

The Concept of Welfare State in the 1945 NRI Constitution between Ideas and Reality

Alip Rahman¹

Abstract

Indonesia legally declares itself to be a welfare state, this view is clearly stated in the 1945 NRI Constitution. In the 4th paragraph of the Preamble to the 1945 NRI Constitution, the state wishes to promote general welfare. This view shows that Indonesia is a welfare state, because building prosperity for its people is a constitutional mandate, thus giving the government an obligation to create a social order of life that is socially just for all Indonesian people. However, the realization of the welfare values mandated by the constitution has not yet been fully implemented and felt by the Indonesian people. It is on this issue that the welfare state that is to be built is still struggling between ideas and reality.

Keywords: *Welfare State, State, Welfare.*

1. INTRODUCTION

In order to understand precisely the concept of the state of law, it is necessary to first know the historical picture of development as well as political and legal thought, which encouraged the birth and development of the concept of the state of law. In addition, the thinking related to the concept of the rule of law is actually very old, even much older than the age of state science and state science. The idea of the rule of law has long appeared before the occurrence of the 1688 revolution in England, but only reappeared in the XVII century and was popular in the XIX century. The idea of the rule of law itself is a reaction to the arbitrariness of the past. Therefore, the elements of the rule of law have a close relationship with the history and development of society of a nation.

Viewed from a historical perspective, the development of legal philosophy and state thinking regarding the rule of law has developed since 1800 BC. According to Jimly Asshiddiqie, the furthest root of the beginning of the thought of the rule of law is in ancient Greece. According to him, the idea of popular sovereignty grew and developed from the Roman tradition, while the ancient Greek tradition became the source of the idea of the rule of law. One of the main problems of the rule of law is the question of power, especially the question of authority and authority. Historically, power struggles (authority) has emerged since the time of Plato by placing power as a means to establish law and justice. Since then law and justice have been confronted with power.

Plato and Aristotle introduced the State of Law is a state ruled by a just state. In his philosophy, both allude to human wishful thinking (ideals) corresponding to the absolute world called: (1) The ideal to pursue the truth (Idée the Warhead); (2) The ideal to pursue decency (Idea of suchness); (3) Man's ideal to pursue beauty (Idea of Schönheit); and (4) The aspiration to pursue justice (idée der gerechtigheid). So in

¹ Universitas Swadaya Gunung Jati, Indonesia

principle the rule of law is a necessity needed for the survival of society, so that society can live in peace and prosperity outwardly.

In the development of the thought of the legal state, conception Night watchman state (The night watchman country) is no longer adhered to. At this time something that could not be avoided, especially for the state born at the end of the XX century, was the involvement of the state through the government in the lives of citizens to realize the general welfare (WelfareState). According to Philipus M. Hadjon, this was driven by the economic crisis after World War II. Hadjon further mentioned that in development WelfareState, the influence of the state on individuals is incarnated in three ways: First, direct influence as a result of the recognition and protection of social rights; Second, indirect influence as a result of the formation of a government apparatus equipped with powers of position and expertise; Third, the hope that society's problems could be solved through the intervention of the ruler. This is what is called the concept of the state of welfare law, the state is present to build a decent life order for the survival of the people. The state strives to safeguard all the rights of citizens, so that state authority is very important to create a life order that provides a sense of security, peace, peace and prosperity.

Country of Wellbeing or welfare state It is also called the "modern state of law." The ultimate goal lies not only in the implementation of the law, but also in achieving social justice (social justice) for all the people. The modern conception of the legal state places the existence and role of the state in a position of strength and greatness. Then the conception of such a state in various literature is called by various terms, including: welfare state (welfare state) or the state provides services to society (social service state) or the state performs public service duties. Thus, the welfare state refers to a development model that focuses on improving people's welfare through giving a more important role to the state in providing social services to its citizens.

Indonesia as one of the countries in the world that strives for general welfare as stated in the fourth paragraph of the Preamble to the Constitution of the Republic of Indonesia in 1945 is a country that adheres to welfare. This is reflected in the State Goal of "...protect the entire Indonesian nation and all Indonesian bloodshed, promote general welfare, educate the nation's life and realize social justice..." The main feature of this country is the emergence of the government's obligation to realize the general welfare for its citizens. In other words, the teachings welfare state is a concrete form of shifting principles state abstinence, which limits the role of the state and government to interfere in the economic and social life of the community, becoming State meddling who want the state and government to be active in the economic and social life of society, as a measure to realize the general welfare, in addition to maintaining order and security (peace and order).

The polarization of the main objectives of the welfare state is formulated, in essence intended to establish indicators as a measuring tool in assessing whether the community is prosperous or not. In addition to its function as an indicator, it is also intended to make it easier for the state (government) to take strategic steps in an effort to realize public welfare. Thus, these ultimate goals are essentially only part of the ultimate goal of the welfare state that is, the greatest prosperity of the people. Understanding the importance of realizing the values of the state of welfare law, this encourages to build social justice for all Indonesian people without exception. Therefore, how is the concept of the welfare law state initiated by the founders of this nation, between ideas and reality in the dynamics of Indonesian society.

2. METHODS

The research methods used related to the study of Welfare State in the 1945 Constitution of the Republic of Indonesia include several approaches:

1. Student Literature

- Review of literature on the concept of Welfare State and the historical background of the formation of the 1945 NKRI Constitution.
- Identify the main ideas and understanding of the founding figures related to the Welfare State.

2. Analysis of Constitutional Documents

- Research the offending chapters of the NKRI 1945 UUD on the principles of Welfare State.
- Analysis of the process of discussion and formulation of these articles in the BP-MK session.

3. Case Study of Early Implementation

- Select concrete cases that reflect the implementation of the concept of the Welfare State in the early period after independence.
- Analysis of the impact of social and economic policies on society.

4. Content Analysis of the Founding Father's Speech and Writings:

- Analysis of speeches and writings of founding figures discussing the principles of the Welfare State.
- Identify the values underlying the concept of Welfare State in the vision of the founding fathers.

5. Comparison with the International Context:

- Compare the concept of Welfare State in the 1945 NKRI Constitution with similar implementations in other countries at that time.
- Analysis of factors affecting differences and similarities

6. Public Opinion Survey and Analysis

- Conduct a survey or analysis of public opinion at that time regarding public perception of the implementation of the Welfare State.
- Identify the extent to which people's understanding of the principles of the Welfare State is reflected in their opinions.

These methods can be used simultaneously or adapted according to the focus and purpose of the study. The combination of constitutional text analysis, expert interviews, case studies, and international comparisons can provide a more comprehensive insight into the concept of Welfare State in the 1945 Constitution of the Republic of Indonesia and how the concept was realized in the context of Indonesian history.

3. DISCUSSION

3.1 Basic Concept Welfare State

In the 20th century, constitutional democracy emerged by carrying out the concept of the material law state as a reaction to the 19th century constitutional democracy which carried the concept of the formal legal state. The definition of a state known as the formal legal state precipitates the interests of individualism based on the

interests of the nobility, so that the state with the concept of the formal legal state has a very narrow and passive role, namely the state is referred to only as a night watchman state (Night-watchman stands) and more extreme the state only safeguards the property of the nobility, protects against theft, fraud, contract violation, and security disturbances but has no right to monopolize, impose or regulate relations between citizens. So it is not surprising that the form of the state is a system of liberalism whose consequences arise social inequality, and there will also be injustice in the economic field.

Therefore, there was a reaction from the concept of the formal legal state with its concept as a night watchman, namely the material law state or called the state welfare state, This system requires the state to be responsible for the welfare of citizens by intensive intervention of state administrators and responsible for the economy and all development that leads to the achievement of maximum public welfare, by authorizing the state to interfere in all affairs and activities of society keeping in mind the principle of legality (Free Mass Sebuahen).

Concept Welfare State This is the idea of a state that uses a democratic system of government that is responsible for the welfare of its people. This program aims to reduce community suffering such as poverty, unemployment, health problems and so on. Therefore, a country that applies the concept of state welfare state have public policies that are service, assistance, protection or prevention of social problems.

According to the online Merriam-Webster Dictionary, the word 'welfare' is defined as 'the state of being happy, healthy, or successful'. In free translation, the word 'welfare' contains several meanings, namely a state of happiness, health, or success. In one of his studies, Andersen revealed that the welfare state:

“A welfare state is a state in which organized power is deliberately used (through politics and administration) in an effort to modify the play of the market forces in at least three directions - first, by guaranteeing individuals and families a minimum income irrespective of the market value of their work or their property; - second, by narrowing the extent of insecurity by enabling individuals and families to meet certain “social contingencies” (for example, sickness, old age and unemployment) which lead otherwise to individual and family crisis; and - third, by ensuring that all citizens without distinction of status or class are offered the best standards available in relation to a certain agreed range of social services.”

Welfare state is a state institution where the power it has (in terms of economic and political policy) is aimed at ensuring that every citizen and his family earns a minimum income in accordance with eligibility standards. Provide social services for every problem experienced by citizens (whether due to illness, old age, or unemployment), as well as other conditions such as economic crises. Ensure that every citizen gets his rights regardless of differences in status, economic class, and other differences. Another study conducted by Assar Lindbeck at the Research Institute of Industrial Economics, states:

Welfare state. According to a narrow definition, the welfare state comprises two types of government spending arrangements: (i) cash benefits to households (transfers, including mandatory income insurance) and (ii) subsidies or direct government provision of human services (such as child care, preschooling, education, health care, and oldage care). By broader definitions, the welfare state may also include price regulation (such as rent control and agricultural price support), housing policies, regulation of the work environment, job-security legislation, and environmental policies. This essay is confined to the narrow definition.

Welfare state can be seen from a limited vantage point and a wide viewing angle. From a limited perspective, welfare state is government financial governance aimed at the household sector (domestic consumption, income, insurance), as well as subsidies or

social funds for child health, education, general health, and elderly care. From a broad point of view, welfare state It can be described as government intervention through public policy, including housing policy, labor regulations, tax laws, and environmental policies, with the aim of public welfare.

The concept of well-being (welfare) Often interpreted differently by different people and countries. Referring to Spicker, Midgley, Tracy and Livermore, Thompson, and Suharto, the notion of welfare has at least four meanings; First, as a prosperous condition (wellbeing). This sense usually refers to the term social welfare (social welfare) as a condition of meeting material and nonmaterial needs. Midgley, defines social welfare as "... a condition or state of human well-being". Second, As a social service, in the United Kingdom, Australia, and New Zealand, social services generally include five forms, namely social security (social security), health care, education, housing and personal social services (personal social services). Third, as a social benefit that, especially in the United States (US), is given to the poor. Because most recipients Welfare are poor, disabled, unemployed people, this situation then gives rise to negative connotations in the term welfare, such as poverty, laziness, dependence, which is actually more accurately called "social illfare" Rather than "social welfare". Fourth, As a process or planned effort carried out by individuals, social institutions, communities and government agencies to improve the quality of life (first understanding) through the provision of social services (second understanding) and social benefits (third understanding).

3.2 The concept of welfare state in the NRI Constitution of 1945

Ideology welfare state teaching about the broader role of the state than just as a night watchman, which Utrecht says is that the field of government of a modern legal state is very broad, that is, tasked with maintaining security in the broadest sense of the word, namely social security in all fields of society in a welfare state. So at that time, state thinkers stated that the liberal economic era had been abandoned, the classical liberal economic system was replaced by a centrally-led economic system (Central Planned Economy), abstinence has been replaced by State meddling, the separation between the state and its people has been abandoned.

The ideology of the welfare law state (welfare state) become the basis of the position and function of the government (Board position) by modern countries. The concept of the welfare state was born on the premise of exercising strict supervision over the exercise of state power, especially the executive which during the time of absolute monarchy has been proven to have abused a lot of power. The concept of the welfare state is what inspires and becomes the obsession of activists of the Indonesian independence movement, especially "Hatta" as a fighter and founder of the Republic of Indonesia, even becoming its central figure. Motivated by the thoughts of the founders of the state, especially "Hatta", the 1945 State Constitution contains the spirit towards the formation of a welfare state model with the goals to be achieved; namely: (1) Control and utilize socio-economic resources for the public interest; (2) Ensure a fair and equitable distribution of wealth; (3) Reducing poverty; (4) Provide social insurance (education and health) for the poor; (5) Provide subsidies for basic social services for disadvantage people; and (6) Provide social protection for every citizen.

Indonesia is one of the adherents of the concept of a material legal state that also adopts the concepts of the state Wekfare State, and implicitly can be found in the general explanation of the NRI Constitution of 1945, and if examined as a whole the contents of the NRI Constitution of 1945 can be drawn the conclusion that the Indonesian state is a material state of law or a state with the concept of wakfare state Where the state has an absolute responsibility to promote the general welfare and realize social justice for all its citizens. The welfare law state is often referred to as the modern state of law in the material sense. Bagir Manan said that the concept of the welfare law state is:

"The state or government is not merely the guardian of public security or order, but the main bearer of the responsibility of realizing social justice, general welfare, and the greatest prosperity of the people".

Bagir Manan in another work states that the conception of the modern legal state or welfare law state contains three aspects, namely: political, legal, and socioeconomic aspects. The political aspect requires a limitation of state power in political life. The legal aspect requires the state to have the principle of rule of law in the process of law enforcement, the principle of legality and rule of law, While the social aspect requires the creation of social justice and general welfare.

The characteristics of the state's well-being law according to Muchsan are that the State aims to prosper the lives of its citizens evenly, and the country is required to provide the best and widest service to society. Without good service and evenly it is impossible to realize the well-being of people's lives. In relation to these characteristics then there are two symptoms that certainly appear in the country of well-being, namely First Government interference with aspects of people's lives is very widespread and Second In the implementation of government functions often used the principle of discretion. Government intervention in this aspect of people's lives is demanded for the creation of public welfare that is not welfare according to the liberal conception. With this intervention, it can be avoided free fight liberalism, which will only benefit the powerful".

Therefore, the concept of the welfare state has the aim of reducing people's suffering, namely in the form of poverty, health, unemployment and so on, so that state public policies are service, protection, service, and prevention of social problems. In addition, the state with the concept of a welfare state requires that the country must be stable in its government, in all fields. This fairly free right then penetrates, into the private sphere which is manifested in the form of policies or regulations.

On the terms of paragraph IV of the preamble of the 1945 NRI Constitution which states "to promote the general welfare, educate the life of the nation, and participate in implementing world order based on independence, lasting peace, and social justice". In addition, in the fourth paragraph there is also Pancasila which in the fifth precept states social justice for all Indonesian people. If interpreted in the economic field, people have the right to be treated fairly economically and can access welfare in their lives. In the 1945 NRI Constitution, the conception of the Indonesian welfare law state is also accommodated in Article 27 paragraph (2), Article 31, Article 32, Article 33, and Article 34. Article 33 of the 1945 NRI Constitution states that it is regulated in detail as a constitutional basis for the participation of the state in the national economy.

The constitution clearly calls for the realization of a welfare state in Indonesia, where the state grants broad social and economic rights to every citizen. Thus, in Indonesia, the state is not a minimum state or state. necessary evil, and not even just enabling state who only modify the market while still worshiping individualism. Based on the constitution in Indonesia, the state is development agents that doesn't just encourage equality of opportunity, but also actively working for social justice (equality of outcome). The state is clearly mandated to put the interests of society above the interests of individuals.

Country of well-being (welfare state) not only includes ways of organizing welfare (Welfare) or social services (social service), but rather emphasizes that everyone has social services as their right. In line with these provisions, Indonesia's democratic ideals not only strive for emancipation and participation in the political field, but also emancipation and participation in the economic field. The fourth precept (populist) and fifth precept (welfare, justice) of Pancasila are an inseparable series. The ideals of just welfare and prosperity as the ultimate goal of the Indonesian state are to be realized by synergizing political democracy with economic democracy and social policy institutions

that are people-oriented, justice, and welfare. Economic justice and social security are pursued without compromising property rights and private enterprises (markets). Market sovereignty is respected within the framework of strengthening people's sovereignty (social justice). The founding fathers (the founding fathers) wants the incarnation of the Republic of Indonesia as a welfare state.

The substance of the concept of the welfare law state, the state is obliged to provide welfare to its people, by providing services, facilities, and infrastructure for the community. All basic needs of society such as education and health services are the duties and responsibilities of the state, and the reflection or symbol of a country with independent status is the Government in this case represented by the President. Thus, the Government in accordance with the country's constitution has the authority and function to realize general welfare, as referred to in the Preamble of the NRI Constitution of 1945. The government will certainly be consistent and strive to provide respect, protection, and fulfillment of rights to the basic needs of its citizens. These efforts must be carried out by the Government as a top priority by grounding the universal values of Pancasila, such as social equality, and justice, which are the spirit of welfare development. The government must stand on a welfare state approach (welfare state) that prioritizes empowerment and social protection.

3.3 Welfare State In the dynamics of society

Discussing welfare, of course, we cannot be separated from the concept of class. Every society has upper and lower class layers. According to Miftachul Huda said that, based on the results Pre-conference Working for the 15th International Conference of Social Welfare stated that, Social welfare is the whole of social enterprises that are organized and have the main objective to improve the standard of living of the community based on the social context. It also includes elements of policies and services in a broad sense related to various lives in society, such as income, social security, health, housing, education, cultural recreation, and so on. Not everyone has the ability to meet the needs of life, therefore the role of the government as the leader of the state is needed to help equalize the welfare of every class in society. In a country, welfare is associated with the role of the government to meet the needs of its citizens in the areas of health, education and security.

So the government should make laws and regulations on the social security system, of course, in making these regulations the government will remember the provisions of the NRI Constitution of 1945 Article 28H as a whole and Article 34 paragraph (1) and paragraph (2). Policies as mentioned in the provisions of Article 34 concerning the poor and abandoned children as well as social security, the availability of public service facilities and health problems will strengthen each other, so that the rights as mandated by Article 28H of the 1945 NRI Constitution can be implemented.

It is a pity when the Government is eager to immediately run and develop the social security system by issuing a law on the national social security system, namely the Law. No. 40 of 2004, the government has forgotten the provisions of Article 34 paragraphs (3 and 4) in the provisions remembering, the government should understand very well that Article 34 cannot be read verse-by-verse, so that the article must be read and understood as a whole thoroughly and not separated. The omission of paragraph (3) which states that the State is responsible for the availability of health care facilities and adequate public facilities is not an important consideration, so that the implications for the availability of health facilities and public facilities are not a concern, as well as when paragraph (4) is ignored.

It should be in accordance with the legislation something is arranged sequentially, but here the Law on the National Social Security System was drafted and born earlier than the law that should have been drafted and promulgated before this national social security system law. ACT. The National Social Security System was issued in 2004,

namely by law. No. 40 of 2004. Only then in 2009 did the government issue a law. No. 11 of 2009 concerning Social Health, followed by Law. No. 25 of 2009 concerning Public Service and later Law. No. 36 of 2009 concerning health, Law. No. 13 Year 11 concerning Handling the Poor, as well as the Law. No. 2 of 2012 concerning Land Acquisition for Development for Public Facilities, from such facts, it is clear that the government has ignored the mandate of the Constitution,⁴⁵ especially Article 34 paragraph (3) and paragraph (4), which the government should draft and issue laws. No. 11 of 2009 concerning Social Health, Law. No. 25 of 2009, Law. No. 36 of 2009 and followed by UU.No. 13 of 2011 concerning Handling the Poor, Law. No. 2 of 2012 concerning Land Acquisition for Development for Public Interest, then a Law was drafted and issued. Such as Law No. 40 of 2004.

In the context of the Constitutional Law approach see the state as an organization of power, Kranenburg and Logemann argue. It is said that because the legitimacy of power is a necessity and such a view also accepts that in the state there must be power, but the power of the state must be limited by the constitution or constitution of the state concerned which contains the rules of constitutional administration. Such a constitution not only serves as a source of legitimacy of power, but also serves to provide limitations so that power is limited (Rule of law) because any state theory (such as Liberal, Monarchy, and absolute monarchy) does not require unlimited power (Powerful state) because it will cause arbitrariness and tyranny.

The ideological concept of the welfare state is thus applied with the intention of annulling socioeconomic inequality or at least minimizing it, increasing the intelligence of the nation, obtaining decent work, guaranteeing the existence of reasonable income, guaranteeing the maintenance of orphans and orphans, guaranteeing the maintenance of widows and the elderly, satisfactory health services, and avoiding the people from starvation, as well as various other forms of social responsibility.

The Indonesian constitution has declared that the state wants to realize social justice, and promote general welfare. The condition that the Indonesian state wants to want is a prosperous condition (well-being), social well-being (social welfare) as a condition of meeting material and non-material needs. Prosperous conditions occur when people's lives have been fulfilled their basic needs (basic needs) crowds that include needs for nutrition, health, education, shelter, and income. This prosperity can be achieved if there is strong cooperation from civil society, market and state. The president as a symbol State It is expected to intervene with his sworn commitment in carrying out the Policy Law best and straight in order to create social well-being with a guide to the Pancasila and UUD NRI of 1945.

4. CONCLUSION

The NRI Constitution of 1945 is a juridical foundation that is used as a basic guideline in building the totality of society, nation and state. Moreover, in building community welfare, so that in this context the government and other components of the nation, are obliged to build welfare for the survival of the community. Building community welfare is part of the mandate of the 1945 NRI Constitution which must be carried out by the government, because juridically Indonesia is a welfare state (welfare state), thus implying that the government must build and uphold social justice for all Indonesian people.

References

Andersen, J.G, *Welfare States and Welfare State Theory*, Aalborg: Centre for Comparative Welfare Studies, Institut for Økonomi, Politik og Forvaltning, (CCWS Working Paper), Aalborg Universitet, Denmark, 2007.

- Asshiddiqie, Jimly, *Gagasan Kedaulatan Rakyat Dalam Konstitusi Dan Pelaksanaannya Di Indonesia*, Ichtar Baru Van Hoeve, 1994.
- Hamidi, Jazim, *Teori dan Politik Hukum Tata Negara*, Total Media, Yogyakarta, 2009.
- Huda, Miftachul, *Pekerjaan Sosial & Kesejahteraan Sosial: Sebuah Pengantar*, Pustaka Pelajar, Yogyakarta, 2009.
- Kusnardi, Moh. dan Bintang Saragih, *Ilmu Negara (edisi revisi)*, Jakarta: Gaya Media, Cet. 4, 2000.
- Latif, Yudi, *Negara Paripurna Historis, Rasionalitas, dan Aktualitas Pancasila*, Gramedia Pustaka Utama, Jakarta, 2011.
- Lindbeck, Assar, *The Welfare State-Background, Achievements, Problems*, Research Institute of Industrial Economics, IFN Working Paper No. 662, Research Institute of Industrial Economics, Stockholm, Sweden, 2006.
- MacPherson, Stewart, *Kebijakan Sosial Bagi Dunia Ketiga*, Aksara Persada Indonesia, Jakarta, 1987.
- Malian, Sobirin, *Gagasan Perlunya Konstitusi Baru Pengganti UUD 1945*, FH UII Press, Yogyakarta, 2001.
- Manan, Bagir, *Politik Perundangundangan dalam Rangka Mengantisipasi Liberalisme Perekonomian*, FH UNLA, Bandar Lampung, 1996.
- Marbun, S.F, *Peradilan Administratif Negara Dan Upaya Administratif Di Indonesia*, FH UII PRESS, Yogyakarta, 2011.
- Marbun, S.F, *Hukum Administrasi Negara I*, FH UII Press, Yogyakarta, 2012.
- Midgley, James, et. al., "The Handbook of Social Policy", dalam Michelle Livermore, Sage, London, 2000.
- Muchsan, *Sistem Pengawasan Terhadap perbuatan Pemerintah dan Peradilan Tata Usaha Negara di Indonesia*, Liberty, Yogyakarta, 1992.
- Riawan Tjandra, W, *Hukum Administrasi Negara*, Universitas Atma Jaya Yogyakarta, Yogyakarta, 2008.
- Sodiki, Achmad, dan Yanis Maladi, *Politik Hukum Agraria*. Mahkota Kata, 2009.
- Utrecht, E, *Pengantar Hukum Administrasi Negara*, Ichtar baru, Jakarta, 1985.
- Elviandri, Khuzdaifah Dimiyati, dan Absori, *Quo Vadis Negara Kesejahteraan: Meneguhkan Ideologi Welfare State Negara Hukum Kesejahteraan Indonesia*, MIMBAR HUKUM Volume 31, Nomor 2, Juni 2019.
- Hadiyono, V, *Indonesia dalam Menjawab Konsep Negara Welfare State dan Tantangannya*, JURNAL HUKUM POLITIK DAN KEKUASAAN ISSN: 2722-970X | Vol. 1 | No. 1 | Agustus 2020.
- Marbun, S.F, *Negara Hukum dan Kekuasaan Kehakiman*, dalam *Jurnal Hukum Ius Quia Iustum*, No. 9 Vol. 4, 1997.
- Marilang, *Ideologi Welfare State Konstitusi: Hak Menguasai Negara Atas Barang Tambang*, *Jurnal Konstitusi*, Volume 9, Nomor 2, Juni 2012.
- Suharto, Edi, "Negara Kesejahteraan dan Reinventing Depsos", Seminar, Seminar "Mengkaji Ulang Relevansi Welfare State dan Terobosan melalui Desentralisasi-Otonomi di Indonesia", Institute for Research and Empowerment (IRE) Yogyakarta dan Perkumpulan Prakarsa Jakarta, Wisma MM UGM, Yogyakarta, 2006.
- Suharto, Edi, *Peta dan Dinamika Welfare State di Beberapa Negara: Pelajaran apa yang bisa dipetik untuk membangun Indonesia?*, Makalah disampaikan pada Seminar "Mengkaji Ulang Relevansi Welfare State dan Terobosan melalui Desentralisasi Otonomi di Indonesia", Institute for Research and Empowerment (IRE) Yogyakarta dan Perkumpulan Prakarsa Jakarta, Wisma MM Universitas Gadjah Mada, Yogyakarta, 2006.