



Social Protection In The Fulfillment Of The Basic Rights Of The Child In Poso Regency

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Abstract- Violations of children's basic rights are quite common in Poso Regency. Children often get unfair treatment from their social environment so children can become traumatized and have a fear of social interaction. The purpose of the study was to determine social protection in the fulfillment of the basic rights of children in Poso Regency. Qualitative research methods. Data collection using observation, interviews, and documentation. Withdrawal of informants with snowball. Data analysis using Huberman perspective that is data reduction, data presentation, and conclusion/verification. The results showed that the Government of Poso Regency seeks to carry out social protection by implementing the policy of Presidential Decree No. 36 of the 1990 Convention on the Rights of the Child. The policy is intended to fulfill the basic rights of children ranging from (1) the right to play; (2) the right to education; (3) the right to protection; (4) the right to name (identity); (5) the right to national status; (6) the right to food; (7) the right to health access; (8) the right to recreation; (9) the right to equality; and (10) the right to play a role in development.

Keywords: Social Protection, Basic Rights Of The Children, Poso Regency

1. INTRODUCTION

Children are the most important part of the process of human life. Through the child, life will go on and change. It is often mentioned that the child is the successor of the nation which is certainly present in a family consisting of a father and mother. In the process of life, children are entitled to happiness from parents and the government, so that children can develop well, become moral people, and be useful to anyone. Burhanuddin (2014) explained that children are a mandate as well as a gift from God The Creator, even children are considered the most valuable wealth compared to other property wealth. Therefore, the child as a trust from Allah swt must always be guarded and protected because in the child inherent dignity, dignity, and rights as a human being must be upheld. The basic rights of the child are part of human rights as enshrined in the 1945 Constitution and the United Nations Convention on the rights of the child. From the context of the state, children are heirs

and at the same time a portrait of the future of the nation, the next generation of the nation's ideals, so that every child has the right to survive, grow and develop normally, participate and have the right to protection from violence and discrimination.

Sociologically, children are individuals who are part of the social structure of society. Children are the next generation of the nation as well as capital development is believed to be able to make changes in a more creative, simple, and concise (Subiyakto, 2012). In addition, children have rights protected by law to be able to live together with the family, interact with the social environment, get an education in school and even have the freedom to develop their creativity and potential. This has been stated in law No. 35 of 2014 which is an amendment to Law No. 23 of 2003 concerning child protection. The law states that every child has the right to survival, growth, and development and the right to protection from violence and discrimination. So it can be concluded that children are entitled to protection from the state and should not receive discrimination from anyone, because every child has the same opportunity to be able to move and develop better.

Children must get their rights as Indonesian citizens who are also recognized internationally. Based on Article 1 of Law No. 39 of 1999 on Human Rights explained that children's rights are part of human rights that must be guaranteed, protected, and fulfilled by parents, families, communities, governments, and countries. In generic terms, human rights are defined as a set of rights inherent in the nature and existence of man as a creature of God Almighty and are his gift, which must be respected, upheld, and protected by the state, law, government, and everyone for the honor and protection of human dignity. Based on the concept states that the right is a provision that must be given to children as Indonesian citizens.

In Poso Regency, quite a lot of children are found who do not get social protection related to the fulfillment of basic children's rights. They often get unfair treatment from the surrounding community, even fellow children who have power, especially in terms of physical strength, such as bullying at school, not being given enough nutrition, and

not being able to play like peers because they have to work to make ends meet, early marriage, violence from parents and adults to what is even sadder is related to the Poso conflict that many children are victims of death (murder), but not exposed in the media. This is certainly very worrying so social protection measures need to be taken in fulfilling the rights of children in Poso regency, Central Sulawesi.

II METHOD

The research method used is qualitative, with the consideration that research moves from unexpected phenomena and influences, that is, every new information, event, behavior, atmosphere, and influence is considered important to conduct a study. This study is more related to social protection in the fulfillment of the basic rights of children in Poso Regency. The method of determining the location utilizing purposive with the consideration that the selected location is representative according to the purpose of the study. For informants selected on a snowball basis. Data collection techniques were carried out through observation, interviews, and documentation. Data analysis using Huberman perspective is data reduction, data presentation, and conclusion/verification.

III DISCUSSION

Article 1 point (9) of Law No. 9 of 2011 on social welfare states that social protection is all efforts directed at preventing and addressing risks from social shocks and vulnerabilities. Through social protection, every Indonesian citizen is expected to be protected from shocks and social vulnerabilities so that they can continue their lives well, at least fulfilling their basic needs. Social protection efforts can be carried out through social assistance, social advocacy, and/or legal assistance. In this case, the social protection in question is related to the rights of children in Poso Regency.

Children are individuals who have an important position in society. As individuals, children have inherent fundamental rights just as adults do. According to Permen PP & PA No. 12 of 2011 regarding indicators of Child-Friendly City districts, there are at least 5 indicators that are children's rights that must be met by parents and the environment. These rights include the right to be able to voice their aspirations through public and open forums, the right to get care from the age of 0 to 18 years, the right to obtain health insurance as widely as possible both physically and mentally, the right to get free time in accessing a variety of information and culture, socializing with peers, living their interests and talents and obtaining special protection when a child comes into contact with legal aspects. However, the position of children is often dwarfed by a variety of reasons, for example, children are considered not to have an established thinking capacity in voicing opinions and problems, children often become objects that can be formed at will by adults even activities and activities are controlled in such a way. Thus causes the child cannot move freely and bury the creativity that should thrive. On the other hand, various programs that are routine agendas in government structures tend not to accommodate children's rights much. (May 2016)

The existence of the Kota Layak Anak program which has been initiated by the city and provincial governments is one of the opportunities in effort to identify children's problems that have been clearly seen and are still vague in the community. Because of the diverse social structure of society, there are many children's problems that need to be solved. And do not rule out solutions to problems that arise can be a model that can be developed in other regions.

(Himawati, 2016). The problem of children in the community if not addressed properly, will adversely affect their psychological state and their future. So it is necessary to take child protection measures, which of course come from the government and the local community.

According to Kuntjorowati (2016: 137-140), child protection is all activities to ensure and protect children so that they can live, grow, develop, and participate optimally according to human dignity, and get protection from violence and discrimination. Kuswanti, Yuliantina, Nurfadhillah, Handayani, and Susilowati (2017: 2) convey several reasons why children need to be protected. First, children have the same dignity and dignity as adults. Second, the child has the right to be free in his freedom to be treated according to his fundamental rights, both in physical and psychological form and is given freedom that remains under the control of adults. Third, protection is one of the rights of children that must be fulfilled. Fourth, because children do not have enough ability to protect themselves so they need adults to provide protection. Fifth, children have a very high dependence on adults, including the rights to live, grow, develop, and participate optimally and these rights must get guarantees from adults.

According to Tuwu, Bahtiar, Arsyad, and Roslan (2020: 246), children need to get attention, guidance, protection, and intervention from family/adults in their environment. Through these things, the child's problems will be solved. Children can live adequately and grow well. How to solve children's problems can be done by giving respect to children, implementing regulations properly, being a good example for children, providing support to children, providing free time for children, teaching children responsibly, being a good friend to children, discipline in maintaining children's health, and listening to children's complaints.

10 rights in the UN CRC must be implemented, namely: (1) the right to play; (2) the right to education; (3) the right to protection; (4) the right to name (identity); (5) the right to national status; (6) the right to food; (7) the right to health access; (8) the right to recreation; (9) the right to equality; and (10) the right to play a role in Development (Ministry of Law and Human Rights, tt). It can be interpreted that the ten rights should be the concern of the government and parents in caring for and educating children. These rights comprehensively seek to protect children from various things that can interfere with their growth and development. These rights have become an agreement of the nations that ratified it, including Indonesia through Presidential Decree No. 36 of 1990 on the ratification of the Convention on the Rights of the Child (CRC), in which these rights apply to all children of all walks of life, without exception.

Based on the 10 basic rights of children described above, the Poso Regency government continues to strive to implement social protection in fulfilling the basic rights of the child. The goal is to make children in Poso Regency the next generation of the nation who can compete at the regional, national, and even international levels. In addition, the purpose of doing efforts is the fulfillment of the basic rights of children to become a person who is useful to anyone and can achieve their goals.

Article 37 of the Convention on the States Parties shall ensure that:

1. No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age.

2. No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time.
3. Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances.
4. Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

It is explained that the handling of children, especially if they violate laws and regulations, is slightly different from that of adults. This distinction is not only to respect children who are considered not mature enough in terms of physical and mental, but also to avoid humiliation for unlawful acts committed so that they are not mentally depressed and do not affect their future spiritual and intellectual development. Children need to be protected and protected to meet the future that is still long and given the opportunity through coaching to obtain their identity to become independent, responsible, and useful for themselves, family, religion, nation, and state. Children also cannot be given the death penalty or life imprisonment and must be separated from adults except in the best interests of the child.

IV CONCLUSION

The conclusion of this study is that the Government of Poso Regency seeks to carry out social protection by implementing the policy of Presidential Decree No. 36 of the 1990 Convention on the Rights of the Child. The policy is intended to fulfill the basic rights of children ranging from (1) the right to play; (2) the right to education; (3) the right

to protection; (4) the right to name (identity); (5) the right to national status; (6) the right to food; (7) the right to health access; (8) the right to recreation; (9) the right to equality; and (10) the right to play a role in development.

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