

HUMAN RIGHTS RELATIONSHIPS ON THOSE CHILDREN STUDIED IN A SCHOOL UNDER ARTICLE 31 OF EDUCATION OF THE CONSTITUTION OF THE REPUBLIC OF INDONESIA 1945 (at Tunas Mulia Elementary School Gading Serpong)

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ABSTRACT

The study aims to identify obstacles - obstacles faced in fulfilling a child's basic human rights (human rights) in education article 31. The protection of human rights became an element of legal sovereignty. A legal requirement is good if it produces a good application. The theory supporting this study is the concept of legal sovereignty, where the theory of justice lies in the two principal principles used in creating justice. Same freedom, as long as it benefits all parties, the principle of inequality used to profit the weakest. The research method used is a correlation description analysis with data collection techniques in-depth interviews, observation, and documentation. Studies show that human rights in children have a correlation value of 0.145. Basically, human rights enforcement efforts in basic have a significantly low correlation with Article 31 Education guarantee freedom in self-development in accordance with a nine-year government program.

Keywords: Human Right, Education, Article 31, Children

PROEM

Education in a simple sense is the process of developing the human personality. Without education, people cannot continue their lives. The formulation of the educational process as personality development became extensive and lost. One's personality development should be tailored to one's talents. The formulation and implementation of education policies that have been linked to the formulation of public policy are based largely on the same object, the Indonesian people as the subject. The process would require good education policies for the next generation of the nation. Education policy is one of the derivatives of public policy, public policy, particularly in developing countries, has always been understood as development policy. Education policy thus becomes a central policy that must compete with other sectors for priority. In developing countries, such as Indonesia, infrastructure development policies, defense, and security policies, and

politics are more advanced than education policies, and as a result, educational progress will be slow. For example, government-directed operating assistance or bosses are less effective because they are top-down or fully determined by governments without seeing the needs of the public. Besides, the change in the curriculum is still more likely to be interfered with by bureaucratic and often politically charged interests. Therefore, to mitigate those contradictions, policymakers should maximize public communication with educational policies to be taken. Education policies adjusted to article 31's educational guarantee as an effort to establish human rights in the learning process for elementary school children.

Based on the above phenomenon, this research is aimed at seeing the joint enforcement of human rights in children with article 31 guaranteed education of the Indonesian constitution 1945 at Tunas Mulya elementary school, Gading Serpong.

THEORETIC

Human Right

According to Soetandyo Wignjoebroto (2007), human rights cannot be separated from humans and human rights cannot be decoupled with power or with other things, because if they do, humans will lose the dignity that is really the essence of the value of humanity. The main essence value of humanity itself is s a basic right of a person with personal rights, a fundamental right to education corresponds to article 31, section 1, and Indonesian constitution 1945, which are:

1. Each citizen has the right to have an education.
2. It is compulsory for every citizen to have a basic education and the government pay for it
3. Governments undertake and organize a system of national education, which promotes noble priesthood and delinquency in order to reflect the lives of the people governed by a constitution.
4. Countries prioritize education budgets of at least 20 percent of the income and expenditures of the territory to fulfil the needs of providing national needs.
5. Governments promote science and technology by upholding religious and national values and unity to promote civilization and the welfare of people.

Educational security

According to act no. 20 of 2003, it explained that education is a conscious and planned effort to embody the learning and learning environment so that learners actively develop their potential for self-restraint, personality, intelligence, noble morals, spiritual spirituality, and the skills necessary for themselves, society, nation, and state. Section 31 of verse 1 of education guarantees the right of each citizen to receive an education, while chapter 31 of verses 2-5 contains the state's obligation to provide education. As for the education protection of a host child:

1. The government is required to arrange a minimum of 9 (of nine) years of elementary education for all children.
2. Children with disabilities and/or mental disabilities are given the same opportunities and accessibility for ordinary education and extraordinary education.
3. Children who have excellence are given opportunities and accessibility for special education.
4. The government is responsible for providing free education and/or free assistance or special services to children of underprivileged families, displaced children, and isolated children.
5. Children in and around a school environment are obliged to be protected from ACTS of violence committed by a teacher, school manager or friends in the school, or any other institution of education.

Children and rights

Tholib Setiady (2010) describes children as successive generations also viewed as containers where all hope of the parents would later be, must be shed, and looked upon as protectors of the parents when the parents were no longer physically able to make a living. Under statute 23 of 2002 on child protection is arranged in chapters 4-18, including:

1. The right to live, to thrive, to participate, and to be protected from violence and discrimination.
2. The right to a name as a proper identification and citizenship.
3. The right to worship in his religion.
4. The right to have health care and social security.
5. Right to have education and instruction.

6. For children with disabilities also has the right to get an outstanding education, whereas children with excellence also have the right to get special education.

Based on the explanation above, the importance of protecting the child's right to an education and teaching is adjusted to his or her talent of interest that will determine the child's independence as the next generation that his parents hope for.

METHOD

Research methods

The study is to use a correlation description analysis method. Data collection techniques using questionnaires, interviews, observation, and documentation. To analyse the validity of the data that has been obtained, research USES source and method triangulation techniques. The data analysis techniques used in this study are field data analysis techniques. Moel miles and Hubermans in Sugiyono (2016:92) are also referred to in terms of the interactive data analysis technique.

In the study the connection of learning in the school with the human right of kids In children-the child) is linked to human rights in education chapter 31. (at primary school/junior/high school glorious bud school. This was done to analyse the education that was the right of children at the nose-bud school in ivory (junior/high school) school to pick up data - data from a journal on the regulation on education that was the human rights of everyone, book, report, journal, newspaper and came straight to the school. Kinds of research with normative and empirical laws. Normative law study or search of the law of literature is done by examining library material or secondary data only. Empirical law studies are among the kinds of legal studies that analyse and study at work in communities. Where the author retrieves data or sources - an ongoing source with the title the connection of learning in the school with the human right for kids is linked to human rights in education chapter 31. (At Tunas Mulia Elementary School. Gading Serpong).

Comes directly to the process of learning-teaching disciples, this way is seen to know whether it is really done by the teacher or the party of the school the rules of the bill of education-the school bill of education. As for the data-collection technique that's done in this research:

1. Direct observation of objects studied; Researchers make direct observations of the subject research. Object research we carried out in the dense ivory bud elementary. Observation is an act of direct observation using the senses possessed by humans, such as sight, hearing, and so forth. Observation serves to provide data directly with no additional tools other than observations made by researchers. The observation method used is the method of passive participation observation, Sugiyono (2014:145) defines participative observation as involvement by researchers with the day-to-day activities-a person who is being observed by researchers or things that are being used as a source of research data. Identify the problem of what is happening in the field in this instance of research conducted after observation and search for literature on the problem being investigated.
2. Questionnaires: questionnaires used on human rights and educational guarantees.
3. Interviews. The method of interviews used by researchers is a Semite-like interview method. A symmetrized interview of the sugiyono (2014:233) is an interview aimed at finding the problem more openly and performing it more freely than structured interviews. Interviews are used by researchers to obtain basic information. This activity is intended to complete data or information that is not formulated in the questionnaire. Researchers will also use interviews as data-mining tools, dereliction interviews for information not obtained through questionnaires and observation activities.
4. Library study (library research); It is a research technique or data collection that is done with the help of books in the library with both recording and studying literature books and the Internet associated with research.

This kind of research could be classified into two kinds of primary and secondary data.

1. Primary Data. Primary data are data obtained or collected directly by researchers, from case study data or from source data. Primary data is also called the original data and new data have the properties up to date. The techniques that researchers can do to collect primary data include observation, sheltering, discussion, and dissemination of questionnaires.
2. Secondary Data. Secondary data are data obtained via parties not directly obtained by researchers from his subject research, but second-hand data which has tangible

documentation data or already available reports are retrieved from the library as well.

RESULT

The human rights enforcement efforts in the education of elementary school children

According to the basic human rights on education section 31. Human rights (HAM) belong to humans from birth to an inherent and fundamental right to each individual. Consisting of some human rights, some of them; Read from chapter 31 of verse (1) of the constitution of 1945, "every citizen has the right to an education. It states that every citizen deserves an education, but we often find out there are abandoned street children who haven't touched education at all. According to Indonesia's highest legislation in the country: the 1945 constitution (before 4 of the 20 2003 legislation on the national education system, LN no. 78, TLN 4301. Citizen's right to receive a constitutional journal education, volume 7, number 1, February 2010 185 or after my deposition), so in the opening (preamble) paragraph four reads: "Then rather than form a government of Indonesia that protects all Indonesians and all Indonesia's blood and to advance public welfare, enlighten the lives of nations, and contribute to the administration of a world based on freedom, lasting peace and social justice,." From the fourth paragraph of the constitution of 1945 to the declaration of independence. Indonesia's goal is to increase national intelligence from the 1945 bill (before the amendment) and then follow chapter 31:

1. Each citizen has the right to have an instruction.
2. The government employs and organizes a national teaching system, which is regulated by law. The basic law of 1945 is given in position on the fourth amendment passed in Jakarta on August 10, 2002, hence the xiii section was changed under the title education and culture and consists of 2 (two) that is section 31 of education and 32 of culture, before the framework of the educational arrangement.

The implementation of the child's rights according to education security article 31.

Our surveys do by spreading questionnaires to learners Online with Google Forms. Because the learning process is going online. We divide questionnaires with disciples-

class 5 and 6 students and student parents. We're giving you roughly three days' time to do the questionnaire. After a few days of questionnaires were handed out according to a specified time. All of the responses are already in. we check together to correct the voices of respondents on the teaching process that is in the school of bold ivory bud.

From the questionnaire that has been distributed to 100 respondents, it shows that the Human Rights (HAM) in children who study in schools with education guarantees article 31 have a low relationship as evidenced by the following correlation table:

Table 1. Correlation Test

		Human Right	Education
Human Right	Pearson Correlation	1	.145
	Sig. (2-tailed)		.151
	N	100	100
Education	Pearson Correlation	.145	1
	Sig. (2-tailed)	.151	
	N	100	100

Source: Research data, 2022

Human rights with education guarantees have a correlation value of 0.145. This means that human rights for children have a significantly low correlation with Article 31 of the Education Guarantee. The majority of students are directed to a standardized and standardized curriculum from education and culture. This is in accordance with the results of interviews with teachers, where students must have competencies that are standardized according to the rules of the Ministry of Education and Culture.

CONCLUSION

The establishment of human rights in the education of elementary school children. Human rights enforcement efforts in basic have a significantly low correlation with Article 31 Education guarantee. Formal education is acquired by following fixed, structured programs by a country's institution, department, or performance. Whereas a nonformal education is a knowledge gained from everyday life from experiences either experienced or learned from others. Pursue packages equivalent to SD, home schools, and alternative schools, which belong to these types of schools are course institutions or tutoring institutions for only a particular area.

The adoption of the child's human rights consistent with education assurance chapter 31 through the national educational system, as featured in chapter 34, is this: every 6-year-old citizen can submit to a government's compulsory study program. The

compulsory study is the responsibility of the country conducted by the institution of education. The government, the county, and the public. The terms of compulsory study as referred to in verses (1), verses (2), and verses (3) are further regulated by government regulations. Through law laws or regulations directly relating to the legal rights of children to basic education in Indonesia, the government is serious about supporting the country.

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