

Legal Policy Formation of Child-Friendly Districts

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Abstract: Indonesia will experience a demographic bonus in the next few years. The government predicts that in 2045, the younger generation will reach its peak and this is a potential that must be properly maintained. In line with an international issue that has been ratified, namely children's rights, the government implemented a program called City/District Suitable for Children (KLA). Currently, not all regions implement KLA due to various factors, but the government's goal is clear enough to be able to grant this KLA status to every region throughout Indonesia. As of 2022, Probolinggo Regency does not yet have a legal umbrella for KLA, but it has planned the formation of laws and regulations to strongly prepare for this KLA. Through the juridical-normative method this legal void is analyzed using legal political theory. As a result, Probolinggo Regency plans the initiation of KLA regional regulations by looking at legal aspects through Academic Papers and planning aspects through the Regional RPJM.

1. Introduction

Indonesia together with countries in the world agreed to place the best interests of children by fulfilling children's rights and to create a world worthy of children through an international forum, namely the Resolution of the United Nations General Assembly on 10 May 2002 which adopted the Ad Committee report.¹ Hoc on Special Session for Children. Children are an integral part of human survival and the survival of a nation and state. In order to be able to take responsibility for the sustainability of the nation and state in the future, every child needs to get the widest possible opportunity to live, grow, develop and participate optimally in accordance with human dignity and worth, and receive protection from violence and discrimination.

Based on BPS, Central Bureau of Statistics data states that the total population of Indonesia in 2022 is 275.773 million people. Of this number, the total number of children under 18 years is 79.5 million, with details of 22 million children aged 0-4 years, 22 million children, children aged 5-9 years, 22.2 million children aged 10-14 years, and 13.3 million children aged 15-17 years. The total population classified as Children is in 89,436 villages/kelurahans, 7,201 sub-districts, 514 districts/cities, and 38 provinces.

¹ Amir Mahmud, and Suandi Suandi. 2020. "Implementasi Kebijakan Pengembangan Kabupaten/Kota Layak Anak (Kla) Di Kota Palembang". *Jurnal Ilmu Administrasi Dan Studi Kebijakan (JIASK)* 2 (2), 36-52. <https://doi.org/10.48093/jiask.v2i2.23>.

In 2045, these children will be aged 28-45 years which is the golden period of productive age where they as the nation's next generation will determine the nation's existence in the future. For this reason, special attention is needed so that during this golden period, Indonesian children can grow and develop into quality adults so that they can increase the nation's productivity, innovation, creativity and competitiveness. The large number of children is a national potential and asset that must be supported by all stakeholders.

In order to provide rights as a form of child protection in accordance with what is mandated in the Convention on the Rights of the Child (KHA), KemenPPPA implements a Child Friendly Regency/City Policy (KLA).² The state's commitment to ensuring child protection is shown in the 1945 Constitution of the Republic of Indonesia Article 28B paragraph (2) which states that every child has the right to survival, growth and development and is entitled to protection from violence and discrimination. In addition, Article 52 paragraph (2) of Law Number 39 of 1999 concerning Human Rights also states that children's rights are human rights. In its interests, the child's rights are recognized and protected by law even from the time he is in the womb. At the global level, Indonesia has also shown a commitment to protect children by ratifying the Convention on the Rights of the Child through Presidential Decree Number 36 of 1990 concerning Ratification of the Convention on the Rights of the Child.

The District Government controls the existence of natural resources and human resources in the district.³ One of the regional government's efforts to ensure the fulfillment and protection of children's rights is through the development of Child Friendly Districts.⁴ the regional government shall carry out the widest possible autonomy to regulate and manage its own governmental affairs based on the principle of autonomy and co-administration." The formation of the Perbup is carried out with the condition that the Perbup in question is stipulated by order of a higher statutory regulation or formed based on the authority of the regional head.⁵ To ensure the implementation of this commitment, the government established Law Number 23 of 2002 concerning Child Protection as amended several times, most recently by Law Number 17 of 2016 concerning Stipulation of Government Regulations in lieu of Law Number 1 of 2016 regarding the Second Amendment to the Law.

Law Number 23 of 2002 concerning Child Protection Becomes Law, which states that the state, central government and regional governments are obliged and responsible for respecting the fulfillment of children's rights without distinction of ethnicity, religion, race, class, gender, ethnicity, language, social status, economic status, age, and physical and/or mental condition. Article 21 paragraph (4) and paragraph (5) of Law Number 35 of 2014 concerning Amendments to Law

² Dini Oktavia Kurniawati, and Aufarul Marom. "Implementasi Kebijakan Kabupaten Layak Anak Dengan Pendekatan Desa Ramah Anak Di Desa Gunem Kecamatan Gunem Kabupaten Rembang." *Journal of Public Policy and Management Review* 9, no. 2 (March 11, 2020): 35-53. <https://doi.org/10.14710/jppmr.v9i2.26972>.

³ Zulin Nurchayati Zulin Nurchayati. "Pembentukan Desa Layak Anak Desa Bolo Kecamatan Kare Kabupaten Madiun." *Jurnal Daya Mas/ : Media Komunikasi Dan Informasi Hasil Pengabdian Dan Pemberdayaan Masyarakat* 7, no. 2 (December 14, 2022): 101-10. <https://doi.org/10.33319/dymas.v7i2.99>.

⁴ Y. Mayasari & Bahri, R. A. . (2022). Urgensitas Penyelenggaraan Kabupaten Layak Anak di Kabupaten Bandung Barat dalam Rangka Menjamin Pemenuhan dan Perlindungan Hak Anak. *Jurnal Pendidikan Dan Konseling (JPDK)*, 4(6), 10157-10169. <https://doi.org/10.31004/jpdk.v4i6.10004>.

⁵ Yahya Abdul Habib, Danu Suryani, and Agus Suarman Sudarsa. 2023. "Analisa Terbitnya Kebijakan Pengembangan Kabupaten Layak Anak (Kla) Perbub Nomor.4 Tahun 2014 Sebelum Perda Nomor 1 Tahun 2021 Di Kabupaten Pandeglang". *ADMINISTRATIE Jurnal Administrasi Publik* 6 (1). <https://ojs.unida.ac.id/AJAP/article/view/10550>.

Number 23 of 2002 concerning Child Protection states that local governments are obliged and responsible for implementing and supporting national policies in implementing Child Protection in the regions through CLA development (Called KLA In Indonesian).

KLA/CLA are districts/cities with a development system that guarantees the fulfillment of children's rights and special protection for children in a planned, comprehensive and sustainable manner. The KLA concept was formed to adjust the Indonesian government implementation system, namely through regional autonomy, with the ultimate goal of Child-Friendly Indonesia which is expected to be achieved in 2030. This is also a form of Indonesia's contribution to the global community which is in line with Indonesia's commitment to supporting the world movement worthy child.

The preamble to the 1945 Constitution of the Republic of Indonesia guarantees the protection and welfare of the entire Indonesian nation. In addition, Article 28B paragraph (2) stipulates "Every child has the right to survival, growth and development and is entitled to protection from violence and discrimination." The Constitutional mandate indicates the great attention the government and the Indonesian state pay to the protection and welfare of Indonesian citizens, including children.

This constitutional basis is further elaborated in the Law on Child Protection, as amended by Law Number 35 of 2014, and other related laws, as well as several regulations of the State Minister for Women's Empowerment and Child Protection, and Provincial/District/City Regional Regulations. Therefore, the State, Government, Regional Government, Communities, Families and Parents are obliged to provide protection and ensure the fulfillment of Children's Human Rights in accordance with their duties and responsibilities. State Obligations in Fulfilling Children's Rights, including: 1). To protect, are the obligation to protect children; 2). To respect, are the obligation to respect children's rights; and 3). To Fulfill, are the obligation to fulfill children's rights.

Indonesia is moving fast and starting the foundation for developing child-friendly districts/cities. To accelerate the fulfillment of children's rights, a Child-friendly District/City policy (KLA) has been developed. As an initial step in the development of KLA, the State Ministry for Women's Empowerment and Child Protection, has conducted trials of the development of KLA in 5 (five) districts/cities in 2006, and 10 (ten) districts/cities in 2007.

The foundation for KLA Development was also strengthened by the issuance of Presidential Instruction Number 1 of 2010 concerning the Acceleration of Implementation of National Development Priorities for 2010. In the Appendix to the Regulation of the Minister of Women's Empowerment and Child Protection of the Republic of Indonesia, it is explained that in order to accelerate the implementation of KLA development policies, the Task Force implements policies, programs, and activities contained in the RADKLA (Regional Action Plan). The Task Force mobilizes all resources, both in government, society and the business world in a planned, comprehensive and sustainable manner.

In the Probolinggo district, there are legal issues that do not yet have a legal framework that specifically regulates child-friendly cities/districts (radarbromo.jawapos.com, 2019). This research was conducted at the time the drafting of the academic paper on child-friendly districts was being prepared. In 2023, the draft Regional Regulation for Eligible Regency has been included in the Prolegda (probolinggokab.go.id, 2022).

The development of the science of law at this time has a very broad aspect. The world of law is divided into practical law based on judicial practices and law enforcement. There are also those

based on philosophy that prioritizes aspects of values, morals, and principles as the basis for forming laws and regulations. Formation of regulations is a branch of legal science known as *normwissenschaft*.⁶ This branch of legal science discusses legal norms. The drafting stage of this regulation is known as the “Legal Politics” stage. Legal politics is legal politics, which is the Indonesian translation of the Dutch legal term *rechtspolitiek*, which is a formation of two words *recht* and *politiek*. In the Indonesian dictionary, the word *recht* means law, and in the Dutch dictionary, the word *Politiek* means *beleid*, which in Indonesian means policy. That explanation can be said that legal politics briefly means legal policy. In terminology, legal politics can be defined as the activity of choosing and the means to be used to achieve certain social and legal goals in society.⁷ Through this legal political theory, this research is discussed.

There are many scientific papers that write about the Legal Policy for Establishing Child Friendly Districts. However, the writing contained in this journal has differences and characteristics from other journals. Like the article written by Nuika Adisty Saindya, Sri Wilujeng, Leni Vitasari entitled Implementation of Banyuwangi Regional Regulation Number 7 of 2018 Concerning the Implementation of Child-Friendly Districts (A Study of the Fulfillment of the Rights of Children in the Special Protection Cluster Who Experience Exploitation and Violence in Banyuwangi Regency).

The problem raised in the article is analyzing how Banyuwangi Regional Regulation Number 7 of 2018 – which relates to the execution of child-worthy districts, particularly the fulfillment of children’s rights in special protection clusters in Banyuwangi Regency – is being implemented.⁸ Next, is an article written by Yulia Herti and Risna Intiza entitled Principles and Policies in the Development of Child Friendly Cities Based on the Regulation of the Minister of State for Women’s Empowerment and Child Protection Number 11 of 2011 concerning Child Friendly Regency/City Development Policies.

This article discusses the principles and policies in developing child-friendly cities based on the Regulation of the Minister of State for Women’s Empowerment and Child Protection concerning Child-Friendly Regency/City Development Policies.⁹ Based on the article data above, the article in this paper has different characteristics from the writing published in this journal.

2. Method

This study uses empirical research, which describes precisely the properties of an object or the state of symptoms of an object of research.¹⁰ Done by conducting direct research on the research object, namely the Gondang Legi Wetan Village Government, Gondanglegi District, Malang Regency, in this case related to the ease of access to land letter C quotations by the village government in the context of public information disclosure.

⁶ Abdul Rachmad Budiono, *Pengantar Ilmu Hukum*, (Malang: Bayumedia. 2006) 23.

⁷ Satjipto Rahardjo, *Pengantar Ilmu Hukum*. Bandung: Alumnus. 2014) 99.

⁸ Nuika Adisty Saindya, Sri Wilujeng, and Leni Vitasari. “Implementation of Banyuwangi Regional Regulation Number 7 of 2018 Concerning the Implementation of Child-Friendly Districts.” *Literatus* 5, no. 2 (October 16, 2023): 218–26. <https://doi.org/10.37010/lit.v5i2.1201>.

⁹ Yulia Hesti, and Risna Intiza. “Prinsip Dan Kebijakan Dalam Pengembangan Kota Layak Anak Berdasarkan Peraturan Menteri Negara Pemberdayaan Perempuan Dan Perlindungan Anak Nomor 11 Tahun 2011 Tentang Kebijakan Pengembangan Kabupaten/Kota Layak Anak.” *Pranata Hukum: Jurnal Ilmu Hukum* 15, no. 2 (July 31, 2020): 172–82. <https://doi.org/10.36448/pranatahukum.v15i2.228>.

¹⁰ L. I. Mindarti, Saleh, C., & Galih, A. P. (2021). Sosialisasi dalam Rangka Meningkatkan Kesadaran Keterbukaan Informasi Publik bagi Perangkat Kelurahan. *Jmm (Jurnal Masyarakat Mandiri)*, 5(4), 1252-1262. <https://doi.org/10.31764/jmm.v5i4.5028>.

The approach to the problem is carried out in a sociological juridical manner, meaning an approach by looking at a legal reality in society, and this approach is used to look at legal aspects of social interaction in society, and serves as a support for identifying and clarifying findings of non-legal material for research purposes.¹¹ Data collection by way of communication, namely holding dialogue or question and answer directly with the Village Head and Secretary of Gondang Legi Wetan Village, Gondanglegi District, Malang Regency.

As for obtaining final results that can be accounted for from the material that has been collected, the author uses descriptive qualitative analysis, which is a way to accurately describe the condition of the research object based on the facts that appear or as they are, so that a complete and deeper understanding is obtained. about the subject matter under study.

3. Main Heading of the First Analysis or Discussion

Children are a young age group that has the potential to be developed so that they can actively participate in future development.¹² One of the regional government's efforts to ensure the fulfillment and protection of children's rights is through the development of Child Friendly Districts (Mayasari, 2022). The central government responds well to global issues regarding the position of children as the golden generation in the future.

This protection is actually more towards preventive efforts in the coming 2045. In 2045, these children will be aged 28-45 years which is the golden period of productive age where they as the nation's next generation will determine the nation's existence in the future. For this reason, special attention is needed so that during this golden period, Indonesian children can grow and develop into quality adults so that they can increase the nation's productivity, innovation, creativity and competitiveness. The sustainability of the nation is not only in the role of the government as a decision maker, but also in the sustainability of the nation.

The integral development system formed in the era of regional autonomy obliges this child protection to regions in Indonesia. Through the Integrated System Act on the National Planning System, the object of child protection is something that must be planned. The name of this policy program is Child Friendly City/District. This program is quite complex where the government is obliged to provide all the basic needs of children with certain standards and criteria. This policy was first formed by the State Ministry for Women's Empowerment in 2005 through the Child Friendly Cities Policy.

Legal Politics is an *ius constituendum* which will become an *ius constitutum*.¹³ Closely related to public policy, but in this perspective public policy is only a decision-making process between doing or not doing. The formation of the KLA regional regulation draft is in the highest aspect, namely in article 28B paragraph (2) of the constitution which states that "every child has the right to survival, growth and development and is entitled to protection from violence and discrimination". Then this basis was passed down again to several forms of law, namely the Law on Child Welfare, the Law on Human Rights, and the Law on Child Protection. This national strategic aspect is then poured into public policy laws in national development planning.

¹¹ Zainudin Ali, *Metode Penelitian Hukum*, Cet. III, (Jakarta: Sinar Grafika. 2009) 67.

¹² Teta Riasih. 2019. "Kesiapan Pemerintah Desa Dalam Pembentukan Desa Layak Anak Di Desa Ciburial Kecamatan Cimeyan Kabupaten Bandung". *Jurnal Ilmiah Perlindungan Dan Pemberdayaan Sosial (Lindayasos)* 1 (2). <https://doi.org/10.31595/lindayasos.v1i2.218>.

¹³ Abdul Latif, et al., *Politik Hukum*, (Jakarta: Sinar Grafika. 2010) 11.

The first KLA policy nationally was poured into a *lex generalis* plan through Presidential Instruction Number 1 of 2010. This policy is not explicitly and specifically about KLA. The central government continues to update and detail this KLA aspect up to Presidential Regulation Number 25 of 2021 concerning Child Friendly District / City Policies. In this regulation, it is obligatory for local governments to provide KLA stages in their regional regulations. These stages include the KLA planning stage, the Pre-KLA stage, the KLA implementation stage, the KLA evaluation stage, the KLA ranking stage. In addition, child rights and protection are divided into 5 clusters which are national strategic issues.

However, the State/Government through the legal umbrella guarantees the implementation of the protection, maintenance and welfare of children by taking into account the rights and obligations of parents, guardians or other people who are legally responsible for children.¹⁴ Based on the aspect of regional autonomy, the central policy will have some affairs handed over to the government with a lower hierarchy. This principle is known as decentralization. Decentralization basically occurs after centralization through the principle of deconcentration cannot carry out the duties of government properly in the sense that the government fails to realize a democratic government. A government that is able to accommodate elements that are regional in nature based on the aspirations of the local community. Therefore government affairs which are the authority of the (central) government must be partially handed over to other state organs in the area (regional government), to be taken care of as their household. The process of handing over some government affairs to the regions to become their household affairs is called decentralization. Decentralization as a system used in the field of government is the opposite of centralization. In a centralized system, government authority, both at the central and regional levels, is concentrated in the hands of the central government. Officials in the regions only carry out the will of the central government. In a decentralized system, some of the authority of the central government is delegated to other parties to be implemented. This can be seen from the formulation of Article 18 paragraph (5) of the 1945 Constitution of the Republic of Indonesia which states that regional governments carry out the widest possible autonomy, except for government affairs which by law are determined as the affairs of the central government. Deconcentration can be interpreted as the distribution of administrative authority within the government structure. One aspect of the formation of local government legal politics is making regional regulations.

The legal politics of forming regulations in Indonesia is regulated in Law Number 12 of 2011 in conjunction with Law Number 13 of 2022. Specifically for regional regulations made by Regional Governments it is regulated again in Regulation of the Minister of Home Affairs number 80 of 2015 in conjunction with Number 120 2018. This is influenced by the position of the regional government which is structurally under the auspices of the Ministry of Home Affairs. These legal political-making documents are referred to as Academic Manuscripts. Academic texts and draft regulations are referred to as *ius constituendum*.

There are two sides to the process of forming regional regulation drafts from a legal perspective in Indonesia.¹⁵ The first side is carried out by the regional government or the executive. The

¹⁴ Roza Dahlia, "Peran Pemerintah Daerah Dalam Perlindungan Hak Anak Melalui Pembentukan Kabupaten/Kota Layak Anak (KRA)." *Ensiklopedia of Journal* 4, no. 4 (July 15, 2022): 383-87. <https://doi.org/10.33559/eoj.v4i4.900>.

¹⁵ Sirajudin, et al., *Hukum Administrasi Pemerintahan Daerah*, (Malang: Setara Press. 2016) 66.

second side is carried out by the DPRD or legislature. In terms of political law, the Raperda KLA was proposed by the Regional Government. Some of the requirements in submitting the draft executive regional regulation are that the draft proposal is initiated by the technical office. The technical agency in this case is the PPKB (Women's Empowerment and Family Planning) Office.

The hierarchical formation of these regulations is regional regulations. The results of the meeting and forum on November 21 2021 with stakeholders and policy makers in Probolinggo Regency were obtained through a Child Friendly District program, in fact there was already a Child Friendly Program, in fact there was already a clusterization in this district. The need for this regional regulation to be made is to strengthen and legalize "what should exist", namely the Regional Regulation on KLA.

The basis for making this regional regulation is legal standing and formal in order to be able to make KLA regulations. Academic papers that have been tested in the agenda setting through the forum on December 16, 2021. These basics are formed into the evaluation of regulations related to academic texts on the basis of: 1). The Child Welfare Act. On this basis, children's rights are used regarding the status of children starting from good parenting patterns, growth and development, and special needs; 2). Human Rights Act. This law is used for the basic rights of children starting from the womb, free from exploitation and legal protection; 3). Child Protection Act. This law is used in matters of equal rights (non-discrimination), the interests of children, and respect for children's opinions 4). Presidential Regulation on KLA Policy. This policy regulation regulates the technical stages of KLA including the stages of planning, implementing, evaluating, ranking KLA, forming a KLA task force and dividing child rights clusters; 5). Regulation of the State Minister for Women's Empowerment and Child Protection regarding KLA Development Policy.

This policy regulation is the same as a presidential regulation but is very general in nature, such as the formation of a national KLA task force; 6). Regulation of the Governor of East Java concerning the Child Protection Implementation System. This regulation regulates the decentralization of child protection which is a mandate from the Child Protection Law which later became the basis for many considerations for the formation of regional regulations in the East Java region as the formation of KLA.

In formal academic and legal texts for the formation of regulations, it is also necessary to have existing conditions or problems. The main problem is the vacuum of law from forming the KLA. Another problem is protection and the existing conditions of children in the Probolinggo Regency area. This protection is obtained because there is a gap between the data on violent behavior against children and the reports that come to the government. In 2020, there were 3,060 children who experienced violence, including sexual abuse. This number increased by 20 percent compared to the previous year. In 2020, the increase in the number of violence and obscenity against children has occurred due to the pandemic. This is because during the pandemic, many children did not go to school or only attended lessons online. This of course can be seen in the risks that can be in children.

In all the cases highlighted by the media, only a few have the courage to reveal and report to the government. Data from the PPKA Service noted that in 2021 there were a total of 55 cases of violence against women and children. This report is based on the "SIMFONI-PPA" reporting system at the PPKB Office (Women's Empowerment and Family Planning).

Table 1 Cases of Violence Against Women and Children in Probolinggo Regency in

G	Age					Total Chase	
	0-5	6-12	13-17	18-24	25-60+	Child	Adult
M	0	2	7	1	0	9	1
F	2	4	11	8	24	17	32
T	2	6	18	9	24	26	33

Source: PPKB, Probolinggo Regency, 2021.

The next problem is the existence of children as a means of protection. Based on population data, the existing condition of this district has 33% of the population aged children. The potential for the gold generation planned by the government in 2045 requires serious attention. This composition certainly requires not only facilities and infrastructure but special protection.

Table 2. Number of Children compared to Total Population Probolinggo Regency in 2021

No	Child Age Group	2021
1	0 - 5	93,949
2	6 - 10	90,164
3	11 - 15	89,914
4	16-18	54,876
Total number of children *		348,223
Total Population **		1.152,537
Total Population Percentage of the number of children/ total population		33%

Source: Department of Population and Civil Registration, 2021, Central Bureau of Statistics, Probolinggo Regency in numbers, 2021

Based on the aspect of national development planning, in view of legal politics, it is more substantive towards the direction and scope of the policy of this KLA legal product. Aspects of development planning are intersect with the science of public administration. This development planning is regulated in the Law on the National Development Planning System.

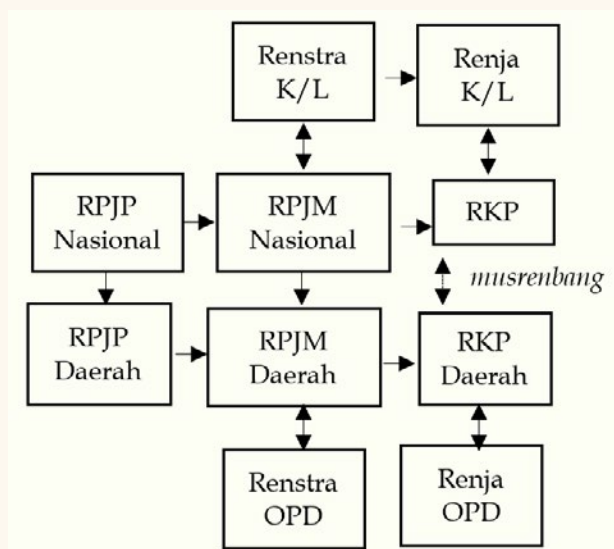


Chart 1. National Development Planning System
Source: Analysis of the National Planning System Act

The development planning system is integrated by the center and the regions. This will serve as a reference for development for the next few years. Not only in terms of program implementation such as KLA, but also in terms of budget. From the perspective of the central government, KLA has been programmed since 2005 and was included in the national planning in 2010.

The Probolinggo Regency Government just needs to see how it integrates into its plans in the RPJP and RPJM. In the analysis of the Probolinggo Regency RPJM, in general, it needs to be used as a basis for planning from the start, namely the vision and mission:

Table 3. Linkages of Vision Principals to Mission

No.	Main Vision	Mission
1.	Noble character	Realizing a society with noble character through a peaceful and tolerant life order.
2.	Prosperous	Realizing just social welfare through improving the quality of human resources and reducing poverty
3.	Fair	Realizing justice through good and clean governance.
4.	Competitive	Realizing regional competitiveness through increased economic growth and sustainable development

Sumber: RPJMD Probolinggo Regency 2018-2023

Based on an analysis through regional regulations regarding the 2018-2023 Probolinggo Regency RPJM and planning documents contained in point 2 of the vision and mission which is described as Realizing just social welfare through improving the quality of human resources and reducing poverty.

The basic element of human development is human resources itself because human resources are a balancer of changes towards optimal development. The criteria for good resources are 1) Quality, meaning that every community has the advantage of providing solutions in various fields that exist in every aspect of people’s lives; 2) Achievement, meaning that every community has the desire to create achievements in various fields of social life so as to create appreciation for the actions or works that have been created; 3) Active, meaning having action to participate and contribute to development in Probolinggo Regency. People who have good quality will have a higher level of productivity so that they can reduce the poverty rate in Probolinggo Regency. Equitable prosperity where every member of society can get access to improve the quality of themselves in an effort to eradicate poverty.

As a result of the discussion meeting regarding the KLA regional regulation regarding the substance of this program, all KLA programs already exist and already have an organizational structure which is KLA’s obligation, namely the task force. Several sub-districts, villages/kelurahan have KLA programs. Certain schools also have inclusive school programs. One thing that has not been fulfilled is the legal umbrella. This planned legal umbrella is also one of the efforts to update the latest central government KLA program and as one of the efforts to protect the younger generation.

Another substantive aspect is the formation of a child rights cluster. The newest cluster is divided into 5 clusters, namely: 1). Cluster of civil rights and freedoms; 2). Family Environment and Alternative Care Cluster; 3). Basic Health and Welfare Cluster; 4). Cluster of Education, Utilization of Free Time, and Cultural Activities; and 5). Special Protection Cluster. each of these clusters has indicators that must be met as KLA. In previous research on KLA in one of the regions, these clus-

ters were embodied in certain programs and could adjust the vision and mission of the regional leadership. The city of Kediri, to support the civil rights and freedoms cluster, issued a SURGA (citizen's voice) program, the Youth Counseling Center, the KETAWA Program (mayor and youth discussion forum), and the formation of other organizations outside the task force to run this child cluster.¹⁶

The Probolinggo District Government needs to adapt the child rights cluster to environmental conditions and its vision and mission. Apart from that, it is necessary to carry out comparative studies in several other places regarding the things that impede the running of this KLA. Factors that can hinder the implementation of this KLA, for example in the Pekanbaru area, are the lack of outreach, budget constraints, and the limited role of the community.¹⁷ In fact, in terms of law formation, stakeholders outside the government must be involved, even the media/press. The involvement of all parties is one of the keys to success in protecting the younger generation.

4. Conclusion

Legal politics is an *ius constituendum* which is closely related to planning. The formal legal aspect in the form of initiation of academic papers and draft rules is one of the steps. Another aspect is integration through a planned national strategic program. In Probolinggo District, the KLA program substantively already exists and has a task force structure, but there is still a legal vacuum in the absence of regional regulations governing this KLA. KLA planning and legal standing have been included in Probolinggo District Prolegda in 2023.

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¹⁶ Kyan Santang, Isharyanto. 2019. Implentasi Kota Layak Anak di Kota Kediri. *Jurnal Hukum dan Kebijakan Publik (Res Publica)*. 3 (2). 125-135. <https://jurnal.uns.ac.id/respublica/article/view/45619>.

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