IMPLEMENTATION OF SOCIAL JUSTICE PRINCIPLES IN ECONOMIC LAW FOR THE PROTECTION OF THE POOR, NEGLECTED CHILDREN, AND VULNERABLE GROUPS: A LITERATURE REVIEW OF POLICIES AND PRACTICES IN INDONESIA

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Abstract

This study aims to analyse the implementation of the principle of social justice in economic law as an effort to protect the poor, abandoned children, and vulnerable groups in Indonesia. This study uses a desk research method with a qualitative and normative approach, examining various laws and regulations, government policies, and relevant scientific literature. The results show that the state has developed a number of legal instruments and social protection programmes, such as the Family Hope Programme (PKH), Non-Cash Food Assistance (BPNT), and National Health Insurance (JKN), which are based on the constitutional mandate, particularly Article 34 of the 1945 Constitution. However, the effective implementation of these policies still faces challenges such as weak law enforcement, complicated bureaucracy, budget constraints, and lack of coordination between institutions. Therefore, there is a need to strengthen the synergy between the government, private sector, NGOs and civil society, as well as bureaucratic reform and stricter supervision to ensure the protection of vulnerable groups is optimal. This research is expected to contribute to the development of a more inclusive and socially just economic legal policy in Indonesia. Keywords: social justice, economic law, social protection, poor, abandoned children, vulnerable groups, Indonesia

Introduction

Social justice is one of the main ideals of the Indonesian nation which is explicitly stated in Pancasila, especially in the fifth principle, namely "Social Justice for All Indonesian People". This principle asserts that all citizens are entitled to fair treatment, not only in the legal aspect, but also in the economic, social and cultural fields. Social justice is the foundation for the realisation of a prosperous, harmonious and just society (Peroni & Timmer, 2013).

In the context of economic law, social justice has a central role as a guide in designing and implementing policies aimed at reducing inequality and ensuring equitable distribution of resources. Economic law in Indonesia not only regulates economic relations between business actors, but also contains principles of ethics and

justice that are based on the values of Pancasila. Thus, economic law must favour the national interest, especially in protecting the weak and vulnerable groups of society (Kuran et al., 2020).

One of the main challenges in Indonesia's economic development is the high level of social and economic inequality in society. The poor, abandoned children and other vulnerable groups are often victims of structural injustices that hinder their access to resources, education, health and economic opportunities. This demands effective legal protection that is responsive to the needs of these groups (Solehudin ., 2024)

The state as the main actor in the Indonesian legal system has a constitutional responsibility to realise social justice for all its people. Article 34 of the 1945 Constitution explicitly orders the state to care for the poor and abandoned children. This mandate confirms that the protection of vulnerable groups is not just a policy choice, but a constitutional obligation that must be implemented in every economic and social policy (Law Number 16 Year 2011 on Legal Aid., 2011)

The implementation of the principle of social justice in economic law is also closely related to efforts to equitable development and poverty alleviation. The government has formulated various affirmative policies, such as social security programmes, direct cash transfers, and economic empowerment of the poor. However, the effectiveness of these policies still faces various challenges, both in terms of formulation, implementation, and supervision (Wu, 2023). Social justice is not only about equitable economic distribution, but also includes fair treatment in the legal system, access to education, health services, and employment opportunities for all levels of society without discrimination. Thus, legal protection of the poor, abandoned children, and vulnerable groups should be a priority in any national economic policy (Green, 2025).

In practice, the role of law in realising social justice is often faced with various structural and cultural obstacles. Law enforcement that is not yet fully fair and transparent, complicated bureaucracy, and limited resources are the main obstacles in ensuring that the rights of vulnerable groups are truly protected. Therefore, legal reform and more inclusive governance are urgent needs (Kurniawan, 2023). In addition, social justice in economic law also requires synergy between the government, law enforcement agencies, and civil society. The government is tasked with formulating and implementing fair policies, while law enforcement agencies must ensure that each policy is implemented without discrimination and with high accountability. Civil society participation is needed to monitor and provide input on policy implementation (Düzgün et al., 2025).

The realisation of social justice in the Indonesian rule of law is a struggle that is not easy to operationalise. The concepts of fairness and social justice have broad, abstract dimensions, and often intersect with individual, social and state interests.

Therefore, the implementation of the principles of social justice in economic law must be carried out in a systematic, planned and sustainable manner (Altwicker., 2022)

This research is based on the premise that the protection of the poor, abandoned children and vulnerable groups is a key indicator of the successful implementation of social justice in Indonesian economic law. Through a literature review of existing policies and practices, this research aims to identify the extent to which social justice principles have been implemented, as well as the challenges and opportunities faced in the protection of vulnerable groups.

Research Methods

The research method used in this research is library research with a qualitative and normative approach. This research examines various literatures, such as books, journal articles, legal documents, and relevant laws and regulations to identify, analyse, and interpret the implementation of the principle of social justice in economic law, especially related to the protection of the poor, abandoned children, and vulnerable groups in Indonesia (Eliyah & Aslan, 2025). The data collected comes from primary sources in the form of laws and regulations and official documents, as well as secondary sources such as the results of previous research and scientific literature. Analyses were conducted descriptively-analytically to understand the compatibility between legal norms and practices in the field, as well as to formulate policy recommendations that are more effective and responsive to the needs of vulnerable groups (Munn et al., 2020).

Results and Discussion

Implementation of Social Justice Principles in Economic Law

The principle of social justice is the main foundation in Indonesia's legal and economic system, as reflected in the fifth principle of Pancasila and Article 33 of the 1945 Constitution. This principle demands that all economic policies be directed to create equal and fair welfare for all Indonesian people, not just for a handful of certain groups (Martin, 2022).

In practice, social justice in economic law is realised through various policies that emphasise wealth distribution, access to resources, and protection of vulnerable groups. The state has a constitutional mandate to manage important branches of production and natural resources for the prosperity of the people, not for the benefit of individuals or large corporations. One of the main instruments for implementing social justice is the Basic Agrarian Law (UUPA), which regulates the management of land and agrarian resources. UUPA emphasises that land tenure must be based on social functions, so that land is used for the benefit of the wider community, not just a few parties (Procter-Legg, 2024).

However, the implementation of social justice principles in the agrarian sector still faces major challenges. Land monopoly practices, speculation, and weak law

enforcement often hamper equitable land redistribution. Agrarian reform aimed at distributing land to small farmers and the poor is often hampered by political domination and elite interests (Khairunnisa et al., 2024). Apart from the agrarian sector, economic inequality is also evident in income distribution and access to education and health services. Data shows that the richest 1% of Indonesians control more than half of the national wealth, while more than 25 million people still live below the poverty line. This inequality is exacerbated by unequal access to education, making it difficult for the poor to escape the cycle of poverty (Casla & Barker, 2023).

Economic law acts as a regulatory and supervisory instrument so that economic policies operate according to the principles of social justice. Laws must ensure equitable distribution of wealth, protection of vulnerable groups, and equal access to economic opportunities. Without strong law enforcement, social justice policies will only be a discourse without real realisation (Snyder, 2019).

The implementation of the principle of social justice also requires a strong rule of law. Every economic policy and resource management must be carried out based on fair, transparent and accountable laws. The rule of law guarantees that there are no exploitative practices that harm the little people, and any violations must be subject to strict sanctions. Affirmative policies such as progressive taxation, empowering MSMEs, and protecting workers' rights are concrete examples of the implementation of social justice in economic law. Progressive taxes aim to reduce income inequality, while empowering MSMEs and protecting workers provide wider economic opportunities for marginalised groups (Dzulfahmi ., 2023)

However, policy implementation is often hampered by bureaucratic red tape, weak oversight, and corrupt practices. Bureaucratic reform and the strengthening of supervisory mechanisms are important steps to ensure that policies are effective and well-targeted.

The role of the community is also very important in overseeing the implementation of economic policies. Community involvement in the decision-making process and policy oversight can increase transparency and accountability, and ensure that the voices of vulnerable groups are taken into account in every economic policy. Pancasila economy as Indonesia's economic system emphasises the principle of kinship and mutual cooperation. This system is different from capitalism, which tends to create social inequality. Pancasila economy aims to create shared prosperity through joint efforts and social solidarity (Candra et al., 2025).

In the context of globalisation, the challenges of implementing social justice are increasingly complex. The dominance of global capitalism, the penetration of foreign investment, and the unequal distribution of resources require the state to strengthen regulation and protection of national interests and vulnerable groups.

The state must also ensure that the public policies produced are truly in favour of the people, not just benefiting capital owners or foreign interests. Public policies

must be designed to overcome structural barriers and create space for community participation in economic development (Widodo, 2020).

Finally, the implementation of social justice principles in economic law requires synergy between the government, the private sector, and the community. Only with strong collaboration and commitment to the values of social justice can Indonesia realise a just, prosperous and prosperous society in accordance with the ideals of the constitution.

Thus, social justice in economic law is not just a norm, but must become a real practice that is felt by all Indonesian people, especially the poor, abandoned children, and other vulnerable groups. Continuous efforts, policy reforms, and strengthening law enforcement are the main keys in realising true social justice.

Policies and Practices for the Protection of the Poor, Neglected Children, and Vulnerable Groups

The policy of protecting the poor, abandoned children, and vulnerable groups in Indonesia is rooted in the constitutional mandate, specifically Article 34 of the 1945 Constitution which affirms that the state is obliged to care for the poor and abandoned children. This mandate is then elaborated in various national laws and policies, such as Law No. 11/2009 on Social Welfare and Law No. 13/2011 on Handling the Poor (Law No. 13 Year 2011 on Handling the Poor., 2011)

The Indonesian government has developed a number of social security programmes as the main instrument for the protection of vulnerable groups. The Family Hope Programme (PKH), Non-Cash Food Assistance (BPNT), and the National Health Insurance (JKN) Contribution Beneficiary (PBI) are concrete examples of state intervention to ensure the fulfilment of the basic needs of the poor and other vulnerable groups. In addition to cash and non-cash social assistance, the government also launched the Integrated Prosperous Housing (RST) programme that aims to provide decent housing for the poor. This programme is a continuation of the Social Rehabilitation of Non-Habitable Houses (RS Rutilahu) and is part of the effort to fulfil the right to adequate housing (Madonsela, 2025).

At the local level, the Social Affairs Office and related agencies run a range of services, from data collection, empowerment, to facilitating access to education, health, and micro-enterprise capital. This approach emphasises the importance of synergy between the central, regional and community governments in handling the poor in a targeted and sustainable manner (Marcheva., 2021)

The protection of abandoned children is specifically regulated in Law No. 35/2014 on Child Protection. The government is obliged to provide maintenance, care and rehabilitation services both within social institutions such as orphanages and outside institutions. This protection practice also involves the Child Social Welfare Institution

(LKSA) which must have a written policy on the prohibition of violence and a case reporting mechanism (Wijaya, 2024).

In some areas, the practice of protecting abandoned children is done through the establishment of Integrated Community-Based Child Protection (PATBM), partnerships with NGOs, and community-based approaches. Street-based and centre-based approaches are used to reach street children and provide protection and proper education. Other vulnerable groups, such as persons with disabilities, the elderly and women, also receive protection through affirmative policies and social security. Law No. 39/1999 on Human Rights affirms the right of vulnerable groups to receive preferential treatment and protection (Indrayani, 2025).

The practice of protecting vulnerable groups in Indonesia faces various challenges, including budget constraints, lack of coordination between agencies, and poor data quality. In some areas, limited social infrastructure makes it difficult to detect and effectively address vulnerable groups. In addition, there are still obstacles in law enforcement against violations of the rights of vulnerable groups. Many cases of child neglect and discrimination against the poor have not received adequate legal redress. This shows the need to strengthen monitoring and law enforcement mechanisms (Idris et al., 2023).

Community empowerment is one of the important strategies in protecting vulnerable groups. The government encourages community participation through training, counselling and strengthening the capacity of local leaders to detect and deal with problems early.

Religious education and skills programmes are also integrated into child protection efforts for vulnerable groups. Government and non-government agencies provide education, psychosocial assistance and skills training to build independence and prevent children from returning to the streets (Nifosi-Sutton, 2017).

The national health insurance (JKN) is an important instrument in social protection, where the poor and disadvantaged are registered as beneficiaries. This ensures inclusive and equitable access to health services for vulnerable groups. Evaluations of protection policies and practices show that despite the launch of many regulations and programmes, implementation still faces bureaucratic obstacles, corruption, and lack of oversight. Bureaucratic reform and increased transparency are key to effective protection of vulnerable groups (Wahidah, 2022).

Recommendations from various studies emphasise the importance of revising legal aid policies to be more inclusive, increasing the legal aid budget, and strengthening public services that are sensitive to the needs of vulnerable groups. Periodic evaluation and civil society involvement are also needed to ensure optimal protection (Ayuningtiyas ., 2023)

Overall, the protection of the poor, abandoned children, and vulnerable groups in Indonesia has been normatively regulated and implemented through various

programmes. However, challenges at the practical level still require serious attention so that the rights of vulnerable groups are truly protected and social justice can be realised in all levels of society.

The Role and Synergy of Stakeholders in the Protection of the Poor, Neglected Children, and Vulnerable Groups

The protection of the poor, neglected children, and vulnerable groups in Indonesia cannot be effective without the involvement and synergy of various stakeholders. Each actor has a strategic role that complements each other, ranging from the government, local governments, non-governmental organisations (NGOs), the private sector, to civil society. This synergy is key in realising social justice and inclusive development (Demaq et al., 2023).

The central government acts as a policy creator, regulator, and main coordinator in formulating social protection policies. Through relevant ministries and agencies, the government establishes programmes such as the Family Hope Programme (PKH), Non-Cash Food Assistance (BPNT), and National Health Insurance (JKN) that target vulnerable groups. At the local level, the Social Affairs Office, Health Office, and Education Office are the main implementers of the policies, ensuring the programmes reach the grassroots (Prasetyo., 2020)

Local governments, through the Poverty Reduction Coordination Team (TKPK) and village officials, are responsible for data collection, verification and validation of target groups. They also act as facilitators and coordinators, linking communities with various social services and ensuring the distribution of assistance is well-targeted. Collaboration across OPDs (Regional Apparatus Organisations) is essential to avoid overlapping programmes and strengthen the effectiveness of interventions (Harsono., 2022)

The private sector plays a vital role through Corporate Social Responsibility (CSR) programmes and public-private partnerships (PPPs). Companies can support the development of vulnerable group-friendly infrastructure, job training, and economic empowerment of the poor. Incentives from the government encourage businesses to be more active in supporting poverty alleviation and social protection programmes (Widiatedja., 2018)

NGOs and civil society organisations act as a bridge between the government and the community. They conduct advocacy, mentoring, education, and monitoring of programme implementation. NGOs are also often the pioneers of social innovation, filling gaps that have not been reached by the government, and strengthening the capacity of vulnerable groups to be able to fight for their own rights (Boyle, 2020).

Civil society, including vulnerable groups themselves, are tertiary stakeholders who act as beneficiaries as well as policy implementers at the community level. The active participation of the community in village meetings, children's forums, elderly

forums, and disability forums is very important to ensure that programmes really meet local needs and aspirations (Paramesti & Pratama . , 2025)

Synergy between stakeholders is realised through formal and informal coordination mechanisms. At the village level, the Social Welfare Centre (Puskesos) serves as a liaison between the community, village government, and social services. The Integrated Referral Service System (SLRT) facilitates coordination and data management between stakeholders, so that interventions are more targeted and responsive (Saida Flora et al., 2025).

Multi-stakeholder collaboration also involves network forums such as the Development Planning Consultation (Musrenbang), empowerment consortiums, and cross-agency alliances. These forums provide a space for dialogue, policy formulation, and joint evaluation of the effectiveness of protection programmes for vulnerable groups. The importance of participatory monitoring and evaluation is a major concern. The government developed specific performance indicators, real-time monitoring dashboards, and application-based reporting systems to ensure transparency and accountability. Community involvement in programme evaluation strengthens social control and increases public trust in the government (Maulana, 2025).

The main challenges in stakeholder synergy are budget constraints, uneven human resource capacity, data fragmentation, and socio-cultural constraints such as stigma and discrimination. Therefore, strengthening regulations, optimising village funds, continuous training, and digitalisation of programs are strategic recommendations to strengthen cross-sector synergies (Setiawan & Suhardi ., 2025)

Case studies in various regions show that the success of vulnerable group protection programmes is strongly influenced by the presence of local champions, participatory monitoring, and community-based innovation. Good collaboration between the government, private sector, NGOs, and communities can create real social and economic transformation (Purwanto, 2024).

The private sector, through CSR programmes, can accelerate village development and improve the welfare of residents by providing skills training, education assistance, or infrastructure development. This collaboration strengthens programme impact and expands the reach of interventions. NGOs and civil society organisations also play an important role in policy advocacy, public education, and strengthening the capacity of vulnerable groups. They become strategic partners of the government in creating an inclusive and socially just environment. The active participation of vulnerable groups in decision-making is a key indicator of successful stakeholder synergy. By involving them from the planning stage to evaluation, social protection programmes become more responsive, effective and sustainable (Rasya & Triadi ., 2024)

Finally, stakeholder synergy in the protection of the poor, abandoned children and vulnerable groups is the main foundation for realising social justice in Indonesia.

Close collaboration, innovation, and shared commitment from all parties will ensure that no citizen is left behind in national development.

Conclusion

The implementation of the principle of social justice in economic law in Indonesia has been pursued through various social protection policies and programmes based on the constitutional mandate, particularly Article 34 of the 1945 Constitution. The state has developed legal instruments such as Law No. 11/2009 on Social Welfare and Law No. 13/2011 on Handling the Poor, as well as various social assistance programmes such as PKH, BPNT, and JKN. These efforts demonstrate the state's commitment to ensuring the protection and fulfilment of the basic rights of the poor, abandoned children, and other vulnerable groups.

However, the effective implementation of these policies still faces various challenges. The main obstacles include weak law enforcement, bureaucratic red tape, budget constraints, and lack of coordination between institutions. In addition, there are still cases where vulnerable groups have not fully received proper rights and protection, both in urban and remote areas. Social and economic inequality, as well as corrupt practices, are also factors that hinder the realisation of social justice equally.

Therefore, it is necessary to strengthen synergies between the government, private sector, NGOs and civil society to improve the effectiveness of protecting vulnerable groups. Bureaucratic reform, stricter supervision, and increased public participation in policy monitoring and evaluation are strategic steps that must be taken. With cross-sector commitment and collaboration, the principle of social justice in economic law can be realised in order to achieve a just, prosperous and prosperous Indonesian society.

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