

Government Policy Concerning Social Guarantee and the Implementation on Fishermen

Ernany Dwi Astuty

Expert Researcher in Economic Research Center – Indonesian Institute of Sciences

* E-mail of the corresponding author: edastuty@yahoo.com

Abstract: Social security and fishermen's insurance is needed because of the uncertain conditions of fisherman's life and the high risk faced by fishermen during the work. This study aims to analyze government policy on social security system for fishermen in Indonesia with approach of public policy analysis and sociology. The research was conducted in Kaur District, Bengkulu Province and Probolinggo City of East Java Province. The analysis used is a descriptive method that explains the facts collected in a systematic, detailed and critical. The results of research in Probolinggo City, East Java Province show that government social security program known by fisherman community is Direct Cash Transfer (BLT) program, JAMKESMAS, free education, BBM subsidy and RASKIN. Among the five (5) such programs, only Raskin programs are more widely obtained by fishing communities (67.86%). In Kaur District, Bengkulu Province, programs for fishing communities are RASKIN, Jamkesmas, free education, fuel subsidies and PUMP (Mina Rural Business Development). Among these programs, there are two programs obtained by most fishermen community, namely RASKIN program (86.21%) and Jamkesmas (61.21%).

Key words: Public policy, social guarantee, fisherman

I. INTRODUCTION

Prior to 1997, Indonesia had a good economic performance with a high rate of economic growth. Economic growth in 1989 and 1990 was recorded at 7.5 percent and 7.1 percent respectively (Djojohadikusumo, 1993). This economic condition made the government not to make social protection a priority at the time, but the government's social spending was concentrated on social services (Sumarto dan Suryahadi, 2002).

The economic crisis of 1997 has opened the eyes of all parties about the vulnerability of the Indonesian economy, as well as the importance of social protection for the whole society. The rising unemployment and dramatic decline in real wages have led to 25.0 percent of the non-poor population falling into poverty (World Bank, 2006). In response to this crisis, the government launched the Social Safety Net (JPS) program in 1998. The program provides subsidies on basic food, basic education, and basic health services, as well as employment opportunities through labor-intensive and business credit activities.

After recovering from the economic crisis, economic growth rebounded and poverty tended to decline from 24.23 percent in 1998 to 11.96 percent in 2012 (BPS, 2012). Unfortunately this growth is not necessarily pro poor, where 10 percent of the richest people enjoy growth of more than 1.7 percent, while 10 percent of the poorest get just 0.6 percent growth (World Bank, 2011a).

This condition also applies to people who work as fishermen belonging to the poorest of the poor. Data from the Ministry of Marine Affairs and Fisheries show the number of Indonesians whose profession as fishermen is about 2.2 million people and 87.0 percent of total fishery households are small-scale catch fisheries or have boats less than 10 GT (KKP, 2011).

Coastal socio-cultural society is a community group whose cultural roots are built on a blend of maritime culture of the sea, beach and market oriented. There is a fundamental difference between coastal communities and agrarian societies primarily on access to resources. Very different from the land resources in agrarian society, the sea is a natural resource that is open access so anyone can access it. This open resource causes competition among fishermen to become more violent. Not surprisingly, fishermen or coastal people in general have a hard character. Moreover they face high employment risks in both life and economy (Satria, 2001).

According to Mubyarto, et al. (1984) and Satria (2001), fishermen are classified into two categories: small fishermen and large fishermen. As for the characteristics of small fishermen is the fleet and technology of fishing gear is still simple, and culturally, small-scale fishing communities are still subsistence-oriented. This condition is very different from large-scale fishermen who have used modern technology in fishing gear and fleet. Large-scale fishermen are no longer in subsistence but are already at commercial level. Other characteristics can be seen in the use of labor. Small-scale fishermen use more family labor, while large-scale fishermen employ large numbers of hired laborers.

The condition of the fisherman caused most of them to live in poverty. Some research results (Susanto et al, 1996, Satria, 2001, Masyhuri, 2001; Suryanto, 2003; and Najib, 2007) indicate that the factors that cause fishermen poverty, are not only related to fish season fluctuations but also limited human resources, capital and access, an exploitative fish trade network on fishermen as producers. In addition, the negative impacts of fisheries modernization or the blue revolution that led to excessive depletion of marine resources also contributed to the impoverishment of fishermen. This condition is still ongoing until now and the further impact that fishermen are experiencing is the decreasing of their income level and the difficulty of getting the catch.

The results of studies on the level of living welfare among fishermen have shown that poverty and socioeconomic or income inequalities are crucial issues faced and not easy to overcome (Kusnadi, 2005). The problems often faced by the fishing communities are a) limited access to capital, technology and markets that affect the dynamics of the business; b) low quality of community resources as a result of limited access to education, health and public services; c) weakness of existing socio-economic

institutional function; d) degradation of environmental resources; and e) not yet strong maritime-oriented policy as the main pillar of national development (Kusnadi, 2009).

The uncertain condition of fisherman's life, the high risk they face in the process of catching, is in need of social security and insurance in order to strengthen the life of fishermen. The facts show that most of them are small fishermen or laborers, so it is in need of government policies that care about their lives. This paper aims to analyze government policies and their implementation, especially those related to national insurance and insurance for fishing communities.

II. SOCIAL SECURITY SYSTEM IN INDONESIA

The social security system has been introduced in Indonesia since 1967 through Law No. 6, 1966 on Pension Provision, Pension Benefits and Benefits to the Voluntary Military (State Gazette of 1966 Number 33, Supplement to the State Gazette Number 2812). Subsequently in 1969, the government issued Law No. 11, 1969 on Employee Retirement and pension of employee widows/widower. The funding system of the pension program is based on the budget system (pay as you go) of the state budget while the TNI-Polri and civil servants contribution of 4.75% of the basic salary to the pension program is a supplement because the contribution of civil servants accumulated after paid regularly only accounted for 10% of Pension benefits are paid, while the remaining 90% comes from the state budget. The pioneering program has fulfilled the principle of portability or sustainability until the heir's retirement.

In 1974 the government launched Law No. 6, 1974 on Basic Provisions of Social Welfare. Article 2, paragraph 4, states that social security as the embodiment of social security is the whole system of social welfare protection and maintenance for citizens organized by the government and/or the community in order to maintain social welfare.

The social security system has been compulsory since 1978 for private employees and has been enacted in Government Regulation No. 33, 1977 on Labor Insurance (ASTEK). In Article 3 it is stated that the company is obliged to organize ASTEK program both by insuring its workforce working in a working ties with the company in the accident insurance program and death insurance, as well as by understanding its obligation in the old-age savings program to the administrator institution. The program is amended in Law No. 3, 1992 on Social Security of Workers (JAMSOSTEK) aimed at expanding membership, so that all workers in both formal and informal sectors gain access to protection in the Jamsostek program (Purwoko, 2010).

But in the law, the provisions on social security for informal sector workers are still limited. Law No. 3, 1992 Article 4 Paragraph 2 states that social security programs for workers outside the employment relationship will be further regulated by government regulations. The realization of this informal sector guarantee was recently implemented by the government through the Ministry of Manpower and Transmigration which amended the Law No. 3, 1992 by issuing Ministerial Regulation No. 24, 2006 on Guidelines for the Implementation of the Social Security Guarantee Program for workers engaged in work outside of employment. Under this regulation, a pilot program is conducted to extend the reach of social security to informal workers through a voluntary scheme managed by PT Jamsostek. This scheme offers four benefits: health, work accident, death, and pension time.

Through this pilot project, the government provides subsidized contributions for the first few months, hoping that once the pilot project is completed, the workers will continue their membership and pay their own dues. But the extent of coverage through this pilot project is still slow. Data show that from about 70 million workers in the informal sector, the total number of participants only reached 400,000 workers in 2010. Most participants also did not continue their membership after no longer receive subsidies. Jamsostek acknowledges that the slow growth of the program is due to a number of problems both in terms of demand and supply. Jamsostek's administrative and human resources capacity, as well as a lack of understanding of workers and the inability to pay contributions regularly, led to a low level of Jamsostek membership in 2010 (Purwoko, 2010).

Law No. 6, 1974 on the Basic Provisions of Social Welfare by the government was amended into Law No. 11, 2009 on Social Welfare. Article 1 Paragraph 1 of this law contains the condition of the fulfillment of the material, spiritual, and social needs of citizens in order to live properly and able to develop themselves, so as to carry out its social functions. Implementation of social welfare is the responsibility of the state and implemented by the Ministry of Social Affairs. Article 10, paragraph 1 and 2 of this law also explains that social welfare insurance is organized to protect citizens who can not afford the premiums in order to maintain their social welfare. Social welfare insurance is provided in government contributions and funds are sourced from state budget revenues (Article 36 Paragraph 1a). The targets are prioritized for those who have a life that is not humanly feasible and has criteria of social problems such as: a) poverty; b) neglect; c) disability; d) remoteness; and others (Article 5 Paragraph 2).

Based on the amendment of the 1945 Constitution, Article 34 Paragraph 2, which reads: "The State develops social security system for all people and empowers the weak and incapable of humanity", the government issued Law No. 40, 2004 on National Social Guarantee System. In Article 2 and Article 3 it is mentioned that the Social Security System is one form of social protection organized by the Republic of Indonesia based on the principles of humanity, benefit, and social justice for Indonesian and aims to ensure its citizens to meet the basic needs of decent living for each participants and/or their families.

The results of the study and concept of the National Social Security System Team, Yohandarwati, et al. (2003) distinguished the definition of social security into two groups, namely: social insurance and social assistance. The payment of social insurance premiums is in accordance with the concept of general insurance, in which premiums are paid is a sharing between employers ie the government or employers who provide employment. While social assistance, in the form of "assistance" in the form, for example, block grant or emergency fund with social goals.

In Indonesia, social insurance consists of health insurance (ASKES), insurance for members of TNI / Polri - formerly ABRI (ASABRI), social security workers (JAMSOSTEK), accident insurance (JASA RAHARJA), social health insurance (ASKESOS), and savings Pension insurance (TASPEN). The social assistance called Social Security Society (JAMKESMAS) is social assistance for health services for the poor and underpaid people whose fees are paid by the Government, organized by the health ministry. In 2012, the Health Ministerial Regulation No. 40, 2012 issued on the Guidelines for the Implementation of the Public Health

Insurance Program stipulates several improvements: 1) Direct Cash Transfer Program (BLT) intended to provide BLT to poor households (RTM) launched under Presidential Instruction No. 3, 2008, 2) RASKIN Program.

In relation to the implementation the National Social Security System Law (No.40, 2004), the government issued Law Number 24, 2011 on the Social Security Administering Board (BPJS). The law involves two Social Security Administering Board, namely BPJS Health and BPJS Employment. BPJS of health organizes Health Insurance (JK) program, while BPJS Employment organizes 1) Work Accident Insurance (JKK), 2) Pension Time Security (JHT); 3) Pension Guarantee (JP); and 4) Death Insurance (JKM), with the addition of pension guarantee.

Under the law, PT ASKES (Persero) changed to BPJS Health which started its operation in early January 2014. The BPJS Employment started on July 1, 2015. In the transition period, from January 1, 2014 until June 2015, BPJS Employment will only manage three programs outside the pension plan. This means that the program is still the same as that organized by PT Jamsostek, while the difference lies in the legal entity and the coverage of membership.

III. METHODOLOGY

The approaches used in this study are public policy, and sociology. This approach is used to analyze government policy on social security system for fishermen in Indonesia. The research was conducted in Kaur District, Bengkulu Province and Probolinggo City, East Java Province. The number of respondents (samples) is determined in Kaur District about 117 fishermen and in Probolinggo as much as 84 fishermen.

The data used there are two kinds of secondary data and primary data. Secondary data obtained from the Law of Indonesian Republic as well as regulations that have been issued from various agencies/ministries such as Ministry of Manpower and Transmigration, Ministry of Marine Affairs and Social Security Jamsostek. Primary data were obtained from interviews with fishermen, indepth interview and focus group discussion (FGD) with decision makers at both central and regional levels. The questionnaire that contains a list of questions directly given to the respondent (fishermen).

Data and information obtained from in-depth interviews, then transcribed and combined with field notes and filling out questionnaires. The analysis used is a descriptive method that explains the facts collected in a systematic, detailed and critical.

IV. RESULTS AND DISCUSSION

4.1. Social Security for Fishermen in Indonesia

The study of Fairyani et al. (2013) on social security of fishermen in Weru Village, Lamongan shows that the social security provided to fishermen is four kinds, namely 1) social security of resources in the form of a license to catch fish whose function is to reduce illegal fishing; 2) social security of safety (JAMSOSTEK), here the ship owner who enrolled the ABK fisherman attended the jamsostek to the village hall office and the village head who will take care of the Jamsostek office; 3) Social Security Health (Puskesmas) and 4) Informal Social Security (Patron Client), the relationship between the two parties that need each other and the relationship between patron clients between fishermen and bakul very closely. Usually this relationship occurs because of a good relationship with the old, meaning that basket has become a subscription that buys the catch of fishermen.

Fisherman's insurance which is social security to fisherman has been implemented in some areas in Indonesia. North Sumatra is the first province in Indonesia to provide life insurance to fishermen. Funds disbursed for fisherfolk insurance come from APBD funds amounting to Rp 5 billion / year. In the first stage, life insurance is valid for life and given to 1,000 fishermen. Life insurance program for these fishermen in the beginning of 2012. The purpose of this insurance is to provide a sense of security and social security for the families of fishermen when left to go to sea. This life insurance will protect the fishermen for 30 years with a benefit of Rp 5 million. While the value of coverage that will be accepted if the fisherman died due to illness of Rp 35 million, permanent disability Rp 20 million and died when he went to sea then heirs will get compensation of Rp 40 million.¹

In Banten province, in 2010, 100 fishermen had been covered by fishermen protection insurance from occupational risks, to death benefits. Insurance for fishermen is a program of the Ministry of Marine Affairs and Fisheries which aims to help the fishermen reduce the burden of risk of accidents, as well as compensation for the disasters both resulting in permanent disability and death. The insurance is given priority to traditional fishermen which amounted to 80 percent of the number of fishermen in the Banten region about 3000 people. The guarantee that will be given to the fishermen in the form of risk insurance for accidents such as disability and death insurance due to accidents with the amount of dependents around Rp12 million. Insurance premiums currently bear the government through the state budget funds.²

In addition to fishermen's insurance, fishermen have been created fishing cards that serve as the identity of fishermen so legally guaranteed legality. This card is also a government instrument in carrying out the policy, facilitating in obtaining assistance such as capital, tools and steps of empowering fishermen to be more independent, professional and obedient principle in fishing effort. ³

The results of interviews with marine ministries in 2013 show that the use of fishing cards is expected to be a concrete material of fishermen empowerment process as a government partner in fishery resources management and sustainable, effective and

¹ Gatot Salurkan Asuransi Nelayan Pertama di Indonesia. 13 Desember 2012. www.medan.tribunnews.com/2012/12/13/gatot-salurkan-asuransi-nelayan-pertama-di-indonesia

² 100 Nelayan Banten Mendapat Asuransi Kecelakaan Kerja. www.banten.antaranews.com/berita/13289/100-nelayan-banten-mendapat-asuransi-kecelakaan-kerja

³ Ibid

targeted earnings improvement efforts. This is also an attempt to protect fishermen from the intervention of migration from other professions who participate in fishing without permission, so in the future, only card holders are allowed to legally fish in the sea.

4.2. Implementation of Government Policy on Social Security for Fishermen

Government policy has been launched since Indonesia was hit by the economic crisis in 1998, and implemented through social assistance program that has been rolled out to the poor in rural and urban areas. Forms of social assistance include: Raskin, Jamkesmas, free education, fuel subsidies and BLT.

The results of the study in Probolinggo City indicate that the government's social security program known to the fishing community is the BLT program, JAMKESMAS, free education, fuel subsidy and RASKIN. But in its implementation, the program was received by some poor fishermen. The results showed that fuel subsidies were never received by most (78.57%) economically disadvantaged fishermen, and only 8.34% of them always get fuel subsidies. It can be said that the government's efforts in helping poor fishermen to obtain fuel subsidies are not right on target.

The government program in the form of free education to fishermen, not necessarily enjoyed by fishermen is shown by the results of research where most (73,81%) fishermen never get free education. Only a small part (5,93%) of them always receive free education program.

Jamkesmas program launched by the government through the Ministry of Health for the poor, more than half of fishermen (64.29%) never get Jamkesmas program and only 16.67% of fishermen always use Jamkesmas. Similarly, BLT program, it turns out more than half (63.10%) of respondents never get BLT and only 5.94% who always get BLT. Raskin (poor rice), mostly fishermen (85.71%) received Raskin, while 14.29% never received Raskin.

Among the five government programs known to fishermen, only Raskin programs are more widely enjoyed by the community as much as 67.86%. This amount includes: a) 1.19% of fishermen said very often receive Raskin, b) 38.10% of fishermen often receive Raskin, and c) 28.57% of fishermen occasionally receive Raskin. Raskin program is more widely known and enjoyed by the community that distribution has been done since 1998 where at that time the price of rice jumped high and not reached by people's purchasing power. The aim of Raskin is to strengthen household food security, especially poor households. It was initially called the Special Market Operation program (OPSUS) and has since 2002 been changed to RASKIN. RASKIN is further expanded its function is no longer an emergency program (social safety net) but as part of the social protection program of society. For more details can be seen in Table 1.

Table 1. Distribution of Fishermen Receiving Social Aid from the Government in Kaur District, Bengkulu Province.

No	Categories	The number of recipient fishermen				
		Raskin	Jamkesmas	free education	BBM Subsidy	Other (PUMP)
1	Never	16 (14)	46 (39)	80 (68)	98 (84)	84 (72)
2	Rarely	11 (9)	21 (18)	7 (6)	11 (9)	11 (9)
3	Sometimes	25 (21)	14 (12)	10 (8)	2 (2)	9 (8)
4	Often	48 (41)	33 (28)	19 (16)	5 (4)	11 (9)
5	Very often	18 (15)	4 (3)	4 (3)	2 (2)	1 (1)
Total		117 (100)	117 (100)	117 (100)	117 (100)	117 (100)

Source: Primary Data, 2013

Note: the number in brackets is the percentage

In Kaur District, several government programs known to the fishing community are RASKIN, Jamkesmas, free education, fuel subsidy and Rural Business Development (PUMP). Among these programs there are two programs that most of the fishermen community accept and utilize the RASKIN and Jamkesmas programs, which are 86.21% and 61.21% respectively. While the subsidy program of fuel, PUMP, free education most of the fishermen did not receive it, that is each of 84.21 percent, 72.48 percent, and 67.54 percent. Thus, the government programs proclaimed for the poor have not been well targeted. This is possible because of the lack of socialization from the officers in each agency.

The PUMP Program is a National Program for Community Empowerment (PNPM) Mandiri Marine and Fisheries aimed at fishermen and rolled out since 2011. The PUMP program is given to fishermen in the form of business capital assistance in growing the capture fishery business targeted by Joint Business Group (KUB) fishermen. PUMP recipients are fishermen who have received a fisherman's card to obtain assistance from the marine ministry. In Kabupaten Kaur that has received PUMP of 27.52 percent, where fishermen often receive 9.17 percent, very often 0.92 percent and sometimes 8.26 percent and rarely receive 9.17 percent. For more details can be seen in Table 2.

Table 2. Distribution of Fishermen Receiving Social Aid from the Government in Probolinggo City, East Java Province.

No	Categories	The number of recipient fishermen				
		Raskin	Jamkesmas	free education	BBM Subsidy	BLT
1	Never	12 (14)	54 (64)	62 (74)	66 (79)	53 (63)
2	Rarely	15 (18)	9 (11)	13 (15)	10 (12)	13 (15)
3	Sometimes	24 (29)	7 (8)	4 (5)	1 (1)	13 (15)
4	Often	32 (38)	13 (15)	2 (2)	5 (6)	3 (4)
5	Very often	1 (1)	1 (1)	3 (4)	2 (2)	2 (2)
Total		84 (100)	84 (100)	84 (100)	84 (100)	84 (100)

Source: Primary Data, 2013

Based on the data that has been presented, the government policy in the form of social security program has not been equitably perceived by the fishermen community. Here, it takes hard work of government apparatuses both central and local to socialize the programs that have been set for implementation on target, by improving coordination between central and local government. Besides, it is necessary to monitor the implementation of this program to the recipient regions of its.

V. CONCLUSIONS

The results of the study in Probolinggo City indicate that the government's social assistance programs known by the fishermen community are BLT program, Jamkesmas, free education, BBM subsidy and RASKIN. Among the five government programs are only RASKIN programs that are widely utilized by the community. In Kaur District, the government's social assistance programs known to the fishermen community are RASKIN program, Jamkesmas, free education, fuel subsidy and PUMP. In the implementation, it turns out that social assistance can not be enjoyed by poor fishermen. There are two programs that are perceived and utilized by fishermen community namely RASKIN and Jamkesmas program.

Government programs that have been widely rolled out were not enjoyed by all of poor fishermen. Therefore, coordination between the central and regional governments is required in terms of socialization and monitoring. Under Health and Employment BPJS, fishermen are expected to be economically less able to enjoy the government program so that the life of fishermen will be better.

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