

## PUBLIC POLICY OF SOCIAL SECURITY DUE TO COVID 19 LEGAL JUSTICE PERSPECTIVE

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### Abstract

*Various social security policies due to the impact of the covid 19 pandemic are carried out as an effort to move the national economy and strengthen people's purchasing power, the restoration of education so that it can be better. The purpose of this study is to find out the policy of social security during the pandemic covid 19 perspective the foundation of legal justice theory. Research methods, using the type of normative legal research with the first approach of legislation (statute approach), second historical approach (historical approach), third conceptual approach (conceptual approach), and Fourth analytical approach (Analytical Approach). While the types and data sources used can be used in two, namely primary legal materials and secondary legal materials focusing on Public Policy of Social Security During the Covid 19 Pandemic Perspective of Legal Justice Theory. The findings in the study showed that various social security policies during the covid 19 pandemic. First Family Hope Program (PKH), Sembako Program Assistance (BPS), Cash Direct Assistance, Cash Social Assistance (BST), Pre-employment Card, BLT small micro-businesses, BLT Village Fund, Productive Banpres for MSME Working Capital, Employee Salary Subsidy, and electricity discount by providing electricity tariff incentives for customers affected by the Covid-19 pandemic, UKT Assistance, internet package assistance for students and students, BSU Lecturer, Pulsa ASN and Kouta are free, as well as other social protection programs. The two foundations of the theory of legal justice to social security policy due to the covid 19 pandemic show that policies in the aspects of education, business groups, communities, and employee salary subsidies, are still considered unable to embrace all elements, although using the distributive justice theory approach, let alone using affirmative justice theory that looks at equality in getting help due to covid 19.*

**Keywords:** Policy; Security; Covid 19, Legal Justice

### INTRODUCTION

The spread of the Corona Virus Disease 2019 (COVID-19) pandemic that has an impact and threatens Indonesia's economic growth, among others, due to declining state revenues and global economic uncertainty, requires extraordinary policies and measures in the field of state finance including in the field of taxation and regional finance, and the financial sector, which must be immediately taken by the Government and related institutions to overcome these urgent conditions to health rescue, the national economy, with a focus on health spending, social safety net, and the recovery of affected businesses. Therefore, adequate legal tools are needed to provide a solid foundation for the Government and relevant institutions for policy-making and such measures.<sup>1</sup>

The COVID-19 pandemic is an extraordinary disaster experienced by Indonesia. As of July 2021, confirmed cases of COVID-19 continue to grow. Government efforts to reduce the impact of the spread of the virus through social distancing policies greatly affect community activities. The development of the health crisis that has an impact on the world economy practically makes all countries in the world have to retreat with a strategic plan that has been re-established to then replace the emergency response policy by mobilizing all resources to cope with the Covid-19 outbreak. Think tanks and strategic think tanks corrected their projections, especially in 2020, which are likely to be slowing, recessions, and even economic depressions. Development in every country is disrupted. Each country revised its state budget and provided a large allocation of funds to overcome this coronavirus outbreak.<sup>2</sup>

<sup>1</sup>.Penjelasan Peraturan Pemerintah Pengganti Undang-Undang Nomor 1 Tahun 2020 Tentang Kebijakan Keuangan Negara dan Stabilitas Sistem Keuangan Untuk Penanganan Pandemi *Corona Virus Disease* 2019

<sup>2</sup>.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

Various responses and strategies from various parties both formal, informal, formal structures including the State are overwhelmed in overcoming it, including efforts to relax and restore the economic situation. Therefore, the government has launched various social protection programs to avoid the situation, where there is a plurality, stagnation and economic disaster. To avoid falling to the brink of the destruction of the economic structure, and recovery efforts to make daft survival, the government has launched a variety of social protection programs in several aspects, aspects of education, economy, UMKN, poor, elderly and other aspects both in cash and non-cash.

Some types of social protection programs include Family Hope Program (PKH), Sembako Program Assistance (BPS), Cash Direct Assistance, Cash Social Assistance (BST), Pre-employment Card, BLT small micro-business, BLT Village Fund, Productive Banpres for MSME Working Capital, Employee Salary Subsidy, and electricity discount by incentivizing electricity tariffs of customers affected by the Covid-19 pandemic, UKT Assistance, internet package assistance for students and students, BSU Lecturer, Pulsa ASN and Kouta free.<sup>3</sup> and other social protection programs.

For all social protection programs, the author considers that there is hope to be a trigger to move the national economy, leverage the national economy, and strengthen people's purchasing power so that it can make the national economy better. But although aid has been rolled out, there are still many among the communities whose economies have not recovered since the pandemic. It seems that it will experience a recession this year, in addition, the author considers that various assistance and subsidies disbursed by the government become ineffective to boost the economy due to the continued increase of low-income people during the pandemic due to the number of layoffs and MSMEs that went out of business, the formerly prosperous are now down in class. Another cause is the purchasing power of the people who dropped dramatically. The lower classes no longer have the ability to buy, while the upper-middle class refrains from consumption, the last cause of the pattern of aid distribution that is not continued to be channeled to society in general.

Various government policies are interesting to examine how the foundation of legal justice against the variety of policies if seen in the concept of justice. In this study, there are at least five types of Foundations of Legal Justice Theory of Social Security Program due to pandemic covid 19 in aspects of education, business groups, communities and employee salary subsidies, among others distributive justice, cumulative justice, Retributive Justice, Procedural Legal Justice and substantive justice. Overall it can be described that social security policies due to covid 19 have not been implemented fairly in the construction of distributive justice or cumulative justice, this is due to the classification of the community and certain parties who must get assistance. Even though the impact of covid 19 does not see the community, so there must be equality in getting help due to covid 19.

The urgency of this problem is dilator by the first few reasons, almost all community annexes are affected by the pandemic. Second, whether the policy of social security in the perspective of legal justice theory has a strong landsan foundation. Based on the background above can be formulated problems, among others, How to Picture Public Policy of Social Security During pandemic Covid 19. and What is the Foundation of The Theory of Justice of Social Security Policy Law During pandemic Covid 19.

## RESEARCH METHOD

This research method uses the type of normative legal research that is positive legal inventory research, finding legal principles and doctrines, synchronizing legislation with the First Approach The statutory approach (Statute Approach) is to examine all laws and regulations that are related to the problems (legal issues) that are being faced, Both historical approaches (Historical Approach) is to understand historical values that are the background. and that affects the values contained in the laws and regulations. The third Conceptual Approach is a view or doctrine that develops in legal science can be a foothold to build legal arguments when resolving legal issues faced and the Fourth analytical approach (Analytical Approach) is to examine the meaning and terms of law and seen in legal practice and study understanding, principles, rules, systems and juridical concepts.<sup>4</sup> The types and sources of data used can be used in two, namely primary legal materials focusing on Public Policy of Social Security During the Covid 19 Pandemic Perspective of Legal Justice Theory and Secondary Legal Materials, namely materials that provide explanations of the variety of social security policies and the foundation of justice. The technique of collecting legal materials is done by analyzing the principles, conceptions, views, legal doctrines, and the content of legal rules obtained through two main references, namely the First General Nature, consisting of books, texts, encyclopedias of special Second Nature, consisting of reports of research results, magazines, and

<sup>3</sup> <https://nasional.kompas.com/read/2020/09/03/12090061/melihat-efektivitas-9-bantuan-dan-subsidi-pemerintah-selama-6-bulan-pandemi?page=all> diakses pada tanggal 05 Juli 2021

<sup>4</sup> Irwansyah, (2021) *Penelitian Hukum Pilihan Metode & Praktik Penulisan Artikel*, Mirra Buana Media, Yogyakarta, Hal 133-152

journals. While the technique of analysis of legal materials used in this research is conceptual juridical.<sup>5</sup>

## RESULTS AND DISCUSSION

### Various Social Security Policies during the Covid 19 Pandemic

When Covid-19 began to spread in Indonesia, The President of the Republic of Indonesia Joko Widodo issued Law Replacement Order Regulation No. 1 of 2020 on State Financial Policy and Financial System Stability for Handling the Coronavirus Pandemic. Policies should be directed towards immediate assistance to workers and certain business sectors to protect livelihoods. Furthermore, Law No. 2 of 2020 on The Establishment of Government Regulations in place of Law No. 1 of 2020 on State Financial Policy and Financial System Stability for Handling the Corona Virus Disease Pandemic 2019 (Covid-19) and/or To Deal with Threats that Endanger the National Economy and/or Financial System Stability Become Law.

The implications of the covid 19 pandemic have had an impact on slowing national economic growth, declining state revenues, and increased state spending and financing, so various government efforts are needed to save national health and economy. In addition, the implications of the pandemic have also had an impact on the deterioration of the financial system as indicated by the decline of various domestic economic activities, so it needs to be mitigated together to take anticipatory measures to maintain financial sector stability. Some types of social protection programs include Family Hope Program (PKH), Sembako Program Assistance (BPS), Cash Direct Assistance, Cash Social Assistance (BST), Pre-employment Card, BLT small micro-business, BLT Village Fund, Productive Banpres for MSME Working Capital, Employee Salary Subsidy, and electricity discount by incentivizing electricity tariffs of customers affected by the Covid-19 pandemic, UKT Assistance, internet package assistance for students and students, BSU Lecturer, Pulsa ASN and Kouta free.

Some Social Security Policies During the Covid 19 Pandemic can be classified as follows:

#### 1. Education

Almost all sectors of life feel the impact of covid 19, the aspect of education becomes one of the sectors that feel the impact, this situation will still last a long time considering that until now all parties are still looking for the best model in the prevention of covid 19 until 2021. But of course the world of education and also other sectors of people's lives need to get the maximum attention possible in order to still be able to walk in these conditions. Some things can be done, including looking at and anticipating the situation in the future in order to prepare themselves to improve more advanced and modern learning systems.<sup>6</sup> In another view, considers that although many educators, learners, and communities are not ready to face the era of the industrial revolution 4.0, online learning in the midst of the covid-19 pandemic seems to force all humans to be ready for the current technological developments. When viewed from a sociological perspective, this policy is the right step taken in these conditions. Like there is an acceleration so that society is faster forward, with internet technology now, for example by shopping with online systems, preferably the public and reduce the time and cost of transport, let alone the covid-19 period.<sup>7</sup>

Public social security policy due to covid 19 for Lecturers and teachers, First Wage Subsidy Assistance (BSU), This assistance is given once to educators and education personnel with non-civil servant status, including lecturers, library personnel, laboratory personnel, and administrative personnel of public and private universities with an amount of Rp.1,800,000, Second internet quota assistance, in addition in the area of research and PCM DIKTI is slightly facilitated by the absence of monitoring and evaluation, only progress reports and final reports.

While students and students with the government closed schools to prevent the spread of Covid-19, students and students are now required to study at home until now, to alleviate and support the activities of students and students issued a single tuition program (UKT) for students, internet package assistance / free, internet quota assistance is divided into General Quota that can be used to access freely and Learning Quota that can only be Used to access pages and applications registered with the ministry of education both students and students, this assistance exists after the Ministry of Education issued circular 36962 / MPK. A/HK/2020 about using online lectures with classroom applications. This assistance is expected to help students and students to support their teaching and learning activities, in addition to cash assistance programs for elementary school students, and prevent up to students through the Smart Indonesia Program (PIP).

5. Jhonny Ibrahim (2014) *Teori dan Metodologi Penelitian Hukum Normatif*, Banyumedia Publishing, Surabaya, Hal, 295

6. Martorejo, T. N. (2020). Pandemi Covid-19: Ancaman atau Tantangan bagi Sektor Pendidikan. *Jurnal Binus*, 7(1), 1-15.

7. Siahaan, M. (2020). Dampak pandemi Covid-19 terhadap dunia pendidikan. *Dampak Pandemi Covid-19 Terhadap Dunia Pendidikan*, 20(2).

While UKT under the latest Ministry of Religious Affairs, this is based on the Decree of the Minister of Religious Affairs (KMA) Number 515 of 2020 on Waiver of Single Tuition fees at State Religious Universities on the Impact of the Covid19 Outbreak as amended by KMA Number 81 of 2021 on Changes to KMA Number 515 of 2020 on UKT Waivers on PTKN on the Impact of the Covid-19 Outbreak. This policy has been implemented in the academic year 2020/2021. At that time, 160,563 students were receiving UKT waivers. This number consists of 15,153 students who received a decrease in UKT 1 level, 30,235 students, received a delay in UKT payments of 2 -4 months, and 6,285 students received waivers in the form of UKT payment installments. While 108,890 are students who receive a reduction in UK. The percentage varies, ranging from 10, 15, 20, 25, 30, even up to 100%.<sup>8</sup>

In addition, much of the assistance provided by the government to support the first teaching and learning activities of the School Operational Assistance Fund is for the provision of non-personnel operating costs for the basic education unit as the implementer of compulsory learning programs, Second Smart Indonesia Card, Providing educational cash assistance to school-age children (ages 6-21 years) who come from poor, vulnerable poor families: owners of Prosperous Family Cards (KKS), participants of the Family Hope Program (PKH), orphans, people with disabilities, victims of natural disasters/disasters. and the Third Indonesia Pintar Program aims to help school-age children from underprivileged families to still get educational services until secondary education. Although some of these programs existed before the covid 19 pandemic, in the mass pandemic covid 19 these programs are maximized as support in economic recovery through social security policies during the covid 19 pandemic.

## 2. Business Group

The assistance of the National Economic Recovery (PEN) program for the MSME sector will be a historical record of the Indonesian nation. Because only this time the government distributed direct assistance to MSMEs in times of crisis due to the Covid-19 pandemic. Some types of social protection programs for business groups are BLT small micro-businesses, Productive Banpres for MSME Working Capital. The condition of MSMEs in Indonesia is currently experiencing a slump, deputy for production and marketing of the Ministry of Cooperatives and MSMEs (Kemenkop) identified the factors of the decline of MSMEs, namely declining demand, lack of product marketing, difficult access to raw materials due to the implementation of PSBB in a number of regions and still low human resources.

Until now the Government provides Direct Cash Assistance (BLT) of MSMEs or Banpres Produktif Usaha Mikro (BPUM), this is expected to be able to help MSMEs to still be able to run their business in the Covid-19 pandemic, the Government has issued a budget of 28.8 Trillion by targeting as many as 12 million micro businesses where each recipient will get 2.4 million rupiahs. To get BLT MSMEs or Banpres, the community registers its micro-business first to the Cooperative Office and MSMEs according to their respective domiciles. Prospective recipients of assistance can also be proposed by cooperatives that have been legalized as legal entities, ministries, banks, and financing companies that have registered with OJK. Furthermore, for registrants who qualify, this assistance will be sent gradually through the recipient's account number. Because this assistance is in the form of a grant, in the process of disbursement the recipient will not be charged anything.<sup>9</sup>

In the distribution of BLT MSMEs stage one which has reached 100 percent, there are about 9.1 million recipients. Keudian in this second stage there are still 2.9 million BLT MSME quotas. It is hoped that this can encourage economic improvement so that Indonesia can avoid recession and economic growth in the third quarter of 2020 becomes positive. But the fact on the ground of such aid is still less effective due to several factors. First, not all MSMEs can access information both online and offline. So many of them should have but haven't gotten it. Second, the value of assistance obtained by MSME recipients still cannot cover the value of losses that have been experienced by MSME actors. Third, the statistical data of existing MSMEs is less accurate so that the success rate of budget distribution is less clear.<sup>10</sup>

## 3. General/Poor People

In providing social protection to the public in general, especially the poor some programs as a step to provide social security, including the Family Hope Program (PKH), Sembako Program

<sup>8</sup> <https://kemenag.go.id/read/terdampak-pandemi-covid-19-kemenag-kembali-ringankan-ukt-mahasiswa-ptkn-egonv> di akses pada tanggal 20 Agustus 2021

<sup>9</sup> Fadilah Azzahra, *Menakar Efektivitas BLT UMKM di Masa Pandemi Covid-19* <https://yoursay.suara.com/news/2020/10/30/130249/menakar-efektivitas-blt-umkm-di-masa-pandemi-covid-19> di akses pada tanggal 05 Juli 2021

<sup>10</sup> . Fadilah Azzahra, *Ibid* Hal 2

Assistance (BPS) (Rp. 600,000), Direct cash assistance (600,000), Cash Social Assistance (BST) (Rp.300,000 Per-4 month), Pre-employment Cards, and electricity discounts by providing incentives for electricity tariffs for customers affected by the Covid-19 pandemic. Overall, these assistances are still being provided to the community.

#### 4. Employee Salary Subsidies

Based on the Regulation of the Minister of Manpower of the Republic of Indonesia Number 14 of 2020 concerning Guidelines for Providing Government Assistance in the form of Salary / Wage Subsidies for Workers / Workers in Handling the Impact of Corona Virus Disease 2019 (Covid-19) Article explained that Government Assistance in the form of Salary / Wage subsidies for Workers / Workers aims to protect, maintain, and improve the economic ability of Workers / Workers in handling the impact of Corona Virus Disease 2019 (Covid-19).

Currently, 15.7 million government recipients initially targeted 13.8 million private employees with incomes below Rp 5 million to receive salary subsidy assistance. Over time, the government increased its target of receiving salary subsidy assistance to 15.7 million employees. As a database using BPJS Employment Data of the Ministry of Manpower and Transmigration using data from BPJS Ketenagakerjaan or BP Jamsostek. Later, BP Jamsostek will work with personnel in each private office to ensure the recipient meets all requirements. The main requirement, namely workers or workers must be actively registered with BP Jamsostek with contributions below Rp 150,000 per month. While the Amount of Assistance Rp 2.4 Million The government assists Rp 600,000 per month for four months to each worker. However, the payment of assistance is made in two stages or Rp1.2 million for each transfer. Thus, the total salary subsidy assistance received by private employees reached Rp2.4 million.<sup>11</sup>

#### 5. Subsidized People's Business Credit (KUR)

The government will provide an additional interest subsidy of People's Business Loans (KUR) of 3% for 6 months of 2021. The government will increase the KUR ceiling in 2021 to Rp253 trillion, an increase compared to the previously set ceiling of Rp220 trillion. The government will continue to spur the distribution of KUR in an effort to encourage and develop MSMEs in order to help equalization and economic growth nationally. The need for KUR for MSMEs to accelerate economic recovery during Covid-19 is quite large, so the target of kur distribution next year is increased. With the increase, there is an additional KUR 2021 interest subsidy budget of Rp7.6 trillion in accordance with the Financing Policy for Micro, Small and Medium Enterprises (MSMEs) for the Implementation of People's Business Credit (KUR) in 2021.

Based on the findings above shows that not all public secretaries get assistance on social security policies due to the impact of the covid 19 pandemic, there are at least four categories that get social security policies, four categories include education, business groups, the general/poor public and employee salary subsidies and their employees' salary subsidies are the main focus of the Government in addition to other aspects during the covid 19 pandemic.

Table 1.1  
Various Social Security Policies Due to Covid 19

No	Policy Categories	Program Type	Sum	Goal
1	Education	Wage Subsidy Assistance (BSU)	Until now the disbursement of BSU is only the first stage with an amount of Rp 3.66 Trillion (Kemendikbud-Risk).	A total of 2,034,732 BSU recipients consisted of 162,277 lecturers at public universities and private universities. Then at 1,634,832 teachers and educators in public and private education units. In addition, BSU is also given to 237,623 library personnel, laboratory personnel, and administrative personnel.
		Internet quota help	In 2020 the government has distributed internet quota assistance to 35.5 million recipients consisting of 29.6 million to be exact 29,647,160 students, 1.9 million teachers (1,909,780), 3.8 million students (3,874,085), and 166,267 lecturers spread throughout Indonesia. Rp 2.3 trillion, September, October, to November 2021 (Kemendikbud-Ristek).	Students, Students, Teachers, and Lecturers
		Ministry of Home Affairs	Rp 479 billion for September, October, and November 2021	Internet data package assistance needs for students, students, and teachers

<sup>11</sup><https://ekonomi.bisnis.com/read/20200828/9/1284191/lima-fakta-subsidi-gaji-karyawan-yang-diberikan-jokowi> di akses 5 Juli 2021

		Internet Quota Assistance	(Ministry of Trade)	
		Single Tuition Fee (UKT) Kemendikbud-Ristek	Odd Semester 2020/2020 is distributed to as many as 453.6 thousand students. Odd Semester 2021 Rp 745 Billion.	Students from State Universities (PTN) and Private Universities (PTS) affected by Covid-19 at Universities Under Kemendikbut-Risk
		Single Tuition Fee (UKT) Ministry of Trade	Rp 169 Billion, Odd Semester 2021. Rp 97.7 billion, Even Semester 2021. Rp 54 billion, Odd Semester 2020 (Kemenag.com)	Students at universities under the Ministry of Religious Affairs
		Cash Assistance Program		For elementary school students and students through the Smart Indonesia Program (PIP)
		School Operational Assistance Fund	The government has allocated a School Operational Assistance Fund (BOS) of Rp 52.5 trillion for 216,662 units of elementary, junior high, high school, vocational, and SLB education in 2021 (Kemendikbud-Risk).	For the provision of non-personnel operating costs for basic education units as implementers of compulsory learning programs.
		Indonesian Smart College Card 2021	Rp 2.5 trillion (KemendikbudRistek)	Rp 2.5 trillion (Indonesia Smart Card Program (KIP) Merdeka Lecture for 200 thousand students continues in 2021. This program is intended for students who want to continue their higher education free of charge.
		Provision of educational cash assistance to school-age children (ages 6-21) who come from poor, vulnerable families		Owners of Prosperous Family Cards (KKS), participants of the Family Hope Program (PKH), orphans, persons with disabilities, victims of natural disasters/disasters
		Help Pesantren, Madrasah, and Quran Education	Rp 2.02 trillion	Pesantren, Madrasah, and Quranic Education
2	Business Group	The assistance of national economic recovery program (PEN) for the MSME sector	In 2020 amounted to Rp 114.81 trillion. In 2021 amounting to Rp 63.84 trillion (Kemenkeu.com)	The government provides Direct Cash Assistance (BLT) of MSMEs or Banpres Produktif Usaha Mikro (BPUM), this is expected to be able to help MSME actors to still be able to run their businesses during the Covid-19 pandemic.
		BLT small micro business	Budget plan Rp11.76 trillion But that has been disbursed Rp11.76 billion	Until June 9, BPUM or BLT UMKM 2021
		Productive Banpres for MSME Working Capital	Rp 28.8 trillion	Helps 12 million small and micro businesses.
		Subsidized People's Business Credit (KUR)	Until July 2021 has distributed Rp140 trillion.	Financing for Micro, Small and Medium Enterprises (MSMEs) for the Implementation of People's Business Credit (KUR)
3	General/People	Family Hope Program (PKH),	Rp 4.6 trillion	Given to the poor
		Program Assistance (BPS)	Rp 5 trillion As of August 2020	Given to the poor
		Direct cash assistance	Rp 4.62 trillion	Poor/ elderly
		Bansos Rice	Rp 3.15 trillion Year 2020	Given to the poor
		Cash Social Assistance (BST)		

		Pre-employment Card	Rp 19.87 trillion in direct village cash assistance has been distributed Rp 17.99 trillion	Realization of Pre-Employment Card 2020 budget
		Electricity discount	Electricity relief assistance of Rp 8.89 trillion in 2020	Incentivizing electricity tariffs for customers affected by the Covid-19 pandemic
4	Employee Salary Subsidies	Salary/Wage Subsidies for Workers/Workers. Employee salary subsidy assistance	Rp 31.2 trillion (Ministry of Finance)	Private employees with income below Rp 5 million

Source: Committee on Covid-19 Handling and National Economic Recovery (KPCPEN)

From the various diversity of social assistance as an effort to realize social security due to Covid 19 in 2020 to 2021, if analyzed based on the distributive concept, all public secretaries have not been touched by government assistance during the Covid 19 pandemic, meaning that there are still Sanderson that must be considered in assisting, such as pregnant women, small children's milk and others. But when viewed from the affirmative concept, all communities both rich and poor have the right to get help, because they all feel the impact of covid 19.

### Various Foundations of the Theory of Legal Justice of Social Security Policy during the Covid 19 Pandemic

Justice is one of the goals of any legal system, even its most important goal. There are still other legal objectives that have also always been the focus of the law, namely legal certainty, expediency, and order. Besides the purpose of the law, justice can also be seen as a value for a good human life, there are four that are the foundation of its importance, namely justice, truth, law, and morals. But of the four values, Plato considers that justice is the highest virtue value.<sup>12</sup>

The question of justice has long been the subject of study and material of thought by philosophers, politicians, and clergy, but when people ask about justice or ask about what justice is, there will be various answers and these answers rarely satisfy the hearts of the people involved or the thinkers who are not involved. Various answers may arise that show that it is very difficult to get a general answer, if the answer or limits on justice are put forward by society then there will be a kind of answer that is very diverse, so it can be said that various formulations about justice are relative formulations. Such difficulties encourage people, especially positivists, to take shortcuts by submitting the formulation of justice to the legislators who will formulate it at their consideration.<sup>13</sup> But even so, it can be classified into several types of justice:

#### 1. Distributive Justice

Distributive justice according to Aristotle focuses on distribution, honor, wealth, and other goods that can both be obtained in society. By the exclusion of mathematical proof, it is clear that what Aristoteles is in mind is the distribution of wealth and other valuables based on the prevailing value among citizens. A fair distribution may be a distribution that is per the value of its goodness, namely its value for the community.<sup>14</sup> Equal rights are viewed by man as a unit or container. It is understood that all persons or every citizen before the law are the same. Propositional equality gives each person what he is entitled to per the ability and achievements that he has done.<sup>15</sup>

In addition, in the term social justice, justice is related to the division of favors and burdens of social cooperation, especially called the State. Therefore in the literature, social justice is often called distributive justice, although the term is not wrong, it should be noted that social justice is not just a matter of economic distribution, but much broader covers the entire moral dimension in political, economic, and all other aspects of society. Indonesian is also known for the expression structural justice that looks at justice, social and individual, more from the perspective of social structure.<sup>16</sup> Save the distributive author in the above concept can be classified into several categories, such as distributive proportionally, distributively equitable, distributive by need, distributive on demand, distributive of the common interest above personal and distributive interests that prioritize others. Because distributive justice can be understood as giving, sharing, channeling, and exchanging, conceptually distributive justice is concerned with the distribution of

<sup>12</sup>.Munir Fuady, (2003) *Aliran Hukum Kritis Paradigma Ketidakberdayaan Hukum*, (Bandung: Citra Aditya Bakti, Hal 52

<sup>13</sup>.Nasution, B. J. (2014). Kajian Filosofis tentang Konsep Keadilan dari Pemikiran Klasik sampai Pemikiran Modern. *Yustisia Jurnal Hukum*, 3(2).

<sup>14</sup>.Suheri, A. (2018). Wujud Keadilan dalam Masyarakat di Tinjau dari Perspektif Hukum Nasional. *MORALITY: Jurnal Ilmu Hukum*, 4(1), 60-68.

<sup>15</sup>. Carl Joachim Friedrich, (2004) *Filsafat Hukum Perspektif Historis*, Nuansa dan Nusamedia, Bandung, Hal 24

<sup>16</sup>. Bur Rasuanto, (2005) *Keadilan Sosial, Pandangan Deontologis Rawls dan Habermas Dua Teori Filsafat Modern*, (Jakarta: Gramedia Pustaka Utama, Hal 6

circumstances and goods that will affect the welfare of individuals both fictional, psychological, economic, and social aspects.

## 2. Affirmative Justice

The concept of affirmative justice is translated into John Rawls's concept of justice which asserts that the program of enforcement of justice with a populist dimension must pay attention to two principles of justice, namely, first, giving equal rights and opportunities to the broadest basic freedoms as wide as the same freedom for everyone. Second, being able to reorganize socioeconomic inequalities that occur so that it can provide mutual benefits. The principle of difference demands the regulation of the basic structure of society in such a way that the inequalities of welfare, income, authority are reserved for the benefit of the most disadvantaged.

If simplified affirmative justice gives as much to everyone without discriminating its performance, meaning the human class in dealing with COVID-19 in all circles, because there are still many members of the community who should get help due to the COVID-19 pandemic. This is the evaluation material of all parties who have a role in handling COVID-19 in this country, such as people who have young children between 1 month to 3 years who need to get nutrition, milk, and so on. Thus overall social security policy due to COVID-19 has not been implemented fairly in the construction of distributive justice or cumulative justice, this is due to the classification of the community and certain parties who must get assistance. Even though the impact of COVID-19 does not see the publicity secretary, so there must be equality in getting help due to COVID-19 that hit Indonesia today.

## CONCLUSION

Based on the results of research and discussion in this writing, it can be concluded that the first Variety of Social Security Policies during the COVID-19 pandemic can be classified into several policies including the Family Hope Program (PKH), Sembako Program Assistance (BPS), Cash Direct Assistance, Cash Social Assistance (BST), Pre-employment Cards, BLT small micro-businesses, BLT Village Funds, Productive Banpres for MSME Working Capital, Employee salary subsidies, and electricity discounts by providing electricity tariff incentives for customers affected by the COVID-19 pandemic, UKT Assistance, internet package assistance for students and students, BSU Lecturers, Pulsa ASN and Kouta are free, as well as other social protection programs. The two foundations of the theory of legal justice against social security policies due to the COVID-19 pandemic show that policies in aspects of education, business groups, communities, and salary subsidies Employees, still considered unable to grasp all elements, although using the approach of distributive justice theory, let alone using affirmative justice theory that sees equality in getting help due to COVID-19. Because the impact of COVID-19 does not see the secretary of the community, so there must be equality in getting assistance due to COVID-19 both rich and poor. The Indonesian government needs a new policy in providing social security due to COVID-19 First people who have young children between 1 month to 3 years who need to get nutrition, milk and so on Second There must be a policy that all secretaries are entitled to help, because the impact of COVID-19 is felt by all circles.

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