

An Analysis of Current Policy of street children (the implementation of the 1945 Constitution of the Republic of Indonesia Article 34

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Introduction

- 1. The success of the current development is inseparable from the role of the government in achieving the Sustainable Development Goals (SDGs) target. In 2015 Indonesia has development targets and goals as outlined in the Millennium Development Goals (MDGs)**
- 2. The increase in the number of street children is part of a social phenomenon that needs serious attention from various parties (stakeholders). The phenomenon of street children at this time especially increasingly widespread in big cities because it is caused by the high flow of population mobility**
- 3. Responding to this phenomenon, parents must realize that children are an investment in the future or the next generation that will become the strength of a nation in the future. The role of the family is the first social environment that gives a very big influence on the growth and development of children.**
- 4. The problem of street children is quite alarming because in everyday life they are trapped in various crimes such as fights, drug use, theft and prostitution of street children and have street girls involved in it. In this case, street children are referred to as**

Goals of Study

This study aims to examine and analyze the current policy of street children in Indonesia, as well as the government's role in handling street children's welfare by adopting Sudarto and Lawrence M. Friedman's theories of legal systems and policies

Research Method

This research is a normative legal research, or library research, by analyzing a legal problem through legislation, literature and other reference materials such as journals, textbooks and other articles related to this research. Analysis of the data used is qualitative descriptive analysis (Zainuddin, 2009).

Results and Discussion

Legal Arrangement of Street Children

To now the three elements as stated by Friedman have not been implemented well, especially in the legal structure and legal culture. For example, in the legal structure, police officers who are expected to be drug capturers who are not practiced by street children are often involved in the drug network. Likewise the prosecutors, until now it is still very difficult to find a prosecutor who is truly honest in settling cases. In line with or agree with M. Friedman, talking about law in the midst of the social life of street children is basically inseparable from the principles of the legal paradigm which consists of legal fundamentals and the legal system. Some legal fundamentals include legislation, enforcement and justice while the legal system covers the substance, structure and culture of law. All of which are very influential on the effectiveness of the performance of a law.

The authority of law enforcement agencies through a system that has been guaranteed by law in carrying out its duties and responsibilities is independent of the influence of governmental powers and other influences. The law cannot run or upright if there are no law enforcement officials who are credible, competent and independent. How good is a law and regulation if it is not supported by good law enforcement officers, then justice is only wishful thinking. In the legal arrangements expected of the government or other stakeholder institutions in dealing with street children must have actors such as the presence of social ministries, community leaders, non-governmental organizations, mass media, professionals, United Nations Children's Fund (UNICEF) which must continue to be integrated and committed.

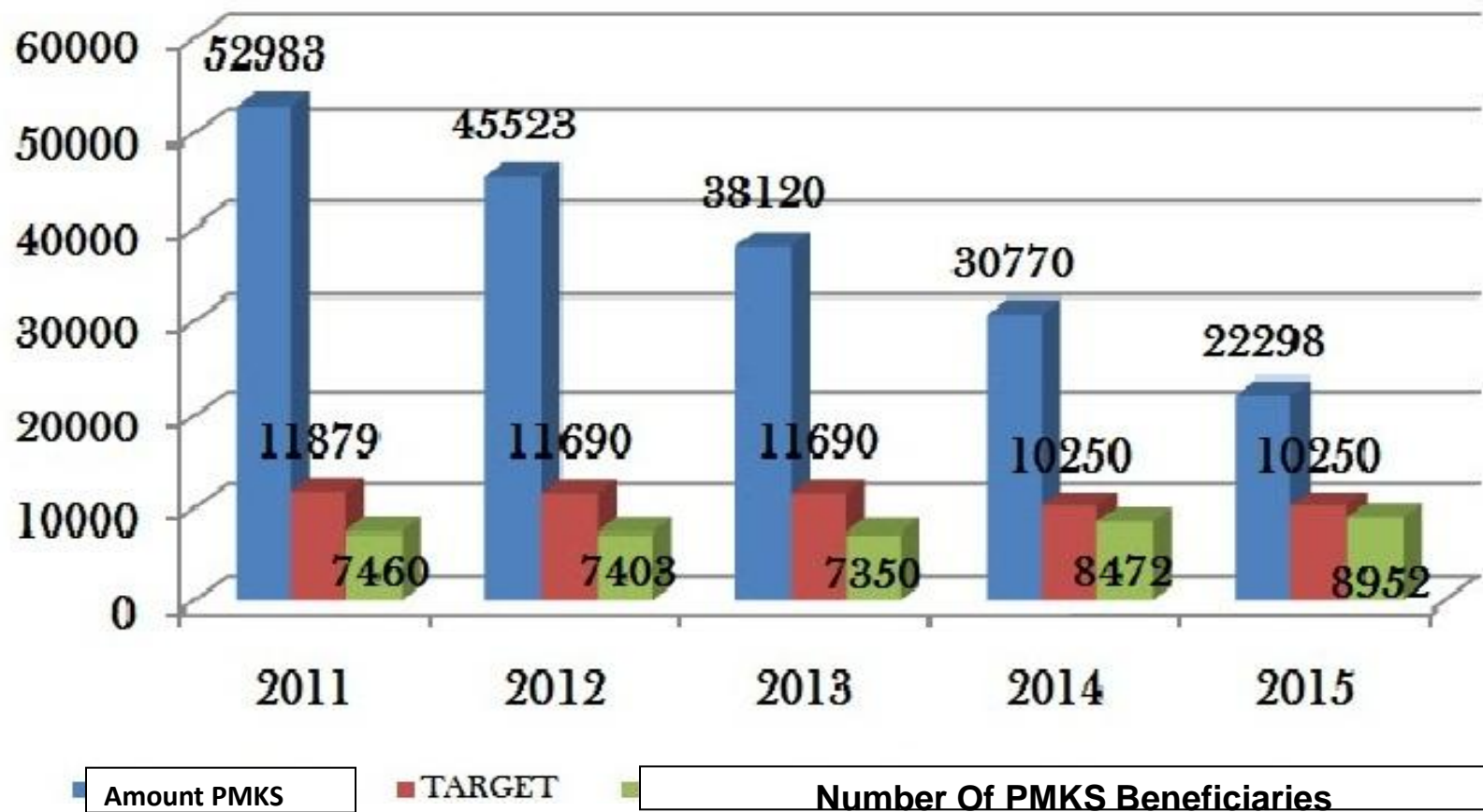
Results and Discussion

The Government's Role in Handling Street Children

Poverty and street children are closely related and interconnected, because it is poverty that causes street children to exist in cities and regions in Indonesia. The problem of poverty and street children who become social problems in Indonesia is a problem that must be addressed by the government because it is in accordance with the mandate of the 1945 Constitution. Street children are generally in their productive age and school age. They have the same opportunities as other children. Street children are citizens who have the right to receive educational services, but on the other hand they cannot leave the habit of making a living on the road. The existence of street children is not only limited to major major cities such as Medan, Jakarta or Surabaya, but has spread to other cities. Nevertheless, the government annually disburses budget funds for aid programs for street children through the PMKS (People with Social Welfare Problems) program. Every year, the Ministry of Social Affairs is only able to help 172 thousand street children with a total budget of 250 billion rupiah's for 2015.

Based on this number, there has been a decrease compared to 2014, which reached 300 billion rupiah's. In fact, one street child needs help at least Rp. 1.8 million per year. The budget and realization of the budget is intended for PMKS. Furthermore, it can be seen in the following chart table:

Results and Discussion



Source: Social of Ministry, 2015

Results and Discussion

Continue

Based on the data above, the number of PMKS in 2011-2015 has decreased, but the targets and achievements have not been maximized. For example in 2015 the number of PMKS was 22298 people and the target of subsidies was 10250 people while it was only realized as many as 8,952 people. This means that the program assistance has not been effective because of the lack of support from stakeholders both in providing data and in carrying out the programs of each institution that is still egocentric in nature, so that there are still many street children who do not yet have the right to protection and justice. The government's effort in dealing with the problem of street children by providing assistance or subsidies is a national program as part of a social safety network that hopes that future street children can meet their daily needs. In essence, in addition to short-term subsidies, the government should look more at long-term programs, namely education and skills.

Education is the key to alleviating the dark circle. To get there requires hard work, because education is still seen as just a waste of money. As a result, the number of street children returning to school has not increased. In addition, the government must conduct an open evaluation related to the implementation of the program. Direct escort from the community allows programs and budgets to benefit in efforts to eradicate street children.

CONCLUSSION

The role of the government in dealing with the social problems of street children in accordance with the mandate of the 1945 Constitution Article 34 paragraph (1) has not been effective, where coordination between the community, social services and regional / city governments is still egosentral in nature, especially related to sustainable data from social services.

In addition, not all regions have regulations on the pattern of childcare that should be broken down from the 1945 Constitution (1945 Constitution) Paragraph (1) About the Poor and Neglected Children maintained by the state. As stated in the 1945 Constitution paragraph (1) that the care of street children should receive special attention from the government by making various empowerment efforts such as providing education, training and teaching, but these efforts have not gone well. The role of the government in dealing with the problem of street children is only more inclined to the provision of welfare such as subsidizing services and provision of food or nursing.

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Q and A?

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