

The 2021 Lebaran Homecoming Prohibition Policy by the Government of Indonesia in A State Administrative Law Perspectivea

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ABSTRACT

Officially, the government has banned the people going home on Eid al-Fitr this year. based on Circular (SE) Number 13 of 2021 concerning the End of Idul Fitri 1442 Hijriah Homecoming and Endeavors to Control the Spread of Crown Infection Illness 2019 (Covid-19) Amid the Heavenly Month of Ramadan 1442 Hijri. The Circular Letter is intended to regulate restrictions on community mobility and optimize the functions of the Covid-19 Command Post in Villages / Kelurahan during the holy months of Ramadan and Eid al-Fitr in 1442 Hijriah. The purpose of this circular letter is to prevent an increase in the spread of Covid-19 during the holy months of Ramadan and Eid al-Fitr in 1442 Hijriah. The period of eliminating Eid al-Fitr homecoming in 1442 Hijriah is May 6-17, 2021 and efforts to control Covid-19 are during the holy month of Ramadan and Idul Fitri 1442 Hijriah. Analysis of legal materials is carried out using the content analysis method (centent analysis method) which is carried out by describing the material of legal events or legal products in detail in order to facilitate interpretation in the discussion. The provisions stipulated in the Circular include protocols for eliminating homecoming, prevention and control of COVID-19; socialization; monitoring, control and evaluation; up to sanctions. Based on Circular (SE) Number 13 of 2021 concerning the Elimination of the Idul Fitri 1442 Hijriah Homecoming Day and Efforts to Control the Spread of Corona Virus Disease 2019 (Covid-19) During the Holy Month of Ramadan 1442 Hijriah that the Protocol Provisions for the Elimination of Homecoming, Prevention and Control of COVID -19.

KEYWORDS

policies; prohibition of lebaran homecoming; state administration law

INTRODUCTION

Since January 2020, COVID-19 has tainted more than 2,245,872 individuals around the world. More than 152,000 individuals have been affirmed to have kicked the bucket from this infection. In this manner, it isn't shocking that government pioneers in numerous countries are battling to induce out of the COVID-19 episode with their claim approaches. In China, for illustration, the government has reacted to the Covid-19 episode by giving uncommon wellbeing offices for coronavirus patients, turning sports lobbies, schools and inns into transitory healing centers, conducting rapid-test or polymerase chain response (PCR) on numerous inhabitants to execute the strategy of confining the city (lockdown). In Daegu, South Korea, early discovery through fast tests is carried out en masse with the point of localizing individuals exposed to Covid-19 as a preventive degree to play down

the spread of the crown infection, expel schools and campuses, additionally actualize lockdowns. This too applies to pioneers in Southeast Asian nations. One thing is for beyond any doubt, a few nations have dealt with the flare-up superior than others is something that cannot be denied. Vietnam, for case, has been broadly lauded (counting by the WHO) for their responses and taking care of within the confront of COVID-19. On the other hand, Myanmar overlooks the spread of this infection, when it was found that the infection had spread, the Government of Myanmar advertised an incapable arrangement to contain its spread. This moreover happened in Indonesia. (Leo Agustino, 2020: 254).

Indonesia is the fourth most populous nation within the world, the Indonesian Government's reaction to the emergency has been exceptionally moderate and has the potential to ended up the world's epicenter after Wuhan. Lethargic and wrong arrangements certainly imperil millions of Indonesians. . In a struggle, there's a circumstance where two or more parties confront distinctive interface, this will not create into a debate in the event that the parties feel distraught. as it were feeling disappointed or concerned, the strife will create into a debate when the parties who feel wronged have communicated their disappointment or concern, either straightforwardly to the party deemed to be the cause of misfortune or other parties, all parties can resolve the struggle appropriately, at that point it'll happen. a debate emerges, but in case the inverse happens, the parties cannot concur on the determination of the strife. The issue at that point debate will emerge (Rahmat Ramadhani dan Ummi Salamah Lubis, 2021: 5). This can be apparent, for illustration in January and February 2020, when the infection injured a few cities in China, South Korea, Italy and others; a few nations have received arrangements to closed down transnational human relocation. On the other hand, the Indonesian government has received another approach that looks for to draw in visitors and businesses from nations that are as of now closing their nations to visit (Leo Agustino, 2020: 254).

Officially, the government has banned the people going home on Eid al-Fitr this year. based on Circular (SE) Number 13 of 2021 concerning the End of Idul Fitri 1442 Hijriah Homecoming and Endeavors to Control the Covid-19 Amid the Sacred Month of Ramadan 1442 Hijri, the government clarifies that amid the sacred month of Ramadan and Idul Fitri Year 1442 Hijriah, then community mobility has the opportunity to increase both for religious, family and tourism activities, that opportunities for increasing community mobility will have the risk of increasing the rate of transmission of Covid-19, that the Command Post (Posko) Handling Covid-19 at the Village / Sub-district level has a vital role and function in trying to control the spread of Covid-19 at the micro level, especially amid the heavenly months of Ramadan and Eid al-Fitr in 1442 Hijriah. The Circular Letter is intended to regulate restrictions on community mobility and optimize the functions of the Covid-19 Command Post in Villages / Kelurahan during the holy months of Ramadan and Eid al-Fitr in 1442 Hijriah. The purpose of this circular letter is to prevent an increase in the spread of Covid-19 during the holy months of Ramadan and Eid al-Fitr in 1442 Hijriah. The period of eliminating the Idul Fitri 1442 Hijriah homecoming is May 6-17, 2021 and endeavors to control Covid-19 are amid the sacred month of Ramadan and Eid al-Fitr 1442 Hijriah.

Reflecting on last year that officially the government has banned the people going home on Idul Fitri this year. The ban on going home is based on the Minister of Transportation Regulation No. PM 25 of 2020 concerning Control of Transportation during the Idul Fitri Homecoming Period of 1441 Hijri in the Context of Preventing the Spread of Corona Virus Disease 2019 / Covid-19 (Permenhub No.PM 25 of 2020). The policy will take effect from April 24, 2020. The ban on going domestic is carried out to break the chain of spreading the crown infection. Already, the government had actualized a large-scale social

confinement (PSBB) approach in a number of cities and districts. The ban on going home is a strengthening of the PSBB policy in a number of regions. The previous homecoming prohibition only applied to ASN, TNI, Polri, and BUMN employees. However, President Joko Widodo (Jokowi) said, based on government data, there are still 24% of the people who insist on going home. The 24% figure is a large number if there is movement of people from a number of cities, districts and provinces. Therefore, in its development, the ban on going home is enforced for all levels of society. Article 2 Permenhub No. PM 25/2020 states that the temporary prohibition on the use of land transportation facilities applies to transportation facilities for the purpose of leaving and / or entering the PSBB area; the red zone for the spread of Covid-19; and agglomerations that have been designated as PSBB areas. Violation of these prohibitions will be subject to sanctions in understanding with the arrangements of laws and directions.

Based on the description above, the authors are interested in seeing from the perspective of State Administrative Law related to policies carried out by the Indonesian government. The main problem can be drawn, namely what is the legal basis and substance of the 2021 Eid homecoming prohibition policy by the Indonesian government? And what about the 2021 Eid homecoming ban policy by the Indonesian government from the perspective of state administrative law? The procedure used to collect data in this study is documentation, namely the guidelines used within the frame of notes or citations, explore for lawful writing, books and others related to the recognizable proof of issues in this think about both offline and online. Analysis of legal materials is carried out using the content analysis method (content analysis method) which is carried out by describing the material of legal events or legal products in detail in order to facilitate interpretation in the discussion. (Peter Mahmud Marzuki, 2011:171).

RESULTS AND DISCUSSION

Legal Basis and Substance of the 2021 Eid Homecoming Prohibition Policy By The Indonesian Government

Indonesia is a law state where everything must be based on legal rules so that legal certainty can be found. Legal certainty as aspired to, however, it is seen more as a routine activity (Rahmat Ramadhani dan Rachmad Abduh, 2021: 349). Homecoming is a social phenomenon in Indonesia that occurs every year. Basically, homecoming means going back to your hometown, especially on big days like Eid. The homecoming phenomenon began to become a trend since the development of big cities in Indonesia in the early 1970s. Since the 70s, cities have developed as a source of livelihood as well as a stopover for migrants from various regions. City residents, especially migrants from villages who have migrated for a long time to the city, usually carry out homecoming activities on long and culturally meaningful work holidays such as Eid, Christmas and New Year. From year to year, going home has never been a worrying thing other than the congestion problem. However, in 2020, going home is very worrying because of the COVID-19 pandemic that has also hit Indonesia. Since the first positive case was announced on March 2, 2020, the trend of COVID-19 cases in Indonesia has continued to increase. Based on data released by the Task Force for the Acceleration of Handling COVID-19 as of 8 June 2020, the total number of positive cases in Indonesia has now reached 32,033 cases spread across almost all provinces in Indonesia. The highest number of cases to date is in DKI Jakarta Province with 8,033 cases (25.8 percent) and East Java Province with 5,948 cases (19.1 percent). During the COVID-19 pandemic, big cities were not only a hub for economic activity, but also a node for the spread of COVID-19. High human mobility in urban areas is now a major factor in the spread of COVID-19. Several studies have shown that human mobility

plays a major role in the spread of epidemics. In this context, the homecoming phenomenon is seen as very worrying because it has the potential to spread COVID-19. In Indonesia, Java Island is the most vulnerable area because it has high homecoming activities compared to other regions (Ari Purwanto Sarwo Prasojodkk, 2020: 21-22).

President Joko Widodo officially prohibited homecoming for all Indonesians. This aims to prevent population mobility from one area to another which can increase the risk of spreading Covid-19.4 The prohibition applies throughout Indonesia, especially for the Jakarta, Bogor, Depok, Tangerang, Banten (Jabodetabek) areas, areas that apply social restrictions. Large Scale (PSBB) and the Covid-19 red zone. As is well known, Covid-19 can spread through droplets, and transmission occurs through close contact. Because of this easy transmission, people are advised to maintain physical distance or physical distancing when in public places. This is one of the basic considerations for the government to prohibit homecoming. The problem is not just being close to dangerous fellow travelers, but no one ever knows whether the Covid-19 virus carrier or this carrier can be ticket officers, other passengers, or maybe the travelers themselves. The atmosphere of Eid which is thick with physical friendship must now be delayed in order to reduce movement or movement involving humans from one place to another in order to break the chain of the spread of Covid-19 (Ainaya Nadine dan Zulfa Zahara Imtiyaz, 2020: 280).

Transportation is the development of individuals or merchandise by implies of implies or vehicles from and to topographically isolated places. Everything related to transportation is called a transportation system. The national transportation system is a system of organized transportation consisting of road transportation, rail transportation, stream and lake transportation, crossing transportation, ocean transportation, discuss transportation, and pipeline transportation. The air transportation infrastructure network consists of airports as nodes and air traffic space. The air transportation service network consists of domestic flight routes and overseas flight routes (Sistranas). Air transportation which means a vehicle for moving people or goods by air. Many parties are related to air transportation, among others; air transportation companies, passengers, ground handling, airport operators, the government as the regulator, service users and the communities around the business operate. With the existence of the regulation on the prohibition of going home due to Covid19, it is undeniable that it can cause the transportation system to fail. Disappointment of the transportation framework disturbs the improvement of an zone / city, influences the productivity of the urban economy, indeed other misfortunes moreover result in social issues, destitution, and social envy (Dian Andaka, 2020: 120).

The provisions stipulated in the Circular include protocols for eliminating homecoming, prevention and control of COVID-19; socialization; monitoring, control and evaluation; up to sanctions. Based on Circular (SE) Number 13 of 2021 concerning the Elimination of the Idul Fitri 1442 Hijriah Homecoming Day and Efforts to Control the Spread of Corona Virus Disease 2019 (Covid-19) During the Holy Month of Ramadan 1442 Hijriah that the Protocol Provisions for the Elimination of Homecoming, Prevention and Control of COVID -19 as follows:

- a. Temporary elimination of homecoming for people using arrive, rail, ocean and discuss transportation modes over cities / regencies / areas / nations as an exertion to control portability amid Ramadan and Eid al-Fitr;
- b. Travel for individuals amid the month of Ramadan and Eid Al-Fitr is exempted for coordinations dispersion benefit vehicles and travelers with pressing needs for non-travelers, to be specific work / official travel, visits from debilitated families, visits from dispossessed family individuals, pregnant ladies went with by one family part, and the interface of helped childbirth a most extreme of two people;

- c. People traveling over cities / regencies / areas / nations amid the months of Ramadan and Eid al-Fitr as alluded to in number 2 must have a printed travel allow or an exit / section allow (SIKM) as a condition for traveling with the taking after conditions:
- 1) For employees of government agencies / State Civil Apparatus (ASN), employees of State-Owned Enterprises (BUMN) / Regional Owned Enterprises (BUMD), TNI soldiers, and members of the National Police, attach a print out of a written permit from an Echelon II level official who is equipped wet signature / official electronic signature and identity of the prospective traveler
 - 2) For private employees, enclose a print out of a composed allow from the company administration which is prepared with a damp signature / electronic signature of the company supervisor and the identity of the prospective traveler; and
 - 3) For informal sector workers, attach a print out of a composed allow from the town head / lurah which is prepared with the damp signature / electronic signature of the town / lurah head as well as the identity of the prospective traveler; and For the non-working general public, attach a print out of a written permit from the village head / lurah which is equipped with a wet signature / electronic signature of the village / village head as well as the identity of the prospective traveler.;
- d. The travel permit / SIKM as alluded to in number 3 has three pertinent arrangements, specifically pertinent exclusively, substantial for one circular trip over cities / regencies / areas / nations, and obligatory for grown-up travelers aged 17 years and over. ;
- e. Regulations related to domestic travel as well as international travel during a pandemic will remain in effect during the months of Ramadan and Eid al-Fitr as stipulated in SE Task Force for Handling COVID-19 Number 12 of 2021 concerning Provisions for Domestic Travel during the COVID-19 Pandemic and SE Task Force for COVID-19 19 Number 8 of 2021 concerning International Travel Health Protocol during the COVID-19 Pandemic.
- f. f. Screening of travel allow / SIKM records and negative COVID-19 certificates with RT-PCR test / fast antigen test / GeNose C19 test is carried out at entry entryways or control posts found in rest regions, major city borders, checkpoints and agglomeration area blocking points by members of the TNI / Polri and local governments (pemda);
- g. Optimization of the implementation of the Covid-19 coordination posts for villages / wards during the month of Ramadan and Eid Al-Fitr by all elements / members of the Covid-19 Covid-19 Task Force for villages / wards, covering four functions:
- 1) First, the function of prevention which includes five things, specifically recognizable proof of potential swarm focuses, socialization and observing of the execution of the 3M wellbeing convention (wearing veils, keeping up remove and maintaining a strategic distance from swarms, and washing hands with cleanser or utilizing hand sanitizers), particularly in tourism ranges, places of adore (mosque or musala), or a place for association of other socio-cultural activities; as well as, socialization of the temporary elimination of cross-city / regency / provincial / state mobility for homecoming purposes, limiting social activities at the household level that have the potential to cause crowds, such as family gatherings / gatherings / social gatherings/parties, religious celebrations, routine meetings, and so on; as well as, restricting the entry mobility of cross-

- city / regency / provincial / state immigrants to their regions by screening travel permit / SIKM documents and negative COVID-19 certificates;
- 2) Second, the Handling function, which includes six things, namely ensuring 3T health care (testing, tracing, treatment) for residents who are positively infected with COVID-19 and residents who are in close contact; as well as, travelers are required to carry out self-quarantine for 5 x 24 hours but for the purpose of working on an official trip, visits from sick families, visits from dispossessed family individuals, pregnant ladies who are went with by two family individuals, and the interface of childbirth went with by a most extreme of two individuals. implementing required isolate for trans-city / district / provincial / country travelers for 5 x 24 hours at government facilities or hotels capable of implementing strict health protocol discipline at independent costs; as well as, ensure that cross-city / regency / provincial / country migrants carry out isolate in understanding with appropriate directions some time recently proceeding their travel within the zone, helping within the prepare of giving / conveying social assistance and / or zakat to its citizens within the setting of taking care of financial impacts; and, handle potential social issues such as dismissal, struggle, and community shame which will emerge related to COVID-19.
 - 3) Third, the coaching function includes two things, namely the enforcement of discipline and crowd dispersal directly on the spot for residents who violate 3M's health protocol, and the regulations that were in effect during PPKM Mikro as well as giving strict sanctions for residents who violate the regulations that were in effect during PPKM Mikro .
 - 4) Fourth, the bolster work is carrying out exercises related to recording and reporting logistics, communication support and administration of the village / kelurahan COVID-19 post
 - h. The village / sub-district COVID-19 Command Post and the Posko Task Force proceed to function and carry out their capacities amid the months of Ramadan and Eid al-Fitr;
 - i. The whole community is encouraged to have sahur and break fast with the same family as one house, make virtual friends, and limit physical gatherings with family individuals or other relatives who are not within the same house.
 - j. In the case of Indonesian citizens (WNI) who wish to return to their homeland / repatriation, they are advised to postpone their return to Indonesia during the temporary elimination of homecoming for the period 6-17 May 2021;
 - k. Ministries / institutions / provincial / district / city governments that will force extraordinary criteria and prerequisites amid the month of Ramadan and Eid in their locales, can take after up by issuing lawful rebellious that are in line with and not in conflict with this Circular Letter;
 - l. The SE that regulates the special criteria and requirements as intended is an integral part of this SE.

Sanctions for violations of this Circular Letter will be subject to fines, social sanctions, imprisonment and / or punishment in accordance with statutory regulations. In practice, the imposition of these sanctions has not worked well, for example on road land transportation. There are still many who violate their reckless homecoming out of town, even from and / or to places that are declared the red zone of Covid-19. However, the supervision did not go well because violators were not subject to sanctions in accordance with Permenhub 25/2020. For example, the offender only makes a U-turn to the place of origin. This is

evidenced in one area, namely in Bekasi, West Java, that the Head of the Traffic Corps for the National Police, Inspector General of Police Istiono, said that there was a penalty. the maximum for residents who are desperate to go home during the implementation of Operation Ketupat 2020 is to return them to their respective homes. Thus there is no sanction in the form of a fine (Ainaya Nadine dan Zulfa Zahara Imtiyaz, 2020: 280).

This is deemed inconsistent with what is directed by the government through the Permenhub regulation. There are criticisms that it is better to impose sanctions in the form of a ticket, tipping (minor crime), or Short Criminal Procedure (APS). Minor offenses are criminal acts regulated in Articles 364, 373, 379, 384, 407 and 482 of the Criminal Code, which are punishable by imprisonment for a maximum of 3 (three) months. Referring to the aforementioned provisions, minor offenses are criminal acts where the penalty is imprisonment or imprisonment for a maximum of three months, or a maximum fine of Rp7,500 (with adjustments). cannot contain criminal provisions other than laws and regional regulations (Perda). This is stated in Article 15 paragraph (1) of Law no. 12/2011 that the contents of criminal provisions can only be contained in a law; Provincial Perda; District / City Regional Regulations. In addition, according to criminal law expert Abdul Ficar Hadjar emphasized that this could not be fulfilled because it could not be categorized as a "criminal act", in contrast to traffic law violators. With such a thing, it can be interpreted that the government has attempted to provide sanctions for offenders who are receptive to going home in monitoring the spread of Covid-19. However, in reality, this has not been matched by strict supervision, so that the travelers are still determined to go home. (Ainaya Nadine dan Zulfa Zahara Imtiyaz, 2020: 280).

The 2021 Lebaran Mudik Prohibition Policy by The Government of Indonesia in A State Administrative Law Perspective

In early 2020, the world community was shocked by the COVID-19 outbreak which killed many people in Wuhan City, Hubei Province, China. Several countries responded immediately to the spread of the deadly virus in their own ways. Some have closed human migration routes to and from China, quarantined people who had recently returned from China, and carried out rapid tests in anticipation of the spread. Unfortunately, the Indonesian government is not responsive to the massive spread of COVID-19, which is multiplying by infecting as many people as possible. Although this virus is not as vicious and deadly as severe acute respiratory syndrome (SARS), COVID-19 is attacking more people with a hundred times more total deaths. When the world community is busy anticipating the spread of the corona virus outbreak, the Indonesian government has not prepared anything to deal with and control the spread of COVID-19. The government tends to underestimate this. This, for example, can be seen from the narrative delivered by the Minister of Health in mid-January which stated, "People don't need to panic about the spread of the corona virus, just enjoy it". Meanwhile, a few days later, in early February, the Coordinating Minister for Political, Legal and Security Affairs (Menko Polhukam) claimed that Indonesia is the only major country in Asia that has not had a positive case of the corona virus. These narratives show the Indonesian government's unresponsiveness in dealing with the COVID19 pandemic which at that time had spread to many countries. At the same time, it also illustrates the weakness of the anticipatory and adaptive power of the Indonesian Government's bureaucratic structure in dealing with health problems. The inability of the bureaucracy to respond to rapid changes in health has led to confusion among political elites who are also policy makers to determine policies that are appropriate to the situation and conditions that occur. As a result, negative narratives that appear

compared to narratives are positive and implementative in the case of the COVID-19 pandemic (Leo Agustino, 2020: 258).

When the Indonesian Government affirmed the primary case of COVID-19 on Walk 2, 2020, at that point a few methodologies and arrangements were taken. In any case, it was as well late. A few of these arrangements incorporate prohibiting all flights to and from China; halt giving visas for Chinese citizens to travel to Indonesia; restricting travel to and from nations such as South Korea, Italy and Iran; closed schools, colleges, counting a few government offices and private companies; to shut amusement centers. Duplicating approaches from nations that have succeeded in "straightening the bend" carried out by the Government of Indonesia to control the degree of the spread of COVID-19. This arrangement replication exertion was taken by the Government of Indonesia as a frame of government affectability to arrangements that have been defined and executed and considered fruitful by other nations. In the mean time, on the wellbeing side, the Indonesian government is giving individual defensive hardware (PPE), veils, drugs, changing over a few inns and assembly lobbies into a uncommon clinic for taking care of COVID-19. The Indonesian government is additionally optimizing the COVID-19 test, both through fast tests and through PCR. The objective is that the spread of the crown infection can be localized so that the government incorporates a outline of the dispersion of COVID19 through the comes about of these tests. However, it is true that the number of COVID-19 tests in Indonesia is too small when compared to other countries in Southeast Asia. These policies were taken because the Indonesian Government realized that the COVID-19 outbreak was a national scale disaster that had to be resolved in an extraordinary way. Therefore, it is not surprising that the President of Indonesia issued Presidential Decree (Keppres) Number 12 of 2020 concerning the Determination of Non-Natural Disaster Cause of Corona Virus Disease 2019 (COVID-19) as a National Disaster on April 13, 2020, even though it was very late due to the number of people infected has reached 6,760 people and 590 others have died. The failure to tackle the spread of COVID-19 was evident when President Joko Widodo showed his "anger" at his ministers at the First Plenary Cabinet Session which took place on 18 June 2020. This explains the slow response of the government and the negative narrative (public communication) delivered by the political elite, which created a tsunami wave of COVID-19 in Indonesia. This is because, when other countries have succeeded in tipping the curve of the spread of the corona virus, in Indonesia there has been a very high increase in corona virus infections. As of July 1, 2020 alone (as of this writing), individuals infected or positively exposed to COVID-19 have reached 56,385 people. (Leo Agustino, 2020: 258).

Homecoming Hari Raya, as we all know, is a cultural tradition in Indonesia. Religious holidays in Indonesia cannot be separated from homecoming activities. Homecoming or mulih dilik is an activity that is very popular among Indonesians who work for sustenance in overseas lands. In 2017 and 2018, the total number of Indonesians who went home was more than 20 million people. So it can be said that about 10% of Indonesian people are involved in these activities. Apart from having a high social impact, this homecoming activity also involves the movement of the economic chain whose value reaches 9.7 trillion Rupiah in 2019. So, when the government stipulates a policy to prohibit homecoming trips in April 2020 as a strategic step in handling Covid-19, it will certainly have an impact on millions. Indonesian society, both socially and economically. The policy of banning homecoming eventually raises pros and cons for several reasons. Among them are timing, consistency, and implementation issues in the field. Regarding timing, the policy to ban homecoming was deemed too sudden, which was less than a month before Eid al-Fitr. This is very unfortunate because most people have prepared a homecoming in advance. Many

have had to cancel plans including canceling accommodation bookings as well as vehicle tickets. The consistency of policies related to homecoming is also a problem. This is because the policy that first appeared regarding homecoming was not in the form of a ban but only in the form of an appeal (<https://birokratmenulis.org/larangan-mudik-lebaran-2021-sebuah-overview-kebijakan/>)

This gives an interpretation that going home in that year is allowed on condition that we pay attention to several things. So, many people with various reasons and considerations at that time still decided to go home that year. However, when the government finally changed the appeal policy to a prohibition policy, it would be very unfortunate. This inconsistent policy created the public's perception that the government was not serious. This is the reason for the emergence of subsequent problems, namely related to practices that occur in the field when entering homecoming time. Even though it has been banned, in fact, in the field, not a few are still doing homecoming. This is exacerbated by the lack of efforts to enforce the policy in the field. So, the goal of the homecoming prohibition policy to minimize the spread of Covid-19 was not achieved because there was no strict effort to carry it out. In fact, new clusters of Covid-19 spread in areas that were previously quite sterile.

On March 16, 2021, it was revealed on various media channels that in principle the homecoming trip for the 2021 holidays is not prohibited. The Indonesian Minister of Transportation Budi Karya Sumadi stated that the government does not prohibit going home in 2021. The statement made by the Minister of Transportation is certainly a breath of fresh air both for people who want to celebrate holidays with their families in their hometowns and also for economic actors who are related to the implementation of going home. However, a day after that the government spokesman for the handling of Covid-19 gave a signal that the policy regarding homecoming was not final. This was also supported by the statement of the Head of the Covid-19 Handling Task Force who asked the public to be patient. Furthermore, on March 22, 2021, Vice President Ma'aruf Amin also stated that there had been no decision regarding the implementation of the homecoming. Then on March 26, 2021, the final decision regarding the 2021 homecoming trip was decided. Muhadjir Effendi, as the Coordinating Minister for Human Development said that the homecoming trip in 2021 is prohibited and applies to all levels of society. This decision is a direction from the President and the result of a ministerial coordination meeting. Regarding the process of determining the ban on homecoming travel, there are several interesting things to discuss. First, there are different statements regarding the homecoming policy. Contradictory statements from public officials only days later indicate doubt. Even though the statement regarding the permissibility of going home to the homecoming delivered by the Minister of Transportation has not been realized in a written regulation, but because it has been expressed in the public domain, it will have an impact on the community. Confusion regarding the homecoming policy ended when it was decided that homecoming trips in 2021 were officially banned. The final decision, which is contradictory to the initial issues circulating, has the potential to cause disappointment for people who want a homecoming in 2021.

The last aspect that can be discussed is related to how the policy is implemented. There are two reasons given by the government why the homecoming trip in 2021 is prohibited. The first reason is due to the high rate of transmission and mortality after the long holidays of Christmas and New Year 2020. The second reason is the high percentage of beds occupied in inpatient facilities at health facilities. These two reasons are the basis that the policy to prohibit traveling back and forth must be implemented properly. The government must quickly prepare various strategies so that the homecoming prohibition policy can be

implemented and the desired goals can be achieved. The government can learn from what happened in 2020 when enforcement of policies on the ground was difficult. As an alternative that can be done, namely by issuing derivative regulations related to the total limitation of public transportation modes in the homecoming period in 2021. The only permitted modes of transportation are vehicles carrying goods. The next strategy is to disseminate stronger policies to the public and law enforcers so that the contents and limitations regarding the rules regarding the prohibition of going home can be comprehensively understood. Next is to improve the aspects of supervision and application of sanctions for violations. This is an effort to close the gap for violations of the policy to prohibit going home in 2021.

The implementation of law in everyday people's life has a very important meaning, because what is the purpose of law lies in the implementation of the law. The law must be enforced and enforced. Law enforcement does not merely mean the implementation of legislation, but law enforcement which contains values in accordance with Pancasila and the 1945 Constitution of the Republic of Indonesia. The factors that influence law enforcement are: (Puteri Hikmawati, 2020: 2)

- a. The legal factor itself. In this case, what is meant is a law in a fabric sense, to be specific composed directions that are for the most part appropriate and made by the legitimate central and territorial authorities.
- b. Law requirement variables, specifically the parties who frame or execute the law. The scope of the term "law authority" is exceptionally wide, since it incorporates those who are specifically and by implication included within the field of enforcement.
- c. Facility components or offices that bolster law requirement. These offices incorporate, among others, taught and talented human assets, great organization, satisfactory gear, satisfactory back, and so on.
- d. Community variables, to be specific the environment in which the law applies or is connected. Law requirement comes from society and points to realize peace in society. Society can impact law enforcement.
- e. Cultural components, to be specific the work, creation and taste which are based on human activity in social life.

The Task Force Circular Letter and Permenhub are government policies in accelerating the termination of the spread of the Covid-19 virus. However, the Permenhub feels "arrogant" in the articulation and essence expected by the community. There is a term alomeration which academically has an inaccurate interpretation in articulating the prohibition of going home in areas that do not apply PSBB or in areas that impose PSBB. Therefore, it is hoped that the Permenhub can be re-evaluated and get improvements in terms of articulation and substance. The implementation of the Permenhub on banning homecoming will clearly have an impact on economic growth. This contradicts the events that have been going on for decades, namely traditionalizing homecoming as a culture of hospitality during Eid. However, in essence there is a transformation of economic welfare "shock" of the village population which has a significant impact on economic growth. The main root of the Covid-19 pandemic is health. However, the government's share of attention is still dominant in terms of economic impact alone. Therefore, the government should be wise in solving the Covid-19 pandemic with health experts and public health experts. This is so that the policies taken are not lame and appear "arrogant" (Muhammad Ubaidillah dan Rizqon Halal Syah Aji, 2020: 157).

CONCLUSION

The provisions stipulated in the Circular include protocols for eliminating homecoming, prevention and control of COVID-19; socialization; monitoring, control and evaluation; up to sanctions. Based on Circular (SE) Number 13 of 2021 concerning the Elimination of the Idul Fitri 1442 Hijriah Homecoming Day and Efforts to Control the Spread of Corona Virus Disease 2019 (Covid-19) During the Holy Month of Ramadan 1442 Hijriah that the Protocol Provisions for the Elimination of Homecoming, Prevention and Control of COVID -19.

The last aspect that can be discussed is related to how the policy is implemented. There are two reasons given by the government why the homecoming trip in 2021 is prohibited. The first reason is due to the high rate of transmission and mortality after the long holidays of Christmas and New Year 2020. The second reason is the high percentage of beds occupied in inpatient facilities at health facilities. These two reasons are the basis that the policy to prohibit traveling back and forth must be implemented properly. The government must quickly prepare various strategies so that the homecoming prohibition policy can be implemented and the desired goals can be achieved. The government can learn from what happened in 2020 when enforcement of policies on the ground was difficult. As an alternative that can be done, namely by issuing derivative regulations related to the total restriction of public transportation modes in the homecoming period in 2021.

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