

## **CURRENT STUDY CONCERNING PARENTAL AUTHORITY TO EDUCATE CHILDREN REVIEWED AGAINST THE PROVISIONS OF THE CHILD PROTECTION LAW IN THE MODERN ERA**

**Taufan Zakaria<sup>1\*</sup>, Faisal Santiago<sup>2</sup>**

<sup>1,2</sup>*Universitas Borobudur*

\* [taufanzakaria01@gmail.com](mailto:taufanzakaria01@gmail.com)

### **ABSTRACT**

This research examines the current authority of parents in educating children, with a focus on the provisions of the Child Protection Law in the modern era. The research method was carried out through text analysis and literature studies related to legal provisions relating to the role of parents in educating children. At the discussion stage, the research identified the dynamics of parental authority involving aspects of children's freedom, human rights, and socio-cultural changes in the modern era. This study examines the concepts of appropriateness and relevance of the provisions of the Child Protection Law in accommodating the needs and rights of children to receive a balanced and quality education. Article 1 paragraph (1) of the Child Protection Law (No. 35 of 2014) states that children have the right to protection, care, and self-development so that they can live, grow, and develop optimally. The research results show that a deep understanding of these articles is crucial for maintaining a balance between children's rights and parental authority in the dynamic modern era. This research contributes to legal and educational literature, by presenting the latest views regarding the role of parents in educating children amidst the changing dynamics of modern society. Practical implications include recommendations for improving understanding and implementation of legal provisions, as well as educational approaches that support children's participation in their educational process.

**Keywords:** *parental authority, educating children, child protection law, modern-era*

This article is licensed under [CC BY-SA 4.0](https://creativecommons.org/licenses/by-sa/4.0/) 

## **INTRODUCTION**

Children's welfare as a pillar of a nation's future development is the main focus of every country. In a legal context, the Child Protection Law is the basis for child protection policies and practices in Indonesia (Saraswati, 2015). In this scope, parental authority in educating children is an essential aspect. With the development of norms and values in modern society, an up-to-date review of parental authority has become increasingly important to ensure the sustainability and relevance of child protection regulations (Makhmudah, 2018; Suharyat et al., 2023).

The Child Protection Law, especially the articles relating to the rights and obligations of parents, reflects the spirit of justice and protection of children's rights. These articles are the starting point for an in-depth study of the practice of parental authority in educating children in the modern era. As a normative guide, these articles also contain provisions that regulate children's freedom and human rights in the education process (Fatimah & Aliyah, 2019).

In this context, it is important to identify social and cultural changes that may influence the exercise of parental authority. These changes can include shifts in family values, demands of technological developments, and increasing recognition of children's rights. Therefore, current studies regarding parental authority need to involve an in-depth study of the relevance of child protection articles about the practice of educating children in the modern era.

The importance of the current study lies in the ability of the Child Protection Law to accommodate changing social and technological dynamics. The involvement of children in

making decisions regarding their education is a central point that needs further attention. Therefore, this research will thoroughly examine the concepts of parental authority, children's human rights, and children's involvement in the context of modern education (Novianti & Sahrul, 2020).

To provide a holistic view, this study will detail the extent to which the provisions of child protection articles in Indonesia can create a framework that supports parental authority without compromising children's rights. By identifying challenges and opportunities in the modern era, it is hoped that this research can provide a valuable contribution to improving policy and implementation of child protection practices in Indonesia.

Ultimately, this research aims to provide in-depth insight into how the Child Protection Law can better emphasize and protect parental authority in educating children in the modern era. Thus, strategic steps can be taken to optimize children's potential as valuable assets for the progress of the nation and society (Absor, 2011).

The presence of children as an important part of society's social structure has significant implications for parents' responsibilities in educating them. In Indonesia, the Child Protection Law is the legal basis that emphasizes children's rights to grow and develop properly. In this context, the role of parents is crucial in ensuring that children receive optimal education by their rights.

Article 1 paragraph (1) of the Child Protection Law (No. 35 of 2014) states that children have the right to protection, care, and self-development so that they can live, grow, and develop optimally. A deep understanding of parental authority in educating children is important in the context of these rights. At a basic level, article 16 of the Law stipulates that parents are obliged to provide children with rights and obligations by human dignity (Kamaruddin & Ahmad, 2023; Nurliana & Ulya, 2021).

Article 1 paragraph (1) of the Child Protection Law (No. 35 of 2014) states that children have the right to protection, care, and self-development so that they can live, grow, and develop optimally. A deep understanding of parental authority in educating children is important in the context of these rights. At a basic level, article 16 of the Law stipulates that parents are obliged to provide children with rights and obligations by human dignity.

Along the way, the implementation of these articles needs to be updated and adapted to the dynamics of modern society. Article 16 paragraph (2) provides space for parents to respect and understand children's opinions, according to their age development stage. However, efforts to adapt parental authority to new values and norms in the modern era are a major challenge (Fahlevi, 2015).

In looking at this phenomenon, this research aims to provide the latest study regarding parental authority in educating children, with a focus on the implementation of the provisions of the Child Protection Law. The implications of these child protection articles need to be studied in more depth, especially considering the rapid developments in technology, lifestyle, and socio-cultural changes that increasingly influence family dynamics (Said, 2018).

This study is not only limited to legal observations but also an attempt to understand how legal norms can provide direction and guidance for parents in providing education to their children. Apart from that, this study also wants to detail the extent to which these authorities are faced with challenges and opportunities in the modern era, as well as how legal arrangements can be updated to remain relevant and effective in protecting children's rights.

## **METHOD**

The research method used in this study involves two main stages, namely text analysis and literature study. First, text analysis was carried out to explore legal provisions specifically relating to the role of parents in educating children. This step helps us understand in depth the legal aspects related to the role of parents in the context of children's education. Next, the literature study stage was carried out to collect information and views from various trusted sources regarding the role of parents in educating children. By integrating these two methods, this research aims to provide a comprehensive and detailed understanding of the legal concepts that regulate the role of parents in educating children.

## **RESULTS AND DISCUSSION**

The important role of parents in educating children is closely related to children's rights in the context of socio-cultural life in the modern era. Children's rights, as regulated in the Child Protection Law, include the right to education, self-development, and protection from all forms of violence. This discussion will highlight the authority of parents in embracing children's rights, as well as answer critical questions regarding the implementation and relevance of these norms in the dynamics of modern society.

**Role of Parents:** Parents have a central role in securing children's rights to receive optimal education, by Article 28A paragraph (2) of the 1945 Constitution which states that every child has the right to receive a decent education. In this context, parental authority is not only limited to ensuring that children have access to educational institutions but also includes guidance and meeting the child's individual needs. A deep understanding of children's educational rights is the main basis for responding to educational challenges in the digital era and current global complexity (Ekayanti & Puspawati, 2020).

**Children's Rights,** which is no less important is the child's right to self-development, as explained in article 5 of the Child Protection Law. Parents have a responsibility to involve children in activities that support their physical, mental, and social development. Giving authority to parents in this case requires a deep understanding of the characteristics of children's development so that the educational approach taken is appropriate and effective. In the modern era full of various external influences, the role of parents is the key to helping children understand their identity and develop their potential. Implementation of children's rights is also related to protection from all forms of violence, as regulated in Article 15 of the Child Protection Law. In discussing this, parental authority is not only focused on efforts to prevent physical violence but also on protection against verbal, psychological, and gender-based violence. Parents act as guardians and guides, providing maximum protection to children from the potential risk of violence in various environments, both at school and in everyday life (Murdoko, 2017).

**Culture in the Modern Era:** In socio-cultural life in the modern era, societal norms and values are an important consideration in determining parental authority in educating children. Changes in family dynamics, lifestyles, and exposure to information in the digital era raise their challenges. Therefore, parents need to understand and respond carefully to their children's needs, in line with the development of ever-changing socio-cultural norms.

Although parental authority is recognized as an integral part of children's rights, it needs to be recognized that children's rights must also be in synergy with the individual rights of the child himself. Article 15 of the Child Protection Law emphasizes children's rights to express their opinions by their age. Therefore, the parental authority must not be authoritarian but must open up space for participation and dialogue with children, recognizing the child's right to participate in decision-making that affects him (A'yun et al., 2016).

**Context of Children's Rights in the Child Protection Law:** This discussion begins by reviewing the context of children's rights in the Child Protection Law, especially the articles that regulate parental authority in educating children. Article 1 paragraph (1) emphasizes children's rights to live, grow, and develop optimally, while Article 16 stipulates the rights and obligations of parents in involving children in the decision-making process. The research results show that a deep understanding of these articles is crucial for maintaining a balance between children's rights and parental authority in the dynamic modern era (Suharyat et al., 2023; Tarman, 2020).

**Dynamics of Parental Authority in the Context of Children's Rights:** The next discussion highlights the dynamics of parental authority in educating children, especially in dealing with the challenges and opportunities faced by children in the modern era. The application of Article 16 paragraph (2) which provides space for children to express their opinions needs to be understood as an effort to create a responsive and inclusive educational environment. In this context, the research results show the need for parental involvement in guiding children to face the increasingly complex realities of sociocultural life. The aspect of parents' obligations to respect children's rights is the focus of the next discussion. Involving children in decision-making, parents are faced with the important task of appreciating and respecting children's rights according to their stage of development. The research results show that fulfilling children's rights is not only a legal responsibility but also a moral basis that builds a strong foundation for healthy family relationships in the modern era. In the digital era, children are exposed to various information and influences, thus requiring parental involvement in providing guidance and protecting children's rights. Research reveals the need for a balance between giving children the freedom to express themselves and involving parents in managing risks that may arise (Indrawan, 2015).

**Legal Regulations as the Foundation of Children's Rights:** The final discussion highlights the role of legal regulations as the foundation of children's rights. Updates and adjustments to the provisions of the Child Protection Law need to be carried out periodically so that they remain relevant and effective in protecting children's rights in the modern era. The research results show that efforts to align the law with sociocultural developments are an important step to ensure that children's rights are maintained and taken into account in everyday life (Ardini & Lestarinigrum, 2018; Rozana et al., 2020).

In this context, the research results show that parental authority in educating children in the modern era requires a holistic approach. Family education policies and practices need to continue to be adapted to developments in society and technology. Efforts to strengthen the role of parents in exercising their authority are crucial to guaranteeing children's rights by the demands and realities of the modern era. In line with this, there is a need for an interdisciplinary approach involving education, psychology, and legal experts in optimizing parental authority and protecting children's rights in an increasingly complex and dynamic socio-cultural life.

## CONCLUSION

From the previous discussion, we see that the context of children's rights in the Child Protection Law is not merely legal norms, but rather deep values regarding the right to live, grow, and develop optimally for every child. Article 16 describes the obligations and rights of parents in educating children as an inseparable unit. This balance requires full awareness and commitment from parents to understand, respect, and involve children in the decision-making process that affects their lives.

The dynamics of parental authority in the context of children's rights becomes clear in an understanding of Article 16 paragraph (2). Providing space for children to express their opinions requires patience and wise parental wisdom. Not just giving rights, but also involving children in the decision-making process that is relevant to their stage of development. The success of implementing this article is tested by the involvement of parents in guiding children to face the complexities of sociocultural life in the modern era.

Parental authority is not only related to providing direction and restrictions to children but also respecting children's rights to express opinions. This is not simply giving rights to children, but also accepting that children have a role in creating an atmosphere that is inclusive and responsive to their feelings and thoughts. Therefore, the role of parents as facilitators of child development is very important.

In very rapid socio-cultural changes, children are exposed to various influences and challenges. This condition has become more complicated with the emergence of technology and social media which increasingly influence children's thinking patterns and behavior. Parents, as the front guard in educating children, need to understand and respond wisely to these challenges. This requires awareness of changing times, as well as parents' skills and understanding in managing and guiding children in an ever-changing environment.

Thus, the conclusion from this thinking is the importance of understanding and understanding children's rights in the context of parental authority in the modern era. Parents play a key role in providing education to their children. The balance between children's rights and parental authority is a reflection of the quality of family relationships and the foundation for the formation of children's character and personality. Therefore, implementing children's rights and parental authority is not just a legal responsibility, but rather a moral and ethical call to form a society that cares and involves all elements in educating children with love and wisdom.

## REFERENCES

- Absor, M. U. (2011). Penanganan anak dalam masa tanggap darurat bencana alam: tinjauan konvensi hak anak dan undang-undang perlindungan anak. *Jurnal Dakwah*, 11(1), 17–32.
- Ardini, P. P., & Lestarinigrum, A. (2018). *Bermain dan Permainan Anak Usia Dini (Sebuah Kajian Teori dan Praktik)*. Adjie Media Nusantara.
- A'yun, Q., Prihartanti, N., & Chusniatun, C. (2016). Peran Orang Tua Dalam Pendidikan Anak Usia Dini (Studi Kasus Pada Keluarga Muslim Pelaksana Homeschooling). *Indigenous: Jurnal Ilmiah Psikologi*, 13(2).
- Ekayanti, N. W., & Puspawati, D. A. (2020). Peran orang tua dalam mendidik anak ditengah pandemi Covid-19. *Prosiding Webinar Nasional Universitas Mahasaraswati 2020*.

- Fahlevi, R. (2015). Aspek hukum perlindungan anak dalam perspektif hukum nasional. *Lex Jurnalica*, 12(3), 147255.
- Fatimah, S., & Aliyah, U. (2019). Studi Pola Asuh Orang Tua Pada Era Modern Di Kota Tarakan. *Jurnal Bimbingan Dan Konseling Borneo*, 1(1).
- Indrawan, J. (2015). Kepemimpinan Berbasis Pemberdayaan dalam Alih Teknologi: Sebuah Upaya Meningkatkan Kualitas SDM Pertahanan Indonesia. *Jurnal Pertahanan Dan Bela Negara*, 5(1), 63–88.
- Kamaruddin, S. A., & Ahmad, M. R. S. (2023). Peran Orang Tua Dalam Pendidikan Formal Anak Pada Keluarga Pedagang Gogos Di Kampung Jalange Kabupaten Barru. *Prosiding Seminar Nasional Pengabdian Kepada Masyarakat*, 4(1), SNPPM2023SH-92.
- Makmudah, S. (2018). Penguatan Peran Keluarga dalam Pendidikan Anak. *Martabat*, 2(2), 269–286.
- Murdoko, E. W. H. (2017). *Parenting With Leadership Peran Orangtua Dalam Mengoptimalkan Dan Memberdayakan Potensi Anak*. Elex Media Komputindo.
- Novianti, R., & Sahrul, M. (2020). Implementasi kebijakan perlindungan anak (telaah uu nomor 35 tahun 2014 pasal 9 ayat 1). *Khidmat Sosial: Journal of Social Work and Social Services*, 1(2), 139–147.
- Nurliana, N., & Ulya, M. (2021). Pendidikan anak perspektif psikologi. *Al-Liqo: Jurnal Pendidikan Islam*, 6(1), 56–67.
- Rozana, S., Wulan, D. S. A., & Hayati, R. (2020). *Pengembangan Kognitif Anak usia dini (teori dan praktik)*. Edu Publisher.
- Said, M. F. (2018). Perlindungan hukum terhadap anak dalam perspektif hak asasi manusia. *JCH (Jurnal Cendekia Hukum)*, 4(1), 141–152.
- Saraswati, R. (2015). *Hukum perlindungan anak di Indonesia* (Issue 2). PT. Citra Aditya Bakti.
- Suharyat, Y., Nurhayati, S., Januliawati, D., Haryono, P., Muthi, I., & Zubaidi, M. (2023). Tantangan Pemberdayaan Orang Tua dalam Meningkatkan Mutu Layanan PAUD Era Digital. *Jurnal Obsesi: Jurnal Pendidikan Anak Usia Dini*, 7(1), 406–415.
- Tarman, M. (2020). Upaya Pemberdayaan Anak di Panti Asuhan Kuncup Harapan Kota Bandung Melalui Pelatihan Teknologi Informasi. *Comm-Edu (Community Education Journal)*, 3(2), 122–128.