

Restoring Social Justice Through Legal Literacy and Digital Ethics after Covid-19 Pandemic in Indonesia

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Abstract. This study will discuss access to social justice for the poor and marginalized during the Covid-19 pandemic. The post-pandemic socio-economic recovery policy is reviewed from the perspective of the religious welfare state based on three pillars of welfare, health, education and economy—this research using the normative juridical research method. And a statute approach, a case studies approach, and a hermeneutic approach. The normative juridical research method was chosen, with a statute approach, a case studies approach, and a hermeneutic approach. The results confirm that post-pandemic socio-economic policies have not been able to create harmony between social justice and social welfare through equal distribution of resources so that socio-economic disparities in the community can be reduced. Coexistence of arrangements and institutions for education guarantees, health insurance, and economic welfare guarantees, after the Covid-19 pandemic is needed to restore social justice through legal literacy & digital ethics as a collective action, to the extension of mutualism, and the growth of solidarity.

Keywords: *Social Justice, Legal Literacy, Digital Ethics, Covid-19.*

1 Introduction

The COVID-19 pandemic and advances in information and communication technology have transformed globalization in a new perspective, demanding quick social changes. Disruption in various fields of people's lives should realize the progress of civilization and justice in a just manner. The health crisis of the COVID-19 pandemic has created people's vulnerability to economic shocks, mainly due to extensive informality, lagging skills and low social security coverage. Reforms in education and skills, employment, market regulation and barriers to entrepreneurship through digital media should be a top priority to be more resilient and equitable towards socio-economic recovery after the COVID-19 pandemic.

The COVID-19 pandemic has shaken the global economy more severely than the global financial crisis in 2008. The World Bank and International Monetary Fund (IMF) predict a global economic contraction in 2021, by 5.2% and 4.4%, respectively. To respond to this, all countries in the world have taken dual policies related to health and the economy, but unfortunately not followed by a comprehensive policy in education [1].

The Central Statistics Agency (BPS) noted that five million people had been laid off from work during the pandemic. Another 24 million had their working hours reduced or even laid off. In addition, 70 million households in Indonesia are experiencing financial difficulties. Gross domestic product in 2020 fell by IDR 2.2 million (US\$ 157.3) per capita. Personal income fell by an average of 6% after adjusting for inflation. Unemployment rose by 2.7 million in 2020 to nearly 10 million people [2]. Poverty increased by 2.8 million people in September 2020. Overall, 27.6 million people live below the national poverty line, around IDR 458,947 (US\$ 31.8) per capita per month. The poverty rate jumped to 10.2%, the first time it had doubled in digits since 2017; it was even higher in rural areas, at 13.2% [3].

The Indonesian Government has implemented several policies to mitigate the impact of COVID-19 and the economic downturn, such as lockdowns to control the spread of the virus and intensive testing and tracing and economic stimulus policies to mitigate the adverse effects of the pandemic. This includes the stimulus for social assistance for vulnerable communities, new unemployment and small entrepreneurs whose income has decreased due to price fluctuations and decreased purchasing power. Indonesia invests in strengthening social protection programs to respond to the crisis through a massive fiscal stimulus in the National Economic Recovery Program (PEN). In 2020, the Government allocated IDR 695.2 trillion (US\$ 49 billion) for this program. Health gets a portion of IDR 63.51 trillion (US\$ 4.5

billion), social protection IDR 220.39 trillion (US\$ 15.6 billion), and IDR 112.44 trillion (US\$ 7 billion) for MSME resilience (Figure 3).

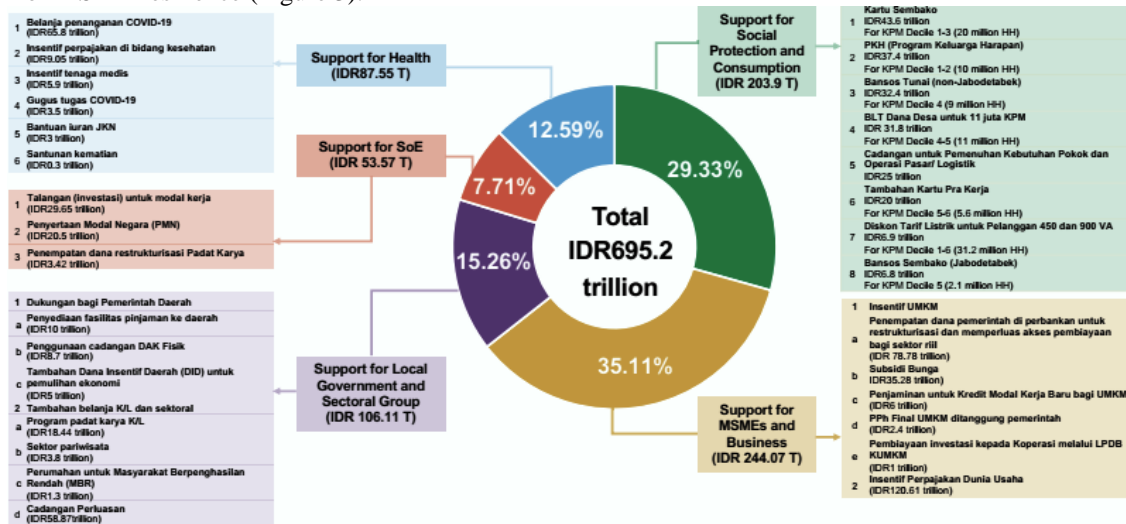


Figure 3. Fiscal Response through Program Pemulihan Ekonomi Nasional (PEN)
Source: Ministry of Finance of the Republic of Indonesia [4].

In October-November 2020, UNICEF, UNDP, PROSPERA, SMERU Research, and the Central Statistics Agency (BPS) collaborated to conduct a national survey of 12,216 household representatives in 34 provinces in Indonesia. The results found that 74.3% of respondents said the impact of COVID-19 on household finances was quite severe. Social assistance has reached 85.3% of households, both in cash and non-cash, including programs such as tax deferrals, credit subsidies, and internet assistance credits. In addition, the issue of online schooling has caused parental anxiety; 57.3% of households with children admitted that they had problems accessing a reliable internet, 28.7% admitted to having problems because they did not have cellular devices/devices. The remaining 25.3% cannot support children in online learning. School closures, social isolation combined with economic uncertainty also expose children to other psychological and psychological risks. Households with persons with disabilities experience more income and lose their jobs. One in 10 households with a mild disability lost their job due to COVID-19, and eight in 10 of their households experienced a decline in income due to the pandemic. Meanwhile, seven out of 10 households with disabilities admitted that they did not receive access to the health services and therapy they needed [5].

The economic shock due to the COVID-19 pandemic occurred as a result of (i) changes in the volume of international trade; (ii) a change in tourism activities; (iii) a change in the amount of change; (iv) an increase in labour productivity due to social distancing; (v) Large-Scale Social Restrictions (PSBB). This impacts weak economic growth, which results in low employment absorption and an increase in the poverty balance [6]. Based on data from the BPS 2020, diseases and illnesses in Indonesia are getting worse. In March 2020, the poverty rate increased to 9.78% [7], higher than September 2019 (9.22%) and March 2020 (9.41%). Meanwhile, measured by the Gini Ratio, it has also increased, from 0.380% in September 2019 to 0.381% in March 2020 [8]. While this increase may seem small, it is essential to interpret the numbers by looking at the text. When the pandemic in Indonesia "officially" started in March 2020 (with the discovery of cases), the poverty rate increased. Pandemic means the situation could only worsen in the context of a full-scale pandemic. The impact of the COVID-19 pandemic on macroeconomic indicators can be measured by gross domestic product (GDP), welfare, household consumption, investment, employment, and inflation (Figure 1).

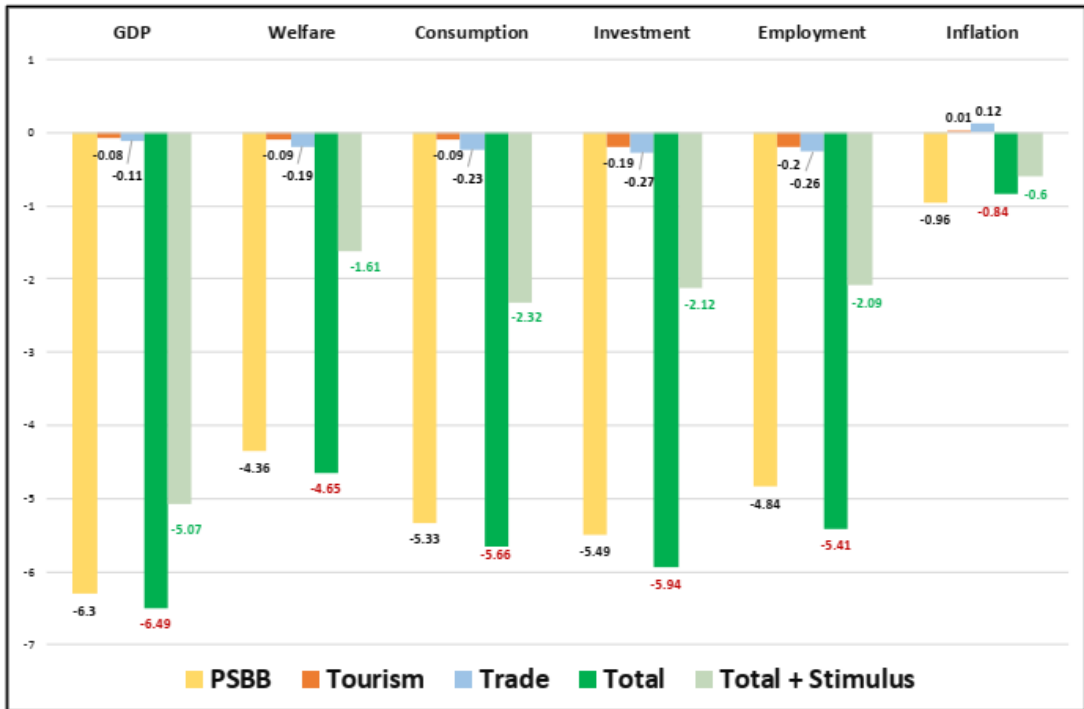


Figure 1. Macroeconomic Impact of COVID-19 (in % change from "Business as Usual," (BAU)
Source: LPEM FEB UI (2020)

The Covid-19 pandemic has increased the number of poverty. The cycle of the relationship between the pandemic and poverty begins with a combination of supply and demand shocks, which causes a decline in economic activity and thus lower growth [9]. The macroeconomic shock due to the Covid-19 outbreak has caused a decrease in the average per capita expenditure at the household level (Figure 2).

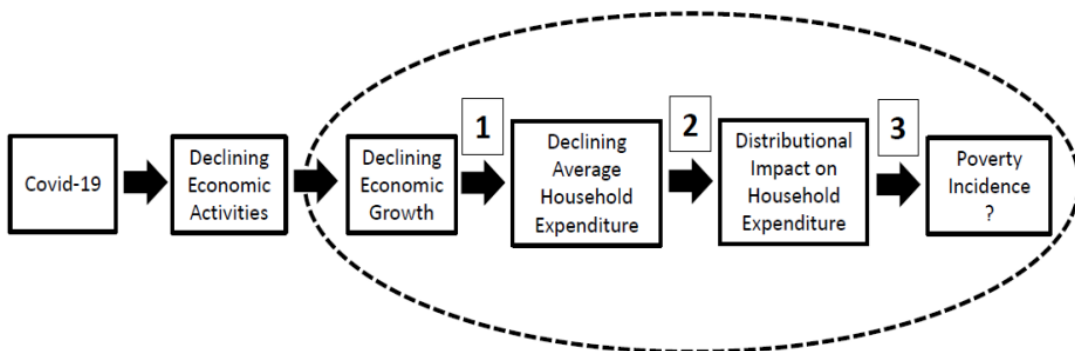


Figure 2. Implicational Routes of Covid-19 Transmission and Poverty

Based on the data above, the enforcement of human rights in the economic and social fields, especially for vulnerable groups, still struggles to change its status from *ius contitutum* to *ius constitutum*. Vulnerable groups often receive discriminatory treatment and must be empowered through "reverse discrimination or positive discrimination". The disparity in access to social justice for some people to understand their rights and obligations has resulted in marginalization in their socio-cultural life.

Legal texts (laws) with a liberal-capitalistic nuance regarding the protection of property rights (material/intellectual) are evidence of a more robust law for established class groups in the political and economic power structure. However, it is very dysfunctional for the life of the weak and trapped lower class in poverty. Socio-economic facts annul the essence of the principle "everybody is equal before the law". This study will outline the wide gaps between normativity and factuality in fulfilling socio-economic justice through legal literacy and digital ethics after the COVID-19 pandemic in Indonesia. In the end, strategies that can be considered to address various problems of disparity in access to social justice will be presented.

2 Method

This doctrinal research uses a normative juridical approach [10]. The focus of the study uses data related to legal policies for socio-economic recovery after the COVID-19 pandemic in Indonesia. Data analysis was carried out using a statute, case study and hermeneutic approach [11].

3 Result and Discussion

The enforcement of the principle of justice is one of the characteristics of the rule of law. Justice is a fundamental human right that is in line with the principle of equality before the law. Everyone has the right to obtain remedies for the violation of rights they have suffered, while the state should ensure the fulfilment of these rights. The accumulation of these rights confirms that justice has become a human right that must be respected and guaranteed fulfilment, even in a pandemic situation. There is a need to place the concept of access to justice as an affirmative action based on a human rights perspective with the aim not of causing discrimination but as a temporary 'assistance' for the poor and marginalized until they are in a position to be able to gain access to justice [12].

The justice paradigm in the legal perspective needs to be changed to a social justice paradigm where law and justice reform should have the main objective of protecting the poor's economic, social and cultural rights and strengthening their bargaining position to obtain justice through formal and non-formal mechanisms.

a. Legal Literacy and Digital Ethics

Legal literacy is (the) acquiring critical awareness about rights and the law, the ability to assert rights, and the capacity to mobilize for change [13]. That is, legal literacy proposes an advocating idea that places the law as a political force to move the wheel of change by siding with vulnerable and marginalized groups [14]. It is a latent picture of cognitive status and a manifestation of a systematic socio-political process to build and instil legal awareness of citizens. This legal awareness can encourage the bargaining position of every citizen, as individuals and collectively in fighting for their constitutional rights for the sake of welfare with social justice [15].

The basic principle of legal literacy is that legal knowledge and actions are interrelated and influenced by the structure and culture of power [16]. The political configuration of autocratic structures and feudal culture weakens the ideal relationship between legal knowledge and legal actions. This condition is where the role of non-government organizations and civil society groups is needed to strike a balance [17].

The Covid-19 pandemic has had a significant and traumatic negative impact on most countries regarding health, social, economic and other aspects. These conditions have created a widespread need to adopt digital solutions. Digital technology plays an essential role in strengthening community resilience to facilitate remote transactions and social interactions to be more productive. Digital innovations that are more effective and efficient in the new standard can drive national resilience and be beneficial for economic recovery. Optimizing the use of digital technology requires the solidity of government policies, the synergy of the private sector, and the allocation of qualified human resources. In addition, collaboration, coordination and community participation are also needed regarding technology development policies, digital infrastructure, increasing digital competencies, and financial policies [18].

However, the digitalization transformation has real negative implications, namely the potential for wider socio-economic inequality. Therefore, by preparing an integrated creative industry ecosystem, anticipatory policy support is needed, for example through increasing educational outcomes and skills for vulnerable groups and the micro, small and medium enterprise (UMKM) community.

Economic policy responses due to the impact of the COVID-19 pandemic in various countries, including Indonesia, have been able to prevent a prolonged crisis. However, the unpreparedness of the economy and the community's nervousness can be shown from the inefficient use of the digitalization trend as a medium for driving global competitiveness. Various obstacles arise in the use of digital connectivity, in the form of (i) the low level of participation of global value related to the production of goods and services, trade, investment, an "unpredictable" regulatory framework, institutional barriers, high logistics costs, and the lack of adaptive human resources. to digital transformation [19].

In the short term, initiating the use of resources, capacities, and capabilities related to the digital ecosystem is needed by first solving the old structural problems (manually). Fulfilling digital infrastructure, high and even internet penetration, access to ownership of cellular devices, access to capital, and e-markets for Micro, Small and Medium Enterprises (MSMEs) are urgent needs. In addition,

an empowerment that is adaptive to digital transformation is needed by workers and job seekers or workers who have been laid off due to the pandemic. Next, the Government must facilitate the connection between job seekers and private and public sector businesses that need workers. Individuals and the business world urgently need an economic stimulus to mitigate the pandemic's impact. Affirmative policies in the employment sector should be prioritized, in addition to empowering MSMEs, and focusing on the creative industry.

In the long term, policy reorientation must be carried out by evaluating the National Medium Term Development Plan (RPJMN) contained in the Presidential Regulation The Republic of Indonesia Number 18 of 2020. Given the profound gap between long-term planning and the current socio-economic situation and conditions, Alignment is needed. Massive investment in development in education is urgently needed to prepare competent and ethical human resources to face new, highly competitive challenges. The national education system should support the development of accumulated applied skills needed in the future, supported by institutions and expected ethical values. This capital can strengthen and deepen the role of the state in creating a competitive climate in the global economy through innovative research and development and the evolution of regulations that are conducive to these innovations, with proper legal protection.

Acceleration of development and equitable distribution of digitalization across sectors (economy, education, health, etc.), across regions (rural-urban), as well as across layers of society (socio-cultural), is a service strategy that can create an increase in the quality of participation in development transformation. That is, the adoption of digital transformation can link short-term and long-term trajectories. Therefore, the "Palapa Ring" project must be accelerated by the construction of telecommunications infrastructure throughout Indonesia, spanning 36,000 kilometres that integrate the existing network with the new network. The new network is expected to accelerate the development and equitable distribution of socio-economic development, facilitate services, accelerate the flow of information and knowledge, and make business flows and production of goods and services more accessible. The experience of the covid-19 pandemic guides the Government and society to be adaptive to all the opportunities, threats, challenges and obstacles. All state stakeholders must transform in the provision of health services, employment, education, and all other aspects. If cross-sectoral, cross-regional and cross-level participatory synergies and collaborations are implemented, this pandemic condition will be a golden opportunity to achieve inclusive and sustainable high growth [20].

Digital ethics is a moral consensus regarding the implications of technology in the economic, social, political, and societal spheres [21]. The gap between the rule of law and existing societal traditions, the trade-off with technological advances and the interests of the digital market [22]. Policy strategies through digital transformation in health, socio-economic, and education need to be pursued with an additional impetus for formal job creation from the continued easing of barriers to entrepreneurship and investment. The main barriers to overcome include barriers at the sub-national level, for entrepreneurs and small businesses and restrictions on foreign direct investment (FDI), mainly by removing discriminatory requirements against foreign investors. The economy will also benefit from strengthening corruption eradication institutions. The Corruption Eradication Commission (KPK) is respected and needs to remain independent, which is especially important in the context of COVID-19, where the Government has so much discretionary public power.

The role of digital ethics is to improve educational outcomes as the key to economic recovery during a pandemic. And that health is the key to the success of education and the joint of the economy. Education reform needs to go hand in hand with various regulations regarding the digital economy ecosystem [23].

b. Paradigm and Access to Social Justice in the Perspective of Religious Welfare State

Social justice reflects the fifth precept of Pancasila, which reads "Justice for All Indonesian People", which is also contained in the Fourth Paragraph of the Preamble to the 1945 Constitution. The meaning of social justice is worth a goal and ideals of a value system, namely Pancasila (divinity, humanity, unity, democracy, and social justice). This means that social justice as a norm has two dimensions of direction, namely: (i) a positive direction, that state power has the main obligation to direct all its policies to realize social justice; and (ii) a negative direction, namely that state power has the primary obligation to prevent the growth of injustice [24].

The concept of social justice refers to forming the structure of social life based on the principles of equality and solidarity. Justice in any field will lead to the realization of social justice. The development of the concept of social justice is in line with the development of human rights, especially after the formulation of the International Covenant on Economic, Social and Cultural Rights (EKOSOB) [25]. The Religious Welfare State Paradigm defines social justice as "a pluralistic order of the community, nation and state life, which distributes equal rights and obligations to individuals or social groups

marginalized by the legal and social system, effectively and sustainably (Table 1).

	Variable	Indicators	Projection
1	A pluralistic society, nation and state.	(1) pluralism; (2) inclusivism; (3) tolerance; and (4) coexistence.	It contains the recognition of human dignity who has fundamental rights.
2	Equal distribution of rights and obligations.	(1) awareness of the fair distribution of natural resources; (2) affirmation politics; (3) decentralization of authority; (4) a participatory social system; and (5) recognition and strengthening of local institutions.	Equality has dimensions of equality of opportunity and treatment. Equality of opportunity is related to procedural social justice, while equality of treatment is related to the substance of social justice. Equality of treatment and opportunity must complement each other. To achieve equality, there is positive discrimination, where the minor well-off groups are entitled to special treatment and opportunities because they have obstacles and limitations in achieving social justice.
3	Marginalized individuals or social groups.	(1) the least well-off group, who do not have access to resources; and (2) minority groups.	The portion of the implementation of social justice should be devoted more to these least well-off groups. Cultural, linguistic, ethnic, religious, and other minority groups must receive non-discriminatory treatment in accessing the distribution of resources.
4	Effectiveness.	(1) guarantee of legal certainty; (2) individual capacity; (3) positive relations between marginal social groups and the state; (4) suitability of individual and marginal group needs.	The distribution of rights and obligations must be carried out effectively and optimally to benefit individuals and groups through guarantees of legal certainty, both norms and enforcement. Effective also means that both individuals and groups must have the capacity to access the distribution of social justice. Furthermore, on the other hand, the state must have a solid position to implement its responsibilities in distributing these rights and obligations. The state's responsibilities include the fulfilment, respect, and protection of individual and group rights.
5	Sustainable.	(1) respect for local and national wisdom; (2) the Alignment of natural resource holders towards marginalized individuals and groups; (3) consistency of policies and their implementation.	Social justice does not negate the existence of local and national wisdom, where individuals and groups do not destroy the environment.

Table 1. Indicators of Social Justice (Religious Welfare State Perspective)

Access to justice focuses on two basic objectives of the existence of a legal system, namely: (i) the legal system should be accessible to everyone from all walks of life; and (ii) the legal system should be able to produce provisions and decisions that are fair to all groups, both individually and in groups [26]. The basic idea to be prioritized in this concept is to achieve social justice for citizens from all walks of life. In Indonesia, access to justice is defined as a condition and process in which the state: (1) guarantees the fulfilment of fundamental rights based on the 1945 Constitution of the Republic of Indonesia and universal principles of human rights; (2) ensure access for every citizen (claim holder) so that they can have the ability to know, understand, realize and use these fundamental rights through formal and non-formal institutions, supported by an excellent public complaint mechanism. And responsive to obtain optimal benefits and improve the quality of their own lives. In this definition, it is directly stated that access to justice aims to prevent and reduce poverty. An essential element is the ability of people from disadvantaged groups to access justice through formal and non-formal institutions. State and community justice institutions have the same place as providers of justice for citizens when they need rights

restoration.

Furthermore, it is also essential to see that citizens, especially the poor, should have access to fair, effective and accountable mechanisms to protect rights, avoid abuse of power and resolve conflicts. The community's ability to obtain and obtain settlements through formal and non-formal mechanisms in the legal system and the ability to obtain and be involved in the process of making, implementing, and institutionalizing laws. The ability of people to seek and obtain redress of rights through formal and non-formal justice institutions following human rights standards. Access for the community, especially the poor, to fair, effective and accountable mechanisms to protect rights, avoid abuse of power and resolve conflicts. The community's ability to obtain and obtain settlements through formal and non-formal mechanisms in the legal system and the ability to obtain and be involved in the process of making and implementing and institutionalizing laws [27].

Public access to justice is aimed at the community, emphasizing the poor (affirmative action). This situation also indicates that achieving justice based on the applicable legal system is only one part of achieving justice broader. The United Nations Security Council approved the definition of justice, emphasizing two crucial bottom-up and top-down points: (i) that people must be aware of the law, rights, and forums. To seek and obtain restoration of their rights, as well as vehicles to exercise their rights; (ii) the authorities, in this case, the Government and other related parties, especially in poverty reduction efforts, must be 'aware' the public of their rights and provide effective remedies for the restoration of rights that have been violated. In this regard, human rights standards are also crucial as a guide and basis for access to justice for the poor [28].

It also underlines the importance of access to justice for the people, namely the restoration of the right to protect oneself from harm inflicted by others when involved in a dispute or conflict of interest. Recovery is an action that provides reparation for the loss suffered. To get reinstatement required guarantees by law or customary norms. These remedies are called legal remedies and justice remedies. Legal remedies typically involve third parties (judicial mechanisms or institutions) whose functions are also regulated by norms in resolving disputes. Judicial systems act to recognize the people's right to remedy when this right is being disputed [29].

c. National Strategy for Strengthening Access to Social Justice in Indonesia through legal literacy and digital ethics after the Covid-19 Pandemic

Indonesia needs a balanced contribution between all parties, both the Government and the private sector, to realize the fulfilment of access to justice. In addition, it must also consider the typical conditions faced today, both the COVID-19 pandemic situation and the conditions of digital transformation that produce various kinds of gaps. Access to justice is a form of embodiment of the principle of the rule of law and the recognition of human rights as guaranteed in the 1945 Constitution of the Republic of Indonesia, Article 28D paragraph (1) and Article 28I paragraph (1). The Constitution also affirms the Government's obligation to fulfil and protect the rights of citizens in obtaining access to justice. All of the rights and obligations outlined in the 1945 Constitution of the Republic of Indonesia are a unitary effort to achieve the goal of the founding of the Unitary State of the Republic of Indonesia, namely achieving social justice for all Indonesian people.

The objectives of the state as mandated by the Constitution are achieved through the implementation of the National Long-Term Development Plan (RPJPN) as regulated in Law no. 17 of 2007. One of the visions of the 2005-2025 RPJPN is "Indonesia that is Independent, Advanced, Just and Prosperous", which means that all people have equal opportunities in improving their standard of living, obtaining employment, obtaining social services, education and health, express opinions, exercise political rights, secure and defend the state and obtain protection and equality before the law. A just nation means that there is no discrimination in any form, whether between individuals, gender, or region.

The National, Access to Justice Strategy has been designed and followed up since 2007 through Legal Empowerment and Assistance for the Disadvantaged (LEAD). There are six main problems, namely [30]:

- a. Access to Government Services and Assistance;
- b. Ownership and Management of Land and Natural Resources;
- c. Gender Violence and Discrimination;
- d. Labor Rights and the Right to Decent Work;
- e. Inadequate Crime and Law Enforcement;
- f. Post-Conflict Security, Property Rights, and Other Issues.

When discussing access to justice from the various issues above, basically, there is one slice of the targeted community group, namely the poor and marginalized. This group experiences the greatest obstacles in accessing justice, both when discussing reform of the judiciary, legal aid, local governance, and land and natural resources. This group is on every legal issue and women, children and labour.

The issue of access to justice, especially for the poor and marginalized, is a technical legal problem and a socio-political problem, namely how to strengthen the bargaining position of the poor to obtain legal services and protection. For this reason, the achievement of access to justice can be seen from several approach variables & indicator elements (table 2).

Approach	Appraisal	Principle	Action Plan
<ol style="list-style-type: none"> 1. Normative framework; 2. Legal awareness; 3. Access to appropriate dispute resolution forums; 4. Effective handling of public complaints; 5. Satisfactory restoration of rights; 6. They are solving problems of poverty, oppressed and marginalized groups. 	<ol style="list-style-type: none"> 1. Access to Justice in the Field of Legal and Judicial Reform; 2. Access to Justice in the Field of Legal Aid; 3. Access to Justice in the Field of Regional Governance; 4. Access to Justice in the Land and Natural Resources Sector; 5. Access to Justice for Women; 6. Access to Justice for Children; 7. Access to Justice for Workers; 8. Access to Justice for the Poor and Marginalized. 	<ol style="list-style-type: none"> 1. Each component is equally important; 2. Synergistic cooperation between central and local governments; 3. The balance between the state justice system and alternative justice systems, organizers of justice and justice seekers; 4. Supervision, monitoring and transparency. 	<ol style="list-style-type: none"> 1. Changes in the paradigm of legal development and the role of legal education in Indonesia; 2. Recognition and support for legal aid and paralegal development activities in Indonesia; 3. Improvement of legislation and budget policies that support Access to Justice; 4. Formulation and application of Minimum Service Standards in public services; 5. Strengthening the mechanism for complaints and settlement/remedies for people who are harmed within the framework of public services; 6. Strengthening and empowering the community-based justice system.

Table 2. Indicators of Restoring Access to Social Justice

The Covid-19 pandemic that imposes socio-economic vulnerabilities due to health threatens sustainable development goals (SDGs). Because the complexity of the pandemic problem cannot be overcome with a one-size-fits-all policy, each country responds with a different strategy. The standard keyword is "strengthening health care capacity is critical to supporting economic recovery" [31].

The Indonesian Government has taken various adaptive and responsive strategic steps by prioritizing development programs to reform the health system, social system, disaster resilience, and national economic recovery. In addition, the Government is also making long-term adjustments by emphasizing policy reorientation related to sustainability issues. The Covid-19 Task Force commands the health disaster mitigation policy in Indonesia to implement health emergency measures. The National Economic Recovery Task Force leads the economic policy (from budget reallocation to social protection). The adoption of sound economic and social policies, including more effective fiscal policies, should result in new approaches to economic recovery. Therefore, fiscal subsidies for employers and direct support for individuals and households are needed to ensure job security and a minimum standard of living [32].

National Economic Recovery Program (PEN) 2020, with a total budget allocation of 695.2 trillion, is the Government's response to the significant economic impact of limited social activities, especially for the informal sector and MSMEs amounting to IDR 244.07 trillion (35.11%). Social protection and assistance as an economic cushion for the poor and vulnerable groups, including fired workers, also receive a budget priority of IDR 203.9 trillion (29.33%). The Government allocated 15.26% of the total PEN budget to support economic recovery in the affected regions and sectoral groups, namely the tourism sector, IDR 3.8 trillion and the labour-intensive sector of IDR 18.44 trillion. The allocation of infrastructure for housing financing for the poor is IDR 1.3 trillion. Unfortunately, the budget allocation

for the health sector is only 12.59% of the total PEN budget, which is IDR 87.55 trillion to finance all expenses related to COVID-19, including incentives for medical personnel and support for BPJS Health contributions. The Government also allocates 7.71% of the budget to support state-owned enterprises.

Meanwhile, in February 2021, the Government announced a budget of IDR 699.43 trillion (US\$ 49.6 billion) as a continuation of the PEN program. Social services are carried out through existing programs. The new Protection program is expanded vertically by adding new beneficiaries and horizontally by increasing the number of benefits. PEN 2021 is divided into 5 sectors, namely: (i) health; (ii) social protection; (iii) priority programs; (iv) MSME and Corporate support, and (v) business incentives [33]. April 16, 2021, the realization of the program Pemulihan Ekonomi Nasional (PEN) has reached 19.2% or Rp. 134.07 Trillion of the entire budget ceiling of IDR 699.43 Trillion (Table 3).

	Program	Field	Progress
1.	Health	Facilitating the import (PMK Nomor 34 jo 83 jo 149/2020, PMK Nomor 171/2019, dan PMK 70/2020): 1) Medical Equipment 2) Vaccines amounting	IDR 234.26 Billion IDR 591.06 Billion
2.	Social Protection	1) Program Keluarga Harapan (PKH) 2) Program Penyaluran Bantuan Sosial 3) Bantuan Sosial Tunai (BST), 4) Bantuan Langsung Tunai Dana Desa (BLT DD)	IDR 16.59 Trillion
3.	Priority Programs	Program Padat Karya Kementerian/Lembaga (K/L): 1) Ministry of Public Works and Public Housing (PUPR) 2) Ministry of Agriculture 3) Ministry of Maritime Affairs and Fisheries (KKP) 4) Ministry of Transportation	
4.	MSME and Corporate Support	Bantuan Produktif Usaha Mikro (BPUM)	
5.	Business Incentives	1) Insentif Pajak Penjualan Atas Barang Mewah (PPnBM) Motor Vehicle 2) Insentif Pajak Pertambahan Nilai (PPN) Housing	

Table 3. Realization of Program Pemulihan Ekonomi Nasional (PEN) -16 April 2021

The Covid-19 pandemic also impacts the current and future learning crisis due to the widening gap in access to education. Poor students (who do not have mobile phones or internet quota) and vulnerable students (who live in areas with no internet access). Social distancing protocols and restrictions on community activities have reduced productive capacity and disrupted economic productivity [34]. Therefore, the intensification of the use of technology is a public need that must be based on aspects of social justice. Digital infrastructure for equitable education is needed to increase cross-sectoral productivity, thus impacting economic growth at the regional level [35].

Digitizing the provision of education services is not the only way to treat fundamental problems in education services during the Covid-19 pandemic. However, in the long term, the policy framework in the field of education should equip and educate students with socio-emotional skills to act mature and responsible, including in the realm of digital ethics. Thus, the policy framework anticipates the negative impacts of the digital world landscape through crisis management and risk management [36].

Concerning governance, especially database systems (big data), it often creates social protection and social assistance problems and even has specific legal consequences. Data updating, data validation, data verification, and data synchronization between institutions and ministries and at the central and regional government levels should be managed by utilizing integrated (digital) technology. Real-time data and accurate information are essential to realizing good governance-based public services, especially during a pandemic. Therefore, an integrated digital technology (digital platform) is needed to: (i) identify and validate data; (ii) clarify the mechanism for providing public services; and (iii) simplifying public service governance procedures based on the principles of transparency and accountability [37]. For example, suppose the accuracy of the database of social assistance and social protection recipients can be known in real time by the public. In that case, the assistance program will be effective. This condition will be adequate. Because the public monitors and evaluates the social protection and assistance program in a participatory manner. The program requires understanding rights and obligations (legal literacy), digital skills, and digital ethics [38].

Restoration of social justice through legal literacy and digital ethics requires a strategy that is measured in time, especially during the Covid-19 pandemic emergency. The first phase is to align

commitments and regulations with a sustainable plan to address and reduce the impact of the crisis (short term). The second phase builds community and economic capacity to cope with and recover from external shocks (medium-term). The third phase is implementing long-term adaptive policies, where affordability is the main consideration in the transition period (Figure 4).



Figure 4. Strategic Framework for Phased Recovery of Social Justice

Implementing the sustainable adaptive policy agenda (SDGs) during the recovery period is a comprehensive platform that aligns the national socio-economic development plan with the global economy and environmental conservation. Sustainable recovery instruments are believed to provide rapid economic recovery, reduce poverty, increase social inclusion, and minimize environmental impacts [39]. The sustainable adaptive legal policy strategies (SDGs) in Indonesia proposed in this paper are:

1. Short Term Strategy, including:
 - a. Reform the social protection system by improving mechanisms, expanding social security coverage, and assistance with an accurate integrated digital database.
 - b. Reform of the health system with a focus on disease control, health insurance, promotive-preventive actions, and supply-side readiness with the support of an integrated, accurate digital database.
 - c. Reform of disaster mitigation and management systems (natural and non-natural) by improving mechanisms and expanding coverage based on people-centred policies, supported by an accurate integrated digital database.
 - d. Reform of the education system with a focus on equitable access and justice based on digital technology, teaching and strengthening character through legal literacy and digital ethics, with the support of an accurate integrated digital database.
2. The medium-Term strategy includes:
 - a. Develop a holistic and integrated food security system approach and an economic security system approach by promoting an inclusive economy through sustainable investment, innovative financing, sustainable tourism, MSME support, and digital technology.
 - b. Develop a health resilience system approach through improving services and digital information systems, including increasing the capacity of health workers and their distribution, strengthening health centres, improving hospitals and health services in underdeveloped areas, borders and outer islands, independence of pharmaceuticals and medical devices, resilience health, disease control and immunization, health financing, as well as information technology and community empowerment.
 - c. Develop a disaster resilience system approach to increase pre-disaster preparedness and strengthen emergency response operating systems, especially in logistics systems, disaster management, investment in risk reduction, and others based on accurate data.
 - d. They were developing a just education system approach, through digital-based education services, including increasing the capacity of education personnel and distributing their placements, strengthening inclusive schools, affirming policies and improving infrastructure in disadvantaged areas, borders and outer islands, financing subsidies improving the welfare of educators.
3. Long Term Strategy, including:
 - a. They are implementing sustainable production and consumption patterns through a circular economy system by developing a green industry and integrated management of B3 waste and waste, including medical waste.

- b. It was implementing a pattern of health resilience through personal and family resilience and low-cost health services that are environmentally friendly.
- c. We are implementing a pattern of disaster resilience through an early warning system, preparedness, capacity building, low carbon and climate resilience development.
- d. It is implementing a just education pattern through affordable education integrated with the needs of the business world and government interests, taking into account global and social conditions, and being environmentally friendly.

4 Conclusion

This study concludes that restoring access to justice (for the poor and marginalized) through legal literacy and digital ethics requires four sustainable adaptive legal policy strategies (SDGs). First, the short-term strategy, namely reforming the social protection system, health system, disaster mitigation system, and education system from the original (manual) formal legalistic to a sustainable (digital) paradigm by prioritizing social justice. This is based on a paradigmatic reorientation, that the "consistency" of the fundamental values of Pancasila must be included in every instrument of legal policy as a legal ideal (*rechtsidee*) to realize prosperity, both historical, philosophical, sociological-anthropological, and constitutional-juridical values.

Second, the medium-term strategy is to develop an integrated systems approach in the form of three pillars of welfare "coefficients", including education guarantees, economic welfare guarantees, and health insurance which are obligatory to be provided by the state. The three stoves are welfare coefficients that have an equally important role between them and are mutually symbiotic. In addition, the conceptualization, relevance and implementation of the welfare law state through the three pillars of welfare must be based on aspects of religiosity (religious welfare state), as stated in Pancasila.

Third, the long-term strategy is to implement a pattern of resilience that considers the "coexistence" of arrangements and institutions for education guarantees, health insurance, and sustainable economic guarantees. The role of the state here is as one of the final parts of the social process, through (i) collective action; (ii) survival together (the extension of mutualism); and (iii) the growth of solidarity.

Acknowledgements

The author would like to thank the head of the law faculty of Semarang State University, who has facilitated the writing of this paper. We want to express our gratitude to those who have supported the completion of this paper.

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