

THE URGENCY OF LOCAL REGULATIONS REGARDING SOCIAL SECURITY IN BANGLI REGENCY FOR PERSONS WITH SOCIAL WELFARE PROBLEMS

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ABSTRACT

Social welfare is a problem for almost all countries in the world, including Indonesia. For people with social welfare problems such as toddlers and neglected children, neglected elderly people, people with disabilities, prostitutes, homeless people, beggars, the poor and others, legal security for social welfare is something urgent. This study is a normative juridical and empirical juridical study with qualitative analysis. The results of normative and empirical analysis show that there are still poor people, people who are illiterate, there is still an economic gap, and the mortality rate is still high in Bangli Regency, Bali Province, so a regional regulation that regulates social welfare is needed. Social welfare administrators are individuals, groups, social welfare institutions and communities involved in the implementation of social welfare. Accordingly, the responsibility for improving social welfare lies with all components of society according to their expertise, occupation and responsibilities.

Key words: social security; social welfare; social worker.

INTRODUCTION

Social problems are an indisputable phenomenon in every country, including the Republic of Indonesia. These issues relate to health, housing, community income, education, work accidents, poverty, unemployment, drug abuse, alcoholism, human trafficking, violence against women and children, juvenile delinquency, moral degradation, lawlessness, discrimination, exploitation, economic inequality, physical and mental limitations and various other social problems (Aulia, P. (2014). These social problems are not only related to and related to individuals as citizens, but also with the state as the person in charge of citizens' problems. This is expressly regulated in the 1945 Constitution of the Republic of Indonesia Article 27 Paragraph (2) Every citizen has the right to work and a living that is decent for humanity This provision implies the duty and responsibility of the state to provide social security to citizens. country, especially in the field of work and education pan that is feasible (Cahya, R. S. D. (2015).

Furthermore, the state's efforts to provide social security are regulated in Article 33 Paragraph (3) which states that the land and water and natural resources contained therein are controlled by the State and used for the greatest welfare of the people. Then Article 34 emphasizes social security for the poor and neglected children, which reads that the poor and neglected children are cared for by the State. Furthermore, juridically, this issue is regulated in Article 6 which states that the implementation of social health includes: (a) social rehabilitation, (b) social security, (c) social empowerment, and (d) social protection (Law No.11 of 2009). In connection with that, the Government needs to determine the policy lines needed to maintain, guide and improve social welfare, foster, maintain, guide and raise awareness and sense of social responsibility for the community, and carry out security and supervision of the implementation of social welfare efforts as a form of guarantee for their implementation. social welfare. Linearly, the Provincial and Regency / City governments have the same duties and responsibilities to carry out social welfare for their citizens, so that the fulfillment of the basic needs of the community can be realized (Ernawati, T. 2013; Pakpahan, R. H., & Sihombing, E. N. 2018).

Conceptually, social welfare can be ignored as an applied science that studies and develops a framework and methodology that can be used to improve the quality of life (condition) of society, among others, through the management of social problems; fulfilling the needs of community life, and maximizing the opportunity for community members to develop (Prasasi, C. A., Lita Tyesta, A. L. W., & Herawati, R. 2016). In this connection, social welfare science can be used to improve the quality of life of the community through the management of social problems that exist in the community to meet the needs of the community so that people are encouraged and able to achieve a better life through political politics, empowerment, guidance, fertilization and supervision from the Government. . However, in fact, there are still various problems related to the implementation of social welfare, such as the absence of a legal umbrella at the district government level, the lack of funds for social health administrators, the lack of community participation in empowering social welfare and unstructured management patterns of social workers. (Anggraini, ND 2019; Prasasi, CA, Lita Tyesta, ALW, & Herawati, R. 2016).

This problem is further complicated by the existence of strange perceptions in society regarding social welfare. First, the assumption that responsibility for the welfare of the community / citizens is a burden and responsibility of the Government / State, apart from other social instruments. The government is considered to be absolutely responsible for the social welfare of society, without being accompanied by collective efforts from the community, so that efforts to realize social welfare are initiated by the Government without any linear correlation with other social institutions (Permana, IPYI, Suyatna, IN, & Sarna, K. 2017). Whereas in Law No.11 of 2009 Article 38 Paragraph (1) the community has the widest opportunity possible to play a role in the implementation of social welfare. Furthermore, in Article 38 Paragraph (2) the roles referred to in paragraph (1) can be performed by (a) individuals, (b) families, (c) religious organizations, (d) social social organizations, (e) non-governmental organizations, (f)

professional organizations, (g) business entities, (h) social welfare institutions, and (i) foreign social welfare institutions. Second, the legality of opinion is still built. The more community members are registered as poor, the more assistance the community receives.

This condition causes an unreal perception to always be in poverty, minimal effort, dependence and it has become a habit to rely on the Government. There is even a general conception that applies in some circles of society, which makes poverty a weapon sold to get sympathy, attention and various impartial policies, so that they feel comfortable with existing conditions and tend to maintain these conditions in a sustainable manner (Widiastuti, I. 2017) Third, there are still many people who consider education as the cause of reduced family income, because not all family members can take on duties and responsibilities to earn money. invited to work helping parents.

As a result, many parents choose not to send their children to school after graduating from elementary or junior high school, to be invited to work to help the family economy (Anggraini, N. D. 2019). Most of these children usually choose to marry young, because of their limited understanding of the nature of marriage, the responsibilities of the head of the family and their limited life orientation. Fourth, there has not been maximally applied social awareness based on the soul and spirit of the teachings of *tatwamasi* among the community. The doctrine of administration believes that we are them and they are us, so that poverty, underdevelopment, neglect and failure in them are also poverty, backwardness, backwardness and failure for us. This teaching was born from the concept of *pawongan* or human-human relations which taught me that you are you and you are me. So that poverty, underdevelopment, backwardness and failure of community members constitute poverty, underdevelopment, underdevelopment and restraints in all communities (Suastika, I. N. et al. 2020). This condition then becomes the basis for helping each other, motivating each other, training each other, giving way to each other, and reminding each other for mutual progress. The realization and application of this teaching can be seen communally by the development of microfinance institutions in rural communities such as village institutions, cooperatives, *cingkreman*, and other joy and sorrow activities that show togetherness and kinship in rural communities (Suarmanayasa, I. N., & Susila, G. P. A. J. 2019).

RESEARCH METHODS

This research is juridical normative and juridical empirical to reveal factually and actually about the implementation of social welfare in Bangli Regency. The data sources in this study were the law, documents of the Bangli Social Service, social workers, the Bangli Regency Social Service and people with social welfare problems in Bangli Regency which were determined by purposive sampling (Sugiyono, 2010). The data collection technique is done by document study, interview and observation. While the research instruments used were document study guidelines, observation guidelines and interview guides. Data analysis was carried out qualitatively which began with data collection, data reduction, data presentation and conclusion drawing (Creswell, J. W. 2008).

DISCUSSION

The Urgency of Regional Regulations Regarding Social Welfare in Bangli Regency, Bali Province

The process of achieving a more decent life must be conditioned by the Central Government, Regional Government and the community in the form of social services to meet the basic needs of every citizen which includes social rehabilitation, social security, social empowerment and social protection. Social welfare is a condition for the fulfillment of the material, spiritual and social needs of citizens in order to live properly and be able to develop themselves so that they can carry out their social functions (Law Number 11 of 2009). Based on these provisions, social welfare can be articulated in relation to material needs concerning the fulfillment of food, clothing and shelter, spiritual needs concerning security, self-respect, trust in the creator, and freedom of belief, while the aspect of social needs concerns harmony with neighbors. social roles and harmonious social institutions (Widada, T., Pramusinto, A., & Lazuardi, L. 2017). However, until now the issue of social welfare is still a major problem for the Indonesian people, including the Bangli Regency Government. Based on the statistical data of Bangli Regency (2018) there are still 5.86% of the population in the poor category, 0.67% of the population who do not have a job, 12.22% of the population who are illiterate, and 2,334 elderly people are classified as neglected, and 954 mental and physical limitations.

Meanwhile, people with social welfare are individuals, families, groups, and / or communities who because of an obstacle, difficulty or disturbance, are unable to carry out their social functions, so they cannot fulfill their needs, whether physically, spiritually, or socially adequately and fairly (RI Ministry of Social Affairs Regulation No. 08 of 2012). As for people with social welfare problems handled by the Social Service, are: (1) neglected toddlers, (2) neglected children, (3) children who are faced with the law, (4) street children, (5) children with disabilities (ADK), (6) children who are victims of violence or mistreated, (7) children who need special protection, (8) neglected elderly people, (9) persons with disabilities, (10) immoral, (11) homeless, (12) beggars, (13) scavengers, (14) minority groups, (15) former members of prisons assisted by a prison (BWBLP), (16) people with HIV / AIDS (PLWHA), (17) victims of drug abuse, (18) victims of trafficking, (19) victims of violence, (20) migrant workers with social problems (PMBS), (21) victims of natural disasters, (22) victims of social disasters, (23) women who are vulnerable to socio-economics, (24) needy, (25) families with problems social psychology, and (26) remote indigenous communities.

A study conducted by Suhendra, (2017) on the strategy of the Banda Aceh and Surakarta city governments in realizing a disability-friendly city found: (1) most people find it difficult to accept people with social welfare problems in the community, (2) are afraid to socialize because fear of being infected or affected by a negative culture, (3) if living with people with social welfare problems, they are afraid to be labeled as a deviant community group, (4) always have a negative perception of people who have social welfare problems, and (5) think people with social welfare problems as people who deserve to be given discriminatory treatment. This perception then leads to various reactive social actions for people with social welfare problems, such as acts of social isolation,

refusing to accept the existence of people with social welfare problems in their community, refusing to bury people with social welfare problems, providing social sanctions in the form of not addressing greetings, taking actions make fun of or bully people with social welfare problems and other discriminatory treatment. No less horrendous was the spread of news on social media about students with social welfare problems being ridiculed by classmates at well-known universities in Indonesia. This totonan was very surprising to many circles, considering that students with a set of abilities and understanding that were above the average community's ability to take actions that were very outside of society's expectations.

Meanwhile, the Bangli Regency Government has made priority programs to improve the social welfare of the community, namely: (1) productivity improvement programs and agricultural supporting infrastructure to increase the type, quality and availability of various foods, (2) protection and preservation programs for the preservation of biological natural resources and non-biological, (3) harvest and post-harvest handling of agricultural products to improve farmer welfare, tourism management, (4) programs to increase the availability of raw materials and capital to support community productivity in the field of clothing, (5) empowerment programs for rural communities, including optimizing the availability of livable houses for low-income people and supporting infrastructure, (6) optimizing regulations at the district level, (7) programs to improve education, health and social services, (8) increasing the role and function of customs, (9) support and religious services, (10) increased cultural preservation, (11) increased employment and poverty alleviation, (12) tourism governance reform programs, and (13) democratic, clean and efficient governance (RPJMD Bangli Regency 2016-2021). This is done to carry out the mandate of Law Number 23 of 2014 concerning Regional Government, especially Article 12 paragraph (1) which states that the Government is obliged to organize programs related to basic services, which include: (a) education, (b) health, (c)) public works and spatial planning, (d) public housing and residential areas, (e) tranquility, public order, and community protection, and (f) social. In line with these provisions, social welfare is a concurrent affair which is an obligatory affair related to basic services, so that the regional government, both the Province and the Regency / City have the obligation and responsibility to implement it, including the Bangli Regency Government.

In parallel with that, Article 29 states that in carrying out tasks to meet the needs of the community in the social welfare sector, the Regency / City Government has the responsibility which includes: (a) implementing social welfare in its territory / local nature, including assistance tasks, (b) allocating a budget for the implementation of social welfare in the regional income and expenditure budget, (c) social assistance as a stimulus to the community who organizes social welfare, (d) maintaining the hero dining garden, and (e) preserving the value of heroism, interests and social solidarity. Based on this fact, the Bangli Regency Government has the responsibility to make policies that can serve as guidelines in implementing social welfare for all people and prioritize people who have a life that is not humanly worthy and have criteria for social problems such as poverty, neglect, disability, isolation, social disabilities. and misconduct, victims of disasters, victims of violence, exploitation and discrimination (Law No. 11 of 2009).

The empirical problem related to social welfare in Bangli Regency, apart from the low awareness of the community about the urgency of social welfare, is the high level of poverty in Bangli Regency, which is 5.86% or as many as 12,968 people. This condition shows that the number of poor people in Bangli Regency is 1.1% higher than the poor population in Bali, namely 5.86% for Bangli Regency, while for Bali Province it is 4.76%. On the other hand, the average length of schooling in Bangli Regency is 6.38 years. This means that in general the people of Bangli Regency have just received education at the elementary and junior high school levels. Meanwhile, one of the indicators used as an instrument to break the chain of poverty is education. Through education it is hoped that adequate skills will be built in the community to be able to free themselves from various social problems, including poverty. This condition is also illustrated by the number of people who are still illiterate at 12.22% (Data from the Central Statistics of Bangli Regency, 2017). Another social problem that is no less important is that there is still an economic or income gap between people with low incomes (40% and below) and people with high incomes (20% and above), namely 20.94% and 42.80% (please ask articulation mas agus). Likewise, the infant mortality rate is still quite high compared to Bali Province which is at 6, while Bangli Regency is at 11.7 (RPJMD Bangli Regency 2016-2021). As for criminality, Bangli Regency has the lowest level of crime. In this connection, it seems that the analysis and formulation of the Draft Regulation on Social Protection and Security for Persons with Social Welfare is a very urgent issue to be implemented.

Welfare Administrators in the Perspective of Law No. 11 of 2009 concerning Social Welfare

The current social welfare problems show that there are citizens whose rights to basic needs have not been properly fulfilled because they have not received social services from the state (Law No. 11 of 2009). As a result, there are still citizens who experience obstacles in the implementation of social functions so that they are unable to live a decent and dignified life. The government and local governments provide social rehabilitation (Awaliyah et. Al. 2020), social security, social empowerment, and social protection as a manifestation of the implementation of state obligations in ensuring the fulfillment of the basic needs of poor and poor citizens. Realizing a decent and dignified life, as well as fulfilling the rights to the basic needs of citizens in order to achieve social welfare, the state organizes services and development of social welfare in a planned, directed and sustainable manner (Law No.11 of 2009).

On the other hand, Article 12 Paragraph (1) states that social empowerment is aimed at individuals, families, groups and communities experiencing social welfare problems in order to be able to fulfill their needs independently. This condition implies the need for competent human resources in increasing empowerment and helping solve problems faced by individuals, families, groups and communities with problems. Professional social workers and social welfare workers and social volunteers are competent human resources in carrying out service tasks and handling social problems in both government and private institutions whose scope of activities is in the field of social welfare (Yuliartini, et. Al. 2020). A Professional Social Worker is someone who works, both in government and private institutions who has the competence and profession of social work, and concern in social work obtained through education, training, and / or experience of social work practice to carry out service tasks and problem solving. social (Law No.11 of 2009).

Article 1 Paragraph (1) states that social welfare is a condition for the fulfillment of the material, spiritual and social needs of citizens in order to live properly and be able to develop themselves so that they can carry out their social functions (Law No.11 of 2009). To realize the social welfare of all Indonesian people, an effort to implement social welfare is required. Article 1 Paragraph (2) The implementation of Social Welfare is a directed, integrated and sustainable effort carried out by the Government, regional government and the community in the form of social services to meet the basic needs of every citizen, which includes social rehabilitation, social security, social empowerment, and social protection (Law No. 11 Year 2009). This shows that efforts to improve social welfare can be carried out by the government and society through social work practices. The community can carry out social work practices to help improve the social welfare of individuals, groups and communities of Indonesian citizens (Widiastuti, I. (2017). Therefore, Article 1 Paragraph (6) states that Social Welfare Implementers are individuals, groups, institutions. social welfare, and people involved in the implementation of social welfare (Law No.11 of 2009).

Social workers have the task of carrying out social rehabilitation, social security, empowerment and social protection activities. As social welfare workers, social workers are professionally educated and trained to carry out service tasks and handle social problems and / or someone who works, both in government and private institutions whose scope of activities is in the field of social welfare (Pakpahan, RH, & Sihombing, EN 2018). This is in accordance with Article 1 Paragraph (3) states that a Social Welfare Personnel is someone who is professionally educated and trained to carry out service tasks and handle social problems and / or someone who works, both in government and private institutions with the scope of their activities. in the field of social welfare (Law No.11 of 2009). In practice, social welfare workers must comply with social welfare service standards. On the other hand, the absence of statutory regulations that serve as written guidelines for social welfare workers in carrying out their practices is an obstacle for social welfare workers in carrying out their professional duties. On the other hand, article 25 (parts f and g) states that the Government is responsible for organizing social welfare which includes increasing the capacity of institutions and human resources in the field of social welfare and establishing service standards, registration, accreditation, and certification of social welfare services (Mangku, et. al. 2020).

This condition has consequences regarding the need for the Government to regulate and determine the standards of social welfare services and or social work practices carried out by professional social workers in the form of the Social work Practices Act. Thus the services provided are in accordance with service standards and they do not do wrong social work practices (malpractice). This is in accordance with Article 25 letter g and Article 26 letter b that the Government is responsible for setting service standards, registration, accreditation, and certification of social welfare services or social work practices and the Government is authorized to set minimum service standards, registration, accreditation and certification. social welfare services or social work practices (Law No. 11 of 2009). Broadly speaking, there are four tasks of the social work profession, namely: first, increasing the capacity of individuals, groups and communities with social welfare problems in overcoming the problems they face (Prasasi, C. A., Lita Tyesta, A. L. W., & Herawati, R. 2016). In carrying out this task, social workers identify the obstacles that people with social welfare problems have in carrying out their life tasks. Social workers also explore the strengths and potentials of people with social welfare problems to develop solutions and relief plans. Second, explore and connect the available resources around people with social welfare problems.

Some of the social worker duties related to this role include; (a) help people with social welfare problems reach the resources they need; (b) developing social service programs that are able to provide optimal benefits for people with social welfare problems; (c) improve communication among humanitarian workers / social welfare workers; and (d) overcoming obstacles in the social service process for persons with social welfare problems. Third, improve social service networks. The main objective of this role is to ensure that the social welfare system operates humanely, is sensitive to the needs of local residents and is effective in providing social services to the community. Fourth, promoting social justice through the development of social policies. In carrying out this role, social workers identify social issues and their implications for people's lives. Social workers write policy papers containing recommendations for developing new policies as well as improvements or changes to old policies that are not running effectively. In addition, in carrying out this role, social workers can also translate various public policies into social programs and services needed by people with social welfare problems (Pakpahan, R. H., & Sihombing, E. N. 2018).

This is in accordance with what is mandated by Article 3 which states that the implementation of social welfare aims; (a) increasing the level of welfare, quality and survival; (b) restoring social functions in order to achieve independence; (c) increase the social resilience of the community in preventing and dealing with social welfare problems; (d) increase the capacity, concern and social responsibility of the business world in the implementation of social welfare in an institutional and sustainable manner; (e) increase the capacity and awareness of the community in the organization of social welfare in an institutional and sustainable manner; and (f) improving the quality of social welfare management (Law No. 11/2009).

However, the problem often faced by social workers / social volunteers in carrying out their duties is that there are no laws and regulations governing social work practices. The social work profession requires regulations in the form of laws regulating service standards, registration, accreditation, and certification of social welfare services or social work practices. This law is indispensable as a legal substance in carrying out practical social work activities in Indonesia. As a profession, social workers carry out social work practices, according to their knowledge, social workers have the competence to carry out social rehabilitation activities for people with social welfare problems. individually, family, group and / or community (article 5 paragraph 1 Law Number 11 Year 2009). On the other hand, social rehabilitation is a process of refunctionalization and development to enable a person to be able to carry out his social functions properly in community life.

CONCLUSION

The existence of juridical social welfare security in the form of regional regulations for people with social welfare problems is an urgent matter. This is because there are still poor people, people who are illiterate, there are still economic gaps, and the mortality rate is still high in Bangli Regency, Bali Province. Social welfare administrators are individuals, groups, social welfare institutions, and communities involved in the implementation of social welfare in accordance with Law No. 11 of 2009 concerning Social Welfare. The responsibility for improving social welfare rests with all components of society in accordance with their expertise, occupation and responsibilities, including local government.

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