



Challenges in Implementing the Content of the Indonesian Constitution from the Perspective of the Welfare State Concept

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Abstract

The 1945 Constitution of the Republic of Indonesia serves as the foundation for the organization of national life and governance. The research methodology used in this study is descriptive qualitative with a literature review approach. Data was collected from relevant sources related to the topic being discussed. The analysis was conducted by gathering information from various sources regarding the content of the Indonesian constitution from the perspective of the concept of a welfare state. The data was analyzed to identify the contents of the Indonesian constitution related to the concept of a welfare state, as well as the challenges and opportunities in its implementation. This research found that the Indonesian constitution contains elements that support the realization of a welfare state, including those found in the preamble and articles of the 1945 Constitution. The implementation of the Indonesian constitution as a welfare state faces various challenges, such as a lack of awareness of people's rights, social inequality, corruption, a lack of coordination between government agencies, and limited funding for public welfare programs. These challenges can be addressed by utilizing existing opportunities, such as technological advances, the availability of natural and human resources, support from various parties, public awareness of their rights, and government efforts.

Keywords: *Indonesian Constitution; Welfare State; Implementation*

Introduction

Indonesia as a democratic country with constitution as base law highest has confess importance people's welfare as objective main in development national. The 1945 NRI Constitution as the Indonesian constitution contains the rules that are made base in maintenance life nation and state. One that is arranged inside it is about embodiment people's welfare. Of course only the country has it obligation For accommodate achieved people's welfare. Indonesia also has a legal state objective For create a prosperous , just and prosperous society , so that base applied law must capable push creation people's welfare and justice social equality (Rokhman , 2017).

People's welfare is things that must realized, because is one of objective from the Indonesian nation included in the 1945 Constitution of the Republic of Indonesia. People's welfare is condition Where public feel justice, equality, and balance in various aspect life social, economic and political

(Suryanegara, 2017). In Indonesia, the concept of the rule of law listed in the 1945 Constitution, Article 1 paragraph (3), which states that Indonesia is a country based on law on great divinity unity, just and civilized humanity, Indonesian unity, and a people led by wisdom wisdom in deliberation / representation . As a legal state, Indonesia also adopts it principles law international in various field, like right basic human, protection environment, trade international, and so on.

The concept of the rule of law is listed in Article 1 paragraph (3) of the 1945 Constitution must understood as effort for create a just, prosperous and prosperous society through application principles fair and just law (Rasjidi, 2019). Referring to art the so the concept of the Indonesian rule of law is in line with the concept of a welfare state. *Welfare State* is a country that prioritizes well-being its people with give service and protection adequate social, so can fulfil need base public like education, health, and housing (Sumardjo, 2017). Welfare state concept or *welfare state* be one draft important in state administration and development national. Therefore That rules related well-being important For loaded in constitution. Constitution can become tool For protect rights individual, organize distribution power, and guard balance interest between government and people (Raharjo, 2019).

Study to welfare state concept Already Lots done, however analysis to load Indonesian constitution in perspective welfare state concept Not yet Lots discussed. Besides that study This also discusses related challenges and opportunities implementation load constitution as a welfare state. So that matter This interesting For made material study in study Because have aspect novelty from research previously.

Method Study

Writing This use method study descriptive qualitative with approach studies literature. Study descriptive qualitative with approach studies literature done with method collect data from various source literature, then analyze and interpret it (Moleong, 2017). Data is collected through relevant sources with topics discussed, such as material reading, document law, and publications scientific.

Data collection techniques used in study This is studies literature, that is search and collect information from various source like books, articles, journals, documents law, and publications related other. The data has been collected analyzed with use technique analysis descriptive qualitative. Analysis done with gather information from various source related load Indonesian constitution in perspective welfare state concept or welfare state. After that is, the data is analyzed For identify load the relevant Indonesian constitution with welfare state concept as well as challenges and opportunities in its implementation.

Results and Discussion

The Concept of a Welfare State

A welfare state is something system social the economy in which the country strives well-being its people through policies and programs oriented towards humanity and justice social (Arifin, 2018). In a welfare state, the government have not quite enough answer For ensure need the basis of the people is fulfilled, such as health, education, and housing. Effort in realize well-being the Of course must done with various method. The welfare state ensures well-being social people with method allocate source Power encompassing public expenditure For education, health, housing, protection social, and service public others (Safitri, 2020). Therefore That Already should existing sources can processed and allocated For interest general. Don't until source existing power only enjoyed by groups certain ones can result exists gap social.

The welfare state is considered as something functioning system reduce gap social and economic through provision service social, protection social, and support economy for those in need (Hasanudin, 2019). Gaps social If left Of course will give birth to Lots problem. Therefore That with exists the concept of a welfare state, the state strives For realize exists people's welfare. So that citizens can enjoy his rights in accordance with those who have established by the constitution. In life nation and state well-being is absolute thing For realized. With realization people's welfare then citizens will get his rights as citizen. This is also possible minimize exists various problem existing social.

Welfare state put people's welfare as objective main country. Welfare state responsible answer For fulfil need base community and giving protection social for poor society capable (Widodo, 2019). Therefore That in welfare state concept interest public is matter the main thing is to do it realized by the state. Country via various policies and programs prepared have obligation For realize people's welfare. Program initiated by the government must implemented in a way good to get it give good benefits too public. So that can reduce gap existing social in the public. People's welfare programs are of course also a must customized with public interest, so that later the program can become solution on various the problems that exist within life nation and state.

Indonesian Constitution in Welfare State Perspective

The 1945 NRI Constitution as the Indonesian constitution is base law highest functioning Indonesian state For arrange all over life of the Indonesian state and society. In welfare state perspective, the Indonesian constitution is very important Because arrange about rights society and state policy running welfare programs. The Indonesian Constitution has very important role in welfare state perspective. The Indonesian Constitution became base law for internal countries ensure well-being social for all Indonesian people.

Indonesian Constitution confirms that the state is responsible answer For provide service quality and fulfilling public need base public like health, education , and housing (Nurlaila , 2017). With exists base law in effort embodiment people's welfare, then expected matter the can quick materialized. The Indonesian Constitution stipulates the stated principle of the welfare state that the state must take role active in create well-being society (Budiman (2017). In matter this, the country must give protection social and welfare programs that can help increase level life public. Completion problem poverty Of course just be one focus must be resolved. Level a decent and equitable life for all over Indonesian society is one of them destination country contained in the 1945 Constitution of the Republic of Indonesia.

Constitution also guarantees right basic human rights (HAM) as part important in ensure well-being public. The Indonesian Constitution confirms that right basic man including right on welfare and security social must protected and guaranteed by the state (Prayudi , 2016). Rights man is one of absolute right must obtained by everyone citizen. Besides the country also has it not quite enough responsibilities and obligations in protection right basic man. The Indonesian Constitution also stipulates principle-participation public in state policy. The Indonesian Constitution guarantees justice social for all Indonesian people as part from the stated goals of the country in Preamble to the 1945 Constitution (Rachmawati , 2018). In matter this, the country must ensure similarity rights and opportunities for all Indonesian people without discrimination.

By Overall , the Indonesian Constitution has very important role in create well-being social for all Indonesian people. In matter This, the Indonesian Constitution confirms that the state is responsible answer For provide service quality and fulfilling public need base society, giving protection social and welfare programs, as well ensure right basic people and participation public in state policy. Participation public in taking policy public very important. This matter aimed at society can convey aspirations for

interests they can accommodate. Of course just interest commonly used base in participate For taking state policy.

Payload Indonesian Constitution in Welfare State Perspective

Constitution is base the law becomes footing for internal countries organize governance and giving service to the people. Welfare state concept or *welfare state* implies that the state owns obligation For strive well-being the people are good in matter economic, social and politics. As a country that adheres to system democracy and based on Pancasila, the Indonesian constitution also has related loads with welfare state concept. The 1945 Constitution of the Republic of Indonesia as the Indonesian constitution regulates about various base existing laws linkages with welfare state concept.

The Preamble to the 1945 Constitution includes: the concept of a guaranteeing welfare state right basic humans, incl right on decent living (Mochtar, 2017). Draft This implies that the state is responsible answer For create condition social, economic and political possibilities every citizen for life with worthy. Besides loaded in preamble to the 1945 NRI Constitution, foundation related laws with the concept of a welfare state is also included in articles of the 1945 NRI Constitution. Following This is related articles with welfare state concept:

1. Article 27 paragraph (2): Confirms that every citizens have the right on decent work and living for humanity.
2. Article 28G paragraph (2): Confirms that the state is responsible answer For ensure right on decent living for every citizens, as well ensure access to service health.
3. Article 31 paragraph (1): Confirms that every citizens have the right obtain education.
4. Article 33 paragraph (1): Declare that economy held as business together based on principle Family comes first interest general.
5. Article 34 paragraph (2): Confirms that the state is obliged create chance decent work for every citizen.
6. Article 34 paragraph (3): Confirms that the state is obliged protect every workers and provide decent income as well as guarantee social, as well create chance For increase well-being worker.
7. Article 35 paragraph (1): Declare that housing and a healthy environment is right basic human beings protected by the state and every citizens have the right get it.
8. Article 36 paragraph (1): Declare that the state is responsible answer For advance well-being general and enlightening life nation.

Welfare state concept can found in a number of chapter in the relevant 1945 Constitution of the Republic of Indonesia with rights social , economic , and cultural . Articles the confirm that the state is responsible answer For create condition social , economic and political possibilities every citizen for life with worthy and advancing well-being general. This matter proves that In the 1945 Constitution of the Republic of Indonesia there are: load related welfare state concept. Country via base existing laws endeavor For can realize welfare of the people, so that society can get right his with fair.

Challenges and Opportunities Implementation the Indonesian Constitution as a Welfare State

Indonesian Constitution mandates that Indonesia is a country that upholds tall well-being social and that government must responsible answer For create condition social, economic and political possibilities every citizen for life with worthy. However, implementation the concept of a welfare state in Indonesia still exists face various challenge. One of challenge main in implementation Indonesia's constitution as a welfare state is low level access and quality service health and education (Kautsar, 2018) . Service health and education is need absolute main thing must obtained by citizens. So that We No will hear and see Again There is difficult Indonesian society For treatment. Condition good health so can be a stimulus for achieved people's welfare. Therefore That during This government Already give guarantee

health for poor society able, deep frame fulfillment service health public. However sometimes us several times meet reports in the media, that There is different treatment to patients who use it access guarantee health. Of course just matter the No can justified, it should be all patient get right good treatment without differentiate caste nor services used.

The low awareness public to rights social and economic also become significant challenge in creating a welfare state (Mas'ud, 2019). Condition the make people's welfare yet can achieved. Poor society caring his rights make they No care is his rights fulfilled or No. This matter can result public apathetic to what it should be they get. Of course just matter This can hinder embodiment people's welfare. The public is being sued For can participate active in effort embodiment people's welfare. Because it's deep embodiment people's welfare of course needed exists various good synergy between government, society nor party other.

The welfare of the people will be can achieved If There is synergy Good from government nor citizen. But on the other side of the gap Still become possible problems hinder embodiment people's welfare. It's still there enough gap big between area urban and rural in matter access to service health and education (Nurhayati, 2019). This matter caused by a lack of infrastructure and resources Power people available in the area rural. Infrastructure development that has not yet been completed equally Of course will become challenge separately. Because p the Of course can hinder embodiment people's welfare. Besides that is also needed source Power quality human being in frame support progress. Therefore That education must get attention specifically for progress source Power man can created.

Implementation the concept of a welfare state in Indonesia is facing challenge from facet financing (Surya, 2020). Development of necessary infrastructure For creating a welfare state need very large costs. Therefore that's the government need look for source adequate and effective financing. Of course No Can denied if in the modern era like This development infrastructure is matter the main thing is to do it realized. With good infrastructure so public will get convenience access. Infrastructure development like roads, bridges, etc facility transportation other can make it easier distribution goods for public. This matter Of course can reduce the gap caused by price stuff that doesn't equally. Besides that required policy proper government in embodiment welfare state concept.

Policy government in creating a welfare state Still need improved (Sudarsono, 2020). Government need do evaluation and update to policies that have been There is For ensure that policy the effective in create well-being for public. Don't until existing policies precisely profitable parties certain, so well-being difficult For achieved.

Implementation Indonesia's constitution as a welfare state Still face various necessary challenge overcome. Various challenge the including:

1. Lack of awareness and understanding public will rights prosperity guaranteed by the Indonesian constitution.
2. It's still there inequality significant economic and social significance between rich areas and poor areas.
3. It's still there practice corruption, collusion and nepotism which are detrimental to the state and society in implementation of welfare programs.
4. Lack of coordination inter-agency government in implementation of welfare programs, so happen overlapping overlap and miscommunication between programs.
5. Limitations budget government in finance welfare programs guaranteed by the constitution.

In face challenge implementation Indonesia's constitution as a welfare state is necessary effort from all party For ensure that every Indonesian citizens can life with worthy. Government need increase access and quality service health and education, protect rights workers and laborers, as well strengthen infrastructure in the area rural nor area remote. Government have not quite enough answer For realize

people's welfare is appropriate with those who have mandated by law. With good synergy between various party, then matter the can be a stimulus for achieved people's welfare.

Although face various existing challenges, implementation Indonesia's constitution as a welfare state also has various possible opportunities utilized in frame realize people's welfare. A number of opportunity the among others:

1. There is progress technology possible information access more information and communication fast and easy in delivering welfare programs.
2. Availability source Power nature and sources Power humans can utilized For increase well-being public.
3. There is awareness and understanding increasingly society increase about rights prosperity guaranteed by the Indonesian constitution.
4. Support from various party such as NGOs, the private sector and the community For increase implementation Indonesia's constitution as a welfare state.
5. There is effort government in increase coordination inter-agency government in implementation of welfare programs.

Various possible opportunities utilized as pusher achieved people's welfare. Welfare state concept can achieved If there is synergy from various party. Government stay as the party who owns it role main in embodiment matter. However On the other hand, citizens also have them a role that doesn't lost important. Citizens should too understand rights them, as well must capable develop potency self in frame help government in embodiment people's welfare. With independence citizen and supported various aspect from government so expected people's welfare can be achieved achieved and felt by all element Indonesian society.

Implementation constitution as a welfare state also requires role active from citizen. Citizens have rights and obligations For participate in development well-being. They can role as supervisor to implementing welfare programs, advocating interest community, and participate as well as in activity social For help those who need it. Through participation active citizen, implementation constitution as a welfare state can more effective and responsive to need public.

Conclusion

Implementation Indonesia's constitution as a welfare state own role important in ensure well-being public. The Indonesian Constitution has give strong foundation For reach objective the through various the cargo contained therein. However, challenges and opportunities in implementation constitution as a welfare state must overcome shared by various party, okay government nor citizen. Various load inside the Indonesian constitution can utilized For reach objective the . However, challenges and opportunities in implementation Indonesia's constitution as a welfare state need noticed and resolved in a way together by various party.

As a welfare state, Indonesia is responsible answer For ensure that need base public fulfilled, incl education , health , employment , and housing . The Indonesian Constitution provides base strong law For protect rights social and economic public. The country has not quite enough answer in embodiment various load constitution the . However role neither do citizens lost important For synergize realize matter the . With So, it is expected implementation Indonesia's constitution as a welfare state can walk with more kind and giving real benefits for public.

In study this, found that the Indonesian constitution contains supporting loads the realization of a welfare state or welfare state. Loads the among others, found in the preamble to the 1945 Constitution, as

well as in articles of the 1945 NRI Constitution. The Indonesian state must carry out his obligations For fulfil rights social economy appropriate citizens with the Indonesian constitution is based on principles of the welfare state or welfare state. The country must ensure equality development economic and social, strengthening arrangement about protection right basic humans, as well increase quality service public For create well-being general and evenly distributed throughout Indonesia.

Implementation Indonesia's constitution as a welfare state have various a must challenge faced like poor society aware will the right, the gap social, corruption and various challenge other . Lack of coordination between institution government and limitations financing welfare programs general is also a a must challenge faced . Embodiment well-being general Of course just need big budget, as well needed solid coordination between institution government. Various existing challenges can faced with utilise existing opportunities. Progress technology, availability of natural resources and human resources, support from various parties, awareness right society and efforts from government, is various opportunity in implementation load constitution in Indonesia. Utilization opportunity the in a way maximum can become factor pusher achieved well-being general. Need confirmed If well-being general can achieved If there is Work the same as the good ones from various party.

Achieved internal state goals frame reach people's welfare, namely sure thing just desired by citizens. However Of course just matter the No easy For achieved. Need exists commitment and seriousness from government in realize matter the . However, on the other hand, people also have them important role For join in as well as realize people's welfare. Constitution of our country Already ensure exists people's welfare. Therefore That need exists synergy between government and various parties to achieve their goals the can achieved.

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Regulation Legislation

The (1945) Constitution of the Republic of Indonesia.

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