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# Due to the COVID-19 pandemic: Maintaining economic growth by conducting catastrophic policy without considering adaptive structuration and foresight orientation

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**Abstract:** When COVID-19 hit all the Asian countries, Indonesia issued various laws and regulations. This study investigates these laws that do not improve the country's ability to increase its adaptive structuration and foresight-oriented investment. It analyzes all the new laws, which should be based on the requirements of both concepts. It considers that all the laws are intended to defend the Government of Indonesia's economic performance (GoI). It means that all the established regulations were built on the premise that they only focused on national economic preservation, especially economic growth. In other words, this study stated that the absence of regulations containing adaptive restructuring and foresight-oriented investment would decrease the state's agility. This absence potentially impacts Indonesia to categorize the future as the state's political failure. It shows evidence that Indonesia could not enforce and empower its structural potential. This study indicates that Indonesia made no foresight-oriented investment to cover the disbursed costs due to the COVID-19 pandemic. Future policies should be improved by including growth opportunities to enhance Indonesia's agility. This agility could finally be achieved when all the laws issued by the GoI do not contain the praxis.

**Keywords:** adaptive structuration; foresight; political failure; growth opportunity; agility  
**JEL Classification:** H530; P270

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## 1. Introduction

This study started when the Government of Indonesia (GoI) issued three government regulations in lieu of laws for dealing with the COVID-19 pandemic. It then analyzes the equivocation bias in the laws focusing on maintaining economic growth. This research shows that the GoI issued these regulations in lieu of laws (Deloitte, 2020; Leks&Co, 2020) intended to recover the state's potential losses. All government expenditures manage national consumption to keep state-owned businesses and prevent a pandemic. The author highlights that all the new policies are oriented at the short-run perspective (Burton-Jeangros et al., 2015; Daly, 2005; Marques et al., 2019; Wang and Li, 2019), which means the long-run one is being ignored for now.

On the other hand, the state budget is spent on all governmental expenses or expenditures. This study noted that all the disbursements are for the consumed payments without invested outlays to leverage long-term economic growth (Castles and Dowrick, 1990; Chen et al., 2020; Susilawati et al., 2020). It, therefore, considers that Indonesia's economy will suffer in the future. It otherwise discloses that Indonesia deals with its sluggish economic growth both in the short-run and long-run perspectives. It, therefore, investigates this lieu of laws (Government Regulation

Number 23 the Year 2020, 2020; Leks&Co, 2020; Presidential Regulation Number 54 the Year 2020, 2020) and how they contribute to Indonesia's low adaptive structuration and agility. Therefore, the author formulates this research's questions and examines:

- 1) Why this lieu of laws did not frame the foresight-oriented investment from which Indonesia could have tremendous growth opportunities in the long run?
- 2) Why did the GoI issue immature or neurotic policies?
- 3) Why did the GoI focus on maintaining economic growth in its policy with a defence mechanism?

This study presents argumentatively critical reasoning, which supports its uniqueness. First, it argues that the GoI defends its policies to maintain economic growth by spending the state budget only on governmental expenditure. In the development process, this study raises an inquiry about why the GoI focused on administrative expenses only without considering investments. It means that the GoI decided its immature and neurotic policy was for the short-run perspective in supporting domestic products (Al-Mulali et al., 2016; Burton-Jeangros et al., 2015; Daly, 2005). Second, it argues that the GoI should expand its investment budget to achieve long-run growth. This research demonstrates that the GoI did not consider enhancing its adaptive structuration due to administrative expenses. In other words, the GoI concentrated on maintaining its domestic production or reducing its economic downturn. It inferred that the GoI did not use innovative decision-making to broaden its potential growth opportunities for the future (Crespi et al., 2018; Hai et al., 2016; Laskovaia et al., 2019; Nutt, 2004; Ramstad, 2009). This study highlights GoI's equivocation policy, which could decrease its economic downturn without considering the foresight-oriented investment.

Second, this study investigates why the GoI focuses on maintaining economic growth in its policy with a defence mechanism. This study argues that the GoI intends to stop the economy's downturn through these methods completely. It demonstrates that the GoI makes erroneous decisions with a uni-focused orientation embedded within its defence mechanism approach. In other words, this research proposes that the GoI decides on its future policies using clinical syndrome tests, especially those dealing with economic growth. The GoI measures governmental activities by their achievement bias (Chiu and Khoo, 2005; Machts et al., 2016; Peterson et al., 2016). In other words, the GoI commit to conducting the conclusion validity bias, with the final choice being economic growth (Doucouliagos, 2005; Ramstad, 2009). By this means, the GoI faces syndrome, and whether the measurement test for awarding their performance is domestic growth. Thus, this study argues that the GoI paradigm did not comprehend its decisions due to the COVID-19 pandemic. It notes that it would probably be an emerging country that has a lack of resources.

This research uses adaptive structuration and foresight-orientation theories. It also considers the concepts of the defence mechanism, clinical syndrome test, and some behavioural biases, such as achievement and conclusion validity. The adaptive structuration is used to explain that the GoI employs "the structure-in-use" as part of its two main dimensions without complementing it with the "structural-potential" one (Chin et al., 1997; DeSanctis and Poole, 1994; Sinclair and Vogus, 2011). Thus, the GoI did not first utilize all its existing resources, so it could not capture this state's

structure's future potency. The second theory is foresight orientation; this study will explain the importance of acquiring it for decision-making (Laskovaia et al., 2019; Lurie and Mason, 2007; Pagel and Westerfelhaus, 2019). The author explains that the GoI used the existing resources without considering future potential ones. The defence mechanism (Cramer, 2008; Davidson and MacGregor, 1998) comes from both theories, which demonstrates that the GoI maintained its strategy for defending gross domestic growth. This research argues that gross domestic increases are the primary choice for GoI due to international measures. Moreover, it demonstrated that Indonesia had been categorized as a G-20 country, so the GoI should seek to maintain this status and influence other countries.

In the era of maintaining the chosen policy, the GoI would conduct its managerial on syndrome and biases. The author argues that the GoI endured the clinical syndrome tests (Kaufman, 2004; Wolfe, 1989) whenever it could not achieve its predicted growth. The GoI is unaware that other factors would probably be more critical than growth. On the other hand, this research argues that the GoI also conducts achievement (Church et al., 2001) and conclusion validity biases (Austin et al., 1998; Calder et al., 1982; Lipsey, 2000) to fulfil the international standards and maintain its G-20 categorization. This study demonstrates this inclination by issuing Government Regulations in Lieu of Laws, Number 1 and 23, the years of 2020, and Presidential Decrees, Number 12 and 54, the years of 2020. All these four laws recommended GoI have the freedom to spend the national budget, accompanied by a clause stating they would not be prosecuted in court for doing so. In other words, all these laws guarantee that all budgetary decisions due to the COVID-19 pandemic are free from prosecution. It means that what the GoI decided, in relation to the national budget, has some political bias (Arceneaux, 2012; Buchanan et al., 1978; Corsetti and Roubini, 1995; Marsh, 1986; Martimort and Semenov, 2007). It means that the GoI probably created an adverse selection policy.

This research contributes to the conscious process of the GoI for both knowledge enhancement and universalistic morality in developing laws. Although the COVID-19 pandemic created chaotic pressures, the GoI should possess the highest knowledge possible to solve all their problems (Ambos et al., 2006; Delanty, 1998). The GoI's decision-makers should use their universal experience to produce new laws. In other words, this study accentuates the decision-making behaviour to acquire experiential and comprehensive expertise (Laskovaia et al., 2019; Lurie and Mason, 2007; Pagel and Westerfelhaus, 2019) that supports the aims of universalistic laws. The acquisition of the highest supreme knowledge could signify that the GoI has no adverse political will. It also recommends that the GoI produce many regulations containing overall directions without them being value-laden. The other contribution is the decision-maker's behaviour without bias regarding adverse selection, conclusion validity, clinical syndrome, etc. The decision-makers refer to the highest supreme knowledge (Ambos et al., 2006; Delanty, 1998). Their behavioural responses should control the production of new laws without universalistic immorality. The regulations would contain common sense, with specific agendas to succeed. From other perspectives, this study proposes that the state's decision-makers could eliminate the clinical syndrome because they have had comprehensive experiences relating to all the factors needed to enhance the nation's welfare. It also means that the decision maker's behavioural

responses would be neither distorted nor annexed by political hegemony. This study, therefore, demonstrates that all the newly produced regulations are value-free.

This study's final contribution is to politically prevent Indonesia from becoming a failed state. This study considers that a failed political state differs from a failed state (Mellahi and Wilkinson, 2004). The author contends that Indonesia could enter a failed political state era due to clinical syndrome tests and defence mechanisms when issuing lieu of laws. In short, Indonesia could face some governmental expenditures that do not return on investment. In other words, this study proposes to prevent GoI from issuing immature or neurotic policies. The regulations should not be issued if they contain clinical syndrome (Kaufman, 2004; Wolfe, 1989) and the defence mechanism (Cramer, 2008; Davidson and MacGregor, 1998). Whether the Indonesian regulations are loaded with inculcate for the many cognitive biases or not, Indonesia could enter a dark period due to the obscurity of all the expenditure being for governmental consumption only. This study argues that the regulations did not comprehend that the state's structural-potential and foresight-oriented investments are immature decisions. It supports the immature decision when the GoI takes the defence mechanisms to maintain its heuristic or neurotic agenda. It, finally, protects Indonesia, by continuing the process, from a political failure and a state failure.

This paper is arranged as follows: The next chapter will discuss the study's theoretical approach derived from the literature review, especially the lack of adaptive structuration theory and foresight orientation. The design of the research method is presented in the third chapter. It also demonstrates the data collection up to the conclusion-making process. The next chapter discloses the research's discussions and findings. It shows how GoI developed policies and then produced immature or neurotic regulations. The research's implications and limitations are in the last chapter.

## **2. Literature review and theoretical approach**

### **2.1. The widespread lieu of laws and the COVID-19 pandemic**

The COVID-19 pandemic has compelled governments worldwide to adopt emergency measures, often bypassing traditional legislative processes through issuing "lieu of laws" or executive orders. Recent literature has explored and focused on how governments respond to this urgent situation, especially in developing public policies (Acheampong et al., 2023; Arnold, 2023; Nabi et al., 2023; Rehman, 2024; Rehman and Khan, 2023; Sadiqa, 2023; Sánchez, 2022). In detail, this prior literature briefly investigated and deployed such measures across different settings and contexts, drawing their insights and implications widely, such as governance, public health, and economic stability. Most of them started from positivist values, such as analyzing economic diversification during the COVID-19 (Sánchez, 2022) to mitigate immediate economic fallout and investigating the impacts of emergency regulations in numerous fields (Arnold, 2023; Nabi et al., 2023) and roles (Rehman, 2024; Rehman and Khan, 2023).

However, not many emergency measures and pandemic policies developed maturely and positively impactful to wide-range society and countries' economic growth sustainably (Acheampong et al., 2023; Hepburn et al., 2020; O'Connor et al., 2020; Sadiqa, 2023), there is a lack of research on the impact of these short-term

measures on long-term economic sustainability and growth. Furthermore, while these measures investigated in extant literature were essential for immediate crisis management, they raised significant questions about governments' behavioural biases, the political economy sphere, and the long-term impacts of lieu of laws as governments' emergent action in responding to this pandemic urgency. In addition, decision-makers foresight orientation, inclusive policy-making, and adaptive political leadership emerge as crucial factors in leveraging emergency laws for sustainable and equitable outcomes.

Drawing from gaps founded in the existing literature, departing from the current interest in the COVID-19 pandemic faced by the GoI with inconsistent policies, and highlighting the GoI focus limitedly on short-term economic growth by increasing administrative expenditures, especially during crises like the COVID-19 pandemic, this study considers these policy errors because the GoI has not captured the state's adaptive structuration. In other words, the GoI's policies were intended to maintain its position using defence mechanism regulations (Cramer, 2008; Davidson and MacGregor, 1998) and ignore the foresight orientation (Dufva and Ahlqvist, 2015; O'Brien and Robertson, 2009; Rohrbeck, 2010; Rohrbeck and Bade, 2012). Furthermore, it highlights two policies released by the GoI in its attempt to maintain economic growth from a short-run perspective. It continues by analyzing Indonesia's strategy, which focuses on consumed expenditure for routine and short-term expenses but is not forward-looking for investment (Go, 1994; Huang et al., 2009; Nabi et al., 2023; Rehman, 2024). Overall, this study fills significant gaps in the recent literature by integrating sociological, psychological, and economic theories to provide holistic and comprehensive contributions to the GoI's economic policy-makings. Additionally, it offers valuable insights for policymakers to design more adaptive, balanced, and future-oriented economic strategies.

## **2.2. Supreme choice on economic growth**

This research posits the adaptive structuration theory (DeSanctis and Poole, 1994) that formulates the production and reproduction of social systems through the perspective of rules or resources when members interact with each other. The adaptive structuration theory (AST) illustrates the socio-centric role, where organizations have their systems, methods, or procedures for adopting either technology or new regulations (Cao et al., 2009; DeSanctis and Poole, 1994; Scott Poole and DeSanctis, 1992). In this approved process, structuration leads to a positivist approach that emphasizes people's cognitive processes when decision-making rationally (Scott Poole and DeSanctis, 1992). This study, therefore, inferred that adaptive structuration meant that the organizational abilities adjust their resources to achieve their goals (Chin et al., 1997; Whiteley et al., 2013). It argues that a country's economic growth indicators are the adjustment processes illustrated by gross domestic product (GDP). During this chaotic period, the GoI has tried to maintain economic growth by spending the state budget on its administrative expenditure (Leks&Co, 2020). This spending is intended to maintain economic growth in a specific year, such as 2020. In other words, the GoI has not yet considered insights about potential strategies for obtaining long-run GDP growth through investment.

This study used AST in considering a positivist approach to getting an adaptive structuration for decision making (Scott Poole and DeSanctis, 1992), especially for GoI making choices about economic growth. Researchers argue that the GoI should design a GDP growth choice that uses both “structure-in-use” and “structural-potential.” The policies are designed to meet the incumbent performance and consider the foresight orientation (Dufva and Ahlqvist, 2015; O’Brien and Robertson, 2009; Rohrbeck, 2010; Rohrbeck and Bade, 2012). It means foresight orientation interprets all resources to predict future perspectives (Dufva and Ahlqvist, 2015; Hasle and Øhrstrøm, 2015). Therefore, this study argues that the GoI’s actions that focus on routine and administrative expenditure without considering long-run future investments are not adaptive. In the other paradigm, when this study used the structuralist theory (Shortt et al., 2012), the GoI managed to notice “the signified” and ignore “the signifier” simultaneously. It means that GoI should consider how much money is needed to secure the COVID-19 pandemic at “the signified” point and review “the signifier” point, especially for empowering other resources. Taking “the signified” position only could destroy the state’s future performance by trying to sustain the short-run economic growth alone.

### **2.3. Hold governance with defence, syndrome, and bias**

This study considers cognitive bias paradigms to explain Indonesia’s decision-maker systematic deviations when developing some lieu of laws (Arceneaux, 2012; Haselton et al., 2015; MacLeod and Mathews, 2012) to deal with the COVID-19 pandemic. It highlights that Indonesia’s decision-makers have created a subjective apparatus in which they act with distorted cognition (Gilbert, 1998; Maruna and Mann, 2006; Toneatto et al., 1997). If the GoI would be strategically adaptive in dealing with certain situational events, cognitive biases did. This research notes the existence of cognitive biases for the GoI’s decision-makers using the defence mechanism to control Indonesian society (Arceneaux, 2012; Davidson and MacGregor, 1998; Haselton et al., 2015). The defence mechanism demonstrates that GoI distorts reality to maintain its economic growth choice using high anxiety syndrome (Davidson and MacGregor, 1998; Doucouliagos, 2005; MacLeod and Mathews, 2012). The researcher argues that some policies contain a defence mechanism to provide decision-makers immunity to solve the current problem. This immunity, therefore, is intended to justify their subjective reality when implementing regulations (Leks&Co, 2020). In other words, this study shows that GoI makes decisions based on fallacies, while their orientation only focuses on the short-term perspective. It, in turn, proposes that the chosen policy leads the GoI to maintain the defence mechanism.

The author argues that the best choice is to maintain economic growth due to the clinical syndrome of GoI. By this means, the GoI did not find it agreeable when the public examined its issued regulations and policies materially and formally. The GoI is reluctant to confront the public directly by issuing stratagem argumentations to defence its issued regulations and policies. This study demonstrates that whether economic growth could or could not be achieved or continued, GoI would not be trusted. It moreover proposes the contagion effect (Celik, 2012; Harding et al., 2009; Norman et al., 2005) or if/when economic growth defaults or becomes jammed, which

would damage all the aspects of the country's economy. Economic growth for performance measurements makes GoI try to maintain it. This study, however, argues that GoI conducts its policy with clinical syndrome tests. It documents GoI and its syndrome tests with evidence from the system, such as increasing foreign debt and printing more banknotes. It highlighted that the GoI is creating a new debt of approximately 1 billion United States dollars. This study refers to all this debt to maintain economic growth, which is the "holding clinical syndrome" due to its supporting economic growth. This research proposes that GoI conduct achievement bias (MacLeod and Mathews, 2012; Marsh, 1986). It shows that GoI holds conclusion validity bias (Austin et al., 1998; Lipsey, 2000). It's the preliminary conclusion that GoI tries both preferences because they must choose a uni-approach to maintain economic growth.

#### **2.4. Proposition development**

First of all, the GoI issued the lieu of laws (Government Regulation Number 23 the Year 2020, 2020; Leks&Co, 2020; Presidential Regulation Number 54 the Year 2020, 2020) for dealing with the financial problems created by the COVID-19 pandemic. This study argues that the GoI hold the lieu of laws for considering adaptive structuration (Cao et al., 2009; DeSanctis and Poole, 1994; Scott Poole and DeSanctis, 1992) and foresight-orientation (Dufva and Ahlqvist, 2015; O'Brien and Robertson, 2009; Rohrbeck, 2010; Rohrbeck and Bade, 2012), which are used to maintain economic growth. To defend the chosen policy, GoI maintains its cognitive biases, which include its use of the defence mechanism (Arceneaux, 2012; Davidson and MacGregor, 1998; Haselton et al., 2015), achievement bias (MacLeod and Mathews, 2012; Marsh, 1986), and conclusion validity bias (Austin et al., 1998; Lipsey, 2000). Therefore, this study argues that Indonesia could become a failed political state because of these orderly sequences and cognitive biases. It reaccentuates that Indonesia could soon be considered a failed political state, but not a failed state. It does not intend to worsen Indonesia's position or difficulties recovering from the economic and fiscal damage caused by the COVID-19 pandemic. The rapid increase in debt over a short time indicates a state's political failure. The researcher proposes that the study's critical reasoning prevents further adverse selections by GoI. In other words, this study stops Indonesia from becoming a failed political state.

#### **3. Research method**

This study critically reviewed the lieu of laws that the GoI issued. The critical analysis means that this study identifies the sustainability of the regulations that can have an extensive bias in maintaining the status quo regarding the GoI. In other words, this research diagnoses law with an inbuilt bias (Arceneaux, 2012; Buchanan et al., 1978; Corsetti and Roubini, 1995; Doucouliagos, 2005) toward the output of marginal leadership. This study uses a qualitative research design with a case study approach through the perspective of critical instances (Dey, 1993; Petticrew et al., 2013; Trullols et al., 2004). Critical case analysis identifies specific problems to elaborate on whether the causes of bias are present and why these biases are formed. This study randomizes capable and competent people in particular fields to elaborate on these regulations and

study critical thought in the community to obtain relevant information. This study used many doctorate students who have compiled a dissertation on Leadership and Innovative policy-making at Gadjah Mada University, Indonesia. The author argues that the respondents' selection was based on their critical and analytical capabilities regarding either leadership or innovative policy-making in Indonesia. Matching this study's objectives and the respondents' expertise is the aim of the saturation principle. In other words, this non-probability sampling method ensured that the observed respondents had relevant knowledge and experience to provide insightful and critical perspectives on the regulations issued by the GoI. Therefore, this study can be considered a self-selection bias, although it has been distributed to all government ministers in Indonesia.

This study collects primary data through an open-written questionnaire by critically analyzing the regulations' content and interrelation. This study, in turn, compiles all the collected data and interprets it using the critical theory perspective based on dimensional factors for adaptive structures and foresight orientation. Finally, this study analyzed the respondents' answers and assessed the regulations' reasoning bias in the next stage. I employ two main preferences under the author's preliminary analysis: the achievement and the conclusion validity biases. Moreover, I pushed the respondents to provide other examples of biased opinions in the issued regulations. The reliability and validity of achieving valuable integrated data are acquired by delivering multiple-angulation opportunities (Trullols et al., 2004) within the respondent's critical reasoning. This study arranged the frequency of logically similar arguments and the closeness of the concepts (Hampton, 1995) to those whose frequent contents have been verified. In short, this study's primary rationale was to critically analyze the GoI's issued regulations with a high level of expertise and provide meaningful insights from the respondents' academic and professional backgrounds in which were aligned with the study's focus on leadership and innovative policy-making, achieving high relevance and contented depth in the collected data.

Because this study uses an open-written questionnaire, it directly leads to data reduction and matching of the core content of the respondents' answers. This research has been designed to certify the respondents' answers because it facilitates a chat room. The researcher then grouped, categorized, and synthesized the data in two stages. The first stage identifies and analyses the respondents' answers based on the critical theory (Hsieh and Shannon, 2005), specifically the adaptive structuration and foresight orientation. The second stage identifies and analyzes the probability of bias in the regulations (Hsieh and Shannon, 2005). This second stage does not stop when the respondents answer the questions. They are asked to explain the bias's ins and outs by considering the practice of these regulations. The need for the respondents' explanations is to understand their thoughts at the time when they answered the questionnaire. Therefore, this study considers the post-issuance of the laws, the questionnaires' distribution, and consideration of the practice of these regulations all occur.

#### **4. Discussion and analysis**

This section analyzes what Indonesian society thought about this lieu of laws'



usefulness. The author collected 18 respondents with doctoral degrees, concentrated on policy innovation, and are attached in the Appendix. This section elaborates on the degree of utilization of the lieu of laws from the state's perspective. In addition, this research discusses the constitution, economics, the praxeological presupposition, objectivism, consequentialism, and some identified biases due to the ordered issuance of these laws.

#### 4.1. Constitutional economics

The issued laws by the GoI contain constitutional economics, whether these laws show they can develop the legal-institutional-constitutional rules or not. This is because the lieu of laws has to agree with the economic analysis of constitutional law, which could influence the citizens' social contract and contain the political economy. This study collects some excerpts that could explain constitutional economics.

*“The three policies only regulate quantifying the estimated economic impact of the COVID-19 pandemic. I believe these laws were not constituted for the future inputs-outputs of resources, the production processes, and economic performance.”* (TKH\_06).

*“I identified verse by verse how these three regulations are only to manage the financial budget, especially regarding government expenditure, into a policy objective capable of handling COVID-19.”* (YT\_02; 011tr\_02; 02nll\_01).

*“The three regulations have not yet judged the “state's structural potential,” because the focus is on economic recovery. These laws ignore all citizens and other agencies that are voluntarily engaged in future economic problems due to the impact of the COVID-19 pandemic.”* (ER\_03; GN\_01).

This study's respondents perceived that this lieu of laws (Central Government of Indonesia, 2020a; Central Government of Indonesia, 2020b; Leks&Co, 2020) has weaknesses the uncontrollability of constitutional economics. This study noted that many respondents answered two main factors, which did not support the social contract (Demuijnck and Fasterling, 2016; Martin, 2016) and did not leverage the political economy (Baccaro and Pontusson, 2016; Wang and Li, 2019). Many respondents proposed that issuing the lieu of laws was done without future economic analysis. In other words, these laws did not show the constitutionalizing of the managerial economics of the resources (Bertolini, 2019; Holzinger et al., 2019), especially regarding how managing the state budget works. Other respondents proposed that these laws are only controlling the budget's expenditure. Therefore, these laws would probably not motivate citizens, governmental agencies, or other entities to consider how to secure the state (Holzinger et al., 2019; Strauss, 1984). The respondents' arguments stated that these laws neither offer engagement for the citizens nor the empowerment of resource allocations for a future long-run capacity (Dufva and Ahlqvist, 2015; O'Brien and Robertson, 2009; Rohrbeck, 2010). This study concludes that these laws did not cause the citizens and government agents to create a social contract and leverage the political economy, in which constitutional economics is not developed.

## 4.2. Praxeological presupposition

The praxeological presupposition could investigate the lieu of laws that the GoI issued. The issuance of laws could be praxis, even if it is not intended, but it has to accomplish an action. This research presents the results of open-written questionnaires below.

*“The focus of the lieu of laws is related to the coronavirus problem and the economic problem. I argue that regulations should be set for the economic sphere and not solely due to the coronavirus outbreak. I conclude that this series of regulations is immediate action by the GoI.”* (EV\_05; GD\_01; TS\_01).

*“When this state confronts the COVID-19 pandemic, these regulations authorize immunity against lawsuits for the decision-makers managing COVID-19 funds. I refer to policies as praxis because they formulate full authorization.”* (FM\_11; 02nll\_12; TKH\_13; APD\_13).

*“The series of regulations were made only to overcome the country’s financial problems due to the Covid-19 pandemic. The series of regulations show temporary decisions, such as allocating the state budget for health spending, social assistance to the community, subsidized bank deficits, and subsidies for state-owned companies such as airlines. These policies formulate the authoritative legitimacy of the GoI action.”* (ER\_02; APD\_11).

This study considers that GoI issued a series of laws with reflective behaviour (Charness et al., 2018; Strack and Deutsch, 2004) due to the COVID-19 pandemic. It means that these laws are not well-planned. An emerging country’s immediate issuance of laws due to financial pressures probably means disguised policy-making. This research found that all these laws have no foresight or orientation. This is evidence that chaotic forces exist. In the second stage, GoI protected itself from lawsuits about using the state budget. In other words, they frame the action axiom (Baltag et al., 2016; Hammond, 1988) for the citizens and others where all the policies must be correct and have legitimized authorization. The author argues that the laws contained the praxis (Newton, 1997), in which GoI acts as a superstructure that dominates the citizens and all the government’s agents. This study’s preliminary conclusion is that this praxis is a signified event of the state’s political failure in Indonesia, which means no citizens are accessible from the lawsuit.

## 4.3. Objectivism

This research raises objectivist analysis, stating that GoI’s awareness refers to the objective knowledge of the inductive formation process. Furthermore, it explains that objectivism decreases due to the issuance of the three regulations based on subjective experience. This study shows the collected scripts below.

*“It appears that the government, issuing three regulations, intends only to achieve either a certain performance or maintain the targeted economic growth.”* (EV\_01; HD\_01; YT\_11).

*“These three regulations are what the government acts on to legitimize the percentage of the state budget’s deficit to no more than 3% of gross domestic product (GDP). This increased deficit shows the government’s inability to increase state revenue and reduce the deficit. The government takes a safe policy*

*by sticking to the 3% deficit. It probably has no idea how to maximize efforts to increase or explore other state revenues. It could not achieve the targeted state revenue during 2017, 2018, and 2019, when these three regulations should have been issued.” (AP\_07; FWP\_11).*

This study infers from these two excerpts that the three lieu of laws were contaminated by subjective knowledge, especially about maintaining performance. It shows their purpose was to ensure that GoI held to its policy of reducing the state’s budget deficit. Whether this policy is based on the GoI’s consciousness means that the sequential lieu of laws is not objective about how GoI made these laws based on their subjective knowledge (Baltag et al., 2016; Delanty, 1998). In other words, the issuance of lieu of laws was probably either a metaphysical orientation or a focused intention on administrative control. With its diminished objectivism, the lieu of laws caused Indonesia and its society to have low adaptive structuration (Chin et al., 1997; DeSanctis and Poole, 1994; Pagel and Westerfelhaus, 2019; Sinclair and Vogus, 2011). This low adaptation is due to the subjective knowledge that annexed the state’s management, so it is always on its rationality paradigm to maintain these laws’ intended truth.

#### **4.4. Consequentialism**

This study proposes that the lieu of laws must contain consequentialism, which directs that the citizens and government agents get positive consequences. The perspective of consequentialism evaluates morally correct actions when these laws produce positive implications for the next period. This research collected the piece of evidence below.

*“At a glance, the issuance of the three regulations has considered the state’s structural potential because they all have referred to a focused goal of economic recovery. Nevertheless, the regulations’ long-run impact does not consider future orientation carefully. Then, after releasing all the government expenditure, the GoI did not consider the forward-looking orientation of the next income generations.” (TS\_05; FM\_01; ER\_06).*

This study argues that the premise of the COVID-19 pandemic’s impact on government expenditure and the increase in state debts are constituent syllogisms. On the other hand, GoI did not have any orientation for designing new prospective investments. Due to all the government’s expenditures going to counter the pandemic’s effects, the author argues that the policy has a short-run perspective. The lack of a long-term vision would result in a low-growth economy (Baccaro and Pontusson, 2016; Rohrbeck, 2010; Wang and Li, 2019). This study demonstrates that focusing on the short-run and neglecting the long-run decisions are a sequentially poly-syllogism, the impact of which would end in low economic sustainability (Anand and Sen, 2000). It concludes that Indonesia, as an emerging country accompanied by its characterized decisions, will hardly achieve its economic growth or gain its delayed social welfare.

#### **4.5. Identified biases**

This section demonstrates that the orderly issued lieu of laws contained clinical

syndrome tests, achievement, conclusion validity, and regulatory capture biases. This research successfully collected written scripts from 16 out of the 18 respondents who stated that the ordered lieu of laws contained clinical syndrome tests and achievement and conclusion validity biases. Many scripts that supported these three biases have been presented in the previous subsections. This study considers that the ordered lieu of laws contains the preferences below. These biases are the respondents' arguments against granting protection from a lawsuit, the short-run decision-making for recovering and maintaining economic growth (by focusing only on finance and tax), and the concentration on budgetary expenditure. The protection from the lawsuit for the GoI fulfils the three biases, such as the clinical syndrome tests (Little et al., 2013; Wolfe, 1989), achievement (Brunstein and Heckhausen, 2018; Goetz et al., 2016), and conclusion validity biases (Austin et al., 1998; Jussim, 2017; Marsh and Roche, 1997). These remaining biases carry out the GoI on holding both achievements (Brunstein and Heckhausen, 2018; Goetz et al., 2016) and conclusion validity biases (Austin et al., 1998; Jussim, 2017; Marsh and Roche, 1997). This study, therefore, concludes that the four types of respondents' arguments support this research proposition. It is supported by discussions of the adverse selection policy chosen by the GoI, the defence mechanisms for increasing debt, and the focus on budget expenditures.

This study presents a distinctive argument on the ordered lieu of laws carrying out the regulatory capture bias. Below is a written excerpt from respondent number 02nll.

*“In issuing the ordered lieu of laws, a regulatory capture bias occurs when groups or individuals are highly interested in policy outcomes or regulatory decisions. These groups or individuals must utilize resources to achieve these policy outcomes. Citizens with little involvement in the produced results would be completely ignored. Policymakers or regulatory bodies act as if they do so in the public interest, but instead, promote the commercial or political interests in which they dominate the industries or sectors in regulating themselves.”* (02nll\_13).

This research infers from this excerpt that the ordered lieu of laws indicated a regulatory capture bias. This bias argues that the issued policy carried out the costs centralized on the state's responsibility and the benefits captured by specific groups or individuals (Banfield, 1985; Gerring and Thacker, 2004). This study proposed that groups or individuals utilize the ordered lieu of laws to secure industries or sectors in which Indonesia should centrally bear these costs and get these benefits. Thus, the ordered lieu of laws should be in the public interest of benefiting the citizens. However, these laws are based on a capture approach, in that the benefits were received by specified groups close to the state apparatus issuing these laws. The author concludes that the ordered lieu of laws within the regulatory capture supports this study's proposition.

## **5. Findings and consequences**

The author demonstrates that the four dimensions of the discussion and analysis would end with the adaptive structuration theory. I also show all biases as evidence to support this study's findings. This study found that all the lieu of laws do not fulfil the

rule's legal-institutional-constitutional approach. It does, however, demonstrate that all these laws are not supported by any economic analysis of constitutional law in which the GoI decides that the other alternative solution did not complement these laws (Puig and Shaffer, 2018; Ten, 2017). In other words, this study supposed that the government agency did not present any compatibility for effective decision-making (Cervone, 2015; Höchtl et al., 2016; Nutt, 2004) to recover the economic losses. The issuance of this ordered lieu of laws could not facilitate their influence on future economic benefits due to the lack of a denominator. By these means, these laws' publication only focused on economic recovery (Acheampong et al., 2023; Hepburn et al., 2020; O'Connor et al., 2020) from the COVID-19 pandemic. This study infers that the government agency did not present any other alternatives for solving (Dost et al., 2016; Tracey and Stott, 2017) the damage caused by the COVID-19 pandemic. Therefore, all these laws would not influence the national or regional economies due to the accounting and administrative controls being for budget expenditure only. Focusing on regulatory oversight, this lieu of laws could not make Indonesian citizens, government agencies, and private firms create a social contract (Demuijnck and Fasterling, 2016; Mahoney et al., 1994; Rosenfeld, 1984) with the GoI. This lieu of laws gives the GoI and private firms behavioural opportunities to be adverse selection. The latest concept in constitutional economics is the political economy in which the lieu of laws do not have an agenda for powering the government agency to conduct resource allocations to each sector of the economy (Arnold, 2023; Morkovkin et al., 2016; Nabi et al., 2023). The author finally concludes that all these elements of constitutional economics are not found in these lieu of laws. In other words, all these laws do not have the capacity of adaptive structuration. It means that all these laws do not utilize the structure-in-use and the structural-potential concepts to accommodate national economic stability.

This research found that the ordered issuance of lieu of laws contains a praxeological presupposition. The praxis is the hit of the COVID-19 pandemic, which has influenced the experiential values of the GoI. The GoI reacted to this pandemic by enacting some reflective actions in lieu of laws. In other words, GoI responded to the pandemic, meaning they did not act with any premeditated behaviour or an intended agenda (Dost et al., 2016; Ramstad, 2009; Tracey and Stott, 2017) to face the pandemical risk. It also means that the issued lieu of laws was not designed to capture future potential benefits but to recover future potential losses. On the other hand, statutes' publication to cover the pandemic's costs is an action axiom. This study proposes that the action axiom chosen by the GoI is an inexpedient policy (Bolick, 2000; Fatem et al., 2018; O'Connor et al., 2020; Sadiqa, 2023) that ignores structural-potential resources and foresight orientation. GoI had been assuaged by the ultimate concept of cost-benefits with their reasoning of chaotic pressures. The author finally considers that both reflective behavioural action and the action axiom constructed the praxeological presupposition for issuance regulations. Due to the conducting praxis, this study argues that the GoI did not utilize its capacity for adaptive structuration, so it did not combine the structure-in-use and the structural-potential to empower the national resources to combat future potential losses.

From the third perspective, this study found diminishing objectivism in issuing lieu of laws. It found that these regulations did not refer to inductive logic in which

other countries had combated the damage caused by the COVID-19 pandemic. The GoI should have studied other countries with experiential knowledge in tackling the pandemic. By not seeking advice, the GoI did not hold rational egoism, which means that it had taken into account the process of producing laws in full consciousness due to considering the predecessor laws. In other words, the GoI would better use moral purposes (Acheampong et al., 2023; Caruso and Morris, 2017; Resnik and Elliott, 2019; Rehman, 2024) in curing the economic leakages of this pandemic. Due to unreferenced logic, the produced lieu of laws would not have adaptive structuration capacity. This study concludes that these regulations, which the GoI created to tackle economic problems, will likely be metaphysical ideas characterized by an unclear orientation. The rules in lieu of laws focus on accounting and administrative regimes because no one has spoken to the countries that have experienced the same problems.

This study argues that all the lieu of laws related to recovery from the pandemic have potential consequences, which could be helpful or not. Their usefulness depends on the moral implications which produced the rightness or wrongness of the GoI's behaviour. This study found that all these lieu of laws would probably be administrative and accounting controls that made the GoI focus on pragmatic ethics to create these laws (Bray, 2013; Gilardi and Wasserfallen, 2019; York, 2009). All these regulations show that GoI is fulfilling the standardized rules. These regulations play the role of a constituent syllogism. From other perspectives, the GoI would service the stated verses of these laws and then ignore the achievements of optimal outputs (Bray, 2013; Gilardi and Wasserfallen, 2019; York, 2009). This study concludes that supervisory GoI's behaviour used only the structure-in-use to service the hindsight values. The country's capacity for adaptive structuration has been terminated because no one considered consequentialism. In other words, these regulations direct GoI to show ethical altruism when they act using them.

This research supported the findings of constitutional economics with the identified biases. Four cognitive biases are produced in this lieu of laws: clinical syndrome tests, achievement, conclusion validity, and regulatory capture biases. This study identified that GoI is a clinical syndrome (Kaufman, 2004; Wolfe, 1989), where they would be tested with the performance measure of economic growth. It infers that Indonesia would be afraid of whether its economic growth is a minus, so the GoI, as the decision-makers, could not be prosecuted. It also means that GoI developed this in lieu of laws to achieve an economic performance, an achievement bias (Chiu and Khoo, 2005; MacLeod and Mathews, 2012; Marsh, 1986). From other perspectives, this lieu of laws contains conclusion validity bias, the praxis for the uni-goal and objective without the action axiom. Furthermore, it demonstrates that this lieu of laws protects the decision-makers from litigation. The author explains that the inductive logic did not complement these regulations' contents in-laws and supports the conclusion validity bias (Austin et al., 1998; Lipsey, 2000). Finally, the praxis and the protection from litigation support the subsequent bias of regulatory bias. This study explains that the regulatory preference (Gonzalez et al., 2018; Westjohn et al., 2016) is because all the pandemic costs are charged to the state budget, and it is unclear who would get those benefits.

Ultimately, this study provides practical insights that would benefit the government as follows. Firstly, it should, by incorporating adaptive structuration in

policy-making processes, integrate both “structure-in-use” and “structural-potential” in its policy-making processes to ensure (DeSanctis and Poole, 1994; Rehman and Khan, 2023; Sadiqa, 2023; Sánchez, 2022) that policies are flexible and adaptive, allowing for both immediate crisis management and long-term economic sustainability. Not only that, it should develop practical mechanisms as clear denominators to adaptively assess and adjust policies based on real-time data and emerging trends, ensuring the implemented policies remain relevant and practical, especially for emergent regulations (Acheampong et al., 2023; Dufva and Ahlqvist, 2015; Hasle and Øhrstrøm, 2015). Secondly, by foundationally internalizing and inducing foresight orientation, GoI could adaptively govern its budget, specifically for targeting investments that focus on future economic benefits and long-term growth rather than limitedly on national economic preservation (Rohrbeck, 2010; Sadiqa, 2023; Wang and Li, 2019). Consequently, maintaining economic growth is not the only sustainable national result amid any emergent situation; it also mitigates the country’s economic falls under challenging times. Lastly, assuming those two recommendations have already been implemented, the morally fulfilling dynamic accountability principle would ensure that all emergency laws and policies are developed by encouraging public participation in the policy-making process, such as through consultations and digital platforms, to gather diverse inputs and foster inclusive governance. Therefore, the ultimate goals are presenting clear agendas and transparent processes, gaining political legitimacy, reducing scepticism, and gaining public support.

## **6. Conclusion, limitations, and future research**

First, this study identified that GoI issued some lieu of laws. However, these regulations did not accommodate the state’s capacity for adaptive structuration and did not frame the foresight-oriented investment. In other words, it investigates why GoI issued either immature or neurotic policies. Supporting this study’s uniqueness, it presents argumentatively critical reasoning. First, the GoI defends its policies of maintaining economic growth by spending the state budget on governmental expenditures. Second, the GoI focuses on increasing the economy’s policies with its defence mechanism, which focuses entirely on stopping any economic downturn. Third, this study found that the lieu of laws did not have an agenda for powering the government to allocate resources to each economic sector. Thus, the lieu of laws did not carry out constitutional economics. It argues that the GoI did not utilize its capacity for adaptive structuration and did not combine the structure-in-use and the structural-potential to empower the national resources to combat the future potential losses due to the COVID-19 pandemic. It also means that the country’s capacity for adaptive structuration is terminated because consequentialism was not considered. Fourth, the produced lieu of laws focus on accounting and administrative regimes but were not developed using inductive logic. In other words, these laws do not align with the foresight perspectives. This research complemented its arguments with the four identified biases. These biases are clinical syndrome tests, achievement, conclusion validity, and regulatory capture biases. It also contributes to the consciousness process for the GoI, with knowledge enhancement and universalistic morality in developing

any future regulations. It finally prevented Indonesia from changing into a failed political state.

This study probably has a limitation, which is selection bias. It selected respondents randomly, but they were all educated people with doctoral degrees. In other words, all the respondents have experiential knowledge of leadership and policy innovation. They quickly answered the open-ended questions due to their expertise. Nevertheless, this study noted that the respondents have different occupations, such as being employed by political parties, governmental agents (regional or central), researchers, lecturers, lawyers, etc. The other bias is probably that some current news items from social and news media had influenced those respondents. The media have discussed these in lieu of laws concentrating on legal protection for GoI. This study, however, argued that this bias could be ignored because it found some findings in media news. In addition, this study is more comprehensive than what Indonesian society is currently discussing.

Based on these limitations, I recommend the following points for further study. First, to preventively reduce selection bias, future scholars could aim to include a more diverse sample of respondents, not limited to highly educated individuals with doctoral degrees. This sampling method could be achieved by selecting participants from various educational backgrounds, socio-economic statuses, and geographical regions to obtain a broader and more robust perspective on the studied issues. Second, as public policies require specific-to-broader scopes of analysis before fully implemented, cross-cultural comparisons would be interestingly investigated by holistically comparing the impact of lieu of laws and public perceptions in different countries and settings, providing valuable insights into how cultural, social, and political contexts are inextricable each other to the policy effectiveness and acceptance sustainably. Third, due to experiencing cognitive behaviourism differently, further exploring decision makers' adaptive capabilities and their readiness to develop public policy spheres with different research settings would also significantly add new contributions to the existing body of knowledge. Last, as wide-range media probably brought framing value to citizens' perception, media influence on the public perception towards emergency laws and government actions through an experimental approach would enrich the extant literature, including investigating how different types of media (e.g., social media and news websites) affect respondents' views on government policies.

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## Appendix

No.	Code	Received Date	Duration <sup>#</sup>
1	EV	29 May 2020 20.24	08 d; 18 h; 50 m
2	FM	24 May 2020 08.03	02 d; 06 h; 29 m
3	HD	23 May 2020 14.00	02 d; 12 h; 26 m
4	TKH	24 May 2020 08.03	02 d; 06 h; 29 m
5	02nll	24 May 2020 18.02	03 d; 16 h; 28 m
6	GD	31 May 2020 12.05	09 d; 10 h; 31 m
7	TS	31 May 2020 12.25	09 d; 10 h; 51 m
8	YT	31 May 2020 12.49	09 d; 11 h; 15 m
9	ER	31 May 2020 17.31	10 d; 15 h; 57 m
10	GN	31 May 2020 18.33	10 d; 16 h; 59 m
11	011trh	31 May 2020 21.13	10 d; 19 h; 39 m
12	AP	31 May 2020 22.07	10 d; 20 h; 33 m
13	FWP	1 June 2020 10.58	10 d; 09 h; 24 m
14	APD	1 June 2020 11.12	10 d; 09 h; 38 m
15	AAM	2 June 2020 11.01	11 d; 09 h; 27 m
17	Kf	2 June 2020 19.41	12 d; 18 h; 07 m
17	RA	2 June 2020 20.11	12 d; 18 h; 37 m
18	GF	3 June 2020 09.17	12 d; 07 h; 43 m

Note: <sup>#</sup>the author sent the open-written questionnaires on 22 May 2020; at 01:34 AM; d (days); h (hours); m (minutes).