

Empowerment Model and Fulfillment of Elderly Rights through Elderly Schools (Review of Law Number 13 of 1998)

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Abstract

This study explores the intersection of empowerment models and the realization of elderly rights, with a specific focus on the implementation of Elderly Schools as outlined in Law Number 13 of 1998. As populations age globally, addressing the rights and well-being of the elderly becomes increasingly imperative. The research delves into the conceptualization and operationalization of empowerment models within the context of Elderly Schools, aiming to evaluate their effectiveness in promoting and fulfilling the rights enshrined in the aforementioned legal framework. The analysis involves a comprehensive review of Law Number 13 of 1998 to understand its provisions pertaining to elderly rights and the establishment of Elderly Schools. Additionally, the study examines existing empowerment models employed within these

educational settings and evaluates their impact on enhancing the overall well-being and rights of elderly individuals. The paper aims to shed light on the strengths, challenges, and potential areas for improvement in the current legal and institutional framework concerning elderly rights and empowerment through the Elderly School model. By adopting a critical perspective and leveraging legal review methodologies, this research contributes to the ongoing discourse on elderly rights and presents recommendations for optimizing the role of Elderly Schools in fostering empowerment and ensuring the comprehensive fulfillment of the rights accorded to the elderly under Law Number 13 of 1998.

Keywords

Human Rights, Elderly Rights, Elderly Welfare Law

I. Introduction

In 2050, the world population is expected to surpass nine billion individuals, including those aged 60 years and above, tripling the total population. This has an impact on Indonesia's population structure where in 2025 it is anticipated that the country will experience a period of demographic bonus which will then gradually enter the early stages of population aging. Data from the Directorate General of Population and Civil Registration states that as of June 30, 2022 or in the first half of 2022, Indonesia's population was recorded at 275,361,267 individuals. When compared to the information in Semester II on December 30, 2021, which reached 273,879,750 people, there was an increase

in population of 1,481,517 individuals (or around 0.54%).(Jarot, 2021; Kementrian PPN/Bappenas, 2017)

With reference to the structure of the population pyramid, Indonesia currently presents the majority of the population in the productive age group (15-64 years) with a total of 190,827,224 individuals, equivalent to 69.30 percent. The population group with a young age range (0-14 years) follows later, accounting for 67,155,629 individuals, covering around 24.39 percent. The other part belongs to the elderly population category (65 years and above) with a total of 17,374,414 people, or around 6.31 percent.(Styawan, 2020) Indonesia is a country with a population currently totaling 281,092,658 people, this figure means that the number of elderly people is also increasing. This leads to policies to solve the problems of the population with advanced age so that the improvement of life can be achieved by the population with advanced age.(Kusnandar, 2022)

The elderly population is the foundation in the implementation of Indonesia's development where healthy independent elderly will reduce the burden on the state in development so that it is the obligation of all, especially the government to create healthy and independent elderly. Several obstacles are also faced by the elderly population in social, economic and political aspects. Law Number 13 of 1998 concerning the Welfare of the Elderly or the Elderly Welfare Law provides a clear view and a common task to be able to prosper the elderly, in article 5 of the Elderly Welfare Law which contains (1) The elderly have equal rights in the life of society, nation and state. (2) As a tribute and appreciation to the elderly, the right to improve social welfare is given which includes: a. religious and mental spiritual services; b. health services; c. employment

services; d. education and training services; e. ease of use of public facilities, facilities and infrastructure. f. ease of service and legal assistance; g. social protection; h. social assistance.(Waspiyah et al., 2021)

In general, a person who enters this age becomes less productive, resulting in a decrease or even loss of income. These conditions make the elderly vulnerable to various risks and shocks, especially in terms of socioeconomics. Under these conditions, the provision of adequate social protection programs for the elderly becomes very important. Social protection provided by the elderly community is provided as an effort to help elderly people who have weaknesses and social economic incapacity, for example BPJS.(Afriansyah & Santoso, 2020) With this guarantee, elderly people who are sick can be treated medically without spending money. although some elderly people still do not all receive social services from the government but at least there is a change in conditions for the better for the elderly community. For some elderly people who have not fully received social protection services, it is hoped that the local government can fulfill it. the assumption that elderly pain is common due to age and is not needed for serious treatment makes the elderly history of prolonged pain.(Probosiwi & Suryani, 2022) Funding problems for elderly needs make the elderly not go to health services as well as medical support that is still lacking in the elderly community resulting in elderly illness leading to the death of the elderly. Transportation that supports the elderly to obtain social protection services in health has also not supported so that the family chooses to stay at home with sick elderly members at home. These conditions are certainly concerning because the rights of the elderly in social protection services in some places have not been

fulfilled, especially in areas far from the reach of transportation and information.(Akbar, 2019)

The fulfillment of the rights of the elderly is the responsibility of all and is a continuous task that does not break up. Maximum service to the elderly by providing comfort and tranquility for the elderly in living their lives is a must and an obligation that must be accepted by the elderly as their right to get it because many of them are elderly who have not received optimal services from both family, environment, general public, village government, regional and central government.

II. Method

In this research the author uses a qualitative approach to obtain facts related to the policy model of empowerment and fulfillment of elderly rights through an elderly school from a human rights perspective.(Efendi & Ibrahim, 2018; Irwansyah, 2020) Then, the type of research used This research is included in empirical juridical research because it wants to find out how the implementation of empowerment and elderly rights in Law No. 13 of 1998 in the perspective of human rights and how the model of empowerment and fulfillment of elderly rights through the Elderly School in Law No. 13 of 1998 in the perspective of human rights.

III. Empowerment in fulfilling the rights of the elderly through elderly schools in terms of Law No. 13 of 1998 from a human rights perspective

In follow-up to the Elderly Welfare Law, the Ministry of Social Affairs established Ministerial Regulation No. 19 of 2012 on Guidelines for Elderly Services and Ministerial Regulation No. 12 of 2013 on the Elderly Social Assistance Program (ASLUT). Through the ASLUT Program, the government assists in meeting some of the basic needs of abandoned elderly individuals to improve their social well-being.

The Ministry of Home Affairs has issued guidelines for the formation of Regional Elderly Commissions and Community Empowerment. The guidance from the Ministry of Home Affairs states that the Regional Elderly Commission is chaired by the deputy regional head, with the first chairperson held by the Head of the Regional Development Agency (Bappeda) and the second chairperson by the Head of the Social Services Agency. The commission members include representatives from relevant departments/regions, the business sector, NGOs, and community stakeholders.

In 2021, the government disbanded the National Commission on the Elderly (Komnas Lanjut Usia) along with nine other non-structural agencies due to considerations of effectiveness and efficiency in the implementation of government affairs. Without guidance from the Ministry of Home Affairs, regional governments might not have dissolved the Regional Elderly Commissions that had already been formed. The Ministry of

National Development Planning has other regulations related to the elderly population, including Presidential Regulation No. 88 of 2021 on the National Aging Strategy (Stranas Kelanjutusiaan).(Hakim, 2020b)

Social welfare regulations at the regional level are governance matters delegated to local governments. Therefore, every regional government, be it at the provincial or district/city level, is obligated to establish regulations regarding the elderly population according to their governance levels. Generally, regional regulations concerning the elderly include regulations on elderly welfare and regional head regulations for their implementation. Additionally, there are regional head decisions regarding regional elderly commissions and guidelines for the implementation of elderly social security assistance. Furthermore, technical regulations are determined by relevant departments according to regional needs.(Hakim, 2020a) Not all national regulations established by the central government can be accommodated in regional regulations because regions have already set their own regional regulations. This issue is further complicated by discussions to revise the Elderly Welfare Law, which is considered outdated in the current governance system dynamics.

If the Elderly Welfare Law is revised, it would necessitate the adjustment of all other regulations as well. The focus here is on elderly individuals who are abandoned. While improving and complementing regulations at the national and regional levels, the state needs to consistently enhance the well-being of the elderly population. Not all elderly citizens require government assistance, but for those who are abandoned, government and community support can significantly alleviate their hardships. This includes elderly individuals who live alone or with partners who are also

elderly and unemployed, those residing in cardboard houses by railway tracks, under bridges, or in very basic nursing homes.(Hakim, 2020c)

Efforts undertaken by local governments, especially in places like Tegal, involve allocating space in regional development plans (RKPD) to enhance the well-being of the elderly population, with a target of increasing life expectancy (UHH) as part of the Human Development Index (HDI) improvement indicators. This could come in the form of directives on the use of village funds (Dana Desa or DD) or allocation of village funds (Alokasi Dana Desa or ADD) for departments related to the elderly.

Innovative social actions can take the form of creating elderly-friendly villages and elderly-friendly public services. These considerations should be part of the local government's efforts to meet the needs of the elderly population. This involves budget planning at the regional and village levels related to the elderly and then socializing these plans to the regions, especially in villages, so that local governments can work together to create conditions and an environment that supports the establishment of elderly-friendly villages and elderly-friendly public services.

The establishment of elderly-friendly villages or cities is an important consideration for all regions to ensure that elderly communities can participate actively, be valued, and receive support from their families, communities, and the state, allowing them to contribute to Indonesia's development. Other essential elements to realize elderly-friendly villages or cities include providing housing, healthcare, and educational services.

The government's efforts to socialize the existence of the Elderly Welfare Law should be continuously carried out by all stakeholders and decision-makers who have easy access to the

community for disseminating information about the law. However, in reality, when socialization is not conducted widely, comprehensively, and openly to the elderly population regarding the existence of the law, it can lead to legal and social consequences because their rights are not fulfilled. The legal consequence for regions that fail to provide socialization to the elderly population about the existence of the law may result in a lack of regional budget allocation, and the social consequence is that the region may not be included in government social programs.(Styawan, 2020)

Socialization efforts should be carried out through institutions related to the elderly, such as the Family Welfare Empowerment and Population Control Coordination Team (P3AP2KB), and its sub-institutions in each district and sub-district, as well as directly reaching out to places where elderly individuals and families with elderly members reside. This way, everyone, including elderly individuals and their families, will become aware of the existence of the law and their rights under it.

IV. The model of empowerment and fulfillment of the rights of the elderly through Elderly Schools, viewed from the perspective of the Human Rights Act No. 13 of 1998

The National Action Plan for Elderly Health 2016-2019, outlined in Minister of Health Regulation No. 25 of 2016, emphasizes six key strategies to improve elderly healthcare and well-being:

1. **Strengthening Legal Basis:** Enhancing the legal framework for providing healthcare services to the elderly is essential. This involves ensuring that the legal foundations are robust and supportive of elderly health initiatives.
2. **Improving Healthcare Facilities:** Increasing both the quantity and quality of healthcare facilities dedicated to elderly care is a crucial step. This includes improving the infrastructure and services available to elderly individuals.
3. **Building Partnerships and Networks:** Collaborative efforts with various stakeholders are vital. This strategy encourages the development of partnerships and networks to ensure effective delivery of healthcare services to the elderly.
4. **Enhancing Data Availability:** Access to comprehensive data and information related to elderly health is essential for informed decision-making. This strategy aims to improve data collection and availability in the field of elderly health.
5. **Community Participation and Empowerment:** Involving families, communities, and the elderly themselves is central to this strategy. Empowering these groups to actively participate in elderly healthcare initiatives is a key component.
6. **Elderly Participation in Family and Community Health:** Encouraging the elderly to actively engage in efforts to improve family and community health is another crucial aspect. This promotes the idea that the elderly have a valuable role to play in society.

In the context of Tegal and other regions, the establishment of Elderly Schools is seen as a means to empower and fulfill the rights of the elderly, contributing to their overall well-being. These schools serve as a platform for education, socialization, and healthcare, facilitating access to information about their rights, healthcare services, and social activities.(Mulyati et al., 2018)

While some areas in Tegal have started implementing initiatives related to fulfilling the rights of the elderly through Elderly Schools, there may be challenges, especially related to funding. Nevertheless, this progress serves as motivation for other regions to undertake similar initiatives, recognizing the importance of fulfilling the rights of the elderly to ensure their health, productivity, dignity, and happiness.

An ideal empowerment model involves government support, both in terms of funding and human resources, to actively participate in the implementation of the Elderly Welfare Act No. 13 of 1998. This support reflects the government's commitment to elderly well-being and elevating their status. By providing financial and human resources support, the government can contribute to the successful implementation of Elderly Schools and make it easier for elderly learners to access education and other benefits. This support is a demonstration of the government's recognition and appreciation of regions that implement Elderly Schools, ultimately improving the well-being and dignity of the elderly in each area.

- a. Free Education: Offering free education for the elderly ensures accessibility and encourages participation.
- b. Quality Guest Speakers: Collaborating with various sectors to bring in high-quality guest speakers enriches the learning experience for the elderly.

- c. Healthy Meals and Beverages: Providing nutritious meals and beverages promotes physical well-being.
- d. Skill Training: Offering skill training for the elderly enhances their capabilities and equips them with knowledge and skills.
- e. Recreational Activities: Organizing enjoyable and cost-free outings or recreational activities contributes to the overall well-being and happiness of the elderly.
- f. Routine Health Check-ups: Regular health check-ups and free healthcare services are essential for maintaining their physical health.
- g. Health Consultations and Vitamins: Offering free health consultations and providing elderly-specific vitamins can contribute to their overall health.

These initiatives can certainly be realized through the collaboration of government entities and relevant organizations, aiming to provide quality services to the elderly without any financial burden. The goal is to help them maintain physical, psychological, and spiritual health, enabling them to contribute to their communities and lead fulfilling lives in their old age.

Elderly Schools serve as valuable platforms for elderly individuals to continue learning and growing. These schools focus on various dimensions of elderly life, emphasizing health, independence, activity, productivity, and dignity. By addressing these dimensions, Elderly Schools aim to create "SMART" elderly individuals who are healthy, self-reliant, active, productive, and dignified in their later years.

In addition to various empowerment models, raising awareness among government agencies, institutions, and the general public is crucial. The awareness campaign helps ensure

that all parties, including the elderly themselves, understand and support the rights and well-being of the elderly. This awareness serves as a reminder that they have rights related to their well-being and the opportunity to age gracefully with knowledge and skills, free from confusion and uncertainty.

The support and cooperation of all stakeholders are vital for the fulfillment of elderly rights. Without such support, it would be challenging to establish and sustain Elderly Schools as essential facilities for elderly individuals to thrive in their later years, maintaining their health, happiness, and well-being.

The concept of Elderly Schools encompasses various principles and components to facilitate non-formal education for the elderly population. These schools are organized by the community, for the community, with the aim of minimizing the decline in functional abilities while maximizing intrinsic capacities. The spirit of these schools is to make learning an enjoyable activity for all participants, emphasizing three key principles: habituation, learning, and culturalization.

Here's a breakdown of the key components of Elderly Schools:

Curriculum: The curriculum is a set of plans and arrangements regarding the content, materials, teaching methods, and assessment used as guidelines for conducting learning activities. The curriculum for Elderly Schools is designed to meet the needs of the elderly population within a community. Thus, the curriculum may vary from one region to another. It typically includes:

Specific and measurable objectives (competencies).

Learning materials used to achieve the objectives.

Teaching methods and strategies for effective content delivery.

Evaluation processes to assess the achievement of learning objectives.

Instructors/Facilitators: Instructors or facilitators in Elderly Schools are adults who possess competencies in andragogy (the approach to adult learning), effective communication skills, and expertise in the subject matter they teach. There are no strict educational requirements for instructors; they may come from diverse educational backgrounds.

Facilities and Infrastructure: Elderly Schools require physical facilities, including classrooms in community centers, houses, school buildings, open spaces, or any location that facilitates adequate learning for participants. The standards for facilities and infrastructure can be determined by the management of Elderly Schools based on their available resources and conditions.

Management: Management, known as "Tata Pamong," involves the administration of an institution, organization, community, or specific entity responsible for planning, implementation, control, and evaluation of Elderly Schools. It plays a crucial role in ensuring the effective operation of the school.

Sustainability: Sustainability is related to the component of management and involves the long-term development and continuity of Elderly Schools. It is connected to leadership and the availability of resources that support the school's ongoing existence and growth within the community.

Elderly Schools aim to empower the elderly population and provide them with opportunities for continuous learning and personal growth. These schools foster an environment where learning is enjoyable, and the curriculum is tailored to meet the specific needs and interests of elderly learners. By emphasizing habituation, learning, and culturalization, Elderly Schools

contribute to enhancing the overall well-being of the elderly and promoting active, dignified, and fulfilling aging. The flexibility and adaptability of Elderly Schools make them valuable assets in communities, as they address the unique needs and circumstances of the elderly population while fostering a sense of community and shared learning experiences.(Sulistiawati et al., 2022)

Empowerment in Senior Schools and within the community means tapping into the potential of individuals and communities with the help of science and technology to produce products that are beneficial to human life. Empowerment products can be classified into three categories: 1) physical products (handicrafts, cultural art, food products, livestock, marine products, agricultural products, plantations, and more). 2) Services (bridal makeup skills, landscape design, application development, health therapy, etc.). 3) Ideas/concepts (creating senior branding, promoting and developing local wisdom).(Probosiwi & Suryani, 2022)

In the context of learning in senior schools, there are seven dimensions of tough seniors that include: 1) spiritual dimensions, 2) intellectual dimensions, 3) physical dimensions, 4) emotional dimensions, 5) social dimensions, 6) vocational dimensions, and 7) environmental dimensions. The technical application is in the learning process, which can be observed. Learning outcomes can be measured using both test and non-test techniques to assess the results qualitatively. The following is an overview of the application of the seven dimensions of tough seniors in one subject in senior schools.

V. Conclusion

The model of empowerment and the fulfillment of senior rights through senior schools, as viewed from Law Number 13 of 1998 from the perspective of Human Rights in Tegal Regency, has not yet been evenly successful because not all senior rights have been fulfilled in the Tegal region, especially in Central Java Province in general, related to the empowerment model and the fulfillment of senior rights. Supporting factors such as funds that have not been specifically allocated for senior citizen activities, human resources, and full support from various levels of government institutions, both at the village and district levels, have not fully supported the empowerment and fulfillment of senior citizen rights in their respective areas. Another factor is the attitude of senior citizens themselves; their motivation needs to be revived to become healthy, productive, prosperous, and happy senior citizens. This motivation should be continually communicated to all levels of society, especially senior citizens, who are the main focus of attention and respect in society. Socialization is crucial to convey the existence of Law Number 13 of 1998, which must be known collectively and followed up on to uplift the status of senior citizens. Changes began to be felt in the senior citizen community after the existence of Law Number 13 of 1998 was socialized, with several regions starting to provide support for the fulfillment of senior rights, one of which is through the establishment of senior schools, which have been established and implemented in many places in the Tegal district and in the Central Java province.

VI. References

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