



STATE RESPONSIBILITY TOWARDS ABANDONED CHILDREN IN THE CONCEPT OF LEGAL CERTAINTY

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ARTICLE INFO

Keywords:

Childern; Legal;
Abandoned.

ABSTRACT

The purpose of this paper is to evaluate the suitability between the applicable legal mandate and the reality of protecting neglected children in government administration practices. Therefore, in this discussion, it is necessary to examine the legal implications for countries that do not implement the Convention on the Rights of the Child as ratified in 1990. This study uses normative legal research, specifically descriptive and analytical research. The results of the study indicate that the responsibility to care for and improve the living standards of neglected children, including street children, beggars, and vagrants, is a state obligation, as mandated by the Constitution. With this mandate, the government has implemented several instruments to care for and handle neglected children. One such instrument is conducting raids. In this context, raids pose a significant threat to neglected children, as they fear that if arrested, they will face criminal sanctions under Articles 504 and 505 of the Criminal Code, as most of their livelihoods depend on begging and vagrancy. Therefore, efforts to care for neglected children need to be carried out humanely, with the aim of developing a way of thinking and attitude to live properly.

A. INTRODUCTION

One of the important issues that is still in the spotlight and must be resolved is abandoned children. The problem of abandoned children is part of the responsibility that must be resolved by the state, considering that Article 34 paragraph (1) of the 1945 Constitution explicitly states that "The poor and abandoned children are cared for by the state." Referring to this provision, it is clear that the state, as the guardian and protector of the people, must be responsible for handling and fostering abandoned children.

This is because the care of abandoned children is a constitutional right whose fulfillment must be guaranteed by the state.¹

The Constitution of the Republic of Indonesia, as the Indonesian constitution, demonstrates that children have a strategic role.² In line with this, Indonesia also ratified the United Nations Convention on the Rights of the Child (UN-CRC) in 1989. This Convention on the Rights of the Child is an instrument that formulates universal principles and legal norms regarding the status of children. Therefore, this convention is an international agreement that regulates human rights, so it regulates civil rights, political rights, economic rights, and cultural rights. Therefore, the content of the ratification of the Convention on the Rights of the Child stipulates three basic principles that must be fulfilled by the state. These three basic principles are: first, the provision that stipulates that the state is the party obliged to guarantee children's rights. Second, the recipients of the rights under the Convention on the Rights of the Child are children. Third, the basic rights that must be guaranteed, protected, fulfilled, and enhanced by the state.³

Based on this convention, one of the rights that children must receive, as stipulated in Article 34 of the United Nations Convention on the Rights of the Child, is "Every child has the right to be protected from sexual exploitation and abuse, including prostitution and involvement in pornography." Fulfilling children's rights to avoid exploitation by anyone is a fundamental right that cannot be ignored. This is important to note, considering that the term exploitation, when examined through systematic interpretation, can be referenced in the Law on the Eradication of the Crime of Human Trafficking. Systematic interpretation is an interpretation that links one regulation with another.⁴ Article 1 number (7) of Law No. 1 of 2007 concerning the Eradication of the Crime of Human Trafficking states that exploitation is an act with or without the consent of the victim which includes but is not limited to prostitution, forced labor or service, slavery or practices similar to slavery, oppression, extortion, physical, sexual exploitation, reproductive organs, or unlawfully removing or transplanting organs and/or body tissue or exploiting a person's energy or abilities by another party to obtain material or immaterial benefits.

The discussion on the state's responsibility in fulfilling children's rights is a part that must be fulfilled as mandated in Article 34 of the 1945

1 Sukadi, Imam., "Tanggung Jawab Negara terhadap Anak Terlantar dalam Operasionalisasi Pemerintah di Bidang Perlindungan Hak Anak". *de Jure: Jurnal Syariah dan Hukum* 5 No. 2 (2013): 117-131.

2 Ahmad Arifulloh, Andri Winjaya Laksana, Moh Aris Siswanto, Toni Triyanto., "Legal Protection for Child Offenders in Bullying Cases: Challenges and Deviations in Restorative Justice Practice", *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi dan Keagamaan* 12. Issue 02 (October 2025): 727-738

3 Lestari, Raissa., "Implementasi Konvensi Internasional Tentang Hak Anak (Convention on The Rights of The Child) Di Indonesia (Studi kasus : Pelanggaran Terhadap Hak Anak di Provinsi Kepulauan Riau 2010-2015)." *Jom Fisip* 4, No. 2 (2017): 1-10.

4 Bhakti, Teguh Satya., *Pembangunan Hukum Administrasi Negara Melalui Pemberdayaan Yurisprudensi Peradilan Tata Usaha Negara*. (Jakarta: Penerbit Alumni, 2022)

Constitution and the United Nations Convention on the Rights of the Child. Data submitted by the United Nations International Children's Emergency Fund (UNICEF) at the end of 2022 regarding the number of abandoned children worldwide is 43.3 million.⁵

The position of children in a country plays a very strong role, so that the state, with its various derivatives, is obliged to guarantee the maintenance of children's rights. After Indonesia ratified the Convention on the Rights of the Child in 1989, the state then issued several regulations on child protection. Among the regulations established after the implementation of the regulation are Law No. 3 of 1997 concerning Juvenile Justice and Law No. 23 of 2002 concerning Child Protection.⁶ The purpose of the enactment of laws and regulations related to child protection is to ensure the fulfillment of children's rights so that they can live, develop and participate optimally in accordance with human dignity.⁷

Similarly, Indonesia is also a country not immune to the problem of abandoned children. According to data from the Ministry of Social Affairs, the number of street children in 2017 was around 36,000, while in 2022 it had reached 232,894. According to the Central Statistics Agency (BPS), the number of Indonesian children aged 0-18 in 2018 reached 79.8 million. However, 17.6 million, or approximately 22.14 percent, were categorized as abandoned and nearly abandoned⁸. Given the number of abandoned children, it is certainly a matter of shared concern that there are state obligations that have not been fully implemented. The implementation of the state's constitutional obligations to guarantee the protection and fulfillment of the rights of abandoned children as mandated by laws and regulations has not been optimal. This condition raises normative questions regarding the extent to which the state's responsibilities have been carried out effectively, and whether there are weaknesses in the regulatory, implementation, or oversight aspects of child protection policies. Thus, the focus of the analysis is directed at evaluating the conformity between the applicable legal mandate and the reality of protecting abandoned children in the practice of government administration. Therefore, in this discussion, it is necessary to examine the legal implications for countries that do not implement the Convention on the Rights of the Child as ratified in 1990.

B. RESEARCH METHODS

⁵ Irawan, Mohammad Deny., *UNICEF: 43,3 Juta Anak di Dunia Terlantar*. (Jawa Timur: Gontor, 16 Juni 2023)

⁶ Laksana, Andri Winjaya, Anis Mashdurohatun, Sri Endah Wahyuningsih, and Yudha Purnawan Sudijanto. "Reconstruction Of Law Enforcement Regulation Against Criminal Actions Performed By Children Based On The Value Of Justice Of Pancasila." *Russian Law Journal* 11, no. 5 (2023): 2489-2497.

⁷ Tang, Ahmad., "Hak-Hak Anak dalam Pasal 54 UU No. 35 Tahun 2014 tentang Perlindungan Anak." *Al-Qayyimah: Jurnal Pendidikan Islam* 2, No. 2 (2019): 98-111.

⁸ Mubarak, Ilham Arif., *Pemenuhan Hak Pendidikan Anak Jalanan di Kota Bengkulu Berdasarkan Hukum Positif dan Hukum Islam*. (Bengkulu: Skripsi Institute Agama Islam Negeri Bengkulu, 2020)

The type of research used in this study is normative legal research.⁹ Normative legal research principally discusses five issues related to legal principles, legal systematics, the level of legal synchronization, legal history, and comparative law. The research specification used in this study is analytical descriptive. The use of analytical descriptive research specifications is due to its attempt to describe and analyze problems based on specific specifications. Primary legal materials include constitutional norms and laws that directly regulate state obligations and child protection, including the 1945 Constitution of the Republic of Indonesia (especially Article 28B paragraph (2) and Article 34 paragraph (1)), Law Number 35 of 2014 concerning Child Protection (amendment to Law No. 23 of 2002), Law Number 11 of 2009 concerning Social Welfare, Law Number 39 of 1999 concerning Human Rights, and implementing regulations related to the implementation of social welfare for neglected children; including relevant court decisions when testing state responsibility. Secondary legal materials include scientific literature that explains and analyzes primary materials, such as books on child protection law and social welfare law, legal journals, previous research results, expert opinions, and scientific works that discuss legal certainty, state responsibility, and child protection policies, which serve to provide a theoretical and conceptual basis in analyzing the issue of neglected children.

C. RESULTS AND DISCUSSION

1. State Responsibility towards Abandoned Children in the Concept of Legal Certainty

Children are a trust and a gift from God that must always be protected because they inherently possess human dignity, worth, and rights that must be upheld. Therefore, parents, families, and communities are responsible for safeguarding and maintaining these human rights in accordance with the obligations imposed by law.

In the context of nationality, children are the next generation of the nation and the builders of the nation. This is clear because children are the successors of the nation's ideals and must always receive basic rights and protection in every environment, both within the family and the state. Therefore, every child has the same rights without exception, as children are a valuable future generation¹⁰.

In line with this, Article 1 Paragraph (1) of Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection stipulates that a child is a person under 18 (eighteen) years

⁹ Laksana, Andri Winjaya, Adhi Budi Susilo, Peni Rinda Listyawati, Setiawan Widiyoko, and Toni Triyanto. "Legal Uncertainty in Law Enforcement for Drug Addicts Resulting in Criminal Disparity." *Yuridika* 40, no. 2 (2025): 253-270.

¹⁰ Didi Nazmi, Syofirman Syofyan., "Pengaturan Perlindungan Hak Anak di Indonesia dalam Rangka Pelanggaran Hak Anak." *UNES: Journal of Swara Justisia* 7, No. 2 (2023): 774-784.

of age, including children who are still in the womb¹¹. In line with this dignity and respect, the status of children is crucial in the derivation of the state, thus the state strictly regulates their protection.

After Indonesia ratified the Convention on the Rights of the Child in 1989, the state issued several regulations concerning child protection. Among the regulations enacted following its implementation are Law No. 3 of 1997 concerning Juvenile Justice and Law No. 23 of 2002 concerning Child Protection. The purpose of enacting laws related to child protection is to uphold and protect children in Indonesia without exception.

The implementation of child protection is an inseparable part of the law, thus Law No. 35 of 2014 concerning Child Protection explicitly states that the principles underlying the protection of children's rights are non-discrimination, the best interests of the child, the right to life, survival, and development, and respect for the child's views¹².

Despite this, discussions regarding children certainly leave a number of issues that need to be resolved. In fact, considering the fundamental problems in the context of child protection, the state has yet to fully address neglected children. Although Article 34 paragraph (1) of the 1945 Constitution explicitly states, "The poor and neglected children shall be cared for by the state," the reality remains that many homeless and neglected children remain.

According to Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, Article 1, Number 12, children's rights are part of human rights that must be guaranteed, protected, and fulfilled by parents, families, communities, the state, the government, and local governments. Children are the future of a nation. Therefore, neglected children or children who have committed crimes need to be nurtured and protected so they grow into high-quality, developmental individuals. One way to foster and protect children is through the law. However, fostering and protecting neglected children remains suboptimal. According to Article 26 of Law Number 35 of 2014 concerning Child Protection, parents are obliged and responsible for: caring for, nurturing, educating, and protecting their children.

Furthermore, from an Islamic perspective, child protection efforts are an integral part of fostering the growth and development of the next generation to prevent them from becoming a group of deviants in the future. The legal status of such legal protection efforts refers to Qs. An-Nisa: 9, which reads: And let those who, perhaps, leave behind them

11 Minarti, Tri., "Penetapan terhadap Batas Usia Dewasa Menurut Peraturan Perundang-Undangan di Indonesia." *PERAHU (Penerangan Hukum): Jurnal Ilmu Hukum* 11, No. 1 (2023): 1-11.

12 Sofyan, Andi Muhammad., "Ketentuan Hukum Perlindungan Hak Anak Jalanan Bidang Pendidikan." *Jurnal Syariah dan Hukum Diktum* 1, No. 2 (2017): 229-246.

weak offspring, for whose welfare they fear, fear Allah. Therefore, let them fear Allah and speak with truthful words.¹³

In line with this, the state is also in principle responsible by having formulated various regulations that certainly provide legal protection for abandoned children. Provisions regarding abandoned children can also be seen in various regulations, namely Article 34 paragraph (1) of the 1945 Constitution which expressly states "The poor and abandoned children are cared for by the state." Furthermore, derivatives related to the state's obligation to care for abandoned children are also found in Article 20 of Law No. 35 of 2014 concerning Law No. 23 of 2002 concerning Child Protection. In this article, it is stated that the state, government, society, family, and parents are obliged and responsible for implementing child protection. In fact, in this context, protection for children is not only the responsibility of the state, but also the responsibility of society, family, and parents. Not only that, Article 23 also expressly states that the state and government guarantee the protection, care, and welfare of children by paying attention to the rights and obligations of parents, guardians, or other people who are legally responsible for the child.¹⁴ In this regard, further efforts are being made by the state towards neglected children as stated in Minister of Social Affairs Regulation no. 4 of 2020 concerning Basic Social Rehabilitation for Abandoned Children.

Legal protection for children is not only carried out by Indonesia, Malaysia, which is also part of a Muslim country, also has its own regulations regarding child protection. Efforts to protect children in Malaysia are regulated in the 2001 Children's Act. This act contains at least five main points of discussion that regulate child protection. The five main points are children who need care and protection, children who need protection and recovery, trafficking and runaway children, children who commit crimes (criminal acts), and children who are not supervised.¹⁵ Regarding children who need protection and recovery, this is strictly regulated in Section 17 (1) of the 2001 Deed. The regulations in Section 17 provide an understanding that children who need care and protection are those who suffer physically, mentally, are neglected, children who behave badly, children whose parents are divorced as well as children of beggars and hawkers. Children like this also receive protection and care from the state.¹⁶

13 Oktaviyani, Nadila., "Implementasi Pendidikan dari Qs. An-Nisa ayat 9 tentang Quanic Parenting terhadap Qaulan Syadida." *Bandung Qonference Series: Islamic Education 2*, No. 2 (2022): 397.

14 Fitriani, Rini., "Peranan Penyelenggaraan Perlindungan Anak dalam Melindungi dan Memenuhi Hak-Hak Anak." *Jurnal Hukum Samudra Keadilan* 11, No. 2 (2016): 250-258.

15 Jauhari, Iman., "Perbandingan Sistem Hukum Perlindungan Anak Antara Indonesia Dan Malaysia." *Asy-Syirah: Jurnal Ilmu Syariah dan Hukum* 47, No. 2 (2013): 611-645.

16 Juwanti, Resti Hedi., "Pola Perlindungan Anak Di Negara-Negara Muslim (Pattern of Child Protection in Muslim Countries)." *SALAM: Jurnal Sosial dan Budaya Syar'i* 4, No. 1 (2017): 77-94.

Discussions on legal protection for abandoned children are also regulated in Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection. Article 53 explains that the Government and Regional Governments are responsible for providing free education and/or assistance or special services for children from underprivileged families, abandoned children, and children residing in remote areas.

From this provision, several derivative provisions relating to abandoned children emerged. Among these provisions is Minister of Social Affairs Regulation No. 4 of 2020 concerning Social Rehabilitation for Abandoned Children. Implementation related to the handling of abandoned children, as stipulated in the Ministerial Regulation, is carried out through rehabilitation procedures. Discussions on social rehabilitation related to abandoned children involve a process of refunctionalization and development to enable individuals to carry out their social functions appropriately in society.¹⁷

The context of social rehabilitation implementation is divided into two areas: basic social rehabilitation within orphanages and basic social rehabilitation outside of orphanages. Discussions related to the implementation of basic social rehabilitation within orphanages fall under the governor's responsibility. Meanwhile, responsibility for basic social rehabilitation outside of orphanages falls under the regent/mayor. In this regard, discussions regarding the implementation of basic social rehabilitation outside of orphanages and social rehabilitation within orphanages each have their own criteria. The criteria for someone to receive social rehabilitation outside of social institutions are¹⁸:

- a. Basic needs are not met, are not maintained, are not cared for, and are not taken care of; and
- b. There are still individuals, families, and/or communities who take care of.

Meanwhile, the criteria for someone who can receive social rehabilitation in a social institution are:

- a. There is no longer an individual, family, and/or community to care for them;
- b. They are vulnerable to violence from their environment; and/or
- c. They still have a family but are at risk of experiencing violence, abuse, exploitation, and neglect.

Based on this, in principle, the responsibility for the rehabilitation of abandoned children does not rest solely with the state. The

17 Rangi Likhfi Aprilianzan, Wisni Bantarti., "Evaluasi Formatif Program Rehabilitasi Sosial bagi Korban Perdagangan Anak." *Jurnal Ilmu Kesejahteraan Sosial* 21, No. 1 (2020): 23-43.

18 Rhea Diva Charissa, Fentiny Nugroho., "Basic Service Fulfillment Policy In Institution For Mental Disability Through Minimum Social Service Standard." *Sosio Informa* 5, No. 3 (2019): 236-248.

responsibility for caring for children, including abandoned children, also rests with parents, families, communities, and the state.

2. Efforts to Address Abandoned Children

The construction of responsibility for the care of abandoned children is in principle regulated in the Minister of Social Affairs Regulation No. 4 of 2020 concerning Social Rehabilitation for Abandoned Children. Although regulated, further study is needed regarding the contextual phenomena occurring in the field. In principle, abandoned children often engage in various efforts on the streets to meet their living needs. Fulfillment of these needs by abandoned children is often carried out through begging, busking/street musicians, clowning/ondel-ondel, hawking, illegal parking attendants, newspaper sellers, scavengers, and so on.¹⁹

Based on this reality, neglected children are closely linked to poverty, and their increasing numbers are also driven by low incomes. These conditions ultimately result in many neglected children living in unsuitable conditions, such as under bridges, on sidewalks, in markets, and in open spaces in urban areas.²⁰ Therefore, in Article 4 of the Minister of Social Affairs Regulation No. 4 of 2020 concerning basic social rehabilitation for neglected children, the criteria for neglected children are explained as follows:²¹

- a. Basic needs such as food, clothing, and shelter are not met;
- b. There is no longer an individual, family, and/or community to care for them;
- c. They are vulnerable to violence in their environment; and/or
- d. They still have a family but are at risk of experiencing violence, abuse, exploitation, and neglect.

In line with this, the conditions of abandoned children, as research conducted by Maryatun and Soni Nulhaqim shows, are homeless, living in poverty, living in uncertainty, and generally wearing tattered clothing. Based on this reality, the efforts that must be made are to refunctionalize and build self-reliance regarding tasks and skills so that they can do something, achieve something, and manage something.²²

19 Prasetyo, Fandhi Eko., *Badut Jalanan (Studi Kasus Proses Kemunculan Badut Jalanan di Kota Malang)*. (Malang: Universitas Brawijaya, 2017)

20 Firman Ochtaviana Sulistiyono, Aan Efendi, Al-Khanif, "Tanggung Jawab Negara Memelihara Anak Terlantar Perspektif Negara Kesejahteraan." *Constitutional Journal* 4, No. 1 (2025): 61-78.

21 Sihombing, Priima., "Indonesia Darurat Kekerasan pada Anak, Edukasi Kekerasan Perlu Dilakukan sebagai Pencegahan Din." *ABDISOSHUM: Jurnal Pengabdian Bidang Sosial dan Humaniora* 4, No. 1 (2024): 27-35.

22 Maryatun, Soni Akhmad Nulhaqim., "Peran Pimpinan Panti Pelayanan Sosial Pengemis Gelandangan Orang Terlantar (PGOT) Mardi Utomo Dalam Upaya Rehabilitasi Dan Pemberdayaan Untuk Kemandirian Pemerlu Pelayanan Kesejahteraan Sosial (PPKS)." *Share; Social Work Jurnal* 10, No. 2 (2023): 143-149.

In this context, social rehabilitation efforts are crucial for developing the mindset and thinking patterns of street children so they can live like normal people. This is crucial because children are the golden generation who will bear the responsibility of realizing the ideals of the nation and state in the future.²³ Therefore, in an effort to realize such rehabilitation, the government generally implements several stages of social rehabilitation efforts.²⁴

Social rehabilitation efforts are implemented through a mechanism of initial approach, assessment, intervention planning, intervention and evaluation, referral, and termination. While social rehabilitation efforts for neglected children utilize these mechanisms, preventive and repressive measures against homeless and beggars are also frequently implemented. Government Regulation No. 31 of 1980 concerning the Eradication of Homelessness and Begging explains that there are two measures implemented to address the increasing number of beggars and homeless people: preventive, repressive, and rehabilitative. Preventive efforts include counseling and guidance, social development, social assistance, expanding employment opportunities, providing local housing, and improving health. Meanwhile, in the repressive context, these measures include raids, temporary shelters for selection, and transfers. This transfer is determined based on qualifications, by being released with conditions, being placed in a social institution, being returned to parents/guardians/family in their hometown, being handed over to the court, and/or being given health services.

Efforts to provide care for abandoned children are crucial for providing legal protection, both preventively and repressively, as stated by Satjipto Rahrdjo. This is because the real lives of abandoned children are extremely difficult, with isolation, difficult living conditions, torture, oppression, physical violence, and sexual abuse, resulting in extraordinary trauma.²⁵ On the other hand, raids conducted by the civil service police unit are often misinterpreted as targeting abandoned children, beggars, vagrants, and others. This is because raids often lead to the perception that they are not a means of empowerment, but rather merely an arrest for not carrying out street work as intended. This is not without reason, as Indonesian criminal law also regulates criminal sanctions for beggars and vagrants, as stipulated in Articles 504

23 Muh. Farhan Muhsinulkhair FR, Muhammad Sabir Rahman, Patahillah Asba, Muhammad Darwis., "Kajian Yuridis Multidimensi: Mengatasi Tantangan Eksploitasi Anak dan Mengembangkan Solusi Hukum Adaptif." *JULIA: Jurnal Litigasi Amsir*, Special Issue (2024): 8-18.

24 Laksana, Andri Winjaya. "Application of Criminal Sanctions Against Drug Crimes in Cirebon Jurisdiction." *KnE Social Sciences* 10, no. 28 (2025).

25 Yuliani, Eva Dwi., "Perlindungan Hukum dan Psikologi terhadap Anak Jalanan dalam Perspektif HAM." *SOCIUS: Jurnal Penelitian Ilmu-Ilmu Sosial* 1, No. 3 (2023): 5-10.

and 505 of the Indonesian Criminal Code.²⁶ Article 504 of the Criminal Code states that:

- a. Anyone who begs (begging) in a public place is punished by imprisonment for a maximum of six weeks.
- b. Begging carried out together by three or more people, each of whom is over 16 years old, is punished by imprisonment for a maximum of three months.

Meanwhile, Article 505 of the Criminal Code states that anyone who wanders around without a livelihood will be punished for wandering with imprisonment for a maximum of three months.²⁷

Based on these realities, discussions on efforts to address the issues of neglected children, including street children, beggars, and vagrants, should receive special attention. Therefore, the approach used to address these groups must be implemented humanely, not only by imposing criminal sanctions on violators but also by providing solutions and raising awareness to prevent such actions.²⁸

Ultimately, the responsibility to care for and improve the standard of living for abandoned children, including street children, beggars, and vagrants, is a state obligation, as mandated by the Constitution. Efforts to achieve such improvements in living standards must also prioritize a humanistic approach to character-building among street children, preventing them from returning to the formerly formerly ignorant routine of begging and living without direction or purpose. Therefore, the role of social rehabilitation, which enhances refunctionalization and development, enabling individuals to fulfill their social functions, is crucial. Therefore, the progress or strategic direction of social rehabilitation must be carefully considered, as the need extends beyond repressive settings; preventive measures must also be implemented.

D. CONCLUSION

The responsibility to care for and improve the standard of living for abandoned children, including street children, beggars, and vagrants, is part of the state's obligations as mandated by the Constitution. This is stated in Article 34 paragraph (1) of the 1945 Constitution, which expressly states that "The poor and abandoned children are cared for by the state." From this constitution, several derivative provisions emerged that rigidly regulate how to carry out social rehabilitation for abandoned children as regulated in the Minister of Social Affairs Regulation No. 4 of 2020 concerning Basic

26 Erly Pangestuti, Retno Sari Dewi., "Penerapan Sanksi Pidana bagi Pengemis dan Gelandangan." *Jurnal Transparansi Hukum* 6, No. 1 (2023): 1-11.

27 Gunawan Widjaja, Songgo Aurora, Alam Anbari., "Penegakan Hukum Pidana terhadap Penanganan Gelandangan dan Pengemis di Tempat Umum : Studi Komparatif KUHP Lama dan Baru Berdasarkan Putusan PN Kab. Semarang No.145/Pid.C/PN UNR." *Majelis: Jurnal Hukum Indonesia* (2025): 21-30.

28 Yusrizal, Romi Asmara., "Kebijakan Penanggulangan Gelandangan dan Pengemis (Studi Penelitian di Kabupaten Aceh Utara)." *Jurnal Ilmu Hukum Reusum* 8, No. 1 (2020): 16-28.

Social Rehabilitation for Abandoned Children. Based on these provisions, there are also other provisions related to such regulations, namely Government Regulation No. 31 of 1980 concerning the Eradication of Vagrants and Beggars. This is because abandoned children live almost entirely on the streets, begging and vagrants. The difficult life experienced by abandoned children should be given further attention by the government. Because one of the most common instruments of care is raids, which have become a threat to abandoned children due to the criminal provisions in Articles 504 and 505v of the Criminal Code. Therefore, efforts to care for abandoned children must be carried out in a humane manner, aiming to develop a way of thinking and attitude that allows them to live life as they should.

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