

Legal Protection for Exploitation of Children as Beggars in the Market by Parents in Gorontalo Regency

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Article Info

Article history:

Received : 14 Oktober 2023

Publish : 08 November 2023

Keywords:

Legal protection

Exploitation

Minors

Abstract

The phenomenon of exploitation of child buskers is one of the social problems that must be resolved by all groups, both the government and society. This exploitation of children is even carried out by their own parents. The focus of this research study is how the form of legal protection from child exploitation should children get education but only in the market. This study aims to determine the forms of child labor exploitation, the factors that influence working children, and to determine the negative impacts arising from child exploitation. In this study, normative research on written law was examined from various aspects such as aspects of theory, philosophy, comparison, structure/composition, consistency, general explanation. This method is considered suitable by researchers to be used in describing the problem of child exploitation in the Gorontalo district market. Based on the results of this study, biological parents are involved in the form of exploitation of children in the market. Factors that influence children to work in the market are economic factors, family factors, and environmental factors. And the negative impact arising from the exploitation of children in the market is the disruption of children's health, loss of desire to go to school, the emergence of psychological traumas in children. and the emergence of unrest in the community around the red light as well as the community around where the child workers themselves live.

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Abstrak

Fenomena eksploitasi pengamen anak merupakan salah satu permasalahan sosial yang harus diselesaikan oleh semua kalangan, baik pemerintah maupun masyarakat. Eksploitasi terhadap anak ini bahkan dilakukan oleh orang tuanya sendiri. Fokus kajian penelitian ini adalah bagaimana bentuk perlindungan hukum dari eksploitasi anak apabila anak mendapatkan pendidikan namun hanya di pasar. Penelitian ini bertujuan untuk mengetahui bentuk-bentuk eksploitasi pekerja anak, faktor-faktor yang mempengaruhi pekerja anak, dan mengetahui dampak negatif yang ditimbulkan dari eksploitasi pekerja anak. Dalam penelitian ini penelitian normatif hukum tertulis dikaji dari berbagai aspek seperti aspek teori, filsafat, perbandingan, struktur/susunan, konsistensi, penjelasan umum. Metode ini dinilai cocok oleh peneliti untuk digunakan dalam mendeskripsikan permasalahan eksploitasi anak di pasar kabupaten Gorontalo. Berdasarkan hasil penelitian tersebut, keterlibatan orang tua kandung dalam bentuk eksploitasi anak di pasar. Faktor yang mempengaruhi anak bekerja di pasar adalah faktor ekonomi, faktor keluarga, dan faktor lingkungan. Dan dampak negatif yang ditimbulkan dari eksploitasi anak di pasar adalah terganggunya kesehatan anak, hilangnya keinginan bersekolah, munculnya trauma psikologis pada anak. dan munculnya keresahan di masyarakat sekitar lampu merah serta masyarakat sekitar tempat tinggal pekerja anak itu sendiri.

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1. INTRODUCTION

Indonesia is a developing country that is still synonymous with poverty. Poverty occurs in almost all regions of Indonesia, both in cities and villages. This can be recognized by the cramped houses, but also by the many street performers, beggars and street children who defend urban poverty. In fact, in some places you still see people sleeping in windows because they have no place to live. The current situation is critical and must be addressed immediately. The general problem of beggars, homeless people and abandoned children is closely related to the problem of order and security in the city of Gorontalo. As beggars, homeless and abandoned children grow,

they can disrupt security and order. The problem of beggars, homeless people and abandoned children is a problem that has not been resolved from year to year.

Villagers rush to the city in search of work, but experience great disappointment there, which leads to competition between the townspeople. The villagers don't understand that they have to fend for themselves because there is no one else in town to help them. Excessive ambition eventually backfires and leads to unemployment, which in turn leads to increased unemployment. The problem of unemployment is very complex because it increases inequality between the rich and the poor. As a result, rising unemployment leads to an increase in prostitution and crime.

The rapid growth of urban populations also causes housing problems. People live in cramped conditions that do not meet social or health requirements. Such situations negatively affect health, and especially the development of young shoots. These young shoots have a very strong power or enthusiasm to imitate the behavior of urban young shoots, which is not always good because families in big cities, especially the upper and middle classes, are separated. These symptoms give rise to juvenile delinquency, and especially juvenile delinquency problems, as well as imitating the instinctive activities of adolescents and their environment.

Republic of Indonesia Law no. 35 of 2014, Amendments to Child Protection Law no. 23 of 2002 emphasizes that children are a gift from God Almighty who must always be protected because they have the human dignity of someone you respect.

Recognizing that children, because of their physical and spiritual immaturity and immaturity, require special protection and care, including legal protection before and after birth. Children have the right to compulsory education, at least basic education. They should receive an education that broadens their general knowledge and gives them equal opportunities to develop skills, personal opinions and moral and social responsibilities so that they can become useful members of society.

Children must be protected from all forms of neglect, cruelty and oppression. It doesn't have to be "commercial material" in any way. Employing minors is never justified and they should not be involved in work that is detrimental to their health or education or physical, mental or moral development.

Children who experience welfare problems have difficulty growing and developing well. Therefore, they need services and advice to be able to fulfill their life duties in accordance with society's expectations. In general, all children's needs and rights must be respected, but many children's rights are not respected because their families and parents do not pay attention to them. That's why there are still children who have to earn a living as beggars on the streets. homeless and street children. Some of them don't even need their own parents to fulfill their needs.

If a child is exploited, the state is obliged to provide special protection to that child. Parental child abuse is defined as discrimination or arbitrary behavior by parents towards children, where the child is forced to carry out certain actions to achieve their goals, without recognizing the child's right to equal protection in relation to his physical, mental and social development. consider.

The prevalence of beggars and street children in Indonesia is a quite complex social problem. Becoming a beggar and street child is not a pleasant choice because you have to be in a situation where your future is unclear. According to Article 34 Paragraph 1 of the 1945 Constitution, "the state takes care of the poor and neglected children". This means that the state is responsible for the care and education of neglected children, including street children and beggars. Street children and beggars have the same human rights as other children.

The income of begging children belongs to the entire family. The money earned from begging is then used for daily needs. Therefore, beggar families exploit these children by employing their children as beggars to meet the family's needs. The average child beggar in the Gorontalo area is under 30 years old and should not be exploited for family interests. They must have opportunities to play and learn.

The state's role in prevention and treatment is necessary to ensure security and control over people's lives. The government is also responsible for protecting human rights, especially the rights of minors, through an interactive process. This interaction begins with interaction between

the state and society in such a way that differences in the needs and demands of society are taken into account, both in the fields of public services and public administration.

In the city of Gorontalo, especially at intersections, there are many beggars or beggar children. Therefore, children must be trained to increase their knowledge so they can continue to develop their skills.

2. RESEARCH METHOD

The methodology used in this paper has several components, namely type of research, research location, type and source of data, data collection techniques, population and sample-to-data analysis techniques. Empirical research is a legal research method that utilizes empirical evidence from human behavior, both verbal behavior obtained from interviews and real behavior realized through direct observation. Empirical research also observes the results of human behavior in the form of physical remains and archives.

3. RESEARCH RESULTS AND DISCUSSION

1. Exploitation of Children as beggars in the Gorontalo Regency Market

We cannot take the phenomenon of poverty lightly, because the phenomenon of poverty always happens to someone without us realizing it beforehand. Currently in Indonesia it is still a topic of discussion for the government and other financial institutions because even though the poverty rate in Indonesia has decreased, this figure must be considered for the future welfare of the Indonesian people.

Poverty is also a factor that greatly influences parents' attitudes towards their children. When parents are trapped in poverty that they cannot overcome, some parents direct their anger towards their children and not just their anger. These children are often abused by their parents in the form of physical and mental violence such as beatings, threats, etc. Watching Aditya Rauf's Risky. Parents often insult and beat Risky. No money. Therefore, poverty factors are closely related to crime and violence.

For some people, begging may be the only way to earn easy money. The culture of poverty infects everyone, which limits a person's way of thinking, so they tend to use instant methods to get money easily without even trying. Beggars embrace this culture of poverty and use the love of others to earn money and support themselves.

The culture of poverty has a big impact on parents' mindsets. Those already trapped in a culture of poverty believe that if they use their children as breadwinners, they won't have to bother looking for work to support their families.

Minors are forced and forced to work to earn money for themselves and their parents without thinking about the child's welfare. Parents easily encourage their children to earn money by begging because minors tend to adapt to people, be compassionate and give money to beggars. According to the interview results, if they did not want to beg, their parents did not give them food, and if they did not want to beg, their parents scolded them when told to beg indoors. market.

Children over 10 years old beg, some are forced to beg on behalf of their parents, others are based on a personal desire to help their parents. Even though they like to beg, this leads to violence against children because parents cannot prevent or forbid their children from begging, even though parents often treat them harshly and threaten them if they stop begging. . Their parents scolded them and threatened to deny them food and drink if they refused to work.

It cannot be denied that their parents abuse them when they deprive them of their rights, even if they do it voluntarily. Even the parents of suspects who were arrested by plainclothes police officers and ended up in social services cannot ignore the fact that their children were arrested by Satpol PP, even though the incident occurred on their orders. They told their

children to beg and when they were free the children were still told to beg even though they had been arrested.

Parental indifference towards children means deliberately allowing or prohibiting violence against children. This is because of the financial hardship they cause by employing their children to help them earn money. Even the culture of poverty is not spared from this, parents with a culture of poverty mentality make it the easiest way to earn money.

This is in accordance with what Oscar Lewis said about the culture of poverty:

People who are trapped in a culture of poverty take the easy way out without being willing to work harder to get out of poverty and people are trapped in a culture of poverty. will continue to have negative thought patterns. Poverty, even if you don't want to try to change it.

Oscar Lewis openly stated that the culture of poverty is a phenomenon that is more dangerous than poverty itself, which through the behavior of street children begging in Gorontalo markets shows that these children's cultural attitudes towards poverty have been contaminated. They like to show that begging is an easy way to make money without having to go to school to make better money.

None of the children who work as beggars in Gorontalo markets go to school, some of them receive education even though they have to drop out of school for economic reasons. Even schoolchildren who have not yet started their apprenticeship can be successful without school. This is proof of Oscar Lewis's words, "The culture of poverty is more dangerous than poverty itself", causing them to fall asleep in laziness while contemplating the culture of human poverty and not trying to improve it.

Dissatisfied children want to beg, consciously or unconsciously, because it means something to them and others. Adel admitted that he didn't actually want to be a beggar, but he was forced to do it voluntarily because his parents said he had to be able to take care of himself, and the results of the interview showed that he wanted to help his parents doing Money As Max Weber argued in The Theory of Social Action, people act to understand themselves or others.

2. Factors in Exploitation of Children by Parents as beggars in the Gorontalo Regency Market: Low Parental Education Level

Bad parenting is one of the causes of violence against children. According to the sources above, their inability to understand children's rights is due to their inability to differentiate between truth and error. The results of his research show that lack of education and ignorance of the importance of children's education, as well as strict education have a negative impact that weakens children's way of thinking and abilities due to their inability to find the truth. the skills they will have.

Another study which states that low education is the cause of violence against children is the result of a study which states that low education is one of the causes of the exploitation of beggar children in their parents' markets.

Low Family Economy (Poverty)

Most of the beggar children in the market come from poor families. Weak family finances are one of the causes of violence against children. Due to the parents' low education it is difficult to find suitable work, so the economic level is very low.

Due to the poor financial condition of their families, many beggar children pretend to be beggars to support their families. In addition, children who work as beggars do not have a decent place to live because their parents' income is low and they cannot afford a decent house.

The above statement agrees with Bagong Suyanto who said that there is a group of beggars called street children. The children carry out economic activities such as begging in markets, but still have strong relationships. with his parents. Street children in this category help with family finances that their parents can take care of but cannot.

Environmental Influence

The influence of a child's living environment and social environment can influence the formation of a child's character. The environment where children live and socialize, where there are many beggars or communities of beggars, slowly but surely encourages children to take to the streets and even go to the market and become beggars like Him. For the environment. This is what happened at Gorontalo Market, where their parents begged, knowing that many of their friends and community members were beggars.

Therefore, according to the parents, this action must be taken considering that the environmental conditions are not dangerous for the child, because the neighbors also do the same thing and in the end the parents encourage their children to become beggars in order to earn money.

3. CONCLUSION

As a child-friendly city (KLA), especially in Gorontalo Regency, it seems that there are still many children who have not received their full rights. Based on the research results, it can be concluded that the background of parents who abuse children as beggars in Gorontalo markets lies in the low level of education of parents who do not know the difference between right and wrong. Like. . Understand children's rights and the responsibilities that parents must fulfill to prevent child exploitation. The low level of parental education also influences the difficulty of finding work. In this case, economic levels decline and financial demands eventually make parents leave their children to earn money to support the family.

Many beggar children spend their time working rather than playing because the child has to bear the financial burden of helping their parents earn a living. Apart from that, the influence of the social environment is the reason for violence against children, such as begging, and many parents also experience violence because of the child's environment and social interactions.

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