



Text Analysis of PPKM Rules Legal Documents

¹Ni Ketut Sri Rahayuni

Udayana University, Denpasar, Indonesia, sri_rahayuni@unud.ac.id

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Abstract*

This study aims to analyze the differences in linguistic elements that appear in the government rules relating to PPKM (lockdown) issued by the central government and provincial government referring to the same thing and also to analyze the multiple interpretations that appear in the two regulations. Forensic linguistics is the basis of the study in this research on the text of the PPKM rules. The data analyzed in this study is the text of regulations regarding PPKM published between the central government and provincial government using a qualitative descriptive method (Bungin, 2015), and applying content analysis techniques. The results of this study indicate that there are a number of contradictory or different applications of the rules referring to the same point or item between the main rules of the central government and the derivative rules by the provincial government regarding PPKM activities. With those differences in the two rules, this could make the community or people as the object or target of the rules get confused and have the potential to violate the rules themselves. Based on these results, it is necessary to synchronize or match the main rules from the central government and the rules from provincial governments as derivative rules so that people will not get confused and have the potential to break the rules. In addition, ambiguity of meaning can also be avoided.

1. Introduction

The world was shocked by a vicious virus that attacked all parts of the world. The Covid-19 virus has become a world pandemic that must be faced and found a solution by all parties and all countries. One of the actions taken by all countries to overcome or anticipate the spread of Covid-19 is to create various policies and issue various regulations for all people to comply with. This was also done by our country, Indonesia, in general and the Province of Bali in particular. It was hoped that by creating and issuing various regulations or policies, it could regulate or limit community activities so that it would have a direct impact on reducing the possibility of the spread of this virus.

One of the policies made by the Indonesian government was the implementation of restrictions on community activities or what was known as PPKM. Initially this restriction policy was known as Large-Scale Social Restrictions or PSBB, but over time the term was replaced with PPKM. Considering that this pandemic period was very long and its spread was very wide, the government had issued quite a lot of regulations related to PPKM. Apart from direct government regulations regarding PPKM, finally the provincial government, including the Province of Bali,

also issued a Circular Letter as a derivative of the central government regulations to be able to apply them according to the situation and conditions of each province.

Related to this background, it was important to analyze the language differences that existed in two different legal documents, namely the Instruction of the Minister of Home Affairs as a direct regulation from the central government and the Circular Letter of the Governor of Bali as a follow-up or derivative of the Instruction of the Minister of Home Affairs in regulating PPKM in the Bali Province area. In this analysis, a forensic linguistic approach is applied to find out the differences of language that appear in the two legal documents. The analysis is very important because differences in language and even the choice of words in legal documents would have an impact on how people who read and must implement these rules did not get confused and could understand them clearly.

For this reason, there are two problems that can be formulated in this research as follows.

- 1) What are the differences in parts of sentences that appear in regulatory items relating to PPKM issued by the central government and regional governments when referring to the same thing?
- 2) Are there any multiple interpretations of the PPKM regulations issued by the central government and regional governments?

2. Research Methods

The data source in this research was primary documents, namely The Instruction of the Minister of Home Affairs. It is an official document containing central government regulations regarding PPKM. The second document used as a data source is the Circular Letter of the Governor of Bali as a follow-up document or derivative of the Instruction before.

The aims in this research are to identify and analyze language differences in the two legal documents. Moreover, the aim is to determine how these differences affect society's understanding and implementation of rules. On this part, to assess consistency and clarity between central and regional legal documents.

The data collection method in this research was carried out using the documentation method. The data source is two legal documents obtained online. Then the two legal documents are sorted based on the regulatory points contained in them. In this research, a qualitative descriptive analysis method was applied with content analysis techniques from text data. Qualitative descriptive method was used to reveal language differences in parts of sentence between the Instructions of the Minister of Home Affairs and the Circular Letter of the Governor of Bali, including language style, word choice, sentence structure, and potential legal implications for public understanding.

3. Discussions

In this research, two legal documents related to PPKM regulations issued by the central government and regional government were analyzed and compared. The following is a basic view of the two legal documents.

1) Legal Documents 1



Figure 1. Instructions of the Minister of Home Affairs

Issued in Jakarta on September 6 2021

2) Legal Document 2



Bali, Selasa (Anggara Umanis, Landep), 7 September 2021

Kepada:

- Yth:
1. Panglima Kodam IX/Udayana;
 2. Kepala Kepolisian Daerah Bali;
 3. Kepala Kejaksaan Tinggi Bali;
 4. Ketua PHDI Provinsi Bali;
 5. *Bandesa Agung* MDA Provinsi Bali;
 6. Bupati/Walikota se-Bali;
 7. Pelaku Perjalanan Dalam Negeri (PPDN); dan
 8. Pelaku Usaha, Pengelola, Penyelenggara atau Penanggung jawab Tempat dan Fasilitas Umum di seluruh Bali.

SURAT EDARAN
NOMOR 15 TAHUN 2021

TENTANG
PEMBERLAKUAN PEMBATASAN KEGIATAN MASYARAKAT (PPKM)
CORONA VIRUS DISEASE 2019 DALAM TATANAN KEHIDUPAN ERA BARU
DI PROVINSI BALI

Berdasarkan:

1. Instruksi Menteri Dalam Negeri Nomor 39 Tahun 2021 tentang Pemberlakuan Pembatasan Kegiatan Masyarakat Level 4, Level 3, Dan Level 2 Corona Virus Disease 2019 Di Wilayah Jawa Dan Bali;
2. Peraturan Gubernur Bali Nomor 10 Tahun 2021 tentang Penerapan Disiplin dan Penegakan Hukum Protokol Kesehatan sebagai Upaya Pencegahan dan Pengendalian Corona Virus Disease 2019 dalam Tatanan Kehidupan Era Baru; dan
3. Surat Edaran Gubernur Bali Nomor 3355 Tahun 2020 tentang Protokol Tatanan Kehidupan Era Baru.

Figure 2. Circular Letter of the Governor of Bali

Issued in Bali, on 7 September 2021

If we analyze the two legal documents above, legal document 2, namely Circular Letter of the Governor of Bali no. 15 of 2021, is a derivative or follow-up to legal document 1, namely Instruction of the Minister of Home Affairs no. 39 of 2021. These two regulations are the umpteenth regulations issued by the government. central and regional to limit community activities to reduce the risk of spreading the COVID-19 virus.

Data 1. Instruction of Minister of Home Affairs

“Tempat ibadah (Masjid, Musholla, Gereja, Pura, Vihara, dan Klenteng serta tempat lainnya yang difungsikan sebagai tempat ibadah), dengan maksimal 50% (lima puluh persen) kapasitas atau 50 (lima puluh) orang dengan menerapkan protokol kesehatan secara lebih ketat dan memperhatikan pengaturan teknis dari Kementerian Agama.”

English Translation Data 1

“Places of worship (mosques, prayer rooms, churches, temples, monasteries and temples as well as other places that function as places of worship), with a maximum of 50% (fifty percent) capacity or 50 (fifty) people by implementing health protocols more strictly and pay attention to technical arrangements from the Ministry of Religion.”

Data 2. Circular Letter of Governor

“Aktifitas keagamaan di tempat ibadah (Masjid, Mushola, Gereja, Pura, Vihara, dan Klenteng serta tempat umum lainnya yang difungsikan sebagai tempat ibadah) sedapat mungkin tidak mengadakan ibadah berjamaah, atau dilaksanakan dengan melibatkan jumlah orang yang sangat terbatas dan atas seizin Satgas COVID-19 Kabupaten/Kota.”

English Translation Data 2

“Religious activities in places of worship (mosques, prayer rooms, churches, temples, monasteries and temples as well as other public places that function as places of worship) as far as possible do not hold congregational worship, or are carried out involving a very limited number of people and with the permission of the COVID Task Force -19 Regencies/Cities.”

In data 1 and 2, it can be compared that there are two different items when referring to the same thing, namely religious activities. The parts of sentences that appear in the Minister of Home Affairs' Instruction indicate that there are technical and detailed instructions regarding how

many people are allowed to participate in religious activities at one place and time. This is indicated by the inclusion of a figure of 50 percent of the total capacity. Meanwhile, in the Governor's Circular, the parts of sentences that appear are not in the form of numbers but in the form of specific explanations "as far as possible, etc."

In terms of meaning, these two points clearly show different meanings. By using the explanation "maximum 50% (fifty percent) capacity or 50 (fifty) people" we can understand that religious activities are still permitted or allowed but with certain and specifically explained conditions. On the other hand, in the Governor's Circular, the meaning that appears is not one hundred percent guaranteed that it is permissible or permissible. This is as a result of the use of the descriptive phrase "as far as possible" which makes readers still unsure whether religious activities can be permitted or not. Multiple interpretations will also emerge with the phrase "as far as possible" regarding under what circumstances or conditions religious activities can or cannot be carried out. If we look at the structure of the explanation, it can be said that there is lexical ambiguity.

In connection with the lexical differences used in the two regulations, which refer to the same thing, namely regulations regarding religious activities, there is the possibility of potential violations that could be committed by the community as the target of these regulations being enforced. If they read the Minister of Home Affairs' Instruction, which is the main regulation from the central government that regulates the technical aspects of PPKM, then they will think they can still carry out religious activities with the conditions stated. So, when they carry out religious activities, there is no potential violation that can be committed. However, if you look at the Governor's Circular Letter as a derivative of the Minister of Home Affairs' Instruction, the public will be confused because it turns out that the provincial government does not specifically permit or not to carry out these religious activities. People may continue to carry out religious activities by paying attention to technical regulations, namely a maximum of 50 percent of the capacity of the activity venue and feel that they are not breaking the rules, however, when they are evaluated by the provincial government, people may be considered to have violated the rules because they continue to carry out religious activities.

In the two PPKM regulatory documents there are also regulations regarding how to carry out activities in eating places. There are two basic differences regarding these rules.

Data 3. Instruction of Minister of Home Affairs

“Restoran/rumah makan, kafe dengan lokasi yang berada dalam lokasi pusat perbelanjaan/mall hanya menerima delivery/ take away dan tidak menerima makan di tempat (dine-in).”

English Translation Data 3

"Restaurants/eating houses, cafes located in shopping centers/malls *only accept delivery/take away and do not accept dine-in.*"

Data 4. Circular Letter of Governor

“Restoran/rumah makan atau kafe di dalam pusat perbelanjaan/mall/pusat perdagangan agar mengutamakan delivery/take away dan dapat menerima makan di tempat (dine in) dengan kapasitas maksimal 25% (dua puluh lima persen) dan waktu makan maksimal 30 (tiga puluh) menit.”

English Translation Data 4

"Restaurants/restaurants or cafes in shopping centers/malls/trade centers must prioritize delivery/take away and can accept dine-in with a maximum capacity of 25% (twenty five percent) and a maximum of 30 (three) twenty minutes."

In data 3 and 4 there are two different items when referring to the same thing, in this case regarding technical regulations for activities in restaurants/restaurants or cafes located in shopping centers/malls/trade centers. The parts of sentence that appears in the Instruction of the Minister of Home Affairs which shows that it is strictly not permitted to eat on the spot or dine in at the eating places mentioned above. The only activity that can be carried out is direct ordering or in other words take away/delivery without eating on site or at the location. This means that there are no other technical explanations regarding time, capacity of visitors eating, etc. that follow the main sentence in legal rule).

Meanwhile, in provincial government regulations there are clear differences regarding this matter. provincial government regulations indicate that there are items that allow visitors to eat on the spot and also accept take away at eating places. This is followed by the inclusion of technical instructions regarding how many people are allowed to eat at the place and also the maximum time permitted. This is indicated by the inclusion of a figure of 25 percent of total capacity. Meanwhile, in the Governor's Circular, there are no parts of sentences that appear in the form of technical procedures with the inclusion of numbers because it is clear that eating on-site is not permitted.

In terms of meaning, these two meanings clearly show different meanings. With the explanation of not accepting dine-in in the Minister of Home Affairs' Instruction, it means that this activity is not permitted to be carried out. This is in sharp contrast to the same point in the derivative regulation, namely in the Governor's Circular, which essentially allows eating on the spot. This can be seen by the emergence of the phrase "can accept". Multiple interpretations and confusion in its implementation will occur in society as the object or target of this legal rule. People will feel they can eat on the spot at restaurants/restaurants and cafes in shopping centers because they will refer to the regulations issued by the local government. However, on the other hand, they can be categorized as violating the main rules of PPKM, namely the Instruction of the Minister of Home Affairs which clearly prohibits or does not allow the activities in question.

4. Novelities

This research is a new study in terms of analyzing legal documents. The new legal documents have updated topics related to rules on a lockdown strategy which never existed before. The comparison between two legal documents from the central government in Jakarta and its secondary rule given by the provincial government has also never been written. For these reasons, this article has a new and unique topic to be discussed.

5. Conclusion

Based on the analysis carried out on the data obtained from the two PPKM regulations, several conclusions can be formulated. The emergence of a number of contradictory or different rules when referring to the same things or points between the basic rules of the central government and derivative rules from regional governments regarding PPKM activities. The differences in the items in these two rules will make the public as the object or target of these rules confused and have the potential to violate the rules themselves. Based on this, it would be

very good in the future if regulations were issued that regulate community activities, especially during a pandemic like now. It is necessary to synchronize or match the basic rules from the central government and the rules from regional governments as derivative rules so that the public will not experience confusion and potentially commit violations. Apart from that, ambiguity of meaning can also be avoided.

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Biography of Author



Ni Ketut Sri Rahayuni, S.S., M.Hum. is a lecturer in Udayana University, Faculty of Humanities, Denpasar, Indonesia, ID 80234 Ph. +6281805355698. She currently is completing her dissertation at Udayana University.

Email: sri_rahayuni@unud.ac.id