

Fulfillment of the Rights of Children with Special Needs at the Orphanage Waraqil Jannah Tanah Datar

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Abstract - This article will explain how the fulfillment of children with special needs in orphanages Waraqil Jannah located in Nagari Paninjauan, Sumataera West, where this particular orphanage to accommodate children who have abnormalities and growth. Children with special needs are children who grow differently than other normal children, where children with special needs have obstacles in their development both physically, mentally, and emotionally so that it requires special services. This study uses qualitative research with descriptive methods. Informant selection technique with *purposive sampling*. Data is collected by interview, observation and documentation. So that the data obtained can be trusted (valid), then in this study triangulation is done, namely source and time triangulation. The data obtained were analyzed by referring to Miles and Huberman's analysis model with steps namely data reduction, data model (data *display*) and conclusion drawing. The results of this study explain that in fulfilling the rights of children with special needs in orphanages it is still constrained in terms of finance and labor. However, basic needs such as food, clothing, and shelter needs have been tried as well as possible; children can still eat, dress, and live in appropriate places. In the fulfillment of current health rights, the institution has requested health insurance from the social service, and is in the process of being processed. and fulfillment of religious needs has been given even though it is still at the basic stage.

Keywords - Fulfillment Of Rights, Children With Special Needs.

I. INTRODUCTION

Every child is born with the characteristic and advantages are different from one another. According to (Triyanto & Permatasari, 2016) Children with special needs are one example of the distinctive characteristics of a child. (Alimin, 2012); (Erawati, 2015); (Lutfaidah & Suwanda, 2016) explain that children with special needs are children who have obstacles in their development both physically, mentally, socially, and emotionally so that they need special services. That is, children with special needs are children who are born and have development that is different from other normal children.

Based on data from the Central Statistics Agency (BPS) the number of children with needs in Indonesia reaches 1,6 million children. However, from number of children with special needs is not all children get good treatment from society, but their treatment to children can affect the

psychological condition of the child. Not a few, children with special needs get discrimination and violence as stated by (Elisa & Wrastari, 2013) that in North Sumatra there are 15 cases of discrimination related to education and school access, where there are children who are refused enroll in Vocational High Schools because it has physical retardation and there are also children who are rejected because they have a weak economy so they cannot access education because of the high cost. The same thing was also conveyed by (Mu'ammarr, 2017) in a study that said that there were still frequent cases of *hate speech* and *bullying* against children with special needs carried out by peers. In addition to discrimination cases there are also cases of neglect of children such as those that occur in boys with mental retardation and psychiatric disorders in Nunukan, North Kalimantan in 2014 who were forced to live in the Nunukan District Social Security Warehouse after being abandoned by their parents (Kompas .com, 2014). A similar thing was

experienced by a girl who had difficulty communicating by her parents in Curug number, Duren Sawit, East Jakarta (Warta Kota, Palmerah 2017). And more sadly, around 445 children were placed in the foundation of the mother district in Bintaro, South Tangerang, about 70 percent of them were children with special needs. Only 30 percent of the victims of child neglect are like being left behind by parents or given by certain parties for special reasons, such as children born outside of marriage (Merahputih Megapolitan, 2015). From the data and cases above, it can be seen that there are still many children, including children with special needs who get bad treatment from their parents/family, or the community. Displaced children and children with special needs should be given protection, care as described in Law No. 8 of 2016 concerning persons with disabilities paragraph 3 which specifically explains the rights of children with disabilities, namely:

- a. get special protection from discrimination, neglect, harassment, exploitation, and violence and sexual crime;
- b. get care and care for the family or substitute family for optimal growth and development;
- c. protected their interests in decision making;
- d. human treatment of children in accordance with the dignity and rights of children;
- e. Fulfillment of special needs;
- f. equal treatment with other children to achieve social integration and individual development; and
- g. get social assistance.

Of the many cases of discrimination and neglect experienced by children with special needs, in West Sumatra there is a foundation that cares about the condition and development of children with special needs, namely the Waraqil Jannah foundation located in Jorong Hilir Balai Paninjau, Kec. X koto Tanah Datar District. This foundation was founded by a woman who has four children, of which two of them have special conditions that require special services, because the equality of fate arises the intention of women who are familiarly called Buk Yusni to establish a foundation intended for children with these special needs. Besides being used as a place to accommodate children with special needs, this foundation in 2012 was inaugurated as an extraordinary school which currently has 49 students with each of them. 21 of them are children who live and attend school in Waraqil Jannah, and the rest are children who only attend school. A child in this institution comes from several regions in West Sumatra, such as Padang Panjang, Agam, Bukit Tinggi, Pariaman, and areas around the institution itself. In the Waraqil Jannah foundation children are

prepared to become independent children even though they grow differently compared to other normal children. To be able to create children who are independent orphanages must meet all the needs and rights of children so that the goal of creating independent children can be carried out. Therefore, the authors are interested in conducting related research on how to fulfill the rights to children with special needs of Waraqil Jannah orphanage ?

II. LITERATURE REVIEW

A. Protection of Children's Rights

In the Indonesian Law the definition is contained in the criminal law law article 45 of the Criminal Code which states that "children who are immature are children who are not 16 (sixteen) years old", if a child who has not reached the age of 16 is involved in criminal matters, the child will not convicted but returned to parents, guardians, or handed over to the government with no penalty. However, this regulation has been removed with the birth of the juvenile justice law, Law No. 3 of 1997, in this Act article 1 paragraph 2 states that: " Children are persons in cases of delinquent children who have reached the age of 8 (eight) years but have not reached the age of 18 (eighteen) years and have never been married, meaning child under this Law is someone who has reached the age of 8 years but is not yet 18 years old, and has never been married, meaning that he has never been married or divorced after marriage because someone who is married even though they are not yet 18 years old, they are considered adults. The same thing was stated in civil law article 330 explained that people who are not yet adults are people who have not reached the age of 21 (twenty one) years and have not been married before. So, Indonesian regulations have many versions of the understanding of children but the point is children are a man or woman who is not yet mature or not yet puberty who must be guaranteed and protected by all their rights.

The international world is also very concerned about children's rights, in its history the convention of child rights was first initiated by Eglante Jebb in 1923 through the declaration of children's rights. The United Nations (UN) adopted this convention in 1948 and began to form committees to draft child rights conventions (CRC). in 1979 it was declared an international children's year, then on 2 September 1990 it was implemented as international law. Indonesia also participated in ratifying the convention through presidential decree No. 36 of 1990 so that Indonesia is obliged to implement the provisions contained in the Convention on the Rights of the Child (K HA) which generally provide protection, respect, welfare, education,

freedom and rights other grounds, and care from parents, and if the child does not have parents it is the responsibility of the state. The same thing was explained in the Human Rights Law No. 39 of 1999 that children have the right to get protection from their parents, family, community and state, even from the womb.

From the explanation above, it can be seen that the protection of children's rights is a concern of the world that strives to fulfill all needs and provides protection to children so that children can feel all their rights so that the farthest acts of violence and neglect include the rights of children with special needs. special protection and services.

B. Protection of the Rights of Children with Special Needs

Every child is born with the characteristic and advantages are different from one another. According to (Triyanto & Permatasari, 2016) Children with special needs are one example of the distinctive characteristics of a child. Children with special needs are children who have obstacles in their development both physically, mentally, socially, and emotionally so that they need special services (Alimin, 2012) Erawati, 2015 ; Lutfaidah & Suwanda, 2016) .

Children with special needs have equality with other citizens, as stated in the Law of the Republic of Indonesia No. 4 of 1997 concerning Disabled Persons who explain that persons with disabilities are people who have physical and / or mental abnormalities which are obstacles and obstacles for them to develop. fulfillment of the rights of persons with disabilities in this Law is only a guarantee, rehabilitation, and improvement of social welfare. According to Ratnaningsih (2016) Persons with disabilities are seen as legal objects while the legal subject is the state or other parties that carry out activities for people with disabilities, with the issuance of Law No. 8 of 2016 concerning persons with disabilities, those who were objects of law turned into legal subjects so their existence must be recognized and they are entitled to equal opportunities in all aspects of life such as protection, treatment, and special services from biological parents, surrogate parents, the community, and the state. Similar things are also stated in Law No. 19 of 2011 concerning the ratification of *convention on the right of person with disabilities* which regulates all rights inherent in humans and also applies to persons with disabilities.

In the world of education the rights of students with special needs are regulated in the Government Regulation of the Republic of Indonesia Number 72 of 1991 concerning Special Education (PLB) which states that students are

entitled to treatment according to potential, religious education in accordance with their beliefs, continuing education programs and learning facilities according to their needs. Similar things are also stated in Law No. 20 of 2003 concerning the national education system article 5 paragraph 2 which explains that children who have physical, mental, emotional, intellectual, or social disorders have the right to receive special education.

From the law, it can be seen that Indonesian education must be given to all people regardless of their condition, either normal or have limitations, because children who have limitations are given special rights so that they can develop their potential, and can adjust themselves. and interact with the environment and be accepted by the community.

III. RESEARCH METHODS

This research was conducted at the Waraqil Jannah foundation located on Jl Hilir Balai, Rt / Rw 0/0, Dsn. Jorong Hilir Balai, Ds. / Kel Paninjau, Kec. X Koto, Kab. Tanah Datar, Prov. West Sumatra. Judging from the approach, this study uses a type of qualitative research with descriptive methods . The selection of informants in the study was conducted by *purposive sample* consisting of the two foundations, the management of the Institution , the Parent / Family, the Social Service, the surrounding Citizens, Volunteers, children who could be invited to communicate directly. Data is obtained through observation, in-depth interviews and documentation studies. So that the data obtained can be trusted (valid), then in this study triangulation is done, namely source and time triangulation. Triangulation is carried out, namely, first source triangulation in the form of questions submitted to various sources (informants) both to the head of the foundation, the management of the Institution, the Parent / Family, the Social Service, the local Citizens, Volunteers, children who can be directly communicated. Furthermore, triangulation by means of triangulation of time which can be done during the informant's free time, so that it does not disturb his work and will provide more valid data so that it is more credible. The data obtained were analyzed by referring to Miles and Huberman's analysis model with steps namely data reduction, data model (*data display*) and conclusion (Emzir, 2012: 129-135). These stages are something that cannot be separated from one another, repetitive and continuous during and after data collection in a parallel form, thus forming a complete configuration. In this study see how the fulfillment of the rights of children with special needs in the waraqil orphanage in flat land. Then the researcher attempts

to explain using the relevant theory. Based on the results of this understanding, the researcher compiled a report in the form of a scientific work in the form of a thesis and this article.

IV. RESULTS

The findings in this study were analyzed the results of observations, interviews and documentation studies conducted by the authors. The results of the analysis of the data obtained are the research findings that illustrate the statement of how the fulfillment of the rights of children with special needs in the Waraqil orphanage in flat land . Then from the results of interviews that the researcher did, it would be supported again by observation and by study documentation. So in this special finding we will discuss the fulfillment of the basic rights of children in need at Waraqil Jannah orphanages such as clothing, food and housing rights, health rights, and religion.

1. Meeting the needs of food, clothing and shelter

a. Food

Food is anything that comes from sources and water, both processed and unprocessed which is intended as food or drink for human consumers (wikipedia). In food needs, the foundation Waraqil Jannah little difficulty, the foundation needs at least 8 liters of rice per day to meet the meal 49 children and 11 students, but sometimes not all students or teachers who eat at home, remember that not all the teachers and the children stayed in the orphanage, there are children and teachers who have difficulty eating at home before leaving for the institution. Even so, the orphanage does not prohibit anyone from eating. In Waraqil Jannah there are 2 times a day at 10 am and 5 pm.

To meet these food needs, the institution has never collected funds from students, relying solely on assistance and donations from social services, community / donors, or voluntary contributions from parents or families of students. Sometimes assistance is received not only in the form of money, but also goods such as rice and garden produce. In addition, participants were also educated to carry out independent work, such as planting vegetables and raising fish, the results of which could be used to help finance the institution.

b. Clothing

Clothing is clothing that is worn every day, be it clothes, pants, jackets, and others that serve to protect the body from heat and cold and prevent skin from direct contact with dust and dirt (wikipedia). In fulfilling clothing needs, Waraqil

Jannah does not provide much clothing for children there, because the clothes they have provided themselves from home or donations from donors and the community. It's just that school clothes are prepared by the school from special funds for children who live in homes such as uniforms (red-white, blue-white, gray-white), batik clothing, scout clothes, and sportswear. While children who only go to school get batik clothes and sports

c. Board

Boards can be interpreted as a house or residence. In fulfilling the needs of the board, Buk Yusni made his house a place to accommodate children with special needs. Waraqil Jannah provides a dormitory with 7 bedrooms, where 5 rooms are allocated for students and 2 rooms are for teachers with 20 children and 4 teachers. 4 student rooms were filled by 16 boys and 1 room was filled by 4 girls. While the teacher's room is filled by 2 male teachers and 2 female teachers. The dormitory in Waraqil Jannah was built like a stilted house with planks.

From the explanation above, it can be seen that despite difficulties, Waraqil Jannah continues to strive to provide services, and strives to meet the needs of children. Even though it's not fancy, kids here can still eat, dress, and sleep well.

2. Fulfillment of the health of children with special needs

Health is a human right, including children with special needs. Given that children with special needs have a need and a higher level of service than other normal children. Waraqil Jannah is a foundation founded in 2012, until now, there are no sick children who need medical care, only ordinary fever. And to overcome the fever, buk yusni and some teachers only gave medicines from the shop. Even so, now the institution has requested health insurance for social services for children in preparation if one day needs it. Because indeed until now there has never been a direct examination from the health department or from any hospital.

3. Fulfillment of Religious Needs

Religion is a belief that is owned by humans who can regulate their lives in the world. In meeting the religious needs of the children in the orphanage, slam yusni always organize activities that can increase the piety of children in Waraqil Jannah. Every day at 9 am always held the Dhuha prayer, pray together, and after the afternoon prayer until late evening prayer is always held Al-quran learning agenda 'an and prayer recitation. The children at this orphanage

have only been given a basic understanding of religion, have not studied religion more deeply, given the lack of teachers who can teach the knowledge of religion as well as children who have different dispositions so that religion is only given at the basic stage only

V. CONCLUSION

Children with special needs are children who have obstacles in their development both physically, mentally, socially, and emotionally so that they need special services. That is, children with special needs are children who are born and have development that is different from other normal children. Based on data from the Central Statistics Agency (BPS) the number of children with needs in Indonesia reaches 1,6 million children. However, not all children with special needs have received good treatment from the community, even though their treatment of these children can affect the child's psychological condition. in West Sumatra there is a foundation that cares about the condition and development of children with special needs, namely the Waraqil Jannah foundation located in Jorong Hilir Balai Paninjau, Kec. X koto Tanah Datar District. The foundation was founded by a woman who has four children, two of which have special conditions that require specific services, because of the luck equation comes the intention to establish a foundation that is intended for children-a son with special needs. In Waraqil Jannah the fulfillment of the rights of children with special needs is still constrained in terms of finance and energy. However, basic needs such as food, clothing, and shelter needs have been tried as well as possible, children can still eat, dress, and live in appropriate places. In fulfilling the right to health, currently the orphanage has requested health insurance for the social service , and is in the process of being processed. and fulfillment of religious needs has been given even though it is still at the basic stage.

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