

SOCIAL SECURITY AS A GOVERNMENT EFFORT IN REALIZING SUSTAINABLE DEVELOPMENT GOALS (SDGs)

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ABSTRACT

Indonesia is a unitary state which is currently at the level of a developing economy. Economic inequality is one of the various problems that arise in various countries, especially Indonesia, and the government is still trying to overcome it. Social security to the community is one of the important needs that must be upheld and implemented by the government in accordance to the mandate of the 1945 Constitution of Indonesian Republic. In the general provisions of article 1 paragraph (1) of Law Number 40 of 2004 concerning National Social Security implies that Social security is one of a security forms to ensure that all people can meet their basic needs for a decent life. Article 28H paragraph (3) of the 1945 Constitution of the Indonesian Republic states that "everyone has the right for social security which enables his/her thorough development as a dignified human being." In Article 34 paragraph (2) which states: "The state develops a Social security System for all people and empowers those who are weak and incapable in accordance with humanitarian standards", as well as in Article 34 paragraph (3) of the 1945 Constitution of the Indonesian Republic which explains that "The State responsible for the provision of proper health service facilities and public service facilities. The mandate of the 1945 Constitution of the Republic of Indonesia becomes the basis on which the government must be committed to guarantee social security for Indonesian people. In this case, the implementation of the social security programs is one of the responsibilities and obligations of the State to provide socio-economic protection to the community. This study uses a juridical-normative method. The juridical-normative method is a scientific research procedure to find the truth based on the scientific logic of law from its normative side. From the formulation of the problem that has been defined, it can be concluded that the government guarantees the social welfare of the community through social security by creating a legal regulation to implement the governments' objectives and by providing social security to the community, the government makes it easier for the community to get good social services and always strives to develop the welfare of society in general.

Keywords: Social Security, Government, Sustainable Development Goals

1. INTRODUCTION

Indonesia is a unitary state which is currently at the level of a developing economy. When compared to other countries that are included in the combined Group of Twenty (G20) or multilateral cooperation forums whose members are countries with the largest economies in the world consisting of 19 countries and the European Union (EU). Indonesia is a country that is still considered a country with a developing economy. Economic inequality is one of the various problems that arise in various countries, especially Indonesia, and the government is still trying to overcome this. The birth of the concept of a welfare state is a concept that can be used as a guideline for carrying out the role of the state for society, namely fighting for the social and economic welfare of the people in the country.

In the Big Indonesian Dictionary, the definition of a welfare state is a state that strives for people's welfare by overcoming production anarchy and the economic crisis, increasing the guarantee of citizens' lives by eradicating unemployment (Dagun, 2000). Meanwhile, Edi Suharto defined the welfare state as an ideal model of development focused on increasing welfare through giving a more important role

to the state in providing universal and comprehensive social services to its citizens. So the focus of the welfare state system is to create an institutionalized social protection system for every citizen as an illustration of the rights of citizens and the obligations of the state (Suharto, 2007).

In general, a country can be classified as a welfare state if it has four main pillars, namely: 1. social citizenship; 2. full democracy; 3. modern industrial relations systems; and 4. rights to education and the expansion of modern mass education systems (Triwibowo & Bahagijo, 2006). These four pillars are made possible in a welfare state because the state treats the implementation of social policies as "the granting of social rights" to its citizens which are given on the basis of citizenship and not on the basis of performance or class. (Triwibowo & Bahagijo, 2006)

With the existence of the concept of a welfare state and the government's noble goals for the welfare of society which has been mandated by the 1945 Constitution according to the objectives rather than a concept of sustainable development Sustainable Development Goals (SDGs) where the goal of sustainable development is to maintain the continuous improvement of the community's economic welfare, maintain the sustainability of the social life of the community, maintain environmental quality as well as inclusive development and the implementation of governance that is able to maintain the improvement of the quality of life from one generation to the next. Indonesia as a constitutional state has been listed in the Constitution of the Republic of Indonesia precisely in article 1 paragraph (3). The formulation contained in a rule of law (*rechtstaat*) is that the state aims to organize law and order. The rule of law maintains public order so that it is not disturbed and so that everything runs according to the law (Fadjar, 2006). Indonesia is a constitutional state where its legal products are always useful to protect the interests of society or its citizens or as a tool to obtain mutual justice (Partama Putra & Agus Uji Widastra, 2022).

Meanwhile, the Indonesian Constitution, namely the 1945 NRI Constitution, is a *grondwet* or basic law which is a source of basic law which contains a *grondnorm*, namely in this context Pancasila (Qamar, 2012). The Constitution of the State of Indonesia, namely the 1945 Constitution of the Republic of Indonesia, contains the ideals of the Indonesian people in the Preamble to the 1945 Constitution of the Republic of Indonesia. In the Preamble to the 1945 Constitution of the Republic of Indonesia, there are the basic ideals of the Indonesian people which are also reflected in the five principles of Pancasila. These five precepts form the basis for the inspiration of the 1945 Constitution of the Republic of Indonesia (Fuad, 2013). In accordance with the state objectives stated in the fourth paragraph of the 1945 Constitution, the community surrenders their rights which have been regulated by the government with the aim of being prosperous.

Welfare of the people can be through many things and ways, one of which is carrying out National Development. National Development is interpreted as a joint effort between the people and the state to jointly improve themselves in a better direction than before (Ali, 2009). The general provisions of Article 1 paragraph (1) of Law Number 40 of 2004 concerning National Social security mean that Social security is a form of social protection to ensure that all people can fulfill their basic needs for a decent life. From the background above, the question arises how the government's efforts to guarantee the implementation of social welfare? and is social security part of the form of the government's goals to support sustainable development?

2. RESEARCH METHODOLOGY

This study uses a juridical-normative method. The juridical-normative method is a scientific research procedure to find the truth based on the scientific logic of law from its normative side (Ibrahim, 2005). According to Peter Mahmud Marzuki, normative legal research is a process to find a rule of law, legal principles and legal doctrines to answer the legal issues at hand (Marzuki, 2010). This research

approach uses a statutory, conceptual and analytical approach that uses secondary data in the form of primary and secondary materials.

3. RELATED RESEARCH/LITERATUR REVIEW

Literature Review is a critical analysis of research that is being carried out on a specific topic or in the form of a question about a part of science. Literature Review helps us in developing a framework of thinking that is in accordance with the theories, findings, and results of previous research in solving the problem formulation in the research that we make. A good literature review is one that evaluates the quality and new findings of a scientific paper. What is called scientific literature can be in the form of papers from scientific journals, papers from conferences (proceedings), theses and dissertations, reports (reports) from trusted organizations, textbooks. This research refers to several literatures related to legal science as well as discussion of theories relevant to this research. It also uses several studies through articles published in several law journals that refer to social security, sustainable development and several concepts regarding the welfare state.

4. RESULTS AND DISCUSSION

Indonesian people, regardless of social status, even ethnicity or religion, today really welcome the concept of social security initiated by the government, in order to help the economy of people who need services from various forms of social security. Social security is a community investment for future risks that society cannot predict. The risk in question is when citizens experience economic constraints due to internal or external factors, at least they are able to meet their health and social security needs in other forms as another option that can be used in the future, at any time when experiencing family economic risks. Currently the concept of social security that is considered quite useful is social insurance, assistance, other benefits funded by the state budget, and several other programs that will later develop around the government's social security. Not a few Indonesian people have the same problems related to the guarantee of a prosperous life, where the welfare of life should have become an obligation given by the State of Indonesia according to the mandate of the law. However, there are still many Indonesian citizens who have not received this. Until the government came up with the idea of social security that must be given to its people in order to help reduce the burden on society and families. From this social security, at least the government can help the Indonesian people to get various social services, which in this case are borne by the state, employers and the community, depending on the ability of the community.

Since the declaration of the Declaration on the Rights to Development in 1986, which stated that humans are the main subject of development, humans must be actively involved in and also benefit from this development. The involvement of citizens is one of the pillars for the establishment of a country and must get protection for the human rights of these citizens. In addition, citizens also have the right to oversee the implementation of state policies. Social security in this case can be regarded as one of the human rights that can be fought for by the state. Providing social security is a strong relationship between the state and its citizens adopted from the International Labor Organization (ILO) Convention No. 102 of 1952 which recommends that all countries in the world provide basic protection to every citizen in order to comply with the United Nations Declaration on Social Security Rights. According to ILO Convention No. 102 of 1952, social security is defined as follows:

“Social security is the protection which society provides for its members through a series of public measures:

1. To offset the absence or substantial reduction of income from work resulting from various contingencies (notably sickness, maternity, employment injury, unemployment, invalidity, old age and death of the breadwinner)

2. To provide people with health care; and
3. To provide benefits for families with children."

One general type of program of social legislation is social security which is part of the social welfare system. According to Kenneth Thomson, Social Security can be interpreted as protection provided by society for its members for certain risks or events with the aim, as far as possible, to avoid the occurrence of these events which can result in the loss or reduction of a large portion of income, and to provide medical services and/or financial guarantees against the economic consequences of the incident, as well as guarantees for family and child benefits (Pujileksono, 2016).

Article 28H paragraph (3) of the 1945 Constitution of the Republic of Indonesia states that "everyone has the right to social security which enables his/her full development as a dignified human being." In Article 34 paragraph (2) which states: "The state develops a Social Security System for all people and empowers people who are weak and incapable in accordance with humanitarian standards", as well as in Article 34 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which explains that "The State responsible for the provision of proper health service facilities and public service facilities. With the mandate of the 1945 Constitution of the Republic of Indonesia, it is the basis on which the government must be committed to guaranteeing social security for the people of Indonesia. In this case, the implementation of social security programs is one of the responsibilities and obligations of the State to provide socio-economic protection to the community (*BPJS Ketenagakerjaan*, n.d.).

Welfare is a prosperity that is still abstract. Prosperity achieved is usually characterized by economic security, meaning that the inflation rate is under control and the unemployment rate is low. Socio-economic risks that tend to cause loss of jobs that impact on poverty can be prevented by a protection system that is given to everyone through social security, so that social security is one of the operational pillars of welfare. Social Security is a necessity for all citizens. The social security program is a program that is considered strategic in realizing people's welfare in many countries. Because the purpose of forming a country is to achieve welfare (welfare state) which is the government's commitment as its responsibility as the manager of the country. The development of social welfare in Indonesia actually refers to the concept of a welfare state (Shihab, 2013). The legal basis for social security is stipulated in Law no. 40 of 2004 concerning the National Social Security System (SJSN), which was later stipulated by Law no. 24 of 2011 concerning the Social Security Administering Body, which later social security was taken over by the BPJS. The government regulates all community social security through various regulations that have been made and passed by the government, including laws that regulate workers/labor such as Law No. 5 of 2014 concerning the State Civil Apparatus, as well as Law no. 13 of 2003 concerning Manpower where the two laws mandate social security for workers/laborers and are obliged to provide protection in the form of old age security, health insurance, work accident insurance, death security, and legal defense.

The concept of social security in Indonesia is a contribution concept in which the Indonesian people have the obligation to pay these contributions every month with a guarantee of getting health facilities and several other facilities with the existence of social security with several class groups, namely class 1, 2 and class 3. Especially for the community those who are classified as poor/underprivileged, the monthly contribution payment has been borne by the government, automatically classified in class 3 or the lowest. The class differences only refer to the facilities obtained, but in terms of health services each class is equivalent.

The concept of this welfare state is a state idea that uses a democratic government system that is responsible for the welfare of its people. This program aims to reduce people's suffering such as poverty, unemployment, health problems and so

on. Therefore, a country that applies the concept of a welfare state has public policies that are services, assistance, protection or prevention of social problems (Huda, 2009). Talking about sustainable development, currently the government is trying to continue to perfect social security programs which will later be able to fully assist the community and improve people's welfare, because welfare is a mandatory matter that must be given by the state to the community according to the mandate of the 1945 Constitution of the Republic of Indonesia in accordance with the objectives rather than the concept of Sustainable Development Goals (SDGs), namely development maintains an increase in the economic welfare of the community on an ongoing basis, maintains the sustainability of the social life of the community, maintains the quality of the environment and inclusive development and implements governance that is able to maintain an increase in the quality of life from one generation to the next, which is also in line with the concept of a welfare state seeking people's welfare by increasing the guarantee of citizens' lives by eradicating unemployment and providing universal social services to its people in order to reduce the level of poverty / disability in society.

5. CONCLUSION

The focus of the welfare state system is to create an institutionalized social protection system for every citizen as a reflection of the rights of citizens and the obligations of the state. With the existence of the concept of a welfare state and the government's noble goals for the welfare of society which has been mandated by the 1945 Constitution according to the objectives rather than a concept of sustainable development Sustainable Development Goals (SDGs) where the goal of sustainable development is to maintain the continuous improvement of the community's economic welfare, maintain the sustainability of the social life of the community, maintain environmental quality as well as inclusive development and the implementation of governance that is able to maintain the improvement of the quality of life from one generation to the next. Article 28H paragraph (3) of the 1945 Constitution of the Republic of Indonesia states that "everyone has the right to social security which enables his/her full development as a dignified human being." In Article 34 paragraph (2) which states: "The state develops a Social Security System for all people and empowers people who are weak and incapable in accordance with humanitarian standards", as well as in Article 34 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which explains that "The State responsible for the provision of proper health service facilities and public service facilities. The government guarantees the availability of social services to the community through various regulations as mandated by the 1945 Constitution of the Republic of Indonesia. The aim is to reduce people's suffering such as poverty, unemployment, health problems and so on. Therefore, a country that applies the concept of a welfare state has public policies that are services, assistance, protection or prevention of social problems.

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