mobilization and interaction. When violators are found, they are immediately given sanctions directly in accordance with the regulations that have been enacted, namely the Makassar City Mayor Regulation Number 22 of 2020 ". In several questions given to the informant, there are still several other questions such as, is the provision of sanctions for violators in accordance with the regulations that have been applied, and what are the obstacles in implementing sanctions for violators of Large-Scale Social Restrictions, and whether the rules regarding Large-Scale Social Restrictions are effective in sanctioning violators of Large-Scale Social Restrictions. According to the informant, "For those who violate, the sanctions are in accordance with the regulations that have been implemented", and what are the obstacles in the application of sanctions according to the informant, "There are no obstacles to imposing sanctions, but what

is an obstacle to the implementation of Large-Scale Social Restrictions properly is the lack of community compliance with the advice that has been given and can result in the spread of Covid-19", and whether this regulation has been effective, "Especially for people who have been sanctioned and who violate the implementation of Large-Scale Social Restrictions during the pandemic, the rules applied to impose sanctions for violators are effective and in accordance with the regulations that have been enacted, namely Makassar City Mayor Regulation Number 22 of 2020".

And the last question for the interviewee regarding, is there any other sanctions other than administrative sanctions and criminal sanctions? according to the interviewee, "For the city of Makassar, only administrative sanctions are regulated in the Makassar City Mayor Regulation Number 22 of 2020, for sanctions other than administrative sanctions, nothing is regulated regarding these other sanctions". From the results of the author's interview with a Legal Practitioner who is more precisely a lawyer, the author can draw a conclusion, that the view of a Legal Practitioner regarding regulations that have been enacted such as the Makassar City Mayor's Regulation Number 22 of 2020 concerning the implementation of PSBB in Makassar City says that part of the security forces who are also members of the Makassar City Covid-19 Task Force, There are many appeals to the public so that they can comply with health protocols and regulations regarding PSBB, but there are still those who violate these appeals and there are violators, which is more clearly the lack of strictness of the applicable regulations and legal apparatus that are still not strict enough to enforce these regulations, for sanctions given only in the form of administrative sanctions and social sanctions such as, paying fines, push ups, cleaning the streets, etc. There is no criminal sanction because the Perwali only regulates the application of administrative sanctions and social sanctions in Makassar City.

3.1.4. Society

In the implementation of data collection through interviews with the Makassar City Community, which is the object in implementing a regulation regarding Large-Scale Social Restrictions, the author conducted an interview with Mr. Ahmad Hartono as a Community in the city of Makassar, the following responses from the interviewees were interviewed regarding how the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City, and what kind of sanctions will be applied when there are violators, and if there are violators what sanctions will be imposed on these violators ? According to the informant, "Sanctions in Makassar city are not appropriate because in the application of the applicable rules, there are many people who are indifferent and negligent", and according to the informant regarding what kind of sanctions are applied to violators of Large-Scale Social Restrictions in Makassar City, "In pandemic conditions like this, the sanctions that must be applied must be strict, namely imprisonment and administrative fines for people who do not meet health protocols and violate the rules of Large-Scale Social Restrictions," and if there are violators what sanctions will be imposed on violators, according to the Interviewee, "Sanctions that must be imposed in the form of administrative and criminal sanctions so that there is a deterrent effect for violators."

There is also a response from the resource person regarding another question from the author in the form of, what regulations relate to the provision of sanctions during Large-Scale Social Restrictions, and whether criminal sanctions and administrative sanctions can both be imposed on a violator, and why only administrative sanctions are often given to violators of Large-Scale Social Restrictions? According to the resource person regarding these 3 questions, "Regulations issued by the Makassar city government, for example the Makassar City Mayor Regulation Number 22 of 2020. Both sanctions can be imposed, but for Makassar city, administrative sanctions are more applicable for violators. Because only these sanctions are regulated in the regulations enforced during Large-Scale Social Restrictions in Makassar city". And as for the factors that influence the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City and the process of imposing sanctions for violators, according to

the interviewees, there are several factors that influence the application of sanctions, namely, "There are people who do not comply with the implementation of health protocols enforced during Large-Scale Social Restrictions appealed to by the government and the task force on the road which results in an increase in the number of Covid-19 spread, The existence of people who do not comply with the regulations enforced during the Large-Scale Social Restrictions appealed to by the government and resulted in the imposition of administrative sanctions and social sanctions for violators of these regulations", and the process of imposing sanctions for violators according to the informant, "When there are violators, administrative sanctions are applied and the process of giving them is like being told to get off the vehicle and being told to push up or sweep the road, which is given immediately when there are violators."

In some of the questions given to the resource person, there are still several other questions such as, is the provision of sanctions for violators of Large-Scale Social Restrictions in accordance with the regulations that have been implemented, and what are the obstacles in the application of sanctions for violators of Large-Scale Social Restrictions, and is the regulation on Large-Scale Social Restrictions effective in sanctioning violators of Large-Scale Social Restrictions? According to the informant, "It is appropriate for violators and not appropriate for people who are still indifferent to these regulations", and the obstacles in the application of sanctions are, "The lack of compliance of the community to follow the implementation of health protocols and regulations in force", and whether this rule has been effective, "It has been effective for people who violate and have been imposed sanctions in accordance with applicable regulations in the city of Makassar regarding the application of Large-Scale Social Restrictions." As for some questions to the public regarding the task force procedures and the support of facilities and infrastructure during the implementation of Large-Scale Social Restrictions in Makassar City, the responses from the interviewees regarding this matter, "It is still lacking because there are still many people who are indifferent and negligent, so that the task force procedures must be tightened or strengthened again. And regarding infrastructure, it already exists, such as the distribution of masks and the provision of hand sanitizer". The author concludes that in conducting interviews with the people of Makassar City, regarding the effectiveness of the application of sanctions in the implementation of Large-Scale Social Restrictions in Makassar City, it can be said that not all people are indifferent or negligent to the regulations in force and the implementation of health protocols, There are some people who say that the regulations issued by the mayor are not efficient, while there are also people who say that the regulations issued by the mayor are quite efficient because of the large number of violators and have been given administrative sanctions, only the lack of additional criminal sanctions for violators and must be further strengthened for the task force in carrying out procedures as a person who appeals regarding the implementation of the implementation of Large-Scale Social Restrictions in Makassar city, so that there will be no violators who are indifferent to the rules.

3.2. Factors Influencing the Implementation of Sanctions During Large-Scale Social Restrictions in Makassar City

In the results of the author's interviews with resource persons, namely from the Police, Task Force, Legal Practitioners, and the Community, regarding the factors that influence the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City, there are several responses from the resource persons regarding the factors in the application of sanctions during Large-Scale Social Restrictions, the following responses from the resource persons.

3.2.1. Law Enforcer

From the results of interviews responding to the factors that influence the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City. The interviewee said that there were 2 factors that influenced the application of sanctions during Large-Scale Social Restrictions, among others: First factor Disobeying the implementation of health protocols and regulations regarding the implementation of Large-Scale Social Restrictions in Makassar City which has been appealed directly by the government so that the spread of Covid-19 does not

occur, and violations that lead to sanctions for people who violate the rules. The second factor is not complying with the application of health protocols that have been appealed to and implemented by the government to the community, by wearing masks, washing hands, maintaining distance, staying away from crowds, limiting mobilization and interaction. Against the two factors that influence the application of sanctions when there are violators of Large-Scale Social Restrictions in Makassar City according to the Police concerned when interviewed.

3.2.2. *Team Task Force of Covid-19*

From the results of interviews with 8 task force members in Makassar City regarding the factors that influence the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City. The resource person said that there are 3 factors that affect the application of sanctions during Large-Scale Social Restrictions, among others: The first factor is people who do not wear masks when leaving the house and want to do activities. Second factor People who gather in crowds without maintaining distance and wearing masks. The third factor is people who still open their businesses when they have been told to close. The three factors that influence the application of sanctions when there are violators of Large-Scale Social Restrictions in Makassar City according to the Task Force concerned when interviewed.

3.2.3. *Legal Practitioners*

From the results of an interview with a Lawyer in Makassar City regarding the factors that influence the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City. The interviewee said that there are 2 factors that affect the application of sanctions during Large-Scale Social Restrictions, among others: The first factor is not complying with the implementation of health protocols and regulations regarding the implementation of Large-Scale Social Restrictions in Makassar City which have been appealed to by the government as well as appealed directly on the road by the task force to the public so that the spread of Covid-19 does not occur, and violators that lead to sanctions for people who break the rules. The second factor is not complying with the application of minimum measures as health protocols that have been appealed to and implemented by the government to the community, by wearing masks, washing hands, maintaining distance, staying away from crowds, limiting mobilization and interaction. The two factors that influence the application of sanctions when there are violators of Large-Scale Social Restrictions in Makassar City according to the Legal Practitioners concerned when interviewed.

3.2.4. *Society*

From the results of interviews with several people living in Makassar City responding to the factors that influence the application of sanctions during the implementation of Large-Scale Social Restrictions in Makassar City. The interviewees said that there were 2 factors that influenced the application of sanctions during Large-Scale Social Restrictions, among others: The first factor is the existence of people who do not comply with the implementation of health protocols enforced during Large-Scale Social Restrictions appealed to by the government and the task force on the road which results in an increase in the spread of Covid-19. The second factor is the existence of people who do not comply with the regulations enforced during the Large-Scale Social Restrictions appealed by the government and resulted in the imposition of administrative sanctions and social sanctions for violators of these regulations.

The two factors that influence the application of sanctions when there are violators of Large-Scale Social Restrictions in Makassar City according to several people concerned when interviewed. Underlying this description, according to the author himself, such as, "The increasing number of Covid-19 spread in Makassar City is due to people who are indifferent to the implementation of Health Protocols and Regulations implemented in Makassar City so that more and more people are infected by Covid-19", and also, "there are factors in the economy that force each individual to do things that violate the Large-Scale Social Restrictions regulations in Makassar City, such as those

where they continue to open business shops, do work outside the home when there is a lockdown in Makassar." These two factors influence the application of sanctions when there are violators of Large-Scale Social Restrictions in Makassar City according to the author's own analysis.

4. Conclusion

The effectiveness of the application of sanctions during the implementation of the PSBB in Makassar City has several obstacles in the results of finding violators during the implementation of the PSBB in Makassar City where there are some people who are still indifferent to the application of health protocols and regulations set by the government regarding the implementation of the PSBB in Makassar City, then there are sanctions for violators who do not comply with the application of health protocols and regulations that have been appealed to by the Government and the Makassar City Covid-19 National Task Force to the people of Makassar City. And there are factors that affect the implementation of the Large-Scale Social Restrictions in Makassar City such as the existence of people who do not comply with the implementation of health protocols enforced during the Large-Scale Social Restrictions appealed to by the government and the task force on the road which results in an increase in the spread of Covid-19, and there are people who do not comply with the regulations enforced during the Large-Scale Social Restrictions appealed to by the government and results in administrative sanctions and social sanctions for violators of these regulations.

To law enforcers must be firm in prosecuting an act that results in a violation either who does not comply with the application of health protocols or regulations that have been appealed to by the Makassar government on the implementation of the Large-Scale Social Restrictions, and it is better to also apply Law No. 6 of 2018 concerning Health Quarantine in pandemic conditions like now, so that Makassar City itself can be free from the spread of Covid-19 and the creation of a society that complies with the regulations in force. And the implementation of health protocols and regulations regarding the implementation of Large-Scale Social Restrictions in Makassar City so that it would be better for law enforcement officials who are members of the Task Force if they are conducting operations and catch violators, it is better to give criminal sanctions as regulated in Law Number 6 of 2018 concerning Health Quarantine, in article 84, and article 93, which relates to the Criminal Code in articles 212, 216, 218 of the Criminal Code, so that there can be a deterrent effect and at the same time an example for other communities, especially in Makassar City.

References

- Handika, S., Ibnu, M., Rahim, F., & Sudirdja, R. P. (2020). Virtual Court Policy For Criminal Justice on Corona Virus Disease Pandemic. *Substantive Justice International Journal of Law*, 3(1), 74–93. <https://doi.org/10.33096/SJIJL.V3I1.67>
- Hasrul, M. (2020). Aspek Hukum Pemberlakuan Pembatasan Sosial Berskala Besar (PSBB) dalam Rangka Penanganan Corona Virus Disease 2019 (Covid-19). *Legislatif*, 3(2 SE-), 385–398. <https://doi.org/10.20956/jl.v3i2.10477>
- Jaya, I. W. S., Wairocana, I. G. N., & Dharma, I. bagus S. (2020). Keabsahan Penerapan Pasal 93 Undang-Undang Kekarantinaan Kesehatan Di Wilayah Yang Tidak Menetapkan Pembatasan Sosial Berskala Besar. *Kertba Semaya: Journal Ilmu Hukum*, 8(9), 1440–1466. <https://doi.org/10.24843/KS.2020.v08.i09.p13>
- Kamal, M. (2022). Prospects for the New Capital City Policy in Law and Economic Perspectives. *Substantive Justice International Journal of Law*, 5(1), 86–108. <https://doi.org/10.56087/substantivejustice.v5i1.205>
- Muhyiddin, M. (2020). Covid-19, New Normal, dan Perencanaan Pembangunan di Indonesia. *Jurnal Perencanaan Pembangunan: The Indonesian Journal of Development Planning*, 4(2), 240–252. <https://doi.org/10.36574/jpp.v4i2.118>
- Risma, A., & Zainuddin, Z. (2021). Tafsir Pandemi Covid-19 Sebagai Alasan Force Majeure yang Mengakibatkan Pembatalan Perjanjian. *Jurnal Wawasan Yuridika*, 5(1), 100–112. <https://doi.org/10.25072/JWY.V5I1.420>
- Ristyawati, A. (2020). Efektifitas Kebijakan Pembatasan Sosial Berskala Besar Dalam Masa Pandemi Corona Virus 2019 oleh Pemerintah Sesuai Amanat UUD NRI Tahun 1945. *Administrative Law and Governance Journal*, 3(2), 240–249. <https://doi.org/10.14710/alj.v3i2.240-249>
- Sari, A. G., Sudarmanto, H. L., & Murty, H. (2020). Kebijakan Pemberlakuan Karantina Wilayah Sebagai Antisipasi Penyebaran Corona Virus Ditinjau Dari Undang-Undang No. 6 Tahun 2018 Tentang Kekarantinaan Kesehatan. *Transparansi Hukum*, 3(2 SE-Articles). <https://doi.org/10.30737/transparansi.v3i2.933>
- Taufiqurakman, M., Rohana, R., Aswari, A., & Azahrah, F. (2022). Increase The Student Outcome

- Trough Developing English Learning Material. *Excellent Education, Science and Engineering Advances Journal*, 1(1), 43–56. <https://ojs.nubinsmart.id/index.php/eeseaj/article/view/31>
- Wardhani, N. K. (2021). Penerapan Kebijakan Pembatasan Sosial Berskala Besar di Indonesia dalam Prespektif Hukum dan HAM. *Keluwib: Jurnal Sosial Dan Humaniora*, 2(1 SE-Article Review), 33–37. <https://doi.org/10.24123/soshum.v2i1.3990>
- Yamali, F. R., & Putri, R. N. (2020). Dampak Covid-19 Terhadap Ekonomi Indonesia. *Ekonomis: Journal of Economics and Business*, 4(2), 384. <https://doi.org/10.33087/ekonomis.v4i2.179>
- Zendrato, W. (2020). Gerakan Mencegah Daripada Mengobati Terhadap Pandemi Covid-19. *Jurnal Education and Development*, 8(2), 242–248.