

Assuring Marginalized Groups for Justice During and After the Covid-19 Pandemic

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ABSTRACT

As the Covid-19 spreads globally, all aspects of human beings are affected. The government seemed to take ultimate control of situation to overcome the pandemic. Through all the policies that the government issued in terms of overcoming Covid-19, the progressive marginalized groups have emerged. Following the development of the marginalized group, people started to feel that their rights are being taken away. This phenomenon happens in most countries in the world, including Indonesia. Whereas, the Indonesian government has already prepared facilitations to fulfill the public rights in balancing all the policies that have been made. Conflict is very vulnerable occurring because people do not know about it and assume that the government is neglecting its citizens. This article intends to find ways to achieve legal empowerment for marginalized groups while upholding justice. The previous study used a case study in three different countries to find aspects of legal empowerment. While this research is focusing on one country, Indonesia. The integrative literature review method is used for this research by analyzing related articles, journals, government documents, and news. This research results in four steps of legal empowerment: Lawmaking, Dissemination, Interpretation, and Cooperation (LDIC).

Keywords: *New Normal, Pandemic, Legal Empowerment, Public Rights, Marginalized Group.*

1. INTRODUCTION

The Covid-19 pandemic has changed most aspects of human life. Not only changing the way of life of humans but also changing the movement of people and the way people perceive the government [1]. According to Chakraborty and Maity [2], Covid-19 is the deadliest pandemic and has had a global impact since World War II. Not only affects humans, Zambrano-Monserrate, Ruano, and Sanchez-Alcalde [3] state that Covid-19 indirectly affects the environment. The positive impact of Covid-19 on the environment is improved air quality, clean beaches, and reduced noise. However, the negative impact is an increase in household waste because people spend more time at home. Due to the worldwide spread of COVID-19, the World Health Organization (WHO) declared this pandemic as a global pandemic [4]. Seddighi [5] approved the International Federation of Red and Red Crescent

Societies which categorized Covid-19 as a natural disaster. However, the Indonesian government categorized Covid-19 as a non-natural disaster through Presidential Decree No. 12 of 2020 on the Stipulation of the Coronavirus Disease 2019 (COVID-19) Non-Natural Disaster as a National Disaster [6]. From the two differences of opinion, it can still be taken in common that Covid-19 is a disaster for a country.

In response to all the effects of a pandemic that changes normal life and affects the welfare of society, governments around the world are trying to take control measures called disaster management. This is applied to return the situation back to normal [7]. There have been many government efforts to tackle this pandemic, starting from examining and treating patients, implementing quarantine, tracking people affected by the virus, banning mass gatherings, implementing partial lockdown, and others [2]. However, this is a challenge for the government because it has the potential to lead to

assumptions about authoritarian governance [8]. In October 2020, there was the fifth consecutive anarchist demonstration in Italy's capital, Rome. These activities are based on people who are getting tired of all the restrictions imposed by the Italian government in order to prevent the transmission of Covid-19 [9]. January 2021, Dutch citizens demonstrated followed by the burning of a building to protest against the imposition of curfew restrictions by the government [10]. Conflicts and demonstrations related to government policies in dealing with Covid-19 also occurred in India, Libya [11], Spain, England [12], and Indonesia itself [13].

The demonstrations did not happen without reason. Not all people can survive with the implementation large-scale social restrictions (PSBB) or lockdown. Therefore, anxiety often occurs during times of crisis such as pandemics [14]. Especially since the pandemic began, there has been a phenomenon of hoarding basic commodities at home or panic buying [15] which has caused the price of a product to increase due to scarcity. Thus, newly marginalized groups emerged during the Covid-19 period, which continued to develop along with the time of the pandemic so that it was progressive. Marginalized groups are parties who do not have power in their environment and are disadvantaged [16]. Marginalization can take place in conditions that place individuals or groups differently from their community environment in general [17]. The emergence of newly marginalized groups in Indonesia is indicated by the increase in poverty and unemployment rates in Indonesia. The poverty rate in Indonesia in September 2020 increased sharply from the previous year and was even higher than 2016. The number of unemployed people in Indonesia also touched 2,560,000 people as an impact of Covid-19 [18].

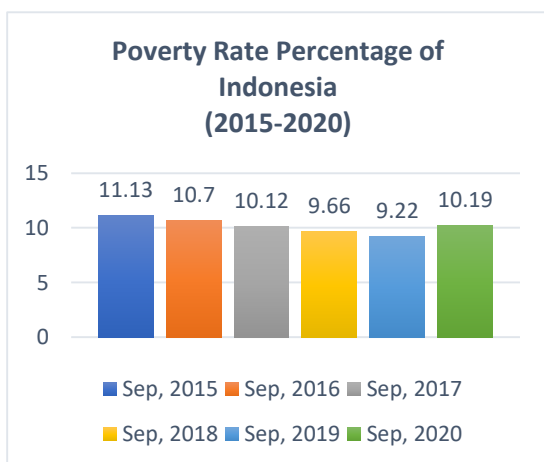


Figure 1 Poverty Rate Percentage of Indonesia (2015-2020)

Source: Central Bureau of Statistics [19]

This shows that there have been several violations of public rights contained in Law Number 39 of 1999 on Human Rights during this pandemic. The right to movement/mobility, (Article 27), the right to feel safe (Article 30), the right to labor (38), and the right to social security for a decent life. (Article 41) [20]. Is it true that the government violates public rights? As a country facing national disasters, Law number 24 of 2007 of Disaster Management states that all levels of government from central to regional are responsible for disaster management in Indonesia [21]. Therefore, the government must take a firm stance, especially in dealing with Covid-19. In fact, the Indonesian government has issued various regulations and policies to help people affected by Covid-19. There are ten social assistance programs as a form of government social protection that were distributed to the community during this pandemic [22]. The important thing is legal empowerment so that the public knows about it. The previous study used a case study of the marginalized groups in three different countries (Argentina, India, and the USA). Each of the countries results in three different elements of legal empowerment. They are translation, trust, and transformation [23]. While this research would be focusing on one country, that is Indonesia, with open access documents as the data resources. Therefore, this research was conducted to find the ways of legal empowerment in support of justice for marginalized groups especially at the time of pandemic and post-pandemic.

2. RESEARCH METHOD

The integrative literature review method is used for this research. The purpose of this method is to critically analyze the literature and emerge with a theory or framework [24]. This research analyzed related documents such as journals, articles, laws and policies, government documents, and news. The use of this literature review methodology has the main goal of combining perspectives and findings from various empirical evidence.

3. FINDINGS AND DISCUSSION

3.1. The Progressive Marginalized Group of the Covid-19 Pandemic

Since the Covid-19 pandemic increased inequality in society [25], marginalized groups have emerged. The emergence of marginalized groups is progressive because it continues to grow along with the spread of Covid-19 in a nation. Progressive is a

condition that shows a phenomenon that continues to occur and is experiencing development [26]. The longer the pandemic, the marginalized groups will also continue to develop and become clearer. Marginalized groups are people who are not included in the cultural, social, economic, and even education that is generally applied [27]. Thus, marginalized groups have no power and are disadvantaged in an environment that tends to be different from themselves. Marginalized groups usually include minority groups of people of different races, sex, sexual orientation, age, use of language, immigration statuses, and even physical limitations. Furthermore, Sevelius et.al. [27] stated that marginalized groups are not only limited to the above categories. In addition, Bowleg [25] stated that one of the most common demographics of marginalized groups is people living in poverty. In economic terms, marginalized groups occur due to the inability to keep up with the use of technology that must be used during this pandemic. Not everyone has the same access and ability to afford the hardware and the internet. In terms of employment, marginalized groups occur due to the absence of people's ability to secure guarantees when a job termination occurs. In terms of security and facilities, marginalized groups occur because they are living in an environment that does not support health protocols (there are no adequate hygiene facilities, and not possible to carry out physical distancing) [27]. The conditions above require policymakers to be able to meet the social, economic, and health needs of all people, including those who are in a disadvantaged situation, namely the marginalized group, now and after the pandemic (new normal) [25].

3.1.1. Informal Workers with Daily Wages

Workers who are part of the marginalized group are workers who depend on daily wages [28]. People with daily wages that work in the informal sector do not have fixed income and job security. Covid-19 has led to job losses and even some who cannot return to their places of origin due to mobility restrictions. This is what has made them become a marginalized group since the pandemic. Informal workers do rely on daily wages to make ends meet, so they do not have more savings for emergencies such as the Covid-19 pandemic which makes them unable to work normally [29].

3.1.2. Workers Who Were Laid-Off

Layoffs are generally carried out due to coercion and efficiency [30]. So basically, layoffs are not caused by employee performance but more often

because of an emergency experienced by the organization as a whole. Workers who are vulnerable to termination are usually relatively young, do not have a college degree, and are new employees (less work experience) [31]. The laid-off phenomenon makes someone become marginalized. In the case of layoffs, it actually happened because the company had already suffered a loss in turnover, so it was forced to reduce the number of employees to save more operational costs. However, employees who were laid off were also disadvantaged because they lost their jobs and income [32].

3.1.3. The Owners and Workers of Micro, Small, and Medium Enterprises (MSME/UMKM)

Since the pandemic, MSME has been the sector that has suffered the most losses. In fact, MSME is a business sector capable of maintaining the consistency of the national economy. As a whole, MSMEs even absorb more workers than large-scale businesses [33]. MSMEs are negatively impacted by the implementation of PSBB so that they have limitations in production activities and promotion space [34]. They lost the ability to support operations and pay employees.

3.1.4. The Owners and Workers of the Tourism, Transportation, and Manufacturing Sector

Tourist visits that have decreased since the beginning of 2020 have contributed to lowering the national economy [35]. This is because tourism activities involve the interests of many people, such as traders and service providers around tourism locations. However, many have had to close their business premises (forced to go out of business), such as tourist attractions, hotels, and travel businesses due to the physical distancing application [36]. The situation that makes everyone have to be at home also causes transportation service providers and the manufacturing industry to experience a crisis.

3.2. Legal Empowerment for Marginalized Groups in Pandemic

Legal empowerment is an effort to make people understand and use the law. In addition, these efforts support communities to recover from rights violations [37]. Thus, through legal empowerment, people can use the law to fight for their rights in all fields such as health, the economy, education, and

security without being hindered by discrimination. Legal empowerment is closely related to two main sectors, namely the law itself and the economic sector [38]. So, legal empowerment also plays a role in improving social welfare. Legal empowerment is the most appropriate way to support marginalized groups in living a state life [39] and eradicating poverty [37]. This is because minority groups are vulnerable to experiencing human rights violations, resulting in marginality [63]. Basically, poverty is not only related to the inability to fulfill daily life and low per capita income. However, poverty can also be viewed from a legal point of view as one of the factors. According to Hartanto et.al [40], poverty from a legal perspective is :

- a. Lack of legal knowledge and awareness
- b. The unavailability of legal assistance when the poor need it
- c. Lack of access to participate in policymaking concerning the benefit of the people at various levels (regional to central).

According to Golub [41], the elements of the legal empowerment concept are:

- a. The use of the law, not only in the form of laws but also policies and guidelines for other mechanisms for marginalized groups
- b. Specifically, the legal basis is made by and for the community in need (marginalized group). So that the design must be able to have a positive impact on society.
- c. Strengthening, legal empowerment activities must be able to give strength to marginalized communities to be able to act of their own will, giving them control over their own lives, so that no outside intervention can interfere with their rights. Legal empowerment must be reflected in the process carried out and the goals achieved.
- d. Disadvantaged (marginal groups), including minorities, the poor, women, and other victims of human rights violations and discrimination.

Human rights enforcement is started with the knowledge of the legal itself. Based on the United Nations Commission on the Legal Empowerment of the Poor (CLEP) the pillar of Legal Empowerment are access to justice and rule of law, property rights, labor rights, and business rights [42]. Each of those

is connected to each other as one framework of legal empowerment. On the other hand, legal empowerment is also a form of government response to areas or populations that experienced conflict (post-conflict) [43]. So, legal empowerment not only aims to alleviate poverty and uphold human rights but also leads to public trust and further coordination between the government and the people. Therefore, there are four steps suggested in this paper to support legal empowerment for marginalized groups especially in the time of a pandemic: Lawmaking; Dissemination, Interpretation; and Cooperation (LDIC):

3.2.1. Lawmaking

Covid-19 transmission between humans is simple via droplets and can infect the respiratory tract [44]. Therefore, this form of prevention of virus transmission is carried out by avoiding crowds and health protocols that can block droplet access to other individuals, such as the use of masks and face shields. To reduce human interaction, the Indonesian government implements restrictions on the mobility of people and goods to certain districts/cities called Large-Scale Social Restrictions (PSBB) based on Government Regulation No. 21 of 2020 [45]. Based on this regulation, the PSBB implementation must cover at least school and workplace activities, religious activities, and activities in public facilities restriction. PSBB is different from lockdown. The lockdown is much more stringent so that residents are completely unable to leave their homes compared to the PSBB. PSBB still permits economic activities to continue operating [46]. However, PSBB causes the community to carry out activities from home, even though not all work can be carried out from home. Informal workers are victims of the implementation of the PSBB which resulted in a lack of income and difficulties to make ends meet [47]. So, PSBB still affects the downturn in the community's economy, although it is not as strict as lockdown,

To mitigate the impact of the PSBB, the Indonesian government has implemented various social assistance programs under legislation [48]. There are 10 government programs have been implemented since the pandemic, there are:

Table 1 Government Social Assistance Programs in Indonesia for Covid-19 Handling

No.	Name of Programs	Form of Assistance	Gov't Budget	Target
1.	Family Hope	Health facility and cash transferred (the amount	Rp37.4 trillion	10 million recipients

	Program (PKH)	is depend on the recipient category (between Rp900,000 to Rp3 million) for 4 times in a year) [49]		(family with a pregnant woman; children of 0-6 y.o.; children in elementary, middle, and high school; elderly, and; people with disabilities) [50]
2.	Staple Food Card	Electronic money/balance to get staple food (Rp200,000/month)	Rp43.6 trillion	20 million recipients
3.	Pre-Employment Card	Online skill training and incentive (Rp600,000/month for 4 months)	Rp20 trillion	5.6 million recipients (job seekers, worker who has been laid-off or lost the job, and workers who need competency development) [51]
4.	Free Electricity Tariff and Discounts	<ul style="list-style-type: none"> Free electricity tariff for 450 VA costumers Electricity tariff discount for 900 VA costumers 	Rp3.5 trillion	<ul style="list-style-type: none"> 24 million recipients of 450 VA costumers 7 million recipients of 900 VA costumers
5.	Special Assistance of Staple Food	10 items of staple food (worth Rp600,000/month for 3 months) [52]	Rp2.2 trillion	2.6 million residents in Jakarta
6.	Staple Food Assistance	10 items of staple food (worth Rp600,000/month for 3 months)	Rp1 trillion	1.6 million residents in Bogor, Depok, Tangerang, and Bekasi.
7.	Cash Social Assistance	Cash transferred (Rp600,000/month for 3 months)	Rp16.2 trillion	9 million households outside Jabodetabek and are not categorized as PKH and Staple Food Assistance recipients
8.	Social Assistance for Village Residents	Cash transferred (Rp600,000/month for 3 months)	Rp21 trillion (allocated from Village Fund)	10 million recipients
9.	Cash Labour-Incentive Program	Cash transferred	Rp16.9 trillion	59,000 workers of Ministry of Villages, 530,000 workers of Ministry of Public Works and Public Housing, and other ministries.
10.	Safety Program by Indonesian National Police	Skill training and incentive (Rp600,000/month for 3 months)	Rp 360 billion	197,000 taxi drivers, bus or truck drivers, and bus conductors

The Family Hope Program (PKH) is also known as Conditional Cash Transfer (CCT). PKH has been implemented in Indonesia since 2007 [49]. However, since the pandemic, this program has been optimized. PKH targets families with certain categories as beneficiaries of assistance based on the Regulation of the Minister of Social Affairs No.1 of 2018 [50]. PKH aims to make it easier for the community to access health and education facilities through the assistance that is distributed. So that this program can improve the quality of life and welfare

of the community. Then, the next program is the Staple Food Card. To be eligible for the Staple Food Card program, previously prospective recipients must be registered with the Ministry of Social Affairs as Beneficiary Families (KPM) and have a Social Welfare Card (KKS), as outlined in Ministerial Regulation Number 20 of 2019 [53]. This program is aimed at meeting the basic needs of the poor. Unlike the previous programs, the Pre-Employment Card is a program that has only emerged since Covid-19 [54]. This program is

implemented based on Presidential Decree Number 36 of 2020 [51]. This program aims to provide training to develop the abilities of people who do not have a job as provisions to have a job or start a business.

Then related to electricity costs, the exemption and discounting of electricity tariffs is a form of realization of the National Economic Recovery program regulated in Government Regulation in Lieu of Law Number 1 of 2020. This program is implemented for six months, from May to October 2020 [55]. Then, various social assistance in the form of cash distributed in the Jakarta, Bogor, Depok, Tangerang, and Bekasi (Jabodetabek) area or outside Jabodetabek is intended to meet the needs of those who cannot return to their hometowns [56]. The allocation of village funds as much as 35% in direct cash assistance is regulated in the Regulation of the Ministry of Finance Number 40/PMK.07 2020 [57]. It also regulates the categories of recipients of village fund social assistance, which are poor people affected by Covid-19 who live in related villages and do not receive other social assistance programs. The Cash For Work Program is a form of empowerment of human resources, natural resources, and the use of technology to support the economy [58]. In its implementation, the Village Cash-Labour-Incentive Program is based on the Joint Decree of the Four Ministers Number 140-8689 of 2017 [59]. Then, the last one is the Safety Program by Indonesian National Police. This program is a form of assistance to people in need accompanied by education and training. The education carried out are related to Covid-19, how to drive safely, how to park, and traffic ethics [60].

Thus, the government has attempted to offset all restrictions imposed through various aid programs. Not only in the form of cash or daily needs as short-term assistance, but also in the form of competency training, education, and the provision of health facilities as long-term assistance. During the Covid-19 era, the government also provided freedom for MSMEs to develop and innovate by utilizing the latest technology. Because after all, the way for MSMEs to survive is to adapt to changing conditions that occur, especially during pandemics and new

normal. MSMEs actually become the informal sector which tends to be more flexible and has many opportunities because any field can be worked on as long as it is balanced with creative ideas [34]. In order to ensure that the available legislation is truly in accordance with what is needed, the law/policies/guidelines-making process should involve the marginalized groups [41]. The way of lawmaking that considers the suggestions from marginalized groups will provide the possibility for the law to be on target. The lawmaking process is the first step in legal empowerment that is most important because legal empowerment will not happen without the existence of law itself.

3.2.2. Dissemination

The second step is law dissemination. Dissemination is the main key to legal empowerment that has the purpose to make people realize their rights under the law. All people including marginalized groups, deserve justice, and justice cannot be realized if individuals or groups are unable to learn about their rights [61]. Supporting that statement, Maru [62] claimed that law and information dissemination is included in efforts to access justice. He said that initiatives from local organizations can maximize the success of information dissemination. In terms of public policy, dissemination means spreading the policy substance widely to stakeholders especially the target group [63]. The target group that supports the policy with in performing its role is the final purpose of dissemination. Since the pandemic, the Indonesian government has inaugurated various legislation in response to Covid-19. Not only that but also the legislation that ensures the protection of marginalized rights (see Table I). Following the pandemic that affected people's lives, people began to spend more time at home, internet became the main means of interaction between people. Based on the Global State of Digital 2021 report by We Are Social and Hootsuite, Indonesia is placed at several high positions among worldwide countries in using the internet and social media [64]

Table 2 Indonesia Position in the Global Digital State 2021

No.	Categories	Place	Notes	World- wide Average
1.	Daily time spent using internet (Average time/day/device)	8 th	8 hours 52 minutes	6 hours 54 minutes

2	Daily time spent using internet via mobile (Average time/day/device)	4 th	5 hours 4 minutes	3 hours 39 minutes
3.	Daily time spent using internet via computer (Average time/day/device)	15 th	3 hours 48 minutes	3 hours 16 minutes
4.	Daily time spent using social media (Average time/day/device)	9 th	3 hours 14 minutes	2 hours 25 minutes
5.	Average number of social media account	3 rd	10.5 million	8.4 million

Table II shows that the Indonesian's use of the internet and social media for everyday life. It also implies that both the internet and social media have great potential to become tools of digital dissemination. This is regarding the quantity of time that Indonesians spend on the internet and social media. As there has been significant growth in technology utilization in the pandemic era, the digital world has become an important part of human life [65].

Nowadays, almost all government and non-government institutions have varied digital platforms that could support the publication of decision-making results. For example, the Cabinet Secretariat of the Republic of Indonesia has a website (setkab.go.id) [66], You Tube channel (Sekretariat Kabinet RI) [67], Instagram (@sekretariat.kabinet) [68], Twitter (@setkabgoid)[69], and Fsebook (Setkab RI) [70]. Kompas Media Group, known well as a television station and national newspaper that serve update news and educational shows also has websites (kompas.tv for television streaming [71], kompas.com for readable news [72], and kompas.id for e-Paper access [73]), UseeTV (Kompas TV) [74], You Tube channel (KOMPASTV [75] and Harian Kompas [76], Instagram (@kompaskom, @kompasgramedia @kompastv, and @hariankompas), Twitter (@KompasTV, @kompaskom, @hariankompas, and Facebook (Kompas.com) [77]. Social media is the most popular form of information dissemination, especially during the pandemic, which is typical with 'quarantine' activities [78]. I

In Indonesia, besides spreading information through social media, it is also popular to do community dedication. It is carried out to provide information to target groups with certain categories and is more open to discussion. Even though the community dedication activity still has to use video conferencing or any other digital platform as

regulated in the Circular of the Minister of Education and Culture number 36962/MPK.A/HK/2020 Of 2020 on Online Learning and Working from Home in the Context of Preventing Corona Virus Disease (Covid-19) [79]. Boyolali University students did the community dedications at Dukuh Ngrancah, Musuk, Boyolali [80]. Most of the people of Dukuh Ngrancah are MSME actors, but they do not have sufficient expertise to market products, especially during the Covid-19 Pandemic that can be classified as a new marginalized group during the pandemic. Therefore, they teach the community intentionally how to market MSME products using online media during the pandemic. The community dedication was also done by Kerawang Singeperbangsa University students to disseminate the policy of stimulus providing of the economy through Financial Services Authority Regulation Number11/POJK.03/2020 on the National Economic Stimulus as a Countercyclical Policy Impact of the Spread of Coronavirus Disease 2019. The activity succeeded in disseminating information about government policies to help MSME actors who previously did not know about them. So, the dissemination step is very important for the law to be known and implemented as it is a legal empowerment.

3.2.3. Interpretation

Interpretation is the third step after dissemination. Dhital and Walton [23] stated that it is needed to transform the law into a language that is more understandable for the community. It will make people easier to accept what they have to do and fight for their rights under the law. Based on Merriam-Webster, interpretation has the same meaning as 'explanation' [81]. This activity is rephrasing the words without changing the original meaning with language that the community can accept [82]. So, the community can get the point and have a lasting memory of it. The local governments,

non-governmental organizations, and mass media in Indonesia often assist the central government in interpreting the issued policies. It is carried out by explaining the requirements that must be met by the community to obtain government assistance. The public can get an explanation regarding the Pre-Employment Card by searching the assistance name program on internet search engines. Soon various official websites and mass media will appear and provide related information (prakerja.go.id, kompas.com, liputan6.com, skillacademy.com., etc.) If people need more information they could directly message the officer via live chat on the website, contact center [83], and Instagram Direct Message feature (@prakerja.go.id) [84].

Interpretation is not only for the community but also for policy practitioners in serving the community. Interpretation activities will provide clarity to the public service and law enforcement sectors to carry out the policy in accordance with regulated technical instructions [85]. Interpretation is very important for practitioners because public sector accountability and judicial reform are included in efforts to provide access to justice [62]. For example, the interpretation activity carried out by Early Childhood Education (PAUD) in implementing the Operational Assistance Program Policy for the Implementation of Education during the Covid-19 Pandemic based on Minister of Education Regulation Number 13 of 2020 on Technical Guidelines for Non-Physical Special Allocation Funds for Operational Assistance for the Implementation of Early Childhood Education 2020 [85]. After the interpretation, division of tasks and realization was carried out.

3.2.4. Cooperation

This last step of legal empowerment has actually been implied in the previous three stages. It is evidenced by the involvement of both the practitioner (government) and the target community (marginalized group) in the implementation of legal empowerment. There are the law-making processes, dissemination, interpretation, and especially at this stage, cooperation. Firstly, the main reason for performing cooperation between the government and the community is to create and maintain trust [86]. Therefore, each side is required to carry out their duties properly in accordance with applicable laws and regulations in order to maintain the trust that has been built as the basis of the relationship. Bouckaert and Van de Walle [87] declared that government performance will result in satisfaction, and satisfaction will lead to trust. The cooperative government can quickly and appropriately respond

to community needs and provide solutions by cooperating with the community [88].

Based on research conducted by Susantyo et. al [89], 93.53% of aid recipients prefer Cash Social Assistance in terms of its usefulness to meet the necessities of life compared to Staple Food Assistance. As a responsive and cooperative government, the Indonesian government has planned to focus on assistance in the form of cash since December 2020 [90][91]. This was realized in January 2021 by continuing to implement the various types of assistance but in the form of cash transferred to the recipient's bank account [92]. There are assumptions that government assistance for marginalized groups can be a chance for individuals to commit corruption [93]. This is also one of the reasons why people do not trust the government and even leads to conflict. Also, Susantyo et. al [89] stated that 69.04% of respondents who received direct cash assistance claimed that they knew people who deserved assistance but did not receive it. This shows that the government must carry out more supervision on the implementation of the distribution of assistance to marginalized groups. Jokowi ensured that cash assistance would not be deducted because it was directly transferred to the recipient's account [92]. He also instructed each minister and regional head involved to carry out direct supervision so that the aid arrived at the right person. Not only the government, the community also has the right to supervise the distribution of government assistance. now the public can reach out to the central government to submit complaints or findings in the surrounding environment through various platforms that the government provides, for example, the JAGA application from the Corruption Eradication Commission (KPK) or reports to the Ombudsman of the Republic of Indonesia [93]. So, in this case, there is a cooperation between the community and the government in supporting legal empowerment.

The government as the organizer has various responsibilities in managing and improving the welfare of its people. The government must ensure that its people do not go hungry and that they can meet their basic needs [94]. However, as part of the state, the community must comply with applicable laws and be able to cooperate with authorized law enforcement officials [71]. Prosperity can be achieved if rights and obligations can be balanced in their implementation [95] because the two elements are bound and inseparable. Respecting the rights of others as a form of obligation is a form of continuous enforcement of human rights in society with the following illustration:

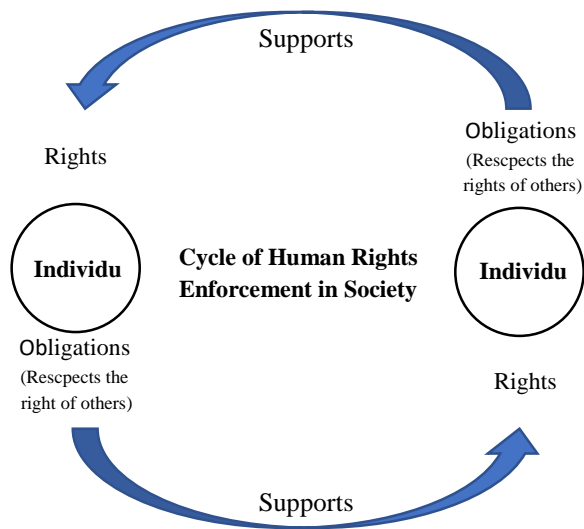


Figure 2 The Cycle of Human Rights Enforcement in Society

From this illustration, it can be explained that when a person performs his obligations, that person supports the fulfillment of other people's human rights. Likewise, that person will get support so that their rights are fulfilled in the presence of other people who respect their rights. Thus, the statement "limiting personal rights by respecting the rights of others" is true. The rights of a person must be limited so that they are not arbitrary and even violate the rights of others. Because humans, as social creatures, cannot act or make decisions based on their own thoughts. However, the results will affect other people around them directly or the wider community indirectly [96]. If each individual has the same sensitivity to exercise his rights and obligations in a balanced manner, then the enforcement of human rights will be fully realized in society. The cycle means that when a person performs their obligations in society, they are indirectly fulfilling their own rights.

During a pandemic, the obligations of Indonesian citizens become even more evident in the health sector [97]. This is due to the Covid-19 pandemic which affects health and threatens the right to life of a person. Rachmawati [96] stated that the implementation of people's obligations to comply with the government in terms of health protocols is a form of state defense as stated in the 1945 Constitution. It is appropriate for the community and the government to work together in efforts to deal with Covid-19 because it involves people's lives. Indonesia as democracy that supports all forms of public appreciation, even in the form of demonstrations. Indonesia as a democracy allows various forms of public appreciation including demonstrations. The legal basis that guarantees the

implementation of demonstrations in Indonesia is Law Number 9 of 1998. In this regulation, the forms of expressing opinions in public that are recognized in Indonesia are in the form of demonstrations, parades, general meetings, and free forums. However, the regulation also strongly criticizes the sanctions that will be applied if a demonstration is carried out in an anarchist manner and contains an insult to something [98]. Especially during the pandemic, the significant emergence of disadvantaged people makes demonstrations unavoidable. In October 2020, Indonesia faced major demonstrations in various regions regarding the public rejection of the Bill on Job Creation. This is done by some people to fight for their rights which are considered to be violated if this law is passed [99]. However, the demonstrations that were held did not apply health protocols and were even anarchist and damaged in nature, burned public facilities, injured officers, and looted [100]. Hundreds of demo participants tested positive for Covid-19 after carrying out this large-scale demonstration [101]. Shouldn't demonstration efforts be used to uphold human rights? However, in this case, this human right was also violated. Both for themselves who are threatened with their health and safety, as well as for others, and also the public facilities built with public money. Anarchist demonstrations are not democracy. Because democracy is closely related to upholding human rights. Demonstrations are allowed during this pandemic but must be able to comply with health protocols and respect the human rights of others [102].

4. CONCLUSION

Pandemics have had a profound impact on the lives of mankind. Its highly contagious and deadly nature makes the government have to be responsive by limiting mobility and human interaction. Restrictions are made to break the chain of virus spread. However, the implemented restrictions actually affected the national economy, causing marginalized groups to emerge. Marginalized groups are those who are disadvantaged and have no power over the environment or situation around them. The emergence of marginalized groups is progressive because it continues to grow along with the Covid-19 pandemic in a nation. There are 4 categories of people that classified as marginalized groups since the pandemic in this paper: 1) daily wage informal workers; 2) laid-off workers; 3) owners and workers of MSME; 4) owners and workers in the tourism, transportation, and manufacturing sectors. These categories are

negatively impacted by the pandemic and have difficulty getting income to meet their daily needs. Therefore, legal empowerment activities are very important to be carried out to ensure that everyone, especially the marginalized groups in this paper, can get justice. The activities of people that use the law to fulfill their rights are known as legal empowerment. There are 4 steps of legal empowerment that are suggested in this paper: Lawmaking, Dissemination, Interpretation, and Cooperation (LDIC). First, the in the lawmaking process, legal empowerment will not happen if there is no law that can provide justice for the marginalized groups. Therefore, a law can meet the needs of people in need by involving marginalized groups in its making process. Second, dissemination, this step is important to inform the people and make them realize the existence of their rights under the law. In this time of the pandemic, digital dissemination using the internet and social media are some effective mediums for disseminating information. Third, interpretation, this step has the purpose of explaining the legislation that has been disseminated. Interpretation activity is the way to transform the law to become more understandable for practitioners and community. Last but not least, cooperative government and community will lead to mutual trust and a strong relationship. The cooperative government can give fast and right responses to the community on demand. In a democratic country, both the government and the community have the right to supervise the law's implementation. Mutual respect rights is also support for legal empowerment. However, further research is needed to fill in the gaps in this research and develop effective ways of legal empowerment for marginalized groups.

AUTHORS CONTRIBUTIONS

The author approves sole responsibility for study conception and design, data collection, analysis and interpretation of results, and manuscript preparation.

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