


## Juridical Analysis Of Handling Beggars And Budgets In East Jakarta

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Article Info	ABSTRACT
<p><b>Keywords:</b> Social Policy, Beggars, Homelessness, Social Rehabilitation, East Jakarta, Empowerment.</p>	<p>Handling beggars and homeless people in East Jakarta is one of the policy focuses implemented by the East Jakarta Social Service in an effort to create social welfare for the community. Even though various policies and programs have been implemented, the problem of beggars and homelessness remains a serious challenge for local governments. This research aims to analyze provisions for dealing with the problems of beggars and homelessness, as well as assessing the effectiveness, challenges and impact of these policies. The formulation of the problem is: What are the legal regulations for dealing with beggars and homeless people? And what is the evaluation and monitoring mechanism for the implementation of these regulations? The research results show that the East Jakarta Social Service's policies tend to focus more on short-term control and pay less attention to long-term empowerment aspects for the individuals involved. Therefore, the recommendations from this research include the need for more comprehensive policies, with a more humane approach and based on socio-economic empowerment, as well as increased collaboration between institutions to deal with this problem more holistically.</p>
<p>This is an open access article under the <a href="https://creativecommons.org/licenses/by-nc/4.0/">CC BY-NC</a> license</p> 	<p><b>Corresponding Author:</b> Nurmala Sari. Ardiansyah IBLAM College of Law Campus A, Jl. Kramat Raya No. 25, Senen, Central Jakarta</p>

### INTRODUCTION

The presence of government in society is a necessity for efforts to resolve problems in people's lives, ranging from poverty to social welfare problems. Based on this, two interrelated groups were formed, namely the government and society. The relationship between government and society is built on a social contract. The implication of the social contract is that the government becomes the personification of the State which is responsible for the needs of society by mobilizing all resources. Based on this, the function of government as the art of managing power is needed in a country. Government functions develop based on the needs of society. According to Rasyid in Labolo, there are 4 (four) functions of government, namely: "Public services (*Unpublic service*), arrangement (*regulation*), development (*development*) and empowerment (*empowerment*)" (Muhamada, 2012: 30).

As mentioned above, public service is one of the functions of the government which aims to realize good governance. The government's efforts in handling social welfare problems are focused on reducing the number of beggars and homeless people. This is to create prosperity for the Indonesian people. Humans are complex creatures created by God where to fulfill their dignity as humans they must live in prosperity, this can be seen from the

worthiness of their lives. But in reality, there are many regions in Indonesia that cannot prosper their own people and besides that, there are still some areas that are left behind. Some of these areas have a low human development index.

Jakarta is a city that has its own charm for Indonesian people. Even though Indonesia's capital city will soon move, the city of Jakarta is still considered to have good fortune. Apart from the fact that Jakarta is still the capital city of Indonesia, the village's driving force, which includes inadequate facilities and availability of employment opportunities, also influences the occurrence of migration or urbanization.

The existence of development facilities that are more advanced compared to other cities, makes the city of Jakarta a city that is considered to be able to guarantee a decent life for its citizens. This is very unfortunate regarding the unequal distribution of urban development in Indonesia. Due to this, people from outside the city of Jakarta are interested in urbanizing.

The imbalance in the availability of job opportunities with the large population, especially in rural areas, makes them try their luck in big cities like Jakarta. The occurrence of urbanization events can be triggered by various push factors and pull factors of urbanization. Factors driving urbanization include poverty, minimal facilities in rural areas, low living standards, and limited availability of employment opportunities. Meanwhile, the pulling factor for urbanization is the availability of adequate facilities and a high standard of living in the city (Widiawaty, 2019: 2).

East Jakarta, as a densely populated metropolitan area, faces significant social challenges, including increasing numbers of beggars and homeless people. This phenomenon is often in the public and media spotlight, considering its impact on the city's image and people's quality of life. In this context, the DKI Jakarta Social Service has an important role in overcoming this problem through various policies and programs.

Beggars and homelessness often arise as a consequence of various factors, such as poverty, lack of employment opportunities, and limited access to education. In addition, social factors such as family breakdown and mental illness also contribute to this condition. Therefore, a comprehensive and humane approach is needed to address this issue.

Social Service policies cover various aspects, from outreach, social rehabilitation, to providing economic assistance. However, the implementation of this policy often faces challenges, such as social stigma against beggars and homeless people, as well as limited resources. Evaluation and analysis of the effectiveness of the policies implemented is very important to ensure that the efforts made can have a positive and sustainable impact (Ratri Kartika. 2014: 10).

With this background, this analysis aims to examine the Social Service's policies in dealing with beggars and homeless people in East Jakarta, evaluate their implementation and impact, and provide recommendations that can increase the effectiveness of existing programs. It is hoped that the results of this analysis can provide valuable input for policy makers in formulating better strategies in overcoming this social problem. The problem formulation in this research is as follows: 1) What are the legal regulations for dealing with

beggars and homeless people? 2) What is the evaluation and monitoring mechanism for the implementation of these regulations?

## METHODS

The approach method used in this legal research is to use a normative juridical approach. Normative legal research is research that prioritizes library data, namely research on secondary data. Secondary data can be primary, secondary or tertiary legal materials. (Hanitijo, 2000) This research includes research on corruption and transparency: challenges in the government sector.

## RESULTS AND DISCUSSION

### Legal Regulations In Handling Beggars And Budgets

Basically, the realization of a policy can be done in several ways, including by making legal regulations, planning activities, and various interventions related to the economic and social aspects of society. The existence of a policy can be useful as a means of regulating various things and can become a public policy. A public policy does not only apply to a particular organization/institution/institution, but will be a rule that applies to society at large.

Public policy is also considered as a reference for the government in carrying out development. Public policy can also be understood as a law, where the contents must be completely, correctly and comprehensively understood and comprehended by all citizens. Whatever form results from the existence of a policy, for example the policy is stipulated as a Law, Government Regulation or Presidential Regulation, or Regional Regulation, then the policy has officially become law and must be obeyed (Ramdhani, 2017: 12).

The East Jakarta Social Service implements various policies to support the social welfare of residents in the area. These policies are usually related to social services, community empowerment, poverty alleviation, social protection, and fulfilling the basic rights of East Jakarta residents. Several policies that are generally implemented by the Social Service in East Jakarta include:

1. Community empowerment and social welfare programs

The East Jakarta Social Service carries out various empowerment programs to improve the quality of life of residents, especially for those who are less fortunate. This program can be in the form of social assistance, skills training, or an entrepreneurship program to improve the family economy.

2. Social assistance programs

Social assistance in the form of direct cash assistance (BLT), non-cash food assistance (BPNT), or assistance to people with disabilities and the elderly is often provided to help people in need. The Social Service also plays a role in distributing government assistance such as food assistance and stimulant assistance to poor families.

3. Handling poverty

The Social Service also implements poverty alleviation programs which include verification and validation of data on poor people, as well as providing more long-term assistance to improve their quality of life.

4. Social protection

The Social Service also plays a role in providing protection for vulnerable groups, such as abandoned children, people with mental disorders and victims of violence. One important program is handling street children and people with disabilities.

5. Facilitation of people with disabilities

The Social Service also implements policies to ensure equal access for people with disabilities, both in education, health and employment. Social rehabilitation programs and providing assistive devices for people with disabilities are part of this policy.

6. Handling social problems

The Social Service collaborates with various related agencies and institutions to handle social problems in East Jakarta, such as dealing with street children, beggars, homeless people, as well as victims of trafficking and domestic violence.

7. Social welfare services

The East Jakarta Social Service is also responsible for providing social services to residents in need through social institutions, shelter homes, and emergency services for disaster victims or residents experiencing difficulties.

8. Counseling and education

The Social Service also carries out outreach and education activities to the community regarding social rights, how to access social services, and their obligations as citizens. This aims to increase public awareness of the importance of social welfare

9. Social rehabilitation program

This program aims to help individuals or groups exposed to social problems (such as drug abuse, homelessness, or street children) so that they can recover and reintegrate into society.

The policy rules that the DKI Jakarta Provincial Social Service has regarding the pattern of handling homeless people and also beggars are contained in Governor's Regulation Number 169 of 2014 concerning the Pattern of Handling People with Social Welfare Problems (PMKS) or what is currently called People Needing Social Welfare Services (PPKS).

This policy was created based on previously existing policies. This is proven from interview data with the Head of Sub-Coordinator for Social Rehabilitation of the Socially Impaired and Victims of Violence, as follows (Tazkia Safira Yasmin, 2023: 66):

"We have Gubernatorial Regulation 169 2014. Initially we had a Gubernatorial Regulation regarding the P3S Task Force. This is the legal basis for the existence of the P3S Task Force below, which Tazkia and his friends in blue clothes, P3S. This is basically why social services created P3S. ... Based on this gubernatorial regulation, this gubernatorial regulation emerged, Gubernatorial Regulation Number 169 of 2014, the pattern for handling PMKS which has now changed its name to PPKS."

P3S is a task force that has duties and responsibilities in handling homeless people and beggars as well as other types of PPKS. P3S is also said to be the front guard of the DKI Jakarta Provincial Social Service. Based on Governor's Regulation Number 169 of 2014 concerning Handling Patterns for People with Social Welfare Problems (PMKS), especially in Article 6, the handling pattern carried out is divided into 4 (four) stages, including:

a. Prevention efforts

In accordance with Governor Regulation Number 169 of 2014 concerning PMKS Handling Patterns, the handling carried out includes persuasive actions, which in this case are an effort to prevent the emergence of PPKS and other social problems. This prevention effort is included in the P3S's duties, this was explained in an interview with the Head of the RTS and KTK Sub-Coordinator regarding the P3S's duties, as follows: "The task is to carry out tasks at PMKS-prone points on the streets, communities and other public areas. That's why we have PMKS-prone points. There are at the department and also sub-department levels. We have 2 functions, P3S. One persuasive, two coercive. Persuasive means providing education, socialization, motivation, deterrence, protection and social protection. For example, there are all kinds of ondel-ondel buskers, we don't immediately take them. Let's first establish the first characteristic, namely persuasiveness. If you can't be persuasive, then you can be coercive. What is coercive nature? Coercive social outreach. Only then does outreach become coercive in nature. Friends were traveling around, it serves both functions. "Alhamdulillah, on the one hand, if there are no more people to meet on the streets, it means that DKI has more or less reduced PMKS."

In an interview by the Head of Sub-Coordinator of RTS and KTK, he explained that P3S has duties and functions, namely persuasive and coercive functions. Prevention efforts are included in the persuasive function which includes education, socialization, motivation, deterrence, guarding, and also social protection. This is also in line with the results of an interview with one of the P3S Task Force members who said:

"The first is a persuasive approach. So, we explain the legal basis, what is the basis for them not being able to do things like begging, continuing to beg. We've told them, they understand. But if, for example, someone is nagging, there is a second way, namely coercively, by outreach. After we tell you persuasively that we can't, there is a coercive function. We reach him and take him to the orphanage. "We were invited to chat first in a persuasive and humanistic manner."

To find out the implementation of treatment patterns related to prevention efforts, researchers also interviewed homeless people and beggars. From the interview, WBS had a different experience, they explained as follows:

"It was immediately crowded, it immediately caught on. Yes, he said it was to be recorded, he said that."

Still with the same experience, other WBS also explained as follows:

"It wasn't explained, it wasn't asked. Just take it straight away."

Based on the statement given by WBS, it does not show that prevention efforts in the form of providing education or being invited to talk to the PPKS first. However, there are WBS who have different experiences from the WBS experiences above, which are explained in their interviews with researchers as follows:

"At first he was asked, "What are you doing there?" I said asking again. "Then why don't you just go home?"

The WBS also explained that the service provided during the outreach was good, although this also made the WBS feel surprised during the outreach activities. This is explained by the WBS as follows:

"Good. I was surprised. Suddenly his PP Satpol appeared. If you want to run away, you've been caught first. More sitting."

Another WBS also stated that in outreach activities the WBS was invited to talk first, the WBS explained as follows:

"Just told me to go up, I was shocked. I said I did nothing wrong. I was in the position of drinking coffee, I was told to go up. "I was invited to talk first, I said it was recorded at the sub-district, I didn't know I was brought here until now."

It can be seen from the results of interviews with WBS that it produces mixed data. However, there are many possibilities that prevent prevention efforts from becoming coercive actions that must be taken by officers in the field. It is not only P3S that carries out outreach, in interviews with homeless people and beggars, it shows that there are outside parties who carry out outreach activities, namely Satpol PP. This is also part of the stages of the handling pattern carried out.

It is hoped that the policies described above can reduce social inequality, improve the welfare of citizens, and provide protection for vulnerable communities. Of course, the implementation of this policy can change in line with social needs and economic conditions in East Jakarta.

### **Evaluation And Supervision Mechanism Of Implementation Of Provisions**

For evaluation and supervision to be effective, managers must obtain clear and timely feedback from their subordinates in the company hierarchy. Based on performance results, management must make adjustments to strategy formulation or strategy implementation. By basing it on the framework of the strategy formulation process, using the same framework an evaluation can be made whether a strategy that has been prepared will be and is still suitable for achieving future goals. It is impossible to show evidence that a strategy is optimal or even guarantee that it will work well, what can be done is to evaluate it to see the possibility of errors (Sukanto Reksohadiprodjo, 2003: 82). There are four standards that can be used to evaluate the success of a strategy, namely:

1. The consistency of a strategy should create consistent goals and policies.  
Organizational conflict and differences between departments are symptoms of management uncertainty, but these problems also signal strategic inconsistency. There are three guidelines to help indicate whether organizational problems are the result of inconsistencies in strategy: If managerial problems persist despite personnel changes and if those problems tend to be more issue-based than people-based, then strategy may be inconsistent. If the success of one department in the organization means, or is interpreted as the failure of another department, then strategy may be inconsistent. If problems and policy issues are always brought up to find solutions, then the strategy may be inconsistent (Sule Erni Tisnawati, 2008:31).
2. Consonance refers to the need for strategists to assess a series of trends as well as individual trends in evaluating strategies.



A strategy must represent an adaptive response to the external environment and to the critical changes occurring within it. The difficulty in adjusting the main internal and external factors in formulating company strategy is caused by most trends being the result of interactions with other trends. For example, the proliferation of child care centers is the result of a combination of various trends including increasing average education levels, increasing inflation, and increasing numbers of women in the workforce. Although a single economic trend or demographic trend may appear stable for several years, there are waves of change that occur at the interaction level (Bateman T.S., 2008: 27).

3. The final test of feasibility of a strategy evaluation is feasibility, namely "Can the strategy be achieved with the physical, human and financial resources available in the company?"

The financial resources of a business are easiest to calculate and are usually the first limitation when strategies are evaluated. This is sometimes overlooked, however, innovative approaches to finance are usually possible. Mechanisms such as subsidiaries, arrangements, sale-back loans, and tying factory guarantees to long-term contracts have been used effectively to gain key positions in emerging industries. A strategic advantage should facilitate the creation and/or maintenance of a competitive advantage in a selected area of activity.

Competitive advantage is usually the result of superiority in one of three areas: (1) resources, (2) expertise, or (3) position. The position can also be used in a decisive role in corporate strategy. Once obtained, a good position can be maintained, meaning that to obtain that position the opponent requires very large costs so they do not dare to attack on a large scale. Positional advantage is usually maintained automatically as long as the underlying key internal and environmental factors remain stable. The main characteristic of a good position is that it allows the company to gain advantages from policies that do not give advantages to similarly positioned opponents. Therefore, in evaluating strategies, organizations must examine the characteristics of positional advantages associated with the chosen strategy.

Principles for Implementing Monitoring and Evaluation Implementation of monitoring and evaluation is carried out based on the following principles: (1) clarity of objectives and results achieved from monitoring and evaluation; (2) the implementation is carried out objectively (3) it is carried out by officers who understand the concepts, theories, processes and are experienced in carrying out supervision and evaluation so that the results are valid and reliable (4) the implementation is carried out transparently, so that the parties concerned know the results and the results can be reported to stakeholders (interested parties/authorized parties) through various means. (5) involving various parties deemed necessary and interested in a proactive (participatory) manner (6) its implementation can be accounted for internally and externally (accountable), (7) covers all objects in order to fully describe the conditions and situations of comprehensive monitoring and evaluation targets (8) implementation is carried out in accordance with a predetermined schedule and at the right time so as not to lose the current momentum (9) carried out periodically and continuously

(10) based on performance indicators, and (11) carried out effectively and efficiently, meaning monitoring targets and evaluation is achieved with using resources whose availability is limited and according to plan (Amir Taufiq: 2011: 32).

Monitoring and evaluating strategies is also very helpful, because monitoring and evaluation will help in the strategy implementation process so that it is in accordance with the strategy formulation that has been formulated. The main process of strategy evaluation is determining what should be measured, measuring actual performance and comparing actual performance with standards. that has been made. There are three main characteristics so that an evaluation does not take place in vain, namely economical, meaningful aspects, and timely. The main monitoring is financial performance, several contemporary measurement models can use measurements that encourage performance, which include a customer perspective, an internal business perspective, an innovation and learning perspective, and a financial perspective.

The evaluation and monitoring mechanism for the effectiveness of policies implemented by the East Jakarta Social Service aims to ensure that social programs run well, achieve targets and provide maximum benefits for the community. Effective evaluation and monitoring are very important to improve and adjust social policies so that they are more targeted and in line with citizens' needs. The following are several evaluation and monitoring mechanisms that are generally implemented:

1. Internal evaluation by social services

The East Jakarta Social Service usually carries out internal evaluations of policies and programs that have been implemented. This evaluation aims to assess the extent to which the goals of social policy have been achieved, as well as identifying obstacles or problems that arise during program implementation. Key Performance Indicators (KPI): Evaluation is carried out based on previously determined indicators, such as the number of aid recipients, the success of the empowerment program, and the direct impact on reducing poverty or increasing welfare.

Periodic Monitoring: Program implementation is evaluated regularly through activity reports submitted by implementing units (such as social institutions, halfway houses, or skills training programs). Community Satisfaction Survey: One evaluation method is to conduct a satisfaction survey to get direct feedback from the community regarding the effectiveness and services of the program being implemented.

2. Supervision by a supervisory team

Supervision of implemented policies and programs can be carried out by a supervisory team consisting of various parties, both internal and external to the Social Service. Internal Supervision: The Social Service usually has a supervisory section or unit whose job is to ensure that each activity complies with established standard operating procedures (SOP). Supervision by Regional Government: The city or district government (East Jakarta) through related agencies can also carry out supervision to ensure that Social Service policies are in line with regional and provincial policies.

3. Social audit



Social audit is a monitoring mechanism that involves third parties (for example, independent auditors or other audit institutions) to examine and assess policy implementation, effectiveness of budget allocations, and use of social assistance funds. The aim is to ensure transparency and accountability in program implementation.

Financial Audit: Examination of the use of the budget in implementing social welfare programs, as well as ensuring that the budget is used efficiently and in accordance with the stated objectives. Performance Audit: Evaluating the performance achievements of social programs and their effectiveness in achieving predetermined goals.

4. Oversight from independent institutions and civil society

Community Monitoring Institutions: Community institutions such as non-governmental organizations (NGOs) or social organizations can play a role in monitoring policy implementation. NGOs that focus on social welfare, human rights, or community empowerment often evaluate Social Service policies.

Public Participation: Communities involved in the program can also become direct supervisors. Through complaint mechanisms or communication forums, the public can submit input or reports regarding successes or problems in implementing policies.

5. Evaluation by DPRD

The East Jakarta Regional People's Representative Council (DPRD) also plays a role in evaluating the policies implemented by the Social Service. The DPRD can hold a Hearing Meeting (RDP) with the Social Service to discuss the effectiveness of the programs that have been implemented.

Budget Accountability: The DPRD monitors the use of the budget in social welfare programs and supervises whether the funds are used effectively for the programs they are intended for.

Performance Reports: The Social Service usually submits performance reports periodically to the DPRD to assess program achievements.

6. Reporting and management information systems

Electronic Reporting System: The East Jakarta Social Service usually has a management information system that is used to report and monitor program implementation. This system allows for real-time monitoring and allows for follow-up on problems or findings that arise during implementation. Monitoring and Evaluation (M&E) Report: Regular evaluation reports are prepared to assess whether the activities and programs implemented are in accordance with the stated objectives. This report is then used as a basis for future program improvements and enhancements.

7. Social impact assessment

Apart from carrying out performance and financial evaluations, the Social Service also needs to assess the social impact of the policies implemented. The social impact assessment aims to measure the extent to which these programs are able to bring real change to the social and economic life of the community.

Case Studies and Surveys: Impact assessments can be carried out through case studies or surveys of policy beneficiaries, to find out whether they experience positive changes.

Social Impact Indicators: Social impact can be measured using indicators such as

increasing access to education and health, reducing poverty rates, or reducing unemployment rates in the region.

8. Feedback from beneficiaries

Communities or individuals who are policy beneficiaries can also provide feedback regarding the effectiveness of the programs they participate in. This feedback can be in the form of suggestions, criticism, or complaint reports which are then used to improve policies and their implementation.

9. Follow-up based on evaluation findings

The results of evaluation and supervision found during the evaluation process must be followed up with corrective steps or policy adjustments. For example, if it is found that a program is ineffective or not on target, the Social Service will make changes to the implementation mechanism or budget allocation.

Overall, the evaluation and supervision mechanism implemented by the East Jakarta Social Service involves various layers of supervision, both internal, external and community. This aims to ensure that the social policies implemented provide optimal benefits for East Jakarta residents, are transparent, accountable and sustainable.

## CONCLUSION

Governor Regulation Number 169 of 2014 concerning Handling Patterns for People with Social Welfare Problems aims to improve the social welfare of citizens, especially for vulnerable and underprivileged community groups. The various social programs implemented include community empowerment, poverty alleviation, social protection, as well as fulfilling basic rights such as education, health and social assistance. Apart from that, the Social Service also plays a role in dealing with social problems, such as homeless people, street children, as well as people with disabilities and the elderly. Through this policy, the East Jakarta Social Service seeks to create an inclusive, fair and sustainable social environment. Existing programs include providing social assistance, skills training, social rehabilitation, and protection for vulnerable groups. It is hoped that this can reduce social inequality, improve the quality of life of the community, and provide equal opportunities for all East Jakarta residents to develop. The effectiveness of these regulations is highly dependent on the evaluation and monitoring mechanisms implemented. With ongoing evaluation and monitoring, either through performance reports, social audits, or community participation, the Social Service can ensure that the policies implemented are running well and on target. This mechanism also allows for improvements and adjustments to policies to make them more effective in achieving the desired social goals. Overall, the policies of the East Jakarta Social Service reflect the regional government's commitment to improving social welfare and protection for all levels of society, especially those who need it most. However, challenges remain in ensuring that the implementation of these programs runs optimally and in accordance with the needs of citizens, as well as maintaining transparency and accountability in the use of social budgets. To ensure that the programs implemented are truly in line with community needs, the Social Service can further increase community involvement in the planning and policy decision-making stages. Through communication forums, deliberations, or field surveys,

residents who are directly involved can provide more accurate input about what they need and how policies can be improved. One way to overcome poverty and improve welfare is to provide skills training and sustainable economic empowerment. Programs that focus more on developing work skills, entrepreneurship and access to markets can further increase the competitiveness of society, especially vulnerable groups such as housewives, young people and people with disabilities.

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