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Poverty, Evictions and Development: Efforts to Build Social Welfare Through the Concept of Welfare State in Indonesia

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Abstract- This study aimed to know how is the reality of people's welfare in Indonesia during the current administration and how to build people's welfare through the concept of welfare state. The research approach used in this research is empirical juridical approach method is research that relate the law with real human behavior in society means to how far law really apply in reality interaction in society. The results concluded that a). The reality of citizen's welfare in Indonesia during the current administration is that Indonesia is not ready if only to revitalize National Social Security System for the implementation of the concept of the welfare state universally, in the sense of being applied to the whole population, sustainable, and systematic. Because of the defect of state institutions as an example is the institution of taxation as one of the roles of the state resources manager, which is always wet with corruption cases. Efforts to build the welfare of the people through the concept of welfare state (welfare state) is departing from the state's efforts to manage all existing resources for the welfare of society. These ideals are then translated into public policy. Through this policy can be seen whether a country really realizes the welfare of its citizens.

Keywords- Poverty, Eviction, Development, Welfare State.

I. INTRODUCTION

For many nations experiencing a democratic transition, there is great hope that there will be drastic changes in freedom and the recognition of political rights that have been so far contained. Indonesia also experienced the same euphoria when entering the first years of reform. But in reality, these lofty ideals are often still far from the fire. One example of the negligence of the state in calculating every development ratio so that people are thrown from the development process is the eviction of the people market and hundreds of street vendors (PKL) that occurred in Pedongkelan, Kelapa Gading, North Jakarta. Their profession as street vendors is clearly a reasonable alternative solution when the country's government fails to find a way out of the unemployment problem. Evictions in the name of development or law enforcement have always been a sad and painful phenomenon for victims. In the evictions still attached to the meaning of violence. Moreover, it is also a reflection of the failure of decision-making institutions to establish a wiser dialogue. The politics of development

that are supposed to be humane in the case of evictions is ultimately carried on independently of social ethics [1].

Not only eviction of street vendors but land evictions are also common. According to city planning observer, Marco Kusuma Wijaya, the eviction is actually causing the poverty of the small people is increasing. Prior to the evictions, the government should be able to see land letters owned by the people, ranging from girik rights to land rights. Given, prior to Indonesia's independence, there are already many people who occupy land in Indonesia with different rights. In addition, the eviction of Bukit Duri. Bukit Duri event is a tragedy of humanity and the tragedy of law enforcement. The court has clearly ordered Bukit Duri's status quo as long as the case is still in progress, but the evictions are still being carried out. Our constitution embraces the welfare state with the emphasis that people should be protected and empowered to prosper in their own homeland [2].

Based on the Introduction presented above, the author then would like to generalize the main problem that will be discussed in this article that is: *first*, How is the condition of the Indonesian state as of today, is it still too far from the ideal concept of welfare state ? ; *Second*, How to build, or rather increase Indonesia's so that there will be less poverty and eviction and more development ?

II. RESEARCH METHOD

This research is categorized as a sociological or empirical legal research. Empirical or juridical empirical legal research is a study that links law with real human behavior in society, to the extent that the law actually prevails in the realm of interaction in society. This empirical legal research is not only focused on the people but also on law enforcers and facilities that are expected to support the implementation of the regulation [3].

III. FINDINGS AND DISCUSSION

These days Indonesians are experiencing a rebounding in various prices of basic necessities, rising fuel prices and basic electricity tariffs, evicting street vendors and settlements with small people's homes under the pretext of the beauty and cleanliness of urban space. If beautiful is

related to the problem of feeling, then it means that beauty in this case is the same with the beauty of the artificial, manipulative, and unethical let alone callous. It just betrays the beautiful word itself. The irony of the displaced evictions policy, as noted by the Jakarta Legal Aid Institute, says that during 2006, there were 1883 families evicted in Jakarta, increasing to 5953 displaced families. One step in the city of Surabaya according to LBYSurabaya report, is recorded more than 289 cases of street vendors evictions (PKL) throughout the year 2009 [4]. We need to remember that the number is new only in Jakarta, then how in other big cities, increased How many thousands of citizens are increasingly impoverished both their feelings and well-being? The latest news on this policy style there are as many as 1007 people in Tangerang Banten precisely in the area of China Benteng as seen in many cases as in Hispanic eviction in United States [5] prepared to face the onslaught Satpol PP pull down their huts. As a complement to the reality slide show on this subject, still land and land issues and still within the numbers identified, the Peasants Union of Indonesia noted that up to 2008 at least 196179 hectares of people's land had been seized, and 166 farmers were captured and there were more than 24 457 farming families are displaced from their land. Data about the irony of our farmers is only recorded, and certainly there are many areas in this country that escape from record.

The reasons for evictions by governments are generally based on several points: first, the inefficiency of the space causing congestion; Secondly, because the risk of safety due to human made disaster (such as flood) that often occur in big cities, especially Jakarta; Third, is due to environmental health reasons such as disease transmission due to slum areas that are slums or other informal sectors. So in summary we can say that the aesthetic, ecological, economic, and efficiency aspects are the groundwork of the implementation of the eviction policy. However, the most dominant reason to legitimize evictions is the beauty or urban planning, economics such as a company's land order, and efficiency like city traffic. [6].

It is from this policy logic that it becomes a dehumanizing policy structure of the Indonesian people. On the other hand the eviction policy of displacing is actually counterproductive with the aim of the nation to prosper all the people as embodied in our constitutional preamble. This is based on a sequence of arguments that people who have lived within a few years in a city room location indicate that they are surviving with the space they occupy even though the reason for the scarcity of space can not be denied. That the "security" of the people who have lived is happening because of the layout of the place where they live support and enable the existence of economic input so that they can survive even though not enough able to improve their lives. Whereas in the sociological context, be it a community of street vendors or slum areas, proximity and empathetic relation is a form

of enrichment of their souls to balance with the reality of poor matter [7].

Reflecting on the recent series of cases, the creation of a social welfare aide and a confirmation of a justice commitment is something that can not be negotiable. All public policies produced and taken by the state should be wrapped through a series of ethical judgments but also rational. The social justice aspect as the end of the development process should thus become the main foothold in a public policy and not merely a matter of economic prosperity. This is important to protect the existence of small people who are often left out of the development process. They are often forced to fight with an unfair system from the start.

In such a plot, perhaps we can model a few examples of European countries, for example, Germany and France. In those countries, whose economy is guided by the social market economy line, or people often call it a welfare state, inequality will not be so noticeable. In Germany there is a progressive tax policy that is deeply troubling for individuals with the potential to reap enormous economic benefits. Taxes collected will be redistributed to the people in the form of various public policies such as unemployment benefits, free education, maternity mothers, and others. As Abramovitz (1983), in Berndt [8] pointed out that the reduction of taxes and decreases in people's buying power forcing the government to be involved to settle it. change not in a structural term in welfare system hes been processed as a law for a conservative purpose which is the same whether its a federal government or a weaker welfare state. this change is, in reality are hard to achieve.

Welfare state according to John Maynard Keynes was formed with the aim to achieve the aspect of full employment. Keynes emphasized to the government to be dominant in all effective demand management through fiscal policy. But here Keynes does not provide the idea of criteria for allocating public sector expenditure as a priority to be met. This full employment aspect is a form of Keynes's rejection of Adam Smith's theory that full employment is automatically guaranteed (invisible hand). [9].

According to Pacek & Freeman (2004) in Deena [10] there are three variables for measuring the welfare state ie the size of the decommodification rate provided by the welfare state, the conceptual index of social wages and the shift from the welfare state to the wider political ideology of the government. In each instance higher scores indicate greater commitment to the social democracy project which is the emancipation of market dependence and consequently shows a positive relationship with the satisfaction of community life itself.

The relationship between government and society is very dynamic. Initially, a government formed by a society that carries out its primary function serves the community

who authorizes it as seen in the in the suth african government system [14] example. Who, according to Van Wyk are exists to promote social and economic development (section 152) as well as to undertake developmentally-oriented planning (section 153) (J van Wyk; 2011) . But on the way, the government then becomes very powerful and then "swallow" the people who make it up. Society is only an object of power run by the Government. This problem occurs in a country, especially when the 19th century, at the time of the reign of colonialism or government with an absolute style. [11]

Conditions like this then developed in the early 20th century, where citizens of citizens who originally only became the object of arbitrary power then rose and demanded the existence of equal rights and obligations. Democratic government must be run on the basis of the people, by the people, and for the people. The power held by the government is essentially derived from the people, managed by the people, and for the benefit of all the people themselves. The argument then developed in this connection is the power of the people, by the people, and for the people. Even in the system of participatory democracy, it is also developed with the people, so that the power of government comes from the people, for the people, by the people, and with the people.

Since the beginning of independence, the Indonesian nation has taken great interest in the creation of a just and prosperous society as contained in the fourth paragraph of the 1945 Constitution, namely to protect the entire Indonesian nation and the whole of Indonesia's blood, to promote the common good, to educate the nation, World order based on independence, peace of the century, and social justice. Development programs implemented so far also always give great attention to efforts to alleviate poverty because basically the development undertaken aims to improve the welfare of the community. To realize the welfare of society, the state is required to intervene in all aspects of social life. Thus, none of the aspects of community life are separated from government intervention.

The Indonesian state which has declared itself a state of law since its proclamation of independence has prompted that the state of law embraced by the state of the Republic of Indonesia is viewed in legal terms, not in a formal sense, but in a material sense. This material sense is termed the welfare state or welfare state.

When reading the 1945 Constitution, will be caught a very strong spirit that the founding fathers actually want to build Indonesia into a modern welfare state (modern welfare state). The constitutional preambulous gold words, "...to build Indonesian State Government that protects the whole Indonesian nation ... to promote the general welfare, the intellectual life of the nation, and participate in implementing the world order based on freedom, eternal peace, and social justice The thinking of the founders of the nation about the welfare state was

born because they were educated in Europe, engaged in intellectual association and in touch with the ideas of the socio-economic thinkers, who embraced the idea of modern welfare state [12]

The idea of a welfare state in Indonesia is expressed by the founding fathers. Sukarno carries the propaganda of anti-neoimperialisme and neocolonialisme, evoking the spirit of political struggle and build a self-sufficient economy. Sjahrir became the leader of the Indonesian Socialist Party offering the idea of economic socialism. Mohammad Hatta pioneered the people's economic movement through cooperatives and social markets [13]

All three figures, though ultimately taking different political paths, have the same idea in building a welfare state.

The main purpose of the welfare state [14], are :

1. Control and utilize socio-economic resources for the public interest;
2. Ensure fair and equitable distribution of wealth;
3. Reduce poverty;
4. Providing social insurance (education, health) to the poor;
5. Providing subsidies for basic social services for disadvantaged people;
6. Provide social protection for every citizen.

The development of social welfare in Indonesia actually refer to the concept of the welfare state. The foundation of the State of Indonesia (the fifth principle of Pancasila) emphasizes the principle of social justice and explicitly its constitution (Articles 27 and 34 of the 1945 Constitution) mandates the government's responsibility in the development of social welfare. However, the constitutional mandate has not been practiced consequently. Both in the New Order era and the current reform era, the development of social welfare is only limited jargon and not yet integrated with the strategy of economic development.

The debate over the welfare state has been going on for a long time. Simply stated, the welfare state is defined, it is a state which provides all individuals a fair distribution of basic resources necessary to maintain a good standard of living [15]. It is not easy to translate welfare state in Indonesia. Let alone to be able to achieve that direction, internal institutional improvement alone still leaves a lot of homework. From bureaucracy to inter-agency relations, everything is almost problematic. Therefore, it is only natural that the level of problem of our country does not go up, it keeps busy with small things, as if hope never will take sides. But on the other hand, it does not mean such conditions make this nation should be willing to lose hope to be prosperous.

Since the proclamation of this State, President Sukarno stated that the existence of the State Constitution (the 1945 Constitution) is the tool, direction, dynamics, and source for all established laws, ensuring the safety

and welfare of all people. Thus, it is clear that since the birth of the 1945 Constitution, the State of Indonesia aspires to the realization of welfare for all the people who submitted to the State.

Basically, the basic idea of the welfare state concept departs from the State's attempt to manage all existing resources for the welfare of society. These ideals are then translated into public policy [16]. Through this policy can be seen whether a country really realizes the welfare of its citizens. The problem of poverty is a major problem of the many problems that must be immediately responded in the welfare policy act.

IV. CONCLUSION

From the discussion in the previous chapter then in this paper can then be drawn conclusion as follows: *first*, The reality of people's welfare in Indonesia during the current administration is that Indonesia is not ready if only to revitalize National Social Security System for the implementation of the concept of the welfare state universally, in the sense of being applied to the whole population, sustainable and systematic. Because of the defect of state institutions as an example is the institution of taxation as one of the roles of the state resources manager, who is always wet with corruption cases. *second*, Efforts to build the welfare of the people through the concept of the welfare state (welfare state) is departing from the state effort to manage all existing resources for the welfare of society. These ideals are then translated into public policy. Through this policy can be seen whether a country really realizes the welfare of its citizens.

Many sacrifices must be given in the struggle to reach the peak of democratic success. Filling the freedom of democracy means carrying out the task and pursuing the ideals, without losing the spontaneity of voice instinct, common sense, and remain consistent despite the face of life disasters. Filling the culture of democratic politics is to restore and nurture the character of the nation with rational, moral and spiritual attitude as a cultural condition that plays a role to move progress, maintain momentum and give the spirit of democracy.

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