

Research Article

## Implementation Of Child Protection Laws

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**Abstract:** In Indonesia, child protection is contained in Article 28b No. 2 of the 1945 Constitution. In addition, it is also contained in Law no. 3 of 2014 concerning Amendments to Law no. 23 of 2002 concerning Child Protection that there are four special areas that need to be considered in the implementation of child protection, namely: the fields of Religion, Education, Health and socio-culture. The five main pillars (parents, family, community, government and state) have a close relationship in carrying out child protection tasks in forms and efforts that are appropriate to the level of ability in various forms of business carried out and under certain conditions. As the Nahdlatul Community Organization has several programs that support efforts to protect children. In this research study, researchers used qualitative research which describes and describes some of the existing findings, especially in this study related to the application of the Child Protection Act in the NU Community Organization of Pagerwojo Perak Jombang Branch. This research shows that the implementation of the Child Protection Act at the NU Branch Pagerwojo Perak Jombang Community Organization has been implemented and so far it has only played a role in efforts that are preventive in nature or only prevention of child protection cases in the form of socialization roles carried out in various programs that have been proclaimed.

**Keywords :** Implementation, NU Organizations, Child Protection Laws.

### INTRODUCTION

Happiness in the family will always increase when the coveted baby is present. As one of the gifts of Allah Almighty, children or children should have their dignity and rights as human beings upheld. Children's rights are a separate part of Human Rights (HAM), as contained in the 1945 constitution article 28b Paragraph 2 that every child has

the right to survival, growth and development is also entitled to legal protection (Fitriani, 2016 ).

As in the discussion regarding the protection of human rights, women and children have the same rights as humans in general on earth, namely rights that are naturally attached to them from birth, so that they (women and children) can live their lives as human beings normally. From this statement it can be stated that it is very important to pay attention to every right that must be obtained by children (Sofyan & Tenripadang, 2017) . Because by not paying attention to children's rights in the process of adaptation, self-confidence and mental growth will be disrupted and can hinder the process of growing and developing in the next period.

In determining the actions that must be taken in an effort to protect children from various problems that arise, it is necessary to have a system-based approach, not only an issue-based approach and focus on certain groups of children. This is because an effective child protection system requires interrelationships between related components. (Yanuari, et al., 2020)

As a rule of law country, Indonesia addresses the protection of children as a human right that should be obtained. With this, Article 27 paragraph (1) of the 1945 Constitution stipulates that "all citizens have the same position in law and government and are obliged to uphold that law and government without exception" (Government Regulation of the Republic of Indonesia, 1945) . This article shows that there is no difference regarding the position in law and government for all citizens, ranging from women, men, adults and children in receiving legal protection.

Regarding the protection of children, it is stated in the child protection law Article 20 that: "The state, government, regional government, community, family and parents are obliged and responsible for implementing child protection" (Government Regulation of the Republic of Indonesia, 2002 )

Thus, all parties, both from government and non-government elements, are obliged to participate in efforts to protect, foster, care for children which ultimately has the goal of making children a caliph in the midst of society. In connection with the form of child protection efforts undertaken by each community, it is adjusted according to the level of ability with various forms of effort in each situation and certain conditions (Gosita, 1999) .

At least child protection is closely related to the five main pillars, namely: Parents, Family, Community, Government, Regional Government and the State. All of them are related to one another as child protection organizers. (Apriatin et al., 2016)

Of the four chapters in total, the contents of the articles and paragraphs of articles 2 and 3 of Law number 23 of 2002 are grouped in chapter II. These two chapters are entitled with Principles and objectives. Article 2 states: "The implementation of child protection based on Pancasila and the 1945 Constitution of the Republic of Indonesia and the basic principles of the Convention on the Rights of the Child include:

1. Non-discrimination;
2. The best interests of the child;
3. Right to life, survival, and development and;
4. Respect for children's opinions.

The explanation of this article explains that what is meant by the principle of child protection is protection in accordance with the main principles contained in the

Convention on the Rights of the Child. Whereas what is meant by the principle of the best interests of the child in the article is that the protection carried out by all levels of society for children must prioritize the best interests of the child which is the main consideration (Anwar & Wijaya, 2019)

In Law no. 23 of 2002 concerning Child Protection states that the purpose of 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 and values and receive protection from violence and discrimination for the realization of quality Indonesian children. As stated in the law that all parties, both from government and non-government elements, are obliged to participate in efforts to protect, foster, care for children for the sake of and to realize children as caliphs in the midst of society.

The Nahdlatul Ulama organization is an Islamic organization that was founded on January 31, 1926 (Sodik, 2004) . In addition to being religiously based, the Nahdlatul Ulama organization is also engaged in the educational, social and economic fields. Nahdlatul Ulama since its inception until now has established four main areas of its program, namely:

1. In the field of religion, carrying out Islamic da'wah and increasing a sense of brotherhood based on the spirit of unity in diversity.
2. In the field of education, organize education in accordance with Islamic values, to form pious, virtuous, knowledgeable Muslims. This is proven by the birth of educational institutions with NU nuances which have spread to various regions, especially on the island of Java.
3. In the socio-cultural field, strive for people's welfare and culture in accordance with Islamic and human values.
4. In the economic field, strive for equal distribution of opportunities to enjoy the fruits of development, by prioritizing the development of the people's economy. This is marked by the birth of BMTs and other financial institutions that have been proven to help the community. Develop other businesses that benefit the wider community. NU strives to serve and be the best for society.

NU has set itself the goal of becoming the overseer of traditional Islam by maintaining the teachings of the four schools of thought, despite the fact that the Syafi'i school is adhered to by Muslims throughout the archipelago. This means that NU defends knowledge and the right of the ulama' to interpret holy verses and hadith from error (Feillard, 1999) .

Nahdlatul Ulama' as a jamiyah organization was born from religious insight which aims to advance the Islamic understanding of *expert sunnah wal jama'ah* as a school of Islamic thought (Munawir, 2016) besides that it also aims to prosper the people in the social field based on religious principles that are patterned *tasamuh* (tolerant) and *tawasud* (moderate) (Fuadi, 2022) . These social principles provide wider space for Nahdlatul Ulama (NU) to respond to various changes in its environment, and be very tolerant of the various differences that develop in a plural society like Indonesia, without being trapped in the extreme left and right which fundamentally often times undermining the dimensions of social and human solidarity in Indonesia (Sodikin & Ma'arif, 2021) .

Responsive, accurate, and objective to the complexity of the empirical problems of the nation's society is not enough just by relying solely on the role of the Kyai (ulama'),

of course it requires skilled, visible and capable young professionals in providing alternative solutions that are conceptual and systematic. It is here that the establishment of an independent and autonomous organization Nahdlatul Ulama' (NU) expresses its urgency (Sodik, 2004) .

As an organization that is seventy-six years old, within Nahdlatul Ulama there are various groups so that the Nahdlatul Ulama organization has various discourses as well, the impact of all of that can be classified as follows:

There are strong indications of tug-of-war between the external forces of the state that want to make Nahdlatul Ulama part of the process of state hegemony, and the internal enthusiasm of the younger generation of Nahdlatul Ulama to defend the 1926 Basic Strategies to become a civil society movement. Wants Nahdlatul Ulama to become a civil society movement based on liberalism that aims more at demanding people's freedom for "de-bureaucratization" from the state, including "economic deregulation." Besides that, Nahdlatul Ulama' as an organization is already 76 years old, but actually NU's age from tradition existed before that. In other words, many ups and downs have been passed so there are not a few lessons that can be learned.

From this long journey, at least NU has experienced three phases, namely the NU phase as a community organization and focusing on social and religious aspects. Then the political NU phase because NU positions itself as a political party or joins political parties such as the NU and Masumi parties and finally, is the cultural phase. With its age being older than the age of the independence of the Republic of Indonesia, NU as a socio-religious organization has had a lot of ups and downs in contributing to the nation and state. However, as an organization, Nahdlatul Ulama' cannot be statically fixated on one management system. NU's organizational concepts applied in its early years had to be adapted to changes in the following decades. This concept also had to be adjusted when the Japanese military occupation government came to power with its fascist powers to freeze all political organizations and mass organizations in any form throughout Indonesia. And the organizational management concept of NU changed again when it became a political party. NU's organizational changes have consequences for changes in the vision and perception of the struggle regarding the organization's mission.

It is here, or in this sector, that changes in the vision and perception of the struggle regarding the jam'iyah mission need to be constantly watched out for, because these changes occur at high intensity, in line with changes in the dynamics of the nation's society and the state. Because there had been a change in the vision and perception of the struggle regarding the jam'iyah mission, there was the term 'return to the basic principles of 1926' which indicated that these changes were felt to have deviated too far from the vision of the NU struggle (Anam, 1995) .

One of the efforts to realize the idea of returning to *khittah* is an effort to empower *nahdliyin* and the general public by prioritizing social, economic and educational programs as areas of work. Even so, Nahdlatul Ulama abandoned political activities altogether. What is actually happening is a paradigm shift, through reinterpretation and reorientation towards practical political discourse so that it becomes more flexible in dealing with various changes and developments that will occur.

Islamic values that are used as principles in the Nahdlatul Ulama organization such as; *tasamuh*, *tawazun* and partiality towards the oppressed ( *Mustadh'afin* ), independence of the clergy *vis-a-vis* the authorities, and Islamic cosmopolitanism, which

are the cultural potentials of Muslims in general in Indonesia, not much different from the traditions of *civil society* in Europe.

And so the organizational structure of Nahdlatul Ulama' as explained in the Nahdlatul Ulama' AD (National Statutes) (NU's XXX Conference Results, 2000:110), in Chapter VI article 9 concerning the organizational structure of Nahdlatul Ulama' consists of the General Manager, the Regional Administrator, the Executive Branch, Deputy Branch Manager, Branch Manager.

As a Nahdlatul Ulama community organization from the Pagerwojo Perak Jombang branch, through a routine recitation program that is held every Friday night, especially for activities/calling prayers coordinated by the Banom IPPNU and IPNU, is a form of effort being made in efforts to protect children in the religious field. In addition, through the social service program launched by the branch management and in collaboration with the NU MWC board, it is also hoped that it will be able to realize and strive for child welfare.

In the field of education, through the IPPNU and IPNU committees which launched journalism learning programs, life skills programs, and other programs that involve students who are still at the age of children to create a generation with high potential and creativity, it is hoped that through this program NU organizations will play a role in efforts to protect children in the field of education and socio-culture. Thus, through the programs launched by the Nahdlatul Ulama Community Organization of the Pagerwojo Branch, they are trying their best to realize the goals of child protection.

## RESEARCH METHODS

Based on the research themes raised in this study, the researchers collected data, analyzed the data and tested the validity of the data through qualitative research. The type of research used is field research *with* a qualitative approach. Qualitative research is research that uses a scientific background, by looking at existing phenomena and then analyzing them through existing methods. (Ghony & Fauzan, 2012) .

The data collection method used in this study uses observation, which seeks information through sensory observation as well as observation and experience (Sugiyono, 2017) . In this case the researcher made observations of the phenomena that occurred in the field. Second, in collecting data the researcher conducted closed interviews. Interviews are a method of collecting information or data by asking questions to sources and information is received through answers from sources (Sugiyono, 2017) . Interview data were obtained from religious leaders, community leaders, and several couples who attended the ongoing wedding reception.

## RESULT AND DISCUSSION

### Definition and Scope of Children

Children are buds, potential, the younger generation will continue the ideals of the nation's struggle, has a strategic role and has characteristics and characteristics that guarantee its sustainability existence nation And country on period front And so that every child later capable carry responsibility.

The position of children as the younger generation who will continue the noble ideals of the nation, as future leaders of the nation and as a source of hope for the previous generation, needs to get the widest possible opportunity to grow and develop

properly both spiritually, physically and socially. Child protection is the effort and activity of all levels of society in various positions and roles, who are fully aware of the importance of children for the nation and the nation in the future. If they have matured their physical and mental and social growth, then it is time to replace the generation (Gultom, 2012) .

According to Law Number 23 of 2002 concerning Child Protection, a child is someone who is not yet 18 years old, including children who are still in the womb. The definition of children is prioritized as an understanding of children's rights so that they can live, grow, develop and participate optimally in accordance with human dignity.

In Law Number 11 of 2012 concerning the juvenile justice system, it is explained that children who are victims of criminal acts, hereinafter referred to as child victims, are children who are not yet 18 (eighteen) years old who experience physical, mental and/or economic losses that cause by criminal acts (Government Regulation of the Republic of Indonesia, 2012) .

In article 1 paragraph (2) of Law Number 4 of 1979 concerning Child Welfare, it states that: "A child is someone who has not reached the age of 21 (twenty one) years and has never been married" (Government Regulation of the Republic of Indonesia, 2012). The definition of a child according to the Convention on the Rights *of the Child* is not much different from the definition of a child according to several other laws. According to the Convention on the Rights of the Child, a child is every human being under the age of 18 (eighteen) years, unless according to the law applicable to children, maturity is reached earlier.

In addition, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System explains that children who are victims of criminal acts, hereinafter referred to as child victims, are children who are not yet 18 (eighteen) years old who experience physical, mental and/or loss. economic consequences caused by criminal acts (Government Regulation of the Republic of Indonesia, 2012) .

Children are still children, with all the independence they have, they really need protection and affection from the adults around them. Children have various rights that must be implemented in their lives and livelihoods. In relation to the issue of legal protection and rights for children, then in the 1945 Constitution in Article 34 it has been emphasized that: "The poor and neglected children are cared for by the state". This shows the government's serious attention to children's rights and their protection.

Children's rights are also regulated in Law Number 23 of 2002 which has been amended to become Law Number 35 of 2014 concerning Child Protection. Children's rights are contained in articles 4 to 18, which state that:

- a. Every child entitled For can life, grow, develop, And participate fairly in accordance with the dignity of humanity, as well as receive protection from violence and discrimination.
- b. Every child has the right to a name as identity and citizenship status.
- c. Every child has the right to worship according to his religion, think and express according to his level of intelligence and age, under the guidance of his parents.
- d. Every child has the right to know his parents, to be raised and cared for by his own parents.
- e. Every child has the right to obtain health services and social security in accordance with their physical, mental, spiritual and social needs.

- f. Every child has the right to receive education and teaching in the context of personal development and the level of intelligence according to his interests and talents.
- g. Especially for children with disabilities, they also have the right to get special education, while children who have advantages also have the right to get special education.
- h. Every child has the right to express and be heard, receive, seek, seek and provide information according to his level of intelligence and age for the sake of developing himself in accordance with moral values. and propriety.
- i. Every Children have the right to rest and take advantage of their leisure time, associate with children of the same age, play, have recreation and be creative according to their interests, talents and level of intelligence for self-development.
- j. Every child with disabilities has the right to obtain rehabilitation, social assistance, and maintenance of social welfare levels.

### Child Protection Concept

In Law Number 23 of 2002 in Article 1 point 2, it stipulates that: "Child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop and participate optimally in accordance with the dignity and humanity, and receive protection from violence and discrimination" (Government Regulation of the Republic of Indonesia, 2002) .

Furthermore, Article 3 of Law Number 23 of 2002 concerning Child Protection stipulates that: "Child protection aims to guarantee the fulfillment of children's rights so that they can live, grow, develop, and participate optimally in accordance with human dignity, and receive protection from violence and discrimination, for the realization of quality, noble, and prosperous Indonesian children" (Government Regulation of the Republic of Indonesia, 2002) .

Existing laws and regulations have placed children as legal subjects who must also receive protection. Meanwhile, a legal entity is one of the legal subjects because in reality it wants it to be so.

The elucidation of Law Number 23 of 2002 explains that children are a mandate as well as a gift from God Almighty, who must always be looked after because they have inherent dignity and rights as human beings which must be upheld. Parents, families and communities are responsible for maintaining and maintaining these human rights in accordance with the obligations imposed by law. Likewise, in the context of implementing child protection, the State and the government are responsible for providing facilities and accessibility for children, especially in ensuring their optimal and directed growth and development.

Law Number 23 of 2002 confirms that the responsibilities of parents, families, communities, government and the State are a series of activities that are carried out continuously for the protection of children's rights. These series of activities must be sustainable and directed to ensure the growth and development of children, both physically, mentally, spiritually and socially.

Protection for children to get treatment and opportunities according to their needs in various fields of life, so that in providing legal protection for children by the government it must be based on the principles of children's rights and protection of children's rights. Efforts to protect children need to be carried out as early as possible,

namely from the fetus in the womb until the child is 18 (eighteen) years old (Satriya, 2011).

In coaching, developing and protecting children, the role of the community is needed, whether through child protection agencies, religious institutions, non-governmental organizations, community organizations, social organizations, the business world, mass media, or educational institutions and other components of society.

Soerjono Soekanto states that law enforcement is an activity of harmonizing the relationship of values that are spelled out in solid and embodied principles and attitudes as a series of final stages of value translation to create, maintain and maintain social peace (Soekanto, 2008)

We can also interpret child protection as all efforts aimed at minimizing, preventing, rehabilitating and empowering children who experience acts of abuse, exploitation and neglect, in order to ensure the survival and development of children in a natural way, both physically, mental, and social.

Legal protection for children is protection for all children without exception, including children who are in conflict with the law. As for the purpose of protection, according to article 3 of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning child protection is to ensure the fulfillment of children's rights so that they can live, grow, develop and participate optimally in accordance with dignity and human dignity, and receive protection from violence and discrimination, for the realization of cheerful, healthy and prosperous Indonesian children.

The scope of the meaning of protection and the purpose of child protection is in line with the convention on the rights and protection of human rights contained in the 1945 Constitution of the Republic of Indonesia. Article 22B paragraph (2) of the 1945 Constitution of the Republic of Indonesia affirms, "Every child has the right to survival, growth and development as well as protection from violence and discrimination."

The 1945 Constitution of the Republic of Indonesia was subsequently used as the principle and foundation for child protection, as referred to in Article 2 of Law Number 35 of 2014 concerning amendments to Law Number 23 of 2002 concerning Child Protection which states that the implementation of child protection is based on Pancasila and based on the Republic of Indonesia Law of 1945.

Child protection is carried out by all elements of society, both the state and civil society. All elements of society must protect as well as protecting state assets. Children are the assets of the State and the nation for the progress of the country in the future.

Article 20 of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, those who are obliged and responsible for the implementation of child protection include the state, government, community, family and parents. The forms of obligations and responsibilities of the state and government are contained in Articles 21 to 25 of the relevant laws, stating the following:

- a. The state, government and local government have the obligation and responsibility to respect the fulfillment of children's rights without distinction of ethnicity, religion, race, class, gender, ethnicity, culture and language, legal status, birth order and physical and/or mental condition.
- b. To guarantee the fulfillment of the Children's Rights as referred to in paragraph (1), the state is obliged to fulfill, protect and respect the Children's Rights.
- c. To ensure the fulfillment of the Rights of the Child as referred to in paragraph (1), the Government is obliged and responsible for formulating and implementing policies in



the field of implementing Child Protection.

- d. In order to guarantee the fulfillment of the Rights of the Child and implement the policies referred to in paragraph (3), the Regional Government is obliged and responsible for implementing and supporting national policies in the implementation of Child Protection in the regions.
- e. The policy referred to in paragraph (4) can be realized through regional efforts to build child-friendly districts/cities.
- f. Further provisions regarding child-friendly district/city policies as referred to in paragraph (5) are regulated in a Presidential Regulation.

Article 24 of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection explains, "The State, Government and Regional Government guarantee the Child to use his right to express opinions in accordance with the age and level of intelligence of the Child." Children have the right to have space to express their opinions, discuss and even convey their complaints in public. This must be heard by all elements of society so that it becomes an evaluation and for the comfort of life and the development of children. All elements of society that must provide protection apart from the family, namely consisting of social organizations, academics, and child observers.

Child protection can be carried out directly or indirectly, directly meaning that the activities are directly aimed at children who are the target of direct treatment. Activities like this can take the form of, among other things, protecting children from various threats from outside and within themselves, educating, fostering, accompanying children in various ways, preventing children from starving and working on their health in various ways, providing self-supporting facilities and so on.

Indirect child protection, namely activities that are not directly aimed at children, but other people who carry out or are involved in child protection efforts. Such child protection efforts, for example, are carried out by parents or those who are involved in child protection efforts where there are various threats from outside and from within the child, those who are in charge of caring for, fostering, accompanying children in various ways, those who are involved in preventing children from starving, trying to health and so on in various ways, those who provide the means for self-development of children, those who are involved in the implementation of the criminal justice system.

Children who are in conflict with the law must be given protection from anyone, be it the police, the family, the community must provide physical and mental support to the child. This is done so that children do not feel burdened by a legal case they are facing. Special protection for children who are exploited economically and/or sexually is carried out through the dissemination and/or dissemination of provisions of laws and regulations relating to the protection of children who are exploited economically and/or sexually; Monitoring, reporting, and imposing sanctions; and Involvement of various companies, trade unions, non-governmental organizations, and the community in eliminating economic and/or sexual exploitation of children.

All elements of society must be involved to support the growth and development of children. Children who have been exploited economically and/or sexually have the right to protection and these children may not be pushed aside or demeaned.

Child protection is an effort made so that every child can carry out his rights and obligations. The protection of children is a manifestation of justice in a society. So that

child protection must be endeavored in various fields of state and social life. Child protection concerns various aspects of life and livelihood, so that children can really grow and develop naturally in accordance with their human rights. Bisma Siregar, mentioning the legal aspects of child protection, is more focused on children's rights which are regulated by law and not obligations, bearing in mind that legally (juridically) children have not been burdened with obligations (Siregar & Soemitro, 1990) .

Arif Gosita said that child protection law is a child protection activity which is a legal action that brings legal consequences. He mentioned that there is a need for legal guarantees for child protection activities. Legal certainty needs to be sought for the continuity of child protection activities and to prevent abuses that bring unwanted negative consequences in the implementation of child protection activities (Gosita, 1983).

Child protection regulated in the laws of the Republic of Indonesia must be implemented in order to protect the nation's next generation. Children are under the age of 18 where they need more protection than adults, so matters regarding child protection must be strictly enforced.

Based on the Convention on the Rights of the Child, children's rights can generally be grouped into 4 (four) categories of children's rights, including: (a) The right to survival, namely the rights to preserve and defend life (the right of life) and the right to obtain the highest standard of health and the best possible care. (b) The right to protection ( protection rights ), namely the rights in the convention on the rights of the child which include the right to protection from discrimination, acts of violence and neglect for children who do not have families for refugee children. (c) The right to develop ( development rights ), children's rights in the convention of children's rights which cover all forms of education (formal and non-formal) and the right to achieve a decent standard of living both physical, mental, spiritual, moral and children's social rights ( the rights of standard of living ). (c) The right to participate ( participation rights ), children's rights which include the right to express opinions in all matters affecting the child ( the rights of a child to express her/his views freely in all matters affecting the child ). The right to participate is also a child's right regarding a fundamental cultural identity for children, childhood and the development of their involvement in the wider community (Djamil, 2013) .

### Goals and Principles of Child Protection

The main goal in child protection is to strive for every child not harmed (Fitriani, 2016) . Guaranteeing and completing various rights that must be obtained by children so that children will receive what is needed in order to grow and develop and survive is a subject that is closely related to child protection.

In Law no. 23 2002 concerning Child Protection stated that the purpose of child protection is to guarantee fulfillment of rights children in order to live and develop and be able to participate optimally according to human dignity and worth protection from acts of violence and discrimination for the sake of and for the realization of a quality generation of Indonesia (Government Regulation of the Republic of Indonesia, 2002) .

Child Protection Law is law whether written or not writing has the purpose of guaranteeing that the child is indeed able to carry out rights and obligations. Law Protection of children is the law that forms the basis and guidelines for protecting, regulating and guaranteeing children in order to carry out rights and obligations in a

balanced and humane manner” (Gosita & Salam, 2005) .

As stated in Law no. 2 2002 concerning Child Protection, that the purpose of child protection is to protect and guarantee children's rights to be able to live and develop and participate optimally according to dignity and human dignity, also in order to receive protection from acts of violence and discrimination for the sake of and for the realization of children quality Indonesian, noble character and prosperous.

Based on philosophical, sociological and juridical foundations. That the philosophical foundation of child protection is closely related to the nation's view of life, namely Pancasila. Sociologically, it is closely related to the socio-economic situation, as well as the juridical basis, namely the convention on the right of the child and Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection and the Law Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. Thus it can be concluded that the principles or principles in child protection include the right to survival , the right to development , the right to protection , the right to participate in community life ( participation ).

### **Implementation of the Child Protection Law on the Role of Community Organizations Nahdlatul Ulama Branch Pagerwojo Perak Jombang**

In essence, all people in the eyes of the law are the same, namely legal subjects, as in the Constitution of the Republic of Indonesia Article 28d No. 1. Justice is meant not only for people who are adults but also applies to guaranteeing the fulfillment of children's rights, besides that children as a nation's bud has great potential to carry the baton to develop the nation's ideals and its existence for the nation and state in the future.

For this reason, it is necessary to have child protection where protection for children is closely related to the five main pillars, namely: parents, family, community, government, regional government and the State. All of them are related to one another as organizer protection for children. With regard to the form of efforts to protect children carried out by each member of the community, it is adjusted based on the level of ability in various forms of business carried out in each particular situation and condition.

Pursuant to Law no. 3 of 2014 concerning Amendments to Law no. 23 of 2002 concerning Child Protection at least guarantees protection child done in four areas namely Religion, Health, Education and Social. Thus the Management of the Nahdlatul Ulama Branch of Pagerwojo Perak Jombang in relation to child protection efforts has carried out several programs that have been carried out including in the *field of religion* , the implementation of Dzibaan activities which are carried out in rotation every week in several prayer rooms in Pagerwojo village, as well as regular recitation activities every Tuesday night, as well as there is a ziarah activity of guardians and elders. *In the field of education* , the implementation of journalistic training activities, as well as the existence of pious children's vestments. *In the socio-cultural field* , with the existence of several activities carried out including mutual cooperation activities between members which are realized in the pious children's vestment activities, besides that there are also arisan activities spearheaded by Fatayat and Muslimat NU Branch Pagerwojo Perak Jombang, also the NU KOIN movement is expected able to provide an important impetus for members and the wider community to participate in social and cultural activities so that

a prosperous society will be realized. *In the economic field*, with the hands-on skill development activities pioneered by the IPPNU banom and their participation in the bazaar agenda organized by the Branch Managers, it is hoped that they will be able to contribute to efforts to develop the community's economy.

From a total of four chapters, the contents of articles and paragraphs of articles 2 and 3 of Law number 23 Year 2002 is grouped in chapter II. These two chapters are entitled with Principles and objective. Chapter 2 states: "The implementation of child protection based on Pancasila and the 1945 Constitution of the Republic of Indonesia and the basic principles of the Convention on the Rights of the Child include non-discrimination; The best interests of the child; Right to life, survival, and development and; Respect for children's opinions.

The right to protection is one of the categories of children's rights based on the Convention on the Rights of the Child. There are at least three important points relating to the right to protection, namely the prohibition of child discrimination, the prohibition of child exploitation, and the right to develop. Among the rights obtained in relation to growth and development are the right to education, the right to play and recreation, the right to participate in cultural activities, and so on.

As a social organization, Nahdlatul Ulama Ranting Pagerwojo Perak Jombang, through its Banoms, with several programs it is carrying out, tries to be preventive in relation to child protection. This can be proven by the several programs he has carried out by only prioritizing social protection efforts. The problem of child protection is a very complex problem and develops over time, for this reason, as a large growing organization in Indonesia, Nahdlatul Ulama is expected to be present and play an important role in national development efforts both in the economic, social, cultural and even political fields even with the potential possessed from its mass base which is widespread in Indonesia.

Judging from the Child Protection Act above, the activities carried out by the NU Board of Pagerwojo Perak Jombang Branch in relation to Child Protection Efforts are quite optimal, and basically meet the criteria for what is mandated by the Child Protection Law.

## CONCLUSION

The implementation of child protection laws in the role played by the Nahdlatul Ulama Community Organization of Pagerwojo Perak Jombang has already been implemented, and only insofar as the role is preventive or prevention of child protection cases. With the form of a role in the form of outreach through programs planned by the Nahdlatul Ulama Community Organization of Pagerwojo Perak Jombang Community Organization.

Regardless of the subjective and objective reality from the point of view of the country's strategy, Nahdlatul Ulama is an organization that plays an important role, especially when viewed in terms of the hidden potential behind a mass base that is widespread in Indonesia both economically, politically and even socio-culturally. Thus it is time for NU figures who are not involved in political issues to think about reform issues within NU.

Fulfilling children's rights is not only carried out by several parties, so there is a need for other parties to intervene in efforts to protect children. Thus it is hoped that

from the Nahdlatul Ulama Organization there will be an Autonomous Body that specifically deals with child protection, because so far within the Nahdlatul Ulama Organization there is no Autonomous Body that specifically deals with child protection.

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## Implementation Of Child Protection Laws

Khozinatul Asrori, Imam Sukardi

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