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## The Application of Gorontalo Provincial Regional Regulation Number 4 of 2020 in the Efforts to Prevent and Control Covid-19 in Gorontalo City

Lani C. Korompot<sup>1</sup>, Fenty U. Puluhulawa<sup>2</sup>, Abdul Hamid Tome<sup>3</sup>

<sup>1</sup> Faculty of Law, Gorontalo State University, Indonesia. E-mail: Lanikorompot29@gmail.com

<sup>2</sup> Faculty of Law, Gorontalo State University, Indonesia. E-mail: Fenty@yahoo.com

<sup>3</sup> Faculty of Law, Gorontalo State University, Indonesia. E-mail: Hamidtome@ung.ac.id

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### ABSTRACT

This article aims to find out how the application of Regional Regulation Number 4 of 2020 in efforts to prevent and control Covid-19. Based on the title raised in this study, the researchers used empirical research methods. The process of collecting data from the object studied in this study was by using interview techniques, document studies, and observation techniques. The application of the Gorontalo Provincial Regional Regulation Number 4 of 2020 concerning the application of Discipline and Law Enforcement of Health Protocols in the Efforts to Prevent and Control Covid-19 has been applied quite maximally by the government under the provisions of the duties that have been set and the authorities that have been coordinated which in this case includes all the efforts needed in handling Covid-19, this affirmation was supported by some information and also exploration carried out by researchers..

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## 1. Introduction

The Indonesian constitution stipulates that Indonesia is a rule of law state, this is stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia.<sup>1</sup> Law enforcement is the most important part of a country which is the main foundation and even has an important position in the legal system. Therefore, with law enforcement, every conflict and dispute in a country can be resolved, conflicts or disputes in each country can be in the form of conflicts or disputes between communities, between communities and the state, as well as between countries and other nations. Therefore, law enforcement is a provision that is inviolable to create a peaceful and prosperous Indonesian state.<sup>2</sup>

Conceptually, the substance or meaning of law enforcement focuses on the act of harmonizing the value bonds described concerning a set of principles that exist in society to maintain and uphold order. Judging from its foundation, law enforcement can be started by supervising, among others, through the role of law enforcers who are the guardian pillars that protect, prevent and destroy various forms of abuse or deviant behavior, both within the community or government, nation, and state.<sup>3</sup>

In the context of state administration, the presence of the division of autonomous regions can make it easier for the implementation of policies that are made as an ideal of benefit in law. In the area of regional autonomy, regional autonomy policies are carried out by decentralizing the authorities that have been centralized in the hands of the central government. In the decentralization process, the power of the central government is transferred from the central level to the local government as appropriate, resulting in a shift of power from the center to regencies and cities throughout Indonesia. This policy and decentralization of authority are considered crucial, especially to ensure that the national integration process can be maintained well.<sup>4</sup>

The application or implementation of laws and regulations or regional regulations that apply in Indonesia is highly dependent on the role of the community and the government itself, this is because the role of the Indonesian people is the main object in the context of law enforcement in Indonesia, especially order. In realizing the law in society, of course, a process is required that cannot be underestimated.<sup>5</sup> Many signs of progress have been made in applying a regulation,

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<sup>1</sup>Ahmad & Novendri M. Nggilu, (2019) "Denyut Nadi Amandemen Kelima UUD 1945 Melalui Pelibatan Mahkamah Konstitusi Sebagai Prinsip The Guardian Of The Constitution" Jurnal Konstitusi, Vol. 16 No.4

<sup>2</sup>Fence M. Wantu, "Idee Des Recht". Yogyakarta :Pustaka Pelajar, 2011, Hal 4.

<sup>3</sup>Ibid Hal 5

<sup>4</sup>Jazim Hamididkk, "Teori & Hukum Perancangan Perda", Malang : UB Press, 2012. Hal 4

<sup>5</sup>Dian E. Ismail dan Yowan Tamu, (2009) "Upaya Perlindungan Hak-Hak Tersangka/Terdakwa Melalui Mekanisme Praperadilan Di Kota Gorontalo" Jurnal Mimbar Hukum, Vol

but in the context of implementation in the field, there were still some basic problems. One of the problems with the legal product referred to is the cancellation of Perda (Regional Regulations) by the Ministry of Home Affairs (Kemendagri) through an executive review mechanism, also known as a judicial review.<sup>6</sup> Not only problems regarding the product of the law itself, but some problems occurred related to its application or implementation to the community, or how the law works in the community.

Today, various kinds of polemics are present in the community so that the role of the community and government is highly expected in law enforcement as well as assisting the success of laws and regulations. On December 31<sup>st</sup>, 2019, the world was shocked by a new and very disturbing polemic, namely Corona Virus Disease 2019, the WHO China Country Office announced a case of lung inflammation or pneumonia where this had no clear main cause and became a new type of coronavirus (coronavirus disease 2019, COVID-19). On January 30<sup>th</sup>, 2020, WHO explicitly declared it as a Public Health Emergency of International Concern (KKMMD/PHEIC).<sup>7</sup>

Coronavirus is one of several viruses that cause disease, starting with mild to severe symptoms. It is stated that there are two types of coronavirus, which are known to cause diseases that can cause severe symptoms, such as Middle East Respiratory Syndrome (MERS) and Severe Acute Respiratory Syndrome (SARS). Currently, the global situation according to data from the Ministry of RI as of March 18<sup>th</sup>, 2020, showed that there were 191,127 confirmed cases of COVID-19 with 7,807 deaths (CFR 4.1%) in 160/region. Meanwhile, the total confirmed cases of COVID-19 in China were 81,007 cases with 3,128 deaths (CFR 3.96%) and 68,860 recoveries (85.9%).<sup>8</sup> The President of the Republic of Indonesia announced the first case of getting two cases of COVID-19 infection in Indonesia on March 2<sup>nd</sup>, 2020. Patients who infected Covid-19 in Indonesia started from an event in Jakarta where the patient was in contact with a foreign citizen (WNA) from Japan who was settled in Malaysia. After the meeting, the patient complained of cough, fever, and shortness of breath (WHO, 2020).<sup>9</sup>

Because the disease spreads rapidly and is very worrying, several government action rules and efforts as a step in handling cases of the Covid-19 outbreak, aim to direct the public to be submissive and obedient as well as bound to avoid this very troubling disease by issuing the Decree of the Minister of Health of the Republic of

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21, No.1, Hlm 82

<sup>6</sup>JazimHamididkk, *"Teori&HukumPerancanganPerda"*, Malang : UB Press, 2012. Hal 6

<sup>7</sup>Ivan Virnanda Amu, *SiagaPenuhTerhadap Covid-19*, Funcodkk (editor) Dalam, *"UNG MeresponPandemiDiskursusTradisi, Pengetahuan, Dan RealitasSosialMasyarakatGorontalo"* (Yogyakarta : BukuLitera, 2020) Hal 3

<sup>8</sup>*Ibid* Hal 3

<sup>9</sup>RirinNoviantiPutri, (2020) *"Indonesia DalamMenghadapiPandemi Covid-19"* ( JurnalIlmiahUniversitas Batanghari Jambi) Hal 705

Indonesia Number HK .01.07/Menkes/382/2020 concerning Health Protocols for the Community in Public Places and Facilities in the Context of Prevention and Control of Corona Virus Disease 2019 (Covid-19). The health protocol is a series of procedures for carrying out activities during the Covid-19 pandemic. According to the Indonesian Ministry of Health, it was said that public places and facilities are places where people carry out all activities or social life activities so that the risk when people gather and community movements can trigger the arrival or transmission of Covid-19.<sup>10</sup>

Indonesia is a developing country and one of the countries with the fourth largest population in the world, therefore it is possible that it will suffer many impacts and can be predicted in a very long period. Considering the impact given by the coronavirus disease 2019 is not only on health factors but also attacks various factors, especially the economy. Gorontalo's economic growth in the first quarter (Q1) of 2020 only grew by 4.06%, hampering compared to the Q1 period in 2019 of 6.75%. Although the decline in Gorontalo's economic growth occurred not only during the Covid-19 pandemic, the past five years have also experienced a slowdown. Nationally, almost all sectors weakened, except for the Financial and Insurance Services Sector, Health Services and Social Activities as well as Information and Communication Services.<sup>11</sup> So the government decided to apply the new normal era. New normal is a phase where there is a change in human behavior as a result of the Covid-19 pandemic, so humans in this case must limit all forms of physical touch and tend to limit touch with other individuals. The entry of the new normal era makes the Indonesian state must be ready with all forms of habits that occur due to the Covid-19 pandemic, in which everyone must be able to live side by side with Covid-19 so that the Indonesian economy can recover.<sup>12</sup>

In applying the enforcement of health protocols, the government has also deployed a team of special units to enforce health protocols, including by deploying the Covid-19 Task Force (SatgasCovid-19) which aims to enforce the health protocols stipulated in Presidential Regulation Number 82 of 2020 concerning Committee for Handling Corona Virus Disease 2019 (Covid 19) and National Economic Recovery, Presidential Decree of the Republic of Indonesia Number 7 of 2020 concerning the Task Force for the Acceleration of Corona Virus Countermeasures which has now been replaced by Presidential Decree Number 9 of 2020 concerning Amendments to Presidential Decree Number 7 of 2020, there are also in the Regulation of the

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<sup>10</sup>Keputusan Menteri Kesehatan RI Nomor HK.01.07/Menkes/382/2020 tentang Protokol Kesehatan Bagi Masyarakat Di Tempat Dan Fasilitas Umum Dalam Rangka Pencegahan Dan Pengendalian *Corona Virus Disease 2019* (Covid-19)

<sup>11</sup> Ivan Virnanda Amu, Siaga Penuh Terhadap Covid-19, Funcodkk (editor), "UNG Merespon Pandemi Diskursus Tradisi, Pengetahuan, Dan Realitas Sosial Masyarakat Gorontalo" (Yogyakarta : Buku Litera, 2020) Hal 32

<sup>12</sup> Bella Mutia Fitridkk, "Penerapan Protokol Kesehatan Era New Normal Dan Resiko Covid-19 Pada Mahasiswa". Riset Informasi Kesehatan, Vol 9, No 2, 2020

Minister of Home Affairs Number 20 of 2020 concerning the Acceleration of Corona Virus Countermeasures in Local Governments<sup>13</sup>, and also in the Circular Letter of the Ministry of Health of the Republic of Indonesia Number HK.02.02/MENKES/56/2020 Regarding the Determination of the Status of the Corona Virus (Covid-19) as a Global Health Emergency<sup>14</sup>.

Due to government policies and efforts to respond to the spread of Covid-19, the task force which in this case prevents deviations from the public who violates health protocols, is the Covid 19 Task Force. In Presidential Regulation Number 82 of 2020 concerning the Committee for Handling Corona Virus Disease 2019 (Covid 19) and National Economic Recovery, article 6 letter A explains that the Covid-19 Handling Task Force has the responsibility to carry out and control the application of a series of concepts based on the government's strategy in handling Covid-19. Then letter B article 6 states that the task force is also tasked with taking over any issues related to strategic policies in handling the coronavirus disease 2019 precisely and appropriately. Furthermore, Article 6 letter C also states that the Covid-19 Task Force will also always participate in monitoring strategic policies related to efforts to handle the virus as well as ensuring and making efforts as well as other methods required for efforts to handle the coronavirus disease 2019.<sup>15</sup>

Regarding the handling of Covid-19 and in economic recovery during the Covid-19 pandemic, the government in each autonomous region has also issued a regional regulation policy regarding the handling of the coronavirus disease 2019, especially the Gorontalo Province which issued Regional Regulation Number 4 of 2020 concerning Discipline Enforcement and Law Enforcement of Health Protocol in the Prevention and Control of Corona Virus Disease 2019 (Covid-19). The regional regulation would be applicable on October 14<sup>th</sup>, 2020.<sup>16</sup>

Based on the description above, the author was interested in discussing this problem by providing an explanation regarding the implementation of the Gorontalo Provincial Regional Regulation regarding the application of the enforcement of health protocols in the Gorontalo City as stipulated in Regional Regulation Number 4 of 2020 concerning Discipline Enforcement and Enforcement of Health Protocols in the Prevention and Control of Corona Virus. Disease 2019 (Covid-19) with the title "**The Application of Gorontalo Provincial Regional Regulation Number 4 of 2020 in the Efforts to Prevent and Control Covid-19 in Gorontalo City**".

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<sup>13</sup>Peraturan Menteri 7 Tahun 2020 Tentang Gugus Tugas Percepatan Coronavirus Pemerintah Daerah

<sup>14</sup>Surat Edaran Kementrian RI 2020, tentang Penetapan Darurat Kesehatan Global.

<sup>15</sup>Peraturan Presiden No 82 Tahun 2020 tentang Komite Penanganan Corona Virus Disease 2019 (Covid-19) dan Pemulihan Ekonomi Nasional

<sup>16</sup>Haris-Humas, "*Pemprov Gorontalo Mulai Sosialisasikan Perda Protokol Kesehatan*" (<https://gorontaloprov.go.id/pemprov-gorontalo-mulai-sosialisasikan-perda-protokol-kesehatan/>, di akses pada 23 Oktober 2020)



## 2. Research Methods

The type of research used by researchers in the preparation of this scientific article was a type of empirical legal research that has an object of study regarding the application of government related to Regional Regulations.

The type of approach used by the researcher was sociological juridical with the process of collecting data from the object studied in this study using interview, observation, and document studies.

The types of data in legal research are divided into two, namely the types of primary and secondary data. Primary data is data obtained through field surveys directly by primary sources such as community members as seen from research.<sup>17</sup>

## 3. Discussion

### **The Implementation of the Gorontalo Provincial Regional Regulation Number 4 of 2020 concerning the Application of Discipline and Law Enforcement of Health Protocols in the Efforts to Prevent and Control Covid-19**

The Corona Virus Disease 2019 pandemic has put Indonesia under quite difficult pressure. The reason is this pandemic threatens a recession and economic crisis in Indonesia. Head of the Fiscal Policy Agency of the Ministry of Finance, FebrioKacaribu said that based on the calculation of the heavy scenario, the Indonesian economy is projected to grow only 2.3 percent this year. While the very heavy scenario could touch -0.4 percent.<sup>18</sup> Given the various obstacles in the sector in Indonesia, the government tries to continue to strengthen policies for handling Covid-19 and accelerate its impact on the economy.

Referring to the various policies issued or published by the government in the context of preventing Covid-19 which in this case can endanger all kinds of aspects in the life of the nation and state which have an impact on many things, the Regional Government also participates to minimize the possibility and negative impact related to Covid-19 by issuing various policies towards its autonomous regions. Of course, the government must also bring order considering the increasing number of deaths and other impacts that are increasingly perceived.

The health protocol is present in the community to prevent and control Covid-19 which includes various things related to the application of the new normal era. Health protocols are like new laws that spread throughout the world so that they are binding, inviolable, and universal. The scope of the health protocol is quite broad, so regulations and policies are made to discuss further to regulate new laws

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<sup>17</sup>SoerjonoSoekanto, *"PengantarPenelitianHukum"*, (Jakarta : Universitas Indonesia, 2014) Hal 52

<sup>18</sup>Pusat Data &Analisa Tempo, *"MelihatDampak Corona BagiSektorEkonomiNasional"* (Jakarta, Tempo Publishing, 2021) hlm 12

to carry out the new normal.

The certain regions that have become Covid-19 red zones have become the focus of the central government, so local governments must quickly respond to this and make policies in the context of enforcing health protocols. Gorontalo Provincial Regional Regulation Number 4 of 2020 concerning the Application of Discipline and Enforcement of Health Protocols in the Prevention and Control of Corona Virus Disease 2019 (COVID-19) is an effort issued by the Gorontalo government. In the context of implementing the Regional Regulation, the Gorontalo government also issued Gorontalo Governor Regulation Number 53 of 2020 concerning the Implementation of Gorontalo Provincial Regional Regulation Number 4 of 2020 concerning the Application of Discipline and Law Enforcement of Health Protocols in the Prevention and Control of Corona Virus Disease 2019 (COVID-19).

There is an obligation for every person or individual as stipulated in Article 9 paragraph (1) of the Gorontalo Provincial Regional Regulation Number 4 of 2020 to prevent and control Covid-19 and become one of the guidelines or new laws for all legal subjects including the community and the government. These individual obligations include:<sup>19</sup>

- a. Applying disciplinary behavior in activities outside the house by implementing health protocols which include:
  1. Washing hands with soap and water or other hand sanitizers;
  2. Using a mask outside the house; and/or
  3. Maintaining the distance (physical distancing)
- b. Applying healthy and clean living behavior in activities;
- c. Maintaining endurance.

There is also an obligation to business actors or organizers of activities/events which has become a new law that is binding on all business actors and activity organizers. These obligations include:<sup>20</sup>

- a. Applying adaptation of new habits in the prevention and control of Covid-19 in activities/businesses
- b. Applying disciplined behavior in the application of health protocols in carrying out activities/businesses which include:
  1. Carrying out cleaning and disinfection of the place where the activity is carried out;
  2. Providing adequate and easily accessible handwashing facilities;
  3. Checking body temperature for all people/visitors who come to the activity/business place;

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<sup>19</sup>Peraturan Daerah Nomor 4 Tahun 2020 Tentang Penerapan Disiplin Dan Penegakan Hukum Protokol Kesehatan Dalam Upaya Pencegahan Dan Pengendalian Covid-19

<sup>20</sup>*Ibid* Peraturan Daerah Nomor 4 Tahun 2020

4. Installing information media containing disciplinary provisions for using masks, maintaining physical distance (physical distancing), washing hands with soap with running water and alcohol-based hand sanitizer; and
5. Limiting the physical distance of at least 1 (one) meter.

The Gorontalo Provincial Regional Regulation Number 4 of 2020 is a legal instrument that becomes the reference for the Covid-19 handling task force, which in this case is the law enforcer in implementing health protocols and is expected to be able to accommodate all provisions that are under the conditions of the Gorontalo community in preventing and controlling Covid-19. The Covid-19 task force is also responsible for anything that is within the scope of the Health Protocol, including violating activities, applying sanctions, and others.

Regarding the implementation of the Gorontalo Provincial Regional Regulation Number 4 of 2020, the government issued Governor Regulation Number 53 of 2020 concerning the Implementation of Regional Regulation Number 4 of 2020 concerning the Application of Discipline and Law Enforcement of Health Protocols in the Prevention and Control of Covid-19. According to Governor Regulation Number 53 of 2020 concerning the Implementation of Regional Regulation Number 4 of 2020 concerning the Application of Discipline and Law Enforcement of Health Protocols in the Prevention and Control of Covid-19 in article 2 explains regarding the implementation of discipline and law enforcement of health protocols, the regional government has the duties of as follows :<sup>21</sup>

#### **A. Conducting Socialization, Counseling, and Disseminating Information on the Prevention and Control of the Covid-19 Outbreak.**

According to an interview with Mr. Dwisandi Abdillah as a nurse at the Gorontalo City Resort Police Polyclinic who is also a member of the Covid-19 Task Force, health workers at the Gorontalo City Resort Police Polyclinic often hold masks distribution activities among the community. In addition, he said that the health staff also often socializes the Health Protocols to certain communities who still lacked knowledge of Health Protocols and provided basic understanding to people who did not know.<sup>22</sup>

In addition, according to an interview with Mr. La Basir as Head of the Operations and Control Section of the Covid-19 Task Force, the Covid-19 Task Force team also disseminates information on certain days on the prevention and control of Covid-19 manually by walking on throughout Gorontalo City using vehicles and

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<sup>21</sup>Peraturan Gubernur Nomor 53 Tahun 2020 Tentang Pelaksanaan Peraturan Daerah Nomor 4 Tahun 2020 Tentang Penerapan Disiplin Dan Penegakan Hukum Protokol Kesehatan Dalam Upaya Pencegahan Dan Pengendalian Covid-19

<sup>22</sup>Wawancara dengan Pak Dwisandi Abdillah, S.KepSelaku Perawat Poliklinik Polres Kota Gorontalo yang tergabung dalam Tim Gabungan Satuan Tugas Covid-19 Pada Tanggal 23 Juni 2021



loudspeakers.<sup>23</sup>

The Gorontalo Provincial Government was given direct duties by the Governor of Gorontalo Province, namely RuslieHabibi, especially the agencies concerned in law enforcement of health protocols, each of which has a function. As is the case with the Gorontalo Provincial Communications and Informatics Service, which is tasked with disseminating information regarding Covid-19 through RRI (Radio of the Republic of Indonesia)Gorontalo, municipal police units, and other joint teams who walk the streets in vehicles with loudspeakers, and take to the streets to enforce health protocol laws. Also, BPBD or Regional Disaster Management Agency which in this case is tasked with preparing all the needs required by certain agencies or institutions involved in countermeasureCovid-19.<sup>24</sup>

Regarding socialization, the Covid-19 task force team and also the GorontaloRegional Police have been carried out for about 9 months to the areas of Gorontalo Regency, Gorontalo City, and Bone Bolango Regency carry out direct socialization to the community to prevent and control Covid-19.In addition, every day the Covid-19 task force team often goes to crowded places and conducts mask raids on the streets or in markets.<sup>25</sup>

Coordination and cooperation in law enforcement has been explained in chapter V article 14 in Regional Regulation Number 4 of 2020 concerning the application of discipline and law enforcement of health protocols in efforts to prevent and control Covid-19, namely as follows:<sup>26</sup>

- 1) The regional municipal police unit carries out law enforcement on the implementation of discipline application and law enforcement of health protocols in countermeasure with Covid-19 in the Region.
- 2) In law enforcement as referred to in paragraph (1) the municipal police units carry out:
  - a) Coordination and cooperation with the Regency/City Municipal Police Unit if a violation of the law is committed by an individual or the person in charge of the activity/business located in the Regency/City area;
  - b) Coordination with the Indonesian National Police, the Indonesian National Armed Forces, and other relevant agencies/institutions.
  - c) Coordination and cooperation in law enforcement as regulated in paragraph (2) is carried out in oral and written forms.

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<sup>23</sup>Wawancara dengan Wawancara dengan Pak La Basir selaku Kepala Seksi Operasi Dan Pengendalian Tim Satuan Tugas Covid-19 Kota Gorontalo pada tanggal 29 Juli 2021

<sup>24</sup>Wawancara dengan Wawancara dengan Pak La Basir selaku Kepala Seksi Operasi Dan Pengendalian Tim Satuan Tugas Covid-19 Kota Gorontalo pada tanggal 29 Juli 2021

<sup>25</sup>Wawancara dengan Wawancara dengan Pak La Basir selaku Kepala Seksi Operasi Dan Pengendalian Tim Satuan Tugas Covid-19 Kota Gorontalo pada tanggal 29 Juli 2021

<sup>26</sup>Peraturan Daerah Provinsi Gorontalo Nomor 4 Tahun 2020 tentang Penerapan Disiplin Dan Penegakan Hukum Protokol Kesehatan Dalam Upaya Pencegahan Dan Pengendalian Covid-19

Regarding the implementation, according to an interview with Mr. BudiyantoHaluti, S.IP as secretary for the inquiries and investigations of the Covid-19 Task Force, theMunicipal Police Units of Gorontalo City team, that the coordination, the Covid-19 task force team was led and directed directly by Mr. AKBP SukaIrawanto as the chief of the GorontaloCity Resort Police every Thursday night, Sunday nightand also certain days would go directly to the field and enforce the health protocol law which has been partially violated by the people of Gorontalo City. Therefore, researchers also joined in to follow directions and see events in the field related to the enforcement of health protocols.<sup>27</sup>

The rally would be held at 21.00 Central Indonesia Time (WITA) at the Gorontalo City Resort Police with the Covid-19 Task Force which already consists of joint agencies so that after the rally they would go directly to the streets using cars and other special vehicles to enforce the Health Protocol. The route that would be taken by the Covid-19 task force started from *TarunaRemaja*, several cafes and restaurants would be commemorated regarding the Health Protocol by the Covid-19 task force team. After that, continued on PandjaitanStreet where there were so many motorbike communities crowding, and continued to some cafes on PandjaitanStreet which were bustling and had more capacity than what was determined by the government. And continued to DuaSusunStreet (JDS) where there were so many coffee shops and hangout places. After that Kalimantan Streetcontinued to Agussalim and back to Sudirman Street. After that, the Covid-19 task force would again gather at the Gorontalo City Resort Police to re-evaluate.

## **B. Conducting Examination, Tracking, Isolation, and Treatment of Patients**

The Gorontalo City Government, especially the Covid-19 task force team and health workers work together in taking action against Covid-19 patients. According to an interview with Mr.DwisandiAbdillah as a nurse at the Gorontalo City Resort Police Polyclinic who is also a member of the Covid-19 Task Force, that to ensure that health protocol law enforcement runs optimally, in its application the Covid-19 task force team always conducts direct swab tests where there are many violators especially the business actors involved in it. Business actors who will be swab tested will be forced to do so and if they have positive results it will allow them to be immediately isolated and detained as Covid-19 reactive patients.<sup>28</sup>

Regarding self-isolation it is no longer applied, if there are positive people, they will be directed to the Gorontalo City Hajj Dormitory as a centralized isolation or quarantine center. This is because self-isolation was known to not allow it to run

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<sup>27</sup>Wawancaradengan Pak BudiyantoHaluti, S.IP selakusekretarisbidangpenyelidikanandpenyidikanSatuanTugas Covid-19 timSatpol PP Kota Gorontalo padatangal 16 Juni 2021

<sup>28</sup>Wawancaradengan Pak DwisandiAbdillah, S.KepselakuPerawatPoliklinikPolres Kota Gorontalo yang tergabungdalam Tim GabunganSatuanTugas Covid-19 PadaTanggal 23 Juni 2021

effectively if it is carried out by an undisciplined community and can potentially be transmitted to other people. Due to the higher positive numbers, Gorontalo Governor RuslieHabibi took action with the Eljie Hotel Gorontalo to accommodate Covid-19 patients as a place for isolation.<sup>29</sup>

Health workers who in this case are the frontline in dealing with Covid-19 also always provide treatment related to those exposed to Covid-19, which are required to be good examples for the community to adhere to health protocols more. Health workers at the Gorontalo City Resort Police, for example, often hold socialization with fellow members to disseminate Health Protocols to certain communities and provide basic understanding and treatment to people with mild symptoms of Covid-19.<sup>30</sup>

### C. Supervising the Travel of People Entering the Area

According to an interview with Mr. La Basir as the Head of the Operations and Control Section of the Covid-19 Task Force, that to countermeasure the spread of Covid-19 more effectively, the Gorontalo City government is also still maintaining the limitation of people who enter the area, especially through the air or landroute, especially through the waters of the Gorontalo port because the waters of the Gorontalo port are very possible places for the spread of Covid-19. Therefore, the government, especially the Covid-19 task force team, has anticipated conducting a rapid test or antigen swab for anyone who enters the Gorontalo area. There is also a flow of prevention from entering the Gorontalo area in the management of Covid-19 prevention, which is as follows:<sup>31</sup>

According to an interview with a student who has the domicile, BolaangMongondowRamdhanyLatoale, that there is still a land route that involves several police units and special units checking people in and out of the area. However, for August 2021, the guard was no longer as tight as in the previous months.<sup>32</sup>

### D. Conducting disinfection, Decontamination, and or Detraction of Goods and or Transportation Facilities

According to Mr. La Basir as the Head of the Operations and Control Section of the Covid-19 Task Force, carrying out disinfection, decontamination, and or detraction of goods or transportation facilities is the duty of the Department of Transportation.

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<sup>29</sup>Wawancaradengan Pak DwisandiAbdillah, S.KepselakuPerawatPoliklinikPolres Kota Gorontalo yang tergabungdalam Tim GabunganSatuanTugas Covid-19 PadaTanggal 23 Juni 2021

<sup>30</sup>Wawancaradengan Pak DwisandiAbdillah, S.KepselakuPerawatPoliklinikPolres Kota Gorontalo yang tergabungdalam Tim GabunganSatuanTugas Covid-19 PadaTanggal 23 Juni 2021

<sup>31</sup>WawancaradenganWawancaradengan Pak La BasirselakuKepalaSeksiOperasi Dan Pengendalian Tim SatuanTugas Covid-19 Kota Gorontalo padatanggal 29 Juli 2021

<sup>32</sup>WawancaradenganRamdhanyLatoaleselakuMahasiswaLuar Daerah yang MelintasiPerbatasanProvinsiGorontalopadatanggal 20 Agustus 2021

As we know, disinfection has been applied in all sectors in Gorontalo City, especially for goods or transportation facilities.<sup>33</sup>

Installation of disinfection booths has been provided in public places in Gorontalo City, as well as by spraying disinfection of certain goods that allow the transmission to occur. Likewise means of transportation. Regarding the area of disinfection spraying, it includes vehicles, goods contained in them, even to the people who are in the vicinity. Regarding the location of the spraying, the teams that carried out the spraying included places to enter the Gorontalo area, malls, hospitals, health centers, and also several other places that caused crowds.

Because the purpose of disinfection is to decontaminate viruses or bacteria starting from the surface on objects, based on this the disinfectants that are usually used are destructive chemicals. All chemical disinfectants are dangerous, it is possible to pose a danger to both the environment and human health but if these are not used according to the information.<sup>34</sup>

The implementation of disinfection to anticipate and transmit Covid-19 amidst an outbreak is very serious, whether applied by the government or the private sector as well as open education. The use of disinfection in open areas is still not under the provisions/recommendations in the convention for the acceleration of the prevention of Covid-19 (especially the anticipation of transmission). Based on the strategy (spraying), the target of disinfection (frequently touched objects), and the disinfectant used (disturbing); can affect the hazard and pose a risk to society.<sup>35</sup>

#### **E. Providing Vaccination, Prophylaxis, Referral, Disinfection, and Or Decontamination of People according to Indications**

Vaccines are organic substances containing antigens (substances that can strengthen the immune system to produce antibodies as a resistance framework) that are implanted into the human body that can increase the immune system or human body resistance. The purpose of the antibody itself is to reduce the transmission of Covid-19, reduce pain and mortality due to Covid-19, create group resistance in the community, and secure the community from Covid-19 so that there will still be:<sup>36</sup>

- Sinovac Biotech Ltd,
- PT. Bio Farma,
- Astra Zeneca,
- Sinopharm,

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<sup>33</sup>Wawancara dengan Wawancara dengan Pak La Basir selaku Kepala Seksi Operasi Dan Pengendalian Tim Satuan Tugas Covid-19 Kota Gorontalo pada tanggal 29 Juli 2021

<sup>34</sup>Eva Laelasari dkk, "Pelaksanaan Disinfeksi Dalam Pencegahan Penularan Covid-19 Dan Potensi Resiko Terhadap Kesehatan Di Indonesia" *Jurnal Ekologi Kesehatan*, Vol 19, No 21, 2020. Hlm 13

<sup>35</sup>*Ibid* Eva Laelasari dkk, hlm 16

<sup>36</sup>Harris Iskandar dkk, "Pengendalian Covid-19 Dengan 3M, 3T, Vaksinasi, Disiplin, Kompak, Dan Konsisten Buku 1", (Satgas Penanganan Covid-19, Jakarta, 2021) Hlm 20

- Moderna,
- Pfizer-BioNTech,
- Novavax.

According to the Regional Secretary (Sekda) of Gorontalo Regency, Mr. Darda Daraba in a coordination meeting and assessment of the use of Covid-19 inoculation and the use of testing, tracing, treatment (3T) at the Gorontalo Region level organized by the Gorontalo Health Service at the Grand Q Hotel Gorontalo that the Covid-19 vaccine is an effort to reduce the transfer or transmission of Covid-19, reduce the gloom and death due to Covid-19 as well as achieve resistance in community clusters (herd immunity).<sup>37</sup>

The first injection of the vaccine was held in Gorontalo City on January 13<sup>th</sup>, 2021 simultaneously with other regions. 3 groups were vaccinated for the first time, namely regency/city government officials, health workers, and religious leaders. Currently, the application related to vaccinations has been run optimally in all areas in the Gorontalo Province.<sup>38</sup>

#### F. Application of Sanctions

According to article 11 in Governor Regulation Number 53 of 2020 concerning the application of Regional Regulation Number 4 of 2020, it is explained that the Municipal Police units record the names, addresses, and Municipal Police units Gorontalo City that violators in Gorontalo City Population Registration Numbers for violators of the provisions of this Governor Regulation to be entered into the Covid-19 database.<sup>39</sup> And according to data from September 2020 to July 2021 reached 3,700 violators from the total data until 2020 the number of residents in Gorontalo City was 198,539 according to the Gorontalo Statistics Agency Data Center.

Therefore, the percentage of violators in Gorontalo City when compared to the total population did not reach 10% of the number of violators in Gorontalo City. According to data on violators, the most violators in the Municipal Police units Gorontalo City were college students. According to an interview with one of the Covid-19 task force team, Mr. Serda Nasarudin from the Indonesian National Military-Land Force Military District Commander 1904 team, it was the college students who mostly filled all public places such as cafes and also other activities such as crowding the streets or in a certain place. In this regard, of course, it is

<sup>37</sup> Nancy Pambengo, Dinas Kesehatan Provinsi Gorontalo, "Darda Daraba : Sinkronisasi dan Analisis Data Penting Menggambarkan Situasi Saat Ini" (<https://dinkes.gorontaloprov.go.id/darda-daraba-sinkronisasi-dan-analisis-data-penting-menggambarkan-situasi-saat-ini/>) di akses pada 13 Juli 2021

<sup>38</sup> Wawancara dengan Pak La Basir selaku Kepala Seksi Operasi Dan Pengendalian Tim Satuan Tugas Covid-19 Kota Gorontalo pada tanggal 29 Juli 2021

<sup>39</sup> Peraturan Gubernur Nomor 53 Tahun 2020 tentang Pelaksanaan Peraturan Daerah Nomor 4 Tahun 2020 tentang Penerapan Disiplin Dan Penegakan Hukum Protokol Kesehatan Dalam Upaya Pencegahan Dan Pengendalian Covid-19



contrary to the provisions of Regional Regulation Number 4 of 2020 which requires each individual to keep their distance and also gather together.

The policy regarding crowding is indeed one of the things that is underestimated by the community, this is under a survey of community compliance with health protocols conducted by researchers who stated that physical distancing is one of the most difficult provisions for the community to adhere to, especially the college students. According to data from the Municipal Police Unit, it also showed that physical distancing is the provision that is most often violated, especially in places of business and other activities.

In every policy issued by the government, of course, there will be conflicts and even pros and cons among the community, especially the community who perceived the impact of the policy. As is the case with the provisions of the health protocol which was only applied on June 15<sup>th</sup>, 2021 in Gorontalo City, namely the Application of Community Activity Restrictions (PPKM) which the government continues to extend to reduce the positive number of Covid-19 which has recently increased. This is stated in the Instruction of the Minister of Home Affairs Number 6 of 2021 concerning the Extension of the Application Restrictions on Micro-Based Community Activities and Optimizing the Handling Post for Corona Virus Disease 2019 at the Village and Sub-District Levels to Control the Spread of Covid-19.<sup>40</sup>

This has resulted in several stricter applications of health protocol provisions by the government, namely limiting community activities until 21.00 and forcing the closing of some places of business or places of activity, and closing some places of business that are still operating at that time. Therefore, this is contrary to people's habits and becomes one of the provisions that are difficult to accept in the community, causing so many cons compared to the pros. However, in this case, the community cannot take any action with these provisions even though they have a negative perspective. Agree or disagree, the community is forced to obey for the common good.

According to an interview with Mr. Malik Dzulqarnain as the owner of one of the cafes that the Covid-19 Task Force often visits, namely Kings Cafe Gorontalo, that they strictly complied with and carried out procedures from the government regarding health protocols. However, in this case, there were still cons in government regulations, namely operating hours are limited until 21.00. This is contrary to the cafe's operating hours, which only operate at night, where visitors are very dominant at 9 and 10 pm. Therefore, the cafe owner hopes that the policy from the Covid-19 Task Force team can a little loosen up regarding operational time

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<sup>40</sup>Tempo "PPKM Mikro Gorontalo Diperpanjang Hingga 28 Juni" (<https://nasional.tempo.co/read/1475078/ppkm-mikro-gorontalo-diperpanjang-hingga-28-juni/full&view=ok>) diakses pada 21 Juni 2021

but still carry out the health protocol rules.<sup>41</sup>

In this regard, the Regional Regulation Number 4 of 2020 article 9 letter a number 3 which states maintaining physical distancing, but in this case, it becomes a legal boomerang for the government itself. According to an interview with one of the community members, Mr. Anton Abas as the owner of a photocopy business in Gorontalo City, he stated that some people were very opposed to the task force teams who came together to enforce the health protocol law, while in this case, the task force team forbade people to gather.<sup>42</sup>

However, sanctions related to violations should apply to all legal subjects, the government should take over as a good example for the community. Based on this, the implementation of Regional Regulation Number 4 of 2020 has been worked quite well regarding its application in the community, but within the scope of the government, it still has to be considered because in its implementation the task force still often gathers together which of course contradicts the provisions of the health protocol, namely physical distancing.

Applications related to sanctions for individual violators and business actors/activities have been described in Governor Regulation Number 53 of 2020 concerning the implementation of Regional Regulation Number 4 of 2020 concerning the application of discipline and law enforcement of health protocols in efforts to prevent and control Covid-19 in Chapter II which explains related to sanctions are as follows:<sup>43</sup>

- 1) Anyone who violates the obligations as referred to in Article 6 shall be subject to administrative sanctions in the form of:
  - a. Verbal warning;
  - b. Written warning;
  - c. Social work by cleaning public facilities; and/or
  - d. An administrative fine of IDR. 150,000.00 (one hundred and fifty thousand rupiah).
- 2) The verbal warning as referred to in paragraph (1) letter a, shall be imposed the first time the violation is committed.
- 3) The written warning as referred to in paragraph (1) letter b, shall be imposed after the violator has received an oral warning.
- 4) Social work as referred to in paragraph (1) letter c, shall be imposed after the violator has received a written warning.

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<sup>41</sup>Wawancara dengan Pak Malik Dzulqarnain selaku Pemilik Kings Cafe Gorontalo Pada Tanggal 23 Juni 2021

<sup>42</sup>Wawancara dengan Pak Anton Abas selaku Masyarakat Dan Pemilik Usaha Fotocopy di Kota Gorontalo pada tanggal 22 Juni 2021

<sup>43</sup>Peraturan Gubernur Nomor 53 Tahun 2020 tentang Pelaksanaan Peraturan Daerah Nomor 4 Tahun 2020 tentang Penerapan Disiplin Dan Penegakan Hukum Protokol Kesehatan Dalam Upaya Pencegahan Dan Pengendalian Covid-19

- 5) The social work as referred to in paragraph (4) is carried out at the location where the violation occurred no later than (2) hours by wearing an attribute that is written "violators of the Covid-19 health protocol".
- 6) If the violator does not carry out the social work as referred to in paragraph (4), he/she shall be subject to an administrative fine.

According to an interview with one of the Covid-19 task force teams, Mr. Taufiq as the Rapid Response Team in the Regional Countermeasures Agency who is part of the joint Covid-19 task force team, he explained that regarding the application of sanctions, the Covid-19 task force team always carried out sanctions under the regulations that have been stated in Regional Regulation Number 4 of 2020.<sup>44</sup> The application of sanctions against violators of the Health Protocol was under what was described in the Governor's Regulation Number 53 of 2020. Examples of concrete evidence are in the *UpnormalCafé* and *TitikTemuin* Gorontalo City, which was temporarily closed due to violations of health protocols.<sup>45</sup> However, these efforts did not have a deterrent effect on violators, but only a small part. Only big places like *UpnormalCafé* and *TitikTemu* were often found to be violated.

Ensuring that the health protocol of law enforcement runs optimally, the researcher observed and went directly to the task force team and in the application, the Covid-19 task force team always held a direct swab test where there were many violators, especially the business actors involved in it. Business actors who would be swab tested would be forced to do so and if they have positive results it would allow them to be immediately isolated and detained as Covid-19 reactive patients.<sup>46</sup>

Regarding the implementation or application of administrative fines, according to Mr. BudiyantoHaluti as secretary for the inquiries and investigation of the Covid-19 Task Force of the Municipal Police Units Gorontalo City team, after the imposition of administrative fines, a Certificate of Administrative Fines (SKDA) and an inspection report will be issued based on evidence of violations and given to violators of health protocol discipline. Administrative fines can be deposited in cash or non-cash and the administrative fines will be deposited into the Regional Treasury.<sup>47</sup>

Of course, with the provision of these fines, the community and business actors will be increasingly afraid to violate health protocols. The need for awareness of one's

<sup>44</sup>Wawancara dengan Pak Taufik selaku Tim Reaksi Cepat Tim Satuan Tugas Covid-19 Badan Penanggulangan Bencana Daerah pada tanggal 3 Juli 2021

<sup>45</sup>Wawan, Hulondalo "Langgar Protkes, Dua Cafe Di Kota Gorontalo Ditutup" (<https://hulondalo.id/langgar-protkes-dua-cafe-di-kota-gorontalo-ditutup-sementara/>) di akses pada 11 Desember 2020

<sup>46</sup>Wawancara dengan Pak Taufik selaku Tim Reaksi Cepat Tim Satuan Tugas Covid-19 Badan Penanggulangan Bencana Daerah pada tanggal 3 Juli 2021

<sup>47</sup>Wawancara dengan Pak Budiyanto Haluti, S.IP selaku sekretaris bidang penyelidikan dan penyidikan Satuan Tugas Covid-19 tim Satpol PP Kota Gorontalo pada tanggal 16 Juni 2021

health is a major factor in the success of the health protocol. It's not about how to obey the government, but how we try to protect ourselves from various kinds of diseases. According to an interview with one of the cafes in Gorontalo City, *Babe Cafe*, that they have complied with most of the health protocol provisions because the fines determined by the place of business do not allow them to benefit from the place of business during the pandemic.<sup>48</sup>

Based on the explanation above, the implementation or application of Regional Regulation Number 4 of 2020 concerning the Application of Discipline and Law Enforcement of Health Protocols in the Prevention and Control of Covid-19 in Gorontalo City has been maximal in its application and was very capable of countermeasure with Covid-19. However, in this case, the pros and cons would never escape in the world of society and there would even be differences of opinion among the elite (officials).

Since the beginning of the emergence of the coronavirus disease 2019 problem, it has caused many pros and cons in society until now. Although all legal instruments made by the government are can be able to accommodate current conditions, especially in the Gorontalo Region, in its application, there would still be many obstacles and all forms of abuse. The Gorontalo government also hopes that for the common good it urges to comply with all existing health protocol provisions and also the community can take part in strengthening the enforcement of health protocols, because in this case, the root of success in the realization of a policy is to carry out tasks optimally and well as a society or government. The cooperation that is built both between the village government and between the village government and the community is the most decisive factor.<sup>49</sup>

#### 4. Conclusion

The application of Regional Regulation Number 4 of 2020 concerning the Application of Discipline and Law Enforcement of Health Protocols in the Efforts to Prevent and Control Covid-19 in Gorontalo City has been maximal in its application, the government has made considerable efforts to apply the health protocol law, supported by data and several actual information and interviews conducted by researchers. Starting from conducting socialization, counseling, and disseminating information on the prevention and control of the COVID-19 outbreak. Conducting examination, tracking, isolation, and treatment of patients. Conducting disinfection, decontamination, and/or detraction of goods and/or means of transportation. Providing vaccination, prophylaxis, referral,

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<sup>48</sup>Wawancara dengan Karyawan Babe Kafepada tanggal 25 Juli 2021

<sup>49</sup>Weny A. Dunga, Abdul H. Tome, Apriyanto M, (2018) "*Penerapan Prinsip Good Governance Dalam Tata Kelola Pemerintahan Desa Di Kecamatan Telaga Jaya Kabupaten Gorontalo*" *Jurnal Ilmiah Hukum*, Vol. 11, No. 1

disinfection, and or decontamination of people according to indications. As well as supervising the tracking of people entering the area.

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