



# The Role of Social Workers In Handling Underage Street Children: A Review From The Perspective Of Sociological Legal Theory

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## ABSTRACT

Street children are a complex social issue reflecting major challenges in child protection in Indonesia. This study aims to explore the role of social workers in handling underage street children through the lens of legal sociology. Using a descriptive method with document analysis, the research highlights that social workers function as enablers and brokers facilitating access to services and empowering children to escape street life. Key contributing factors include poverty, limited education, and dysfunctional families. While rehabilitation programs by the Social Service and Bagea Foundation have had a positive impact on basic needs and education, sustainability remains a challenge due to limited resources. From a legal sociology perspective, repressive actions such as raids are ineffective in addressing root problems. The study recommends a shift toward responsive, welfare-oriented policies that involve multiple stakeholders. A community-based approach and inclusive social policies are essential to breaking the poverty cycle and ensuring a better future for street children in a sustainable way.

## ARTICLE INFO

### Article History:

Submitted/Received 27 Apr 2022

First Revised 08 May 2022

Accepted 17 Jul 2022

First Available online 17 Jul 2022

Publication Date 01 Oct 2022

### Keyword:

Social workers,  
Sociological theory of law,  
Street children.

## 1. INTRODUCTION

In the life of a nation and state, children are the next generation who must have their quality maintained, both in physical and spiritual aspects. That quality is important to welcome the future while also facing the era of globalization. Children play an important role in determining the ideals of the Indonesian nation (Santoso, 2020). Biologically and psychologically, children are different from adults and are vulnerable to all conditions and situations that can affect their mental development (Huliyah, 2016).

This is because children belong to a group of individuals who still have a close dependency on others, possess a sense of innocence, have special needs, and still require special protection and care (Hadi, 2017). Forms of such protection can include various activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity and worth, as well as receive protection from violence and discrimination (Marasaoly, 2022).

Various legal instruments regulate matters concerning children. However, none of these legal instruments explicitly regulate the guarantee of protection for street children; they only provide interpretations that lead to the protection of street children. However, none of these legal instruments explicitly regulate the protection of street children; they only provide interpretations that lead towards the protection of street children who are very vulnerable to kidnapping, rape, and even murder. Who are very vulnerable to becoming victims of kidnapping, rape, and even murder. Street children, a life that is very concerning. Almost every corner of the city has many street children who live and earn a living on the streets. In a social category, street children are not a group that street children are not a homogeneous group. They can at least be classified into two categories, namely children who work on the streets and children who live entirely on the streets. Children who work on the streets generally still maintain a relationship with their families, whereas children who live on the streets have usually lost contact or experienced a severed relationship with their parents.

The phenomenon of street children is influenced by various factors, both from the family environment and the child's personal condition. These factors include economic pressure, disharmony within the family (broken home), parents' poor health, or feelings of rejection by biological parents. All of these conditions can drive children to leave home and choose to live on the streets.

The phenomenon of street children has become a common sight in big cities. Various factors cause them to be forced to leave school and choose to work on the streets to survive. According to Supartono, the factors that lead to the existence of street children are as follows. Factors It seems that your message is empty. Development, poverty factor, parental divorce factor, social interaction factor, loss factor, cultural factor.

As for the law the street children law in Indonesia includes regulations and provisions regarding the protection and rights of children living on the streets. One of the regulations related to street children in Indonesia is Law Number 35 of 2014 concerning Child Protection. This law regulates the rights and protection of children; it is the fundamental law of Indonesia. The rights and protection of street children are also protected by law. Regarding the Implementation of Social Services for Street Children, Government Regulation Number 17 of 2016The implementation of social assistance, including educational services, for street children is regulated in this regulation, health, and social rehabilitation. It is important to

recognize that Indonesia still faces difficulties in protecting and empowering street children, and not all street children are covered by relevant laws and regulations. As a result, continuous efforts are needed to ensure that the rights and welfare of street children are protected and that they have access to appropriate social, medical, and educational resources.

A social worker is a professional in their field whose duty is to enhance and develop the relationship between clients and their social environment so that clients can carry out their daily tasks, overcome challenges, and realize their goals and values (Birkil et al., 2024). This is certainly done so that everything carried out by the social worker profession aligns with its function, which is to help street children obtain their right to continue their education in this is certainly done so that everything done by the social worker profession can align with its function, which is to help street children obtain their right to continue their education in school. Social workers possess the skills, wisdom, and moral principles necessary to perform every role in providing social services. This is where the role of social workers is needed in dealing with street children, namely to obtain their rights, such as in obtaining education. As social workers, they play a role in providing services and helping to optimize the development of life skills programs, providing scholarship programs, and facilitating access for street children to receive alternative education.

## 2. METHODS

The descriptive research method using document analysis is the method used in this study. Without focusing on hypothesis testing, the descriptive method aims to present a systematic and coherent picture of the phenomenon being studied (Prajitno, 2013). In this case, the researcher collects data and analyzes records related to the research topic, including documents, archives, or publications that provide the necessary data. The data analysis is conducted by reading, categorizing, and interpreting the contents of the documents to identify patterns, themes, and important information that support a deeper understanding of the issues being studied. This approach allows the research to reveal detailed knowledge and provide a comprehensive picture of the subject being studied.

## 3. RESULTS AND DISCUSSION

### 3.1. Role

Role or function (role) is a dynamic aspect of position (status). If someone fulfills their rights and obligations according to their position when someone fulfills their rights and obligations according to their position, they are performing a role (Syardiansah, 2019). The importance of a role is because it regulates a person's behavior. Roles cause someone, within certain limits, to be able to predict the actions of others. Roles are regulated by prevailing norms. For example, the norm of politeness requires that a man walking with a woman must be on her left side. The role inherent in a person must be distinguished from their position in social interactions. A person's position in society is a static element that indicates the individual's place within the social organization. Roles more often refer to function, adaptation, and as a process. So, someone occupies a position in society and performs a role.

### 3.2. Social Worker

The American National Association of Social Workers (NASW) social work. It is formulated that "Social work is the professional activity of helping individuals, groups, or communities to improve or restore their ability to function socially and to create social conditions that support the purpose of that goal. Article 1 number 14 and number 15 of Law Number 11 of 2012 concerning the juvenile criminal justice system, a professional social worker is someone who works, both in government and private institutions who has the competence and profession of social work and concern in social work obtained through education, training, and / or experience in social work practice to carry out service tasks and handling of children's social problems. The duties of social workers are regulated in article 34 paragraph 2 of Law No.3 of 1997 concerning juvenile criminal justice, stating the duties of social workers are to guide, assist and supervise delinquent children who based on court decisions are handed over to the Ministry of Social Affairs to attend education, coaching, and work training. Defines the role of social workers as follows (Andari, 2020):

- (i) Accelerator of change (Enabler), namely shaping the community to articulate their needs, identify problems and develop their capacity.
- (ii) Broker, social workers as a liaison that connects individuals or community groups who need assistance or services in institutions and correctional centers.
- (iii) Advocate, social workers in this case act as advocates who carry out active and directed advocacy.
- (iv) Activist, social workers make fundamental changes aimed at extracting resources or power from groups that want to act unfairly or do things that are not in accordance with applicable law.
- (v) Mediator, social workers act as mediators if there is a dispute between parties in the intervention with the aim of finding a compromise, reconciling differences or reaching a mutually satisfying agreement.
- (vi) Negotiator, the role of social workers as negotiators is to bring together those who are in conflict, avoiding one or more problems trying to reach mutually agreeable bargains and compromises.
- (vii) Educator, ss an educator, the role of social workers is expected to have the ability to convey information well and clearly and easily captured by the target of change.
- (viii) Initiator, the role of social workers as initiators is to pay attention to problems or even potential problems.
- (ix) Counselor, social workers have the role of providing counseling to clients in order to resolve the cases they are experiencing.
- (x) Empowerer, the process of helping individuals, families, groups, organizations and communities. Increase their personal, interpersonal, socio-economic and political power and influence through improving their circumstances.
- (xi) Coordinator, which is bringing components together in some kind or organized way.
- (xii) Group Facilitator, s group facilitator is a person who serves as a leader for group activities.
- (xiii) Public Speaker, Social workers as public speakers are directors to speak to various groups to provide them with available services or to advocate for services.

### 3.3. Street Children

Street children often come from backgrounds that have been challenged, such as unstable families, poverty, or conflict, in the household. and in these factors encourage them to live on the streets, make a living independently and face various risks such as exploitation, violence, and lack of and access to education, understanding this background can help communities and governments in addressing various issues against street children with a holistic approach. Street children are a person or group of children, adolescents, and adults who move and live freely on the streets ([Andi, 2022](#)).

### 3.4. Sociological Theory Of Law

Sociology of Law consists of two syllables, namely Sociology which means friend. In Greek, Sociology is a word or talk. While the law can be interpreted as a rule. So what is meant by Sociology of Law is the study of human behavior by understanding the actions in social and science studying the reciprocity between law and other social life. What is meant by social is everything that can consider and adapt in the environment of others. Sociology of Law is a problem that focuses its view on the law with the form of experience in everyday life.<sup>6</sup> In sociology can not observe or make an assessment of the laws in force. While the object of observation in sociology law is the behavior of someone who obeys the law or against people who violate the law itself. So the object in sociology is a change in the law and the behavior of a person in society. Objects contained in the Sociology of Law are agencies or agencies involved in the implementation of the law itself, such as lawmakers, police and other legal institutions. Some objects of legal sociology according to [Orlando \(2022\)](#) can be summarized in several aspects, namely:

- (i) Law as social interaction. What is meant by law as social interaction is the running of the law well in society, so that the emergence of peaceful living in the community.
- (ii) Law can be grouped in social, where social groups are an activity of several or more people governed by applicable law.
- (iii) Law as a culture, namely legal traditions that occur in the community for generations, so that it becomes the culture of the community itself.
- (iv) Law can be said to be a social institution, where this social institution is in the midst of a community or group of people.
- (v) Social law, namely paying attention to the articles in the Legislation regarding equality before the law.
- (vi) Law with power and authority. For example: The President, his powers and authorities are regulated in the 1945 Constitution.
- (vii) Law with social change. Social changes include: (1) Social changes that affect legal changes (2) Legal changes that cause social changes h. Law with social problems. Law with social problems. Social problems in this case are matters relating to legal crimes, namely the Criminal Code and Criminal Procedure Law. Emile. D, explains that in a community environment there must be a sense of social solidarity, this is found in simple societies where the rule of law is repressive (which is associated with criminal law), and organic social solidarity, which is found in modern societies where the rule of law is restitutive (which is associated with civil law). If examined from the theory of legal sociology, that the case of buskers and underage street children that occurred in Batam

City is a study that there is a mutual influence between various kinds of social symptoms. Legal sociology explains the occurrence of legal practices, causes, influential factors, background problems and so on. Sociology of Law always tests the empirical validity of a regulation or statement of law, which is in accordance with the rules with the sound or text of the regulation.

According to Soedjono quoted in Soebekti's book entitled Introduction to Law, Sociology Law is the study of the character of law, where law can be analyzed. Based on empirical how the relationship between law and social. As for what is studied in the Sociology of Law are:

- (i) Mutual influence with various social phenomena. This applies to the relationship between economics and religion, family and morals, and so on.
- (ii) The influence of feedback between social symptoms with non-social, such as geographical, biological and so on. In addition, Sociology Law can also be defined as orders and prohibitions that regulate the order of a society. It is intended that people or society can obey and comply with the laws that have been set. To maintain balance and ensure the survival of a society, rules are made that relate to society. This must be based on the awareness of the community itself.

### **3.4. The Role of Social Workers As Enabler and Broker in Handling Street Children**

The role of enabler is the most frequently used role in the social work profession, because this role is inspired by the concept of empowerment and is focused on the ability, capacity, and competence of clients or service recipients to help themselves. The role of enabler is the responsibility to help the client to be able to deal with the pressure of the situation (the process of change). Therefore, clients or service recipients do something with their abilities and are responsible for the changes that occur in themselves and their environment. Meanwhile, social workers only play a role in helping to determine the strengths and elements that exist within the client himself including to produce the desired changes or achieve the client's desired goals.

The role of a broker, social workers act between clients or service recipients and the source system (material and non-material assistance about services) that exists in the social agencies/ institution/social club. In addition to being an intermediary, social workers also try to form networks with social service organizations to control the quality of social services. The role of broker arises due to the large number of people who are unable to reach the social service system which usually has complex rules of use and is less responsive to clients or service recipients.

### **3.5. The Role of Social Workers in Handling Street Children Viewed from the Perspective of Legal Sociology**

The role of social workers in dealing with street children in social service institutions is very crucial, as research has been conducted by [Anggriana et al. \(2023\)](#) in the city of Makassar that the Makassar City Social Service through the Home Protection and Trauma Center (RPTC) Service Development program has carried out systematic efforts in dealing with street children as part of the Social Welfare Problem Persons (PMKS). This program consists of several stages of service, namely outreach, assessment, service planning, activity implementation, termination, and further guidance. One important element in this process is the Saribattang Rapid Response Team (TRC), which is tasked with conducting outreach or



patrolling street children at various strategic points in Makassar City, such as around red lights and other public places. However, the main challenge faced is that many street children try to avoid the raids because they already recognize the patrol vehicles from the Social Service and Satpol PP.

Interviews with street children show that most of them do not fully understand the prohibition of street busking, and this activity is carried out with the aim of helping the family economy or getting more pocket money. Although they have been caught several times in raids and undergone assessment at RPTC, they still return to the streets after being released, even after their parents sign a statement. In the context of legal sociology, the role of social workers is crucial in building trust with street children through the engagement, intake and contract approach. This approach allows social workers to understand the psychosocial condition of clients and build agreements that can help solve their problems. However, the effectiveness of this program still needs to be improved, especially in the aspect of rehabilitation sustainability so that street children do not return to the streets after undergoing coaching. Overall, although the Makassar City Social Service's street children handling program is quite systematic, there are still major challenges in ensuring the sustainability and effectiveness of social interventions in order to truly alleviate street children from life on the streets.

In another study conducted by [Lestari et al. \(2022\)](#) conducted at the Bagea Foundation, Bandung City. The results show that the role of social workers in providing services to street children. the characteristics of street children are very diverse, influenced by factors such as length of time on the street, family relationships, residence, and education. As many as 100% of street children experience a gradual process before fully living on the streets, with the main contributing factors being poverty (around 70%), low school enrollment (around 60%), and family dysfunction (around 50%). The lives of street children also face various challenges, such as school dropout (80%), bullying (60%), substance abuse (50%), and health problems (40%). In addressing these problems, Bagea Foundation has run various social programs, such as food services that have been running since 2005 (100% of fostered children have received assistance), education services with a participation rate of 75%, and mental guidance services with the involvement of around 85% of fostered children. However, some programs are still limited, such as skills services that have not been running due to limited human resources and cooperation partners. Therefore, further approaches are needed to improve the welfare of street children and reduce their dependence on street life.

In addition, social and environmental factors also play a role in pushing children onto the streets. A study conducted by the Central Department of Social Affairs and Unika Atma Jaya Jakarta (1999) found that 65% of street children started working on the street due to lack of school fees, while another 35% aimed to help the family economy. This shows that education and family economics have a significant impact on children's decision to stay on the streets. In the long run, lack of access to education increases the risk of children's involvement in hazardous informal work and difficulty in escaping the cycle of poverty.

In an effort to overcome this problem, Bagea Foundation has played an active role with various social programs that focus on meeting basic needs and education. However, there are obstacles in its implementation, such as limited human resources that cause not all programs to run optimally. For example, the skills service program has not been realized due to the lack of teaching staff and cooperation partners, even though work skills can be an important factor

in helping street children get a better livelihood in the future. To increase the effectiveness of street children handling programs, broader cooperation between the government, social institutions, the business world, and the community is needed. Rehabilitation and empowerment programs for street children must continue to be developed with a community-based approach so that they do not return to the streets. In addition, education to parents about the importance of education and children's welfare also needs to be improved, considering that around 55% of street children still have a relationship with their families. With a more comprehensive and sustainable approach, it is hoped that the number of street children can be significantly reduced, and they can have a more decent and purposeful life in the future.

Based on research conducted by [Anggriana et al. \(2023\)](#) in Makassar City and research by [Lestari et al. \(2022\)](#) at the Bagea Foundation, Bandung City, it can be concluded that the role of social workers in dealing with street children is very important but still faces various challenges. In Makassar City, the Social Service through the House of Refuge and Trauma Center (RPTC) program has carried out systematic intervention stages but faces obstacles in ensuring that street children do not return to street life. Meanwhile, in Bandung City, the Bagea Foundation provides a range of social services, from meeting basic needs to education and mental guidance, but still experiences limitations in skills empowerment programs due to a lack of resources. Overall, both studies show that the main factors that cause children to stay on the streets are poverty, low access to education and family dysfunction. Therefore, a more comprehensive and sustainable approach is needed so that rehabilitation programs are truly effective in alleviating street children from life on the streets.

In the perspective of the sociology of law, the existence of street children is a social phenomenon that reflects an imbalance in the application of law and social policy. The law should not only be seen as a set of rules that regulate people's lives, but also as a tool to achieve social welfare. In the context of handling street children, a legal approach that is only repressive, such as raids and policing without long term solutions, has the potential to fail because it does not solve the underlying social problems.

Legal sociology theory also highlights the importance of a community-based approach in law enforcement and social policy. This approach is in accordance with the concept of responsive law developed by Philip Nonet and Philip Selznick, where the law must be able to adapt to the needs of society. In the case of street children, community-based rehabilitation efforts, such as those carried out by the Bagea Foundation, are more effective than approaches that rely solely on strict enforcement of rules. By involving families, communities and businesses, the solutions offered become more sustainable and have a long-term impact.

In addition, from the perspective of critical legal sociology developed by Karl Marx, the phenomenon of street children can be seen as a result of unequal social structures and economic injustice. Children who are forced to work on the streets are victims of a system that is unable to provide equal access to education and welfare. Therefore, social intervention must focus more on systemic changes that include family economic improvement, more equitable access to education, and adequate social protection.

From these various perspectives of legal sociology, it can be concluded that the problem of street children cannot be solved only with a repressive legal approach. A more responsive and social welfare-oriented policy is needed, where the law functions as an instrument of social change that improves the condition of society holistically. This can be realized through



cooperation between the government, social institutions, the business world, and the community in creating a more inclusive and sustainable child protection system.

#### 4. CONCLUSION

The role of social workers in dealing with street children is crucial, especially as enablers and brokers who help street children gain access to social services and empower them to escape the cycle of life on the street. Based on research in Makassar City and Bandung City, it is known that the main factors that cause children to stay on the street are poverty, low access to education, and family dysfunction. The rehabilitation program run by the Social Service and Bagea Foundation has had a positive impact, especially in fulfilling basic needs and education. However, the effectiveness of the program still faces obstacles, such as the low level of rehabilitation sustainability and limited human resources in providing skills empowerment services. Therefore, more comprehensive and long-term oriented social interventions are needed to ensure that children do not return to street life after receiving coaching.

From the perspective of legal sociology, the phenomenon of street children reflects the existence of social and economic inequality that has not been fully resolved through existing policies. Legal approaches that are only repressive in nature, such as raids and policing, have proven ineffective because they do not touch the root of the problems that cause children to take to the streets. Therefore, a more responsive and social welfare-oriented legal approach is needed, as proposed in progressive legal theory. Rehabilitation efforts that are community-based and involve various stakeholders, such as families, businesses and social institutions, are more effective strategies in creating long-term solutions. By integrating adaptive legal approaches and inclusive social policies, it is hoped that street children can obtain a more decent life and not be trapped in a continuous cycle of poverty.

#### AUTHORS' NOTE

The authors declare that there is no conflict of interest regarding the publication of this article. Authors confirmed that the paper was free of plagiarism.

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