

# Implementation of Semarang City Regulations Number 5 Year 2014 on the Handling of Street Children, Households, and Beggars in the City of Semarang. (Study at PGOT Social Service Orphanage - Mardi Utomo Semarang)

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**Abstract:** The implementation of the Semarang City Regional Regulation and the rehabilitation of street children, homeless people and beggars in Semarang City have been carried out well. This handling is carried out in collaboration between the Semarang City Civil Service Police Unit and the Central Java Provincial Social Service, because the presence of street children, homeless people and beggars will cause social problems and increase the number of poverty. The handling of these problems is because the Semarang City Government always maintains and maintains public order and enforces the Semarang City Regional Regulations, so that Semarang City becomes a safe, orderly, smooth and healthy city. The research approach used in this research is normative juridical and empirical juridical.

**Keywords:** implementation of regulations, Handling, street children, homeless people and beggars.

## I. INTRODUCTION

Semarang is the capital city of Central Java Province, Semarang being the fifth largest metropolitan city in Indonesia after Jakarta, Surabaya, Bandung and Medan (Wikipedia, n.d.). Semarang City is a beautiful city with an area of 373.8 km<sup>2</sup> and has a population of 1.65 million people. The city of Semarang has 16 sub-districts with 177 sub-districts.

Semarang being a large and densely populated city, of course, also causes many social problems in society, including problems of poverty, crime and socio-economic inequality. Economic factors cause many social problems in the community, because it can lead to poverty and eventually they will become homeless and beggars on the streets or in public facilities in the city of Semarang.

This is certainly very concerning for all of us as fellow citizens of Indonesia. It is a fact that big cities, including the city of Semarang, are of course a city that is in great demand by residents outside the city of Semarang to enter Semarang for various reasons, including the reason for looking for work, they come from the village to the city of Semarang (urbanization), of them many who do not have adequate education and skills

to work in big cities, eventually many of them become unemployed and have no place to live.

The objectives of the Republic of Indonesia are stated in the Preamble to the 1945 Constitution, fourth paragraph, namely to protect the entire Indonesian nation and the entire homeland of Indonesia and to promote public welfare, educate the nation's life and participate in implementing world order based on eternal peace and social justice. That means that our country has internal and external obligations, while internal obligations are to protect all Indonesian people both at home and abroad. Meanwhile, what is meant by external obligations is that Indonesia participates in maintaining the peace of other countries outside Indonesia.

Referring to the sentence above, the government's role in realizing the protection of its citizens is through a national development program to improve the quality of Indonesian people in all fields by utilizing science and technology to realize social welfare, prosperity and justice for all Indonesian people.

The government through the 1945 Constitution mandates the state to be responsible for protecting the entire Indonesian nation in advancing the nation's welfare and justice, which is manifested through Article 34 of the 1945 Constitution, stating that the poor and neglected children are cared for by the state. Article 27 paragraph (2) of the 1945 Constitution states that every citizen has the right to work and a decent living for humanity. There are many regulations from the government whose purpose is to protect its citizens, including the poor people of the city of Semarang.

Poverty is a dynamic condition of a person who cannot enjoy all kinds of choices and opportunities in finding the needs and decent standards of living, freedom, self-esteem and a sense of respect. Living in such poor conditions causes many problems in life, both in family, community and state problems. The poor population in the city of Semarang is also quite large. There is also an increase in the number after the Covid 19

pandemic, the number of poor people is increasing, the number is increasing. According to data from the Central Statistics Agency for the Semarang City in 2021, the poor population of the Semarang City is 79.58 thousand people, and in 2021 it will increase to 84.45 thousand people. There was a 4.56% increase. (Badan Pusat Statistik, 2021b).

The poor population in the Semarang City, which is always increasing, certainly causes various problems that will also increase the high crime rate. With high crime, the city becomes unsafe and order in society is disturbed by other social problems as a result of the high level of poverty in the city of Semarang.

Semarang City government through Regional Regulation Number 5 of 2014, dealing with social problems that exist in the city of Semarang, then based on the focus of this research study, the researcher will discuss the application of the Semarang City Regional Regulation on the Handling of Street Children, Homeless, and Beggars in the City of Semarang.

This study aims to determine the extent to which the Semarang City Government through Regional Regulation Number 5 of 2014 in handling and rehabilitating street children, homeless people and beggars in the city of Semarang and to find out the obstacles that exist in handling and rehabilitating them at the Mardi Utomo Social Service Institution. Semarang.

## II. MATERIAL HANDLING AND REHABILITATION

The impact of high poverty in the city of Semarang, causes problems in the city of Semarang which are quite serious and must be handled properly. The problem of poverty is a social problem that occurs in cities, especially big cities like Semarang, this needs to be handled by the Semarang city government.

The definition of handling is a process of action or how to handle, manage and resolve a case carried out by the authorities so that the case at hand can be controlled and resolved (Merlinda, 2015). The definition of handling according to the KBBI is that handling is a process, method, act of handling, cultivation. (*Kamus Besar Bahasa Indonesia (KBBI)*, *Kamus Versi Online/Daring (Dalam Jaringan)*, n.d.). Thus, the Semarang city government in handling cases of street children, homeless people and beggars by taking them to be fostered for a better life by being handled specifically according to applicable regulations.

The definition of rehabilitation is restoration to the former (original) position (state, good name) or rehabilitation can also be interpreted as the improvement of disabled limbs and so on for individuals to become useful human beings and have a place in society. (Badan Narkotika Nasional Provinsi Maluku Utara, 2020). Rehabilitation is an action taken to improve a person's mental condition. Rehabilitation can also be a restoration of good name. (Faroid212, 2015)

So what is meant by handling and rehabilitation are actions or actions to deal with a restoration of the situation or

improve the situation for the better, that is what is meant here is handling and rehabilitating street children, homeless people and beggars so that they can live better in society by getting education, skills and welfare as well as basic daily needs by the Semarang city government.

### *Street Children, Homeless And Beggars.*

The definition of street children, according to the Regional Regulation of the Semarang City Number 3 of 2014, that what is meant by street children is that it begins with the understanding of children, that a child is someone who is under 18 (eighteen) years of age. The definition of street children hereinafter referred to as "Anjal" is a child who is vulnerable to working on the streets and or children who work and live on the streets who spend most of their time doing activities of daily living. The definition of street children according to UNICEF, provides limits on street children, namely children under 16 years of age who have separated themselves from their families, schools and their immediate community who are immersed in a nomadic life on the highway (Wikipedia.co.id, n.d.).

The definition of homeless people are people who live in conditions that are not in accordance with the norms of a decent life in the local community, and do not have a permanent place to live and work in certain areas and live wandering in public places (PDF Coffee, n.d.). A homeless person is a person who does not have a permanent place to live, does not have a job, roams around, goes back and forth here and there, does not have a definite purpose, is adventurous (KAJIANPUSTAKA.COM, 2022).

The definition of a beggar is a person who earns income by begging in public in various ways and reasons to hope for the mercy of others (Jannati, n.d.). We meet many beggars on the streets, markets or crossroads or who come to people's homes asking for mercy. Usually beggars ask for money.

## III. METHOD

The research approach used is normative juridical and empirical juridical. Normative Juridical Research is legal research that places the law as a system of norms, while Empirical Juridical Research is research that has an object of study on community behavior. This study examines how the government in this case the Regional Head in dealing with street children, homeless people and beggars in the city of Semarang through the Regional Regulation of the City of Semarang Number 5 of 2014.

In the research specification, the researcher used descriptive analysis. Descriptive analysis according to Sugiyono (2013) in Raditya's writing, which is a method that serves to describe or provide an overview of an object that is collected without analyzing (Raditya, n.d.). In this case, the researcher uses descriptive analysis in the form of interviews with officers who handle street children, homeless people and beggars at the Marti Utomo Social Service Home for Beggars, Homeless and Abandoned People (PGOT).

In this study, field research was conducted using interview techniques. In this case, the researcher conducted interviews with questions and answers directly to the research subjects, namely to the Head of Administration, Mrs. Elly Nurliah SST and Mrs. Dra. Ratna Widayari, as the Coordinator of Social Guidance and Rehabilitation at the Mardi Utomo Social Service Orphanage, Semarang. In addition, library research is also carried out using library research techniques.

Researchers in this study used qualitative analysis. According to Sugiyono (2017) in Wahyu Diana's writing, the type of qualitative data is data in the form of words, sentences or pictures (Diana, n.d.). The presentation of the data in this study was carried out by systematically and completely describing the implementation of the Semarang City Regional Regulation Number 5 of 2014.

#### IV. RESULT AND DISCUSSION

Semarang City Government Regulation Number 5 of 2014 in handling and rehabilitating street children, homeless people and beggars in the city of Semarang. This is because the condition of the city of Semarang as the capital city of Central Java Province is advanced in the economic field and its population is also increasing. In 2022 the population of the city of Semarang is 1,729,428 people (Badan Pusat Statistik Kota Semarang, 2022).

Currently, the population of Semarang City is increasing, causing many social problems in the community, road conditions are increasingly crowded and congested due to the density of vehicles, as well as the increasing number of poor people. Poverty can cause family problems that have an impact on children being neglected, street children, also some who become homeless and beggars.

Data from a resource person from the Semarang Social Service Office, Mr. Bimo, the Public Service Section, stated that the data on the need for Social Welfare Services (PPKS), in Central Java had an increase from the 2020 number of 4,056,054 people, in 2021 to 4,654,151 people, meaning that there is an increase in the poverty rate of 598,097 people.

The population of Semarang City in 2021 will reach 84.45 thousand people (4.56%) an increase of 4.87 thousand people compared to 2020 (Badan Pusat Statistik, 2021a).

The condition of poverty is very concerning for all of us because it will cause a lot of social problems in the community, this must immediately be taken seriously by the government, especially the Semarang City Government, in a programmed and coordinated manner between the government, the community and other social institutions engaged in the social sector.

In the 1945 Constitution Article 34 paragraph (1) it is stated that "the poor and neglected children are cared for by the state". Furthermore, Article 34 Paragraph (2) of the 1945 Constitution states that "The State shall develop a social security system for all people and empower the weak and incapable in accordance with human dignity."

To realize and implement Semarang City Government Regulation Number 5 of 2014, in handling and rehabilitating street children, homeless people and beggars in the city of Semarang, it has been programmed and coordinated well so that the inmates get protection and shelter at the Mardi Utomo Social Service Institution by getting basic needs of living people, food, clothing, housing and health services as well as being provided with skills for entrepreneurship.

Article 3 of the Regional Regulation of the Semarang City Number 5 of 2014, states that the objectives of sheltering street children, homeless people and beggars are:

- a. Provide protection and create order and peace.
- b. Upholding human rights and dignity as respected citizens.
- c. Maintain family characteristics through deliberation efforts in realizing an orderly and dignified common life.
- d. Creating fair and proportional treatment in realizing social life.
- e. Remove them from problems in order to be able to carry out the tasks of a decent life for humanity.
- f. Increase order in society so that they can live calmly and peacefully.
- g. Realizing balance, harmony between individual and community interests with the interests of the nation and state.

In this study, the Semarang city government has shown a very significant role through the Semarang City Social Service to prevent the proliferation of street children and homeless people and beggars by launching raids on protocol roads and crowded places in the city of Semarang whose activities are in collaboration with the Civil Service Police (Satpol) unit. PP Semarang City).

Street children, homeless people and beggars who are raided are usually accommodated and given guidance and rehabilitation are placed in the Panti Social Services for Beggars, Homeless and Abandoned People (PGOT) in the city of Semarang. This is done by the Semarang City government because their presence is quite disturbing to the community and can cause crime and reduce the dignity of the nation, making it possible to become a target of exploitation and violence, for that it needs to be handled seriously and systematically and continuously.

#### *Characteristics of Street Children*

Menurut Kementerian Sosial, anak jalanan adalah anak yang menghabiskan waktunya untuk mencari nafkah atau berkeliaran di jalanan atau di tempat-tempat umum lainnya.

Anak jalanan sering disebut dengan "Anjal", istilah umum yang mengacu pada anak-anak yang mempunyai kegiatan ekonomi di jalanan namun masih mempunyai hubungan dengan keluarga.

Street children who wander on the streets of big cities, mostly due to economic factors from the family and the lack of

attention from parents to their children so that children are accustomed to leaving the house to fulfill their needs by doing anything including begging and singing. There are also those who become street children because of physical violence from their parents, so they leave the house without direction and their ultimate goal is to become street children.

Seeing the above, we as researchers are very moved to be able to provide assistance and participate in guarding government regulations regarding the handling of street children.

The State through Law of the Republic of Indonesia Number 35 of 2014 concerning amendments to Law Number 23 of 2002 concerning Child Protection, that the Unitary State of the Republic of Indonesia guarantees the welfare of every citizen including protection of children's rights which are human rights. The State, Government and Local Government are obliged and responsible, in accordance with Article 21 of Law Number 35 of 2014 which states that:

- 1) The State, Government and Regional Government are obliged and responsible for respecting the fulfillment of race, class, gender, ethnicity, culture and language, legal status, birth order and physical and/or mental condition.
- 2) To ensure the fulfillment of children's rights as referred to in paragraph (1), the state is obliged to fulfill, protect and respect children's rights.
- 3) To ensure the fulfillment of children's rights as referred to in paragraph (1), the government is obliged and responsible in formulating and implementing policies in the field of implementing child protection.
- 4) To ensure the fulfillment of children's rights and implement the policies as referred to in paragraph (3), the Regional Government is responsible and responsible for implementing and supporting the implementation of child protection in the regions.
- 5) The policy as referred to in paragraph (4) can be realized through regional efforts to build child-friendly districts/cities.
- 6) Further provisions regarding child-friendly district/city policies as referred to in paragraph (5) shall be regulated in a Presidential Regulation.

In this case, in addition to the role of the Central Government and the Semarang City Government, of course in dealing with street children it also involves the community and the biological parents of street children themselves, including the role of academics.

The characteristics of the homeless and beggars according to Law Number 11 of 2009 concerning Social Welfare mentions the characteristics of homeless and beggars.

#### *Characteristics of Homeless and Beggars*

According to Law Number 11 of 2009 concerning Social Welfare, the characteristics of the homeless and beggars are as follows:

#### *1. Characteristics of the tramp*

- a. A person (male/female) aged 18 – 59 years, living in any place and living wandering or vagrant in public places, usually in big cities;
- b. Does not have identification or self-identity, behaves in a free/wild life, regardless of the norms of community life in general;
- c. Not having a permanent job, begging or taking leftovers or used goods, etc.

#### *2. Criteria of beggars*

- a. A person (male/female) aged 18 – 59 years.
- b. Begging at people's homes, crossroads (traffic lights), markets, places of worship, and other public places.
- c. Acting to get mercy, pretending to be sick, moaning, and sometimes praying with scripture readings, donations to certain organizations,
- d. Usually has a certain or permanent residence, blending in with the general population.

The characteristics of homeless people and beggars or what we know as "gepeng" are as follows:

- 1) "Having no place to live, most of the homeless and beggars have no shelter or shelter. They used to wander in public places. Do not have a suitable place to live, such as under bridges, railroad tracks, wild huts along the river, storefronts and others";
- 2) "Life is full of uncertainty. The Gepeng live homeless and begging every day. This condition is very worrying because if they are sick they cannot get social security like what the community has, access to treatment and others";
- 3) "Living below the poverty line, the slums do not have a steady income that can guarantee for their future life even for their daily life they have to beg or scavenge and even commit disgraceful acts such as stealing, robbing, and so on";
- 4) "Does not have a proper permanent job, such as cigarette butts, cart pullers";
- 5) "Wearing tattered clothes, Gepeng usually never wears neat clothes or ties but rather shabby and dirty clothes.
- 6) Begging by pretending or being a little pushy, accompanied by sweet and compassionate speech";
- 7) "Ethical tuna, in the sense of exchanging wives or husbands, getting together or commercializing wives and others"; and
- 8) "Begging in public places, such as bus terminals, train stations, in homes or in shops".

The factors behind the existence of "gepeng" or homeless people and beggars are as follows:

First. Poverty problem. "Poverty contributes significantly to the emergence of homeless people and beggars. A certain person or group lives homeless with the excuse of covering the needs of the family, so that various ways can be done without seeing the effects of their actions. Poverty makes

a person forget himself about the rules attached to society, the homeless do not care about the norms and provisions that have been agreed upon”;

Second. Educational Problems. “Low education causes a person to act only relying on his personal ego without caring about the impact that will be received by others. Gepeng took to the streets and begged because he lacked the ability to analyze whether the activity was in accordance with the rules that had been carried out in community life, therefore homeless and beggars usually came from children who had dropped out of school, or even did not. never tasted education at all”;

Third. Job Skills Problems. “Movement and urbanization are the first steps for the emergence of trash and beggars. Migration from rural to urban areas requires job seekers to have adequate skills so that they can be absorbed into the workforce. The intense competition coupled with the lack of experience and skills of the urbanites made them not absorbed in the job market, so they finally decided to wander off by begging”;

Fourth. Socio-Cultural Problems. “The lazy culture and habits that have become the capital in living daily life have caused a shift in social values, especially in the field of work ethic. Homeless and beggars who come from urban areas who are not absorbed in the workforce prefer to be beggars with guaranteed cash per day without them having a special skill. Laziness and unwillingness to try to make homeless and beggars comfortable living in a continuous routine”;

Fifth. Self-Esteem Issues. “The homeless and beggars mostly put their pride aside in carrying out their actions to make a profit. They do not hesitate to stretch out their hands to others even though they have a strong body and have no flaws when seen with the naked eye. Homeless and beggars do not care about the norms of decency and propriety in carrying out their actions, in fact they often resort to deception for the sake of greater profits”;

Sixth. The Problem of Surrender to Fate. “The attitude of surrender to an unfavorable fate, making homeless people and beggars seem to justify their attitude to stay lazy without any effort to improve themselves in living life. Laziness makes homeless people and beggars continue to beg rather than innovate, but still get enough cash-money”;

Seventh. Freedom and the Pleasure of Homeless Life. “Freedom as idealism (even if it's just a myth that doesn't have to be preserved) makes a number of homeless people and beggars reluctant to change their behavior patterns in their daily lives. The reluctance to change has resulted in many empowerment programs, both from the government and the private sector, not running well. Homeless and beggars prefer to live freely with the reason that more income will be obtained than having to participate in empowerment and various programs and counseling carried out. Several factors that cause the emergence of homeless people and beggars show the strength of traditions and habits that are not appropriate as a way of life because they are feared to cause problems in people's lives. These attitudes and habits are referred to as

culture in contributing to the increasing poverty in society. Cultural poverty which is justified as a truth will make it difficult for various parties to carry out poverty alleviation, especially overcoming the flat problem.(Fadri, 2019)

The government and the private sector are the groups that are obliged to solve the problem of handling as well as eradicating street children, homeless people and beggars for the sake of creating a clean, beautiful and safe city of Semarang full of peace in life in its community. Usually the government encourages them to join the transmigration program outside Java. By migrating outside Java, it is hoped that they can get a better and more prosperous life.

Before joining the transmigration program, of course, the government has provided education and skills as well as certain skills that will later be useful in a new place to be developed as skills capital in opening a business both in the economic and agricultural fields.

#### *Factors Causing Homeless and Beggars (gepeng)*

Artidjo Alkotsar (1984) explains that the causes of “gepeng” can be divided into two factors, namely internal factors including lazy traits, not wanting to work, not mentally strong, and physical (mental) defects. While external factors include social, cultural, economic, educational, environmental, religious and geographical factors.

Furthermore, the Directorate of Social Services and Rehabilitation of the Socially Impaired Ministry of Social Affairs (2005) mentions the factors that cause a person to become flat, as follows:

- a. The high level of poverty causes a person to be unable to meet minimum basic needs and to reach public services, so that they cannot develop their personal and family life properly.
- b. The low level of education can be an obstacle for someone to get a decent job.
- c. Lack of work skills causes a person to be unable to meet the demands of the job market.
- d. Socio-cultural factors, such as low self-esteem in a group of people, an attitude of resignation to fate, the pleasure of living freely and being homeless, and supported by the surrounding environment and alms givers.

Based on the opinion above, it can be concluded that the main factors that cause a person to become flattened cannot be separated from the factors of poverty and laziness, because a person will not beg if he is not in a poor condition, or a person cannot beg if he is not forced and does not have a job.

In addition to the Semarang city government handling street children and beggars and the homeless, it also rehabilitates social life by providing clothing compensation, housing in social institutions, as well as eating and drinking facilities three times a day, as well as education and skills facilities as well as adequate health facilities. - the obstacles faced in the handling and social rehabilitation, because:

1. Many assisted residents of street children, homeless and beggars leave the orphanage without giving reasons or explanations because they are street children, homeless and beggars feel more comfortable and happy to live as street children and homeless on the street to live freely.
2. Lack of staff from the Social Service or here the Mardi Utomo Social Institution who maintains the presence of the inmates so that they do not leave the place. Even though there is an article in the Semarang City Regional Government Regulation that prohibits someone from carrying out activities on public roads, such as article 23 of the Regional Regulation Number 5 of 2014, which reads: street children, homeless people and beggars are prohibited from carrying out activities on public roads. The article has a very deep meaning because it will cause very complex problems both social, legal and economic problems, also currently the city of Semarang is still in the category of a child-friendly city, with many street children, homeless and beggars, the Semarang city government must be more active and improve the appropriate system in handling and rehabilitating street children, homeless people and beggars in an appropriate manner and in coordination with other agencies or other institutions dealing with social problems.
3. Because there are no strict sanctions for the inmates who leave the fostered places, so many run back to live on the streets, because according to the inmates living on the streets is more comfortable without rules and getting money is easier than asking for people's mercy.
4. Semarang City Government Regulation Number 5 of 2014 Article 24, concerning the prohibition, which reads: (1) Everyone is prohibited from giving money and/or goods in any form to street children, homeless people and beggars on public roads or traffic lights.

The regulations contained in Article 24 paragraph (1) are often violated by citizens who ride cars or motorbikes, still often give money and food to beggars or street children, because the sanctions for fines in Article 30 of Semarang City Government Regulation Number 5 of 2014 are often violated, even ignored because many people do not understand the rules of the Semarang City Regional Regulation. Article 30 of the Regional Regulation of the City of Semarang Number 5 of 2014 is as follows that "A person who violates the provisions of paragraph (1) is subject to a criminal sanction of imprisonment for a maximum of 3 (three) months or a fine of a maximum of 1,000,000 (one million rupiah). "

## V. CONCLUSION

The Semarang City Government has carried out handling and social rehabilitation for street children, homeless people and beggars in accordance with the Semarang City Government Regional Regulation Number 5 of 2014 which has been implemented although it has not been maximized. It is carried out in the form of handling and coaching at the Mardi Utomo Social Rehabilitation Institution, which is not optimal in

handling and rehabilitation because the government's budget is limited as well because the personnel who handle it in the field are very limited. Street children, homeless people and beggars are difficult to manage and nurture, if we are careless in watching them leave without saying goodbye (running away) from the orphanage to return to life on the street again.

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