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Maintaining Public Order and Protecting Vulnerable Groups: Strengthening the Management of Homeless People, Beggars, and Street Children in Kudus Regency

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Original Article

Abstract

Managing homeless people, beggars, and street children (GPAJ) presents a complex challenge for local governments seeking to maintain public order while protecting vulnerable groups. This study analyzes the implementation of Kudus Regency Regional Regulation No. 15 of 2017 and identifies legal and institutional measures needed for effective, integrated, and humane management. Employing an empirical socio-legal methodology, the study combines statutory, conceptual, and socio-legal approaches through interviews, observations, and qualitative legal-document analysis. Findings show that although the regulation provides preventive, repressive, rehabilitative, and reintegrative measures, implementation remains suboptimal due to limited budgets, human resources, rehabilitation facilities, interagency coordination, and public compliance. Strengthening measures should include integrated standard operating procedures, cross-agency task forces, adequate shelters, needs-based budgeting, proportionate enforcement, empowerment programs, and post-rehabilitation monitoring. Sustainable public order requires integration of legal substance, institutional capacity, and legal culture.

Keywords: *Homeless People, Beggars, Street Children, Legal Strengthening*

Abstrak

Penanganan gelandangan, pengemis, dan anak jalanan (GPAJ) merupakan tantangan dalam mewujudkan ketertiban umum sekaligus memenuhi kewajiban pemerintah daerah terhadap perlindungan dan kesejahteraan kelompok rentan. Penelitian ini bertujuan menganalisis pelaksanaan Peraturan Daerah Kabupaten Kudus Nomor 15 Tahun 2017 serta merumuskan penguatan hukum dan kelembagaan yang diperlukan untuk menghasilkan penanganan yang efektif, terpadu, dan manusiawi. Penelitian menggunakan metode yuridis empiris dengan pendekatan perundang-undangan, konseptual, dan socio-legal melalui wawancara, observasi, serta analisis dokumen hukum secara kualitatif. Perda telah menyediakan kerangka preventif, represif, rehabilitatif, dan reintegratif, tetapi implementasinya belum optimal akibat keterbatasan anggaran, sumber daya manusia, sarana rehabilitasi, koordinasi antar-OPD, serta kepatuhan masyarakat dan kelompok sasaran. Penguatan diperlukan melalui SOP terpadu, Satgas lintas-OPD, shelter, anggaran berbasis kebutuhan, penegakan hukum proporsional, pemberdayaan, dan monitoring pascarehabilitasi. Penelitian menyimpulkan bahwa ketertiban berkelanjutan hanya dapat dicapai melalui integrasi substansi hukum, kelembagaan, dan budaya hukum.

Kata kunci: *Gelandangan, Pengemis, Anak Jalanan, Penguatan Hukum*

1. INTRODUCTION

Homeless people, beggars, and street children (GPAJ) constitute a vulnerable population whose circumstances reflect the intersection of poverty, limited access to employment and basic services, social vulnerability, and public order concerns.¹ Because their activities frequently occur in public spaces, GPAJ-related issues simultaneously constitute a matter of local governance. The state is responsible for protecting the dignity and meeting the basic needs of vulnerable populations, while local governments are responsible for maintaining public peace and order. Accordingly, addressing GPAJ should not be reduced to enforcement or “clearing” operations; rather, it should be understood as a policy process that integrates social protection, law enforcement, empowerment, and social reintegration.

Article 28H(1) and Article 34 of the 1945 Constitution of the Republic of Indonesia establish state responsibilities concerning social welfare, access to basic services, the empowerment of marginalized groups, and the care of impoverished and neglected children. Article 34 further connects these responsibilities with the empowerment and protection of vulnerable and disadvantaged populations in accordance with the principle of human dignity. These constitutional obligations imply that the exercise of governmental authority must not only safeguard the public interest and prevent disruptions to public order but also ensure that interventions do not undermine the dignity and fundamental rights of vulnerable populations.

Kudus Regency Regional Regulation No. 15 of 2017 provides the legal framework for operationalizing these obligations at the local level. The regulation incorporates preventive and enforcement measures, rehabilitation, social reintegration, community participation, guidance, supervision, and financing. Its effectiveness should therefore be assessed not solely on the basis of enforcement outcomes but also by examining the interaction among these components as an integrated policy system. The continued presence of GPAJ in public spaces following enforcement operations, however, indicates a potential gap between regulatory norms and their implementation. Constraints related to interagency coordination, institutional resources, rehabilitation facilities, budgetary capacity, employment opportunities, and public compliance may disrupt the policy process connecting enforcement measures with sustainable social reintegration and self-reliance.

Previous studies demonstrate that the effectiveness of policies addressing homeless people, beggars, and street children is strongly influenced by the government’s capacity to integrate legal norms, institutional arrangements, resources, and community participation. Rahmadanita, for example, identifies guidance and rehabilitation as critical components of efforts to maintain public peace and order. The study emphasizes the

¹ Allisa Akhidatul Idza, “Gelandangan Dan Pengemis Dalam Konteks Ketenteraman Dan Ketertiban Umum,” *Jurnal Tatapamong* 5, no. 2 (2023): 145–61, <https://doi.org/10.33701/jurnaltatapamong.v5i2.3859>.

importance of accurate and reliable data, sustainable guidance and support programs, systematic evaluation, interagency coordination, and community participation. These findings suggest that public order cannot be separated from the government's capacity to provide appropriate social interventions after enforcement measures have been undertaken.²

Kencana, Yuswalina, and Triyandhy found that the implementation of the Palembang City Regional Regulation concerning the guidance of street children, homeless people, and beggars remained ineffective. The study identified several obstacles, including limited institutional performance, inadequate facilities and infrastructure, human resource constraints, low levels of public concern, and broader socioeconomic problems.³ Similarly, Pertiwi found that the implementation of the Bandar Lampung City Regional Regulation remained suboptimal, particularly because of inadequate external communication and insufficient budgetary support. Collectively, these studies demonstrate that the existence of comprehensive regulations does not necessarily guarantee effective implementation when institutional and administrative capacity is inadequate.⁴

Nasir, Sofwan, and Kafrawi, in an empirical study conducted in Mataram City, identified budgetary constraints, difficulties in influencing the behavior of the target population, and the public's continued practice of giving money or goods to beggars as significant barriers to policy implementation. These findings underscore the importance of public behavior as part of the broader environment in which legal policies operate.⁵ Meanwhile, Khasna A, Yuniningsih, and Hayu D, through a program evaluation in Demak, found that the intervention failed because of a misalignment among program design, implementing institutions, and the benefits received by the target population. Their findings further indicate that policy effectiveness depends on the alignment between program design, institutional capacity, and the actual needs of beneficiaries.⁶

Taken together, the existing literature indicates that the management of GPAJ cannot be effectively addressed through enforcement-oriented measures alone. Sustainable outcomes require the integration of legal norms with institutional capacity,

² Annisa Rahmadanita, "Pembinaan Ketentraman Dan Ketertiban Umum: Studi Kasus Gelandangan Dan Pengemis," *Jurnal Tatapamong* 1, no. 2 (2019): 95–104, <https://doi.org/10.33701/jurnaltatapamong.v1i2.1154>.

³ Ulya Kencana et al., "Efektivitas Peraturan Daerah Yang Berkesejahteraan Sosial Di Kota Palembang: Studi Kasus Anak Jalanan, Gelandangan Dan Pengemis Di Masa Pandemi Covid-19," *Simbur Cahaya* 27, no. 2 (2021): 70–97, <https://doi.org/10.28946/sc.v27i2.1039>.

⁴ Rita Pertiwi, "Analisis Pelaksanaan Peraturan Daerah Nomor 03 Tahun 2010 Tentang Pembinaan Anak Jalanan Gelandangan Dan Pengemis Di Kota Bandar Lampung," *Jurnal Tapas: Jurnal Teropong Aspirasi Politik Islam* 17, no. 2 (2021): 53–69, <https://doi.org/10.24042/tps.v17i2.12822>.

⁵ Harun Muhammad Nasir et al., "Pelaksanaan Peraturan Daerah Nomor 5 Tahun 2012 Tentang Penanggulangan Gelandangan Dan Pengemis: (Studi Di Kota Mataram)," *Jurnal Diskresi* 1, no. 2 (2022): 236–44, <https://doi.org/10.29303/diskresi.v1i2.2092>.

⁶ Nindya Khasna A et al., "Evaluasi Program Penanggulangan Gelandangan Dan Pengemis (GEPENG) Di Kabupaten Demak," *Journal of Management and Public Policy* 11, no. 1 (2022): 83–97, <https://doi.org/10.14710/jppmr.v11i1.32909>.

adequate resources, social rehabilitation, economic empowerment, and community participation. Nevertheless, there remains a need for a more comprehensive socio-legal examination of how these elements interact within the implementation of Kudus Regency Regional Regulation No. 15 of 2017. This study therefore focuses on the implementation of the regulation and examines the legal and institutional strengthening required to develop a more effective, integrated, and humane framework for managing GPAJ in Kudus Regency.

In the context of Kudus Regency, Rahma examined the synchronization of Regional Regulation No. 15 of 2017 and found that its substantive provisions were generally consistent with the Constitution. However, the study identified conceptual ambiguity in defining begging as both a consequence of poverty and a form of social disorder. Although these findings provided important insights into the normative coherence of the regulation, they left questions concerning its implementation largely unexplored.⁷ More recently, Hermawanto, Dewi, and Noviasari found that the implementation of a Regional Regulation in Magelang Regency remained suboptimal because of ineffective communication and limited human resources.⁸ Similarly, Idza emphasized that although expulsion measures may contribute to maintaining public order, they do not address the underlying causes of homelessness, begging, and street involvement, particularly the interconnected cycles of poverty, stigma, and discrimination.⁹

Previous studies have examined the effectiveness of regional regulations, implementation barriers, rehabilitation programs, public order, and legal synchronization. However, these dimensions have generally been analyzed separately rather than as interconnected elements of a broader governance framework. Few studies have comprehensively examined the relationships among regulatory implementation, institutional capacity, budgetary resources, community participation, legal protection, and the achievement of public order, particularly in the context of Kudus Regency.

The novelty of this study lies in integrating legal implementation and social protection perspectives to evaluate the implementation of Kudus Regency Regional Regulation No. 15 of 2017. Rather than assessing the regulation solely in terms of the completeness or adequacy of its legal provisions, this study examines how enforcement, rehabilitation, empowerment, institutional arrangements, budgetary support, community participation, and protection of human dignity interact within the

⁷ Nabila Luthvita Rahma, "Sinkronisasi Peraturan Daerah Kabupaten Kudus Tentang Pengemisan," *Yudisia: Jurnal Pemikiran Hukum Dan Hukum Islam* 11, no. 1 (2020): 105–24, <https://doi.org/10.21043/yudisia.v11i1.7527>.

⁸ A'an Hermawanto et al., "Implementasi Kebijakan Peraturan Daerah Kabupaten Magelang Nomor 1 Tahun 2019 Tentang Penanganan Gelandangan, Pengemis Dan Anak Jalanan Dalam Mewujudkan Ketertiban Umum Oleh Satuan Polisi Pamong Praja," *Borobudur Law and Society Journal* 4, no. 1 (2025): 1–23, <https://doi.org/10.31603/11942>.

⁹ Idza, "Gelandangan Dan Pengemis Dalam Konteks Ketenteraman Dan Ketertiban Umum."

implementation process. In doing so, the study bridges the gap between previous normative analyses of regulatory synchronization and empirical assessments of regulatory effectiveness in maintaining public order.

Accordingly, this study aims to analyze the implementation of Kudus Regency Regional Regulation No. 15 of 2017 concerning the Management of Homeless People, Beggars, and Street Children in the pursuit of public order in Kudus Regency. It examines the interrelationships among legal norms, the conduct of implementing officials, institutional capacity, budgetary and infrastructural resources, and programs encompassing prevention, enforcement, rehabilitation, and social reintegration. Furthermore, the study identifies the legal and institutional measures required to ensure that implementation extends beyond the removal of GPAJ from public spaces and instead promotes legal protection, social recovery, economic self-reliance, and sustainable public order through an integrated and humane approach.

2. RESEARCH METHODOLOGY

This study employs an empirical legal research design, specifically a socio-legal approach, using qualitative methods to examine the implementation of Kudus Regency Regional Regulation No. 15 of 2017 concerning the Management of Homeless People, Beggars, and Street Children in the context of maintaining public order. The study combines statutory, conceptual, and socio-legal approaches to assess the relationship between applicable legal norms and their implementation in practice.

The study draws on both primary and secondary data. Primary data were collected through interviews and field observations involving local government officials, relevant regional government agencies, law enforcement officers, rehabilitation personnel, community members, and members of the target population. Participants were selected using purposive sampling based on their relevance to the implementation of the regulation and their direct knowledge or experience of the management of GPAJ. Secondary data consisted of legislation, regional regulations, policy documents, implementation reports, books, scholarly journal articles, and relevant findings from previous studies.

Data were collected through semi-structured interviews, direct observations, and documentary analysis. To enhance the credibility and validity of the findings, the study employed triangulation across data sources, data collection techniques, and documentary evidence. This approach enabled the researchers to compare information obtained from different actors and sources and to identify consistencies and discrepancies between regulatory requirements and implementation practices.

The data were analyzed using an interactive qualitative analysis model consisting of data condensation, data display, and conclusion drawing and verification. The analysis focused on identifying discrepancies between *das sollen* (what ought to be under

the applicable legal norms) and *das sein* (what occurs in practice), as well as examining implementation barriers and the effectiveness of measures related to prevention, enforcement, rehabilitation, empowerment, and social reintegration. Particular attention was given to the interaction among legal norms, institutional capacity, implementing actors, resources, and community participation in shaping regulatory outcomes.

Based on these findings, the study formulates recommendations for strengthening the regulatory framework and its implementation, particularly with respect to substantive legal provisions, institutional arrangements, interagency coordination, human and material resources, financing mechanisms, and meaningful community participation. The methodological framework is therefore designed not only to assess whether the regulation is formally implemented but also to determine whether its implementation contributes to sustainable public order while protecting the rights, dignity, and social welfare of vulnerable populations.

3. RESEARCH RESULT AND DISCUSSION

3.1. Implementation of Kudus Regency Regional Regulation No. 15 of 2017 in Maintaining Public Order

Kudus Regency Regional Regulation No. 15 of 2017 has provided the primary legal and operational framework for addressing homeless people, beggars, and street children (GPAJ). Nevertheless, its implementation has not fully achieved the objectives established by the regulation, as a gap remains between the normative expectations (*das sollen*) and actual implementation (*das sein*). With respect to Article 2, the principles of protection, humanity, justice, and welfare are reflected to some extent in implementation practices. The local government reports that it periodically evaluates the relevant regional government agencies, while the Public Order Agency (Satpol PP) maintains that enforcement measures incorporate humanitarian considerations, particularly when dealing with street children.

Community feedback indicates that officers generally use persuasive approaches during patrols. However, accounts from members of the target population reveal inconsistencies in implementation, with some officers reportedly continuing to employ relatively coercive approaches. These findings indicate that although the regulation provides the necessary legal substance and the relevant institutional structures are in place, the legal culture and consistency of implementation remain insufficient to fully support the principles of protection and humane treatment. This condition reinforces the proposition that legal effectiveness is determined not by legal substance alone but by the interaction among legal substance, institutional structure, and legal culture.

Article 3 establishes several objectives, including preventing an increase in the GPAJ population, promoting self-reliance, encouraging participation by the public and

business sector, and maintaining public order. However, these objectives have not yet been achieved optimally. Both the Social Affairs Agency and the Public Order Agency identify budgetary constraints as a significant factor affecting rehabilitation, empowerment, enforcement, and other management activities. From the community's perspective, the practice of giving money to beggars or street performers out of sympathy also persists. Thus, the achievement of the regulation's objectives faces challenges on two interconnected fronts: the government's capacity to provide sustained social interventions and the community's compliance with applicable norms.

The implementation of Article 7, which governs preventive measures, has included data collection, public outreach, social guidance, the provision of basic necessities, patrols, public awareness campaigns, and the issuance of warnings. Despite these efforts, the effectiveness of preventive measures remains limited because some members of the GPAJ population return to public spaces after receiving guidance or assistance. The continued reliance on begging as a source of income, particularly when social assistance is insufficient to meet daily needs, indicates that poverty and the absence of viable alternative livelihoods constitute structural factors that cannot be addressed solely through public awareness campaigns or routine patrols. Although preventive measures have been implemented at both administrative and operational levels, they have not yet developed into comprehensive, empowerment-oriented prevention strategies capable of addressing the socioeconomic conditions underlying GPAJ activities.

A similar pattern is evident in the implementation of Article 8 concerning enforcement measures. The Public Order Agency (Satpol PP) has conducted patrols, enforcement operations, inspections, data collection, initial guidance, and the issuance of formal statements. However, some individuals return to public spaces after enforcement actions, while follow-up interventions by the Social Affairs Agency are often limited or absent. This situation reflects what may be characterized as a "discontinuity of intervention," namely a break in the policy process between enforcement measures and subsequent social interventions.¹⁰ From a legal perspective, enforcement measures have been carried out; however, in terms of policy outcomes, these measures have not consistently produced sustained changes in the behavior or socioeconomic circumstances of the target population.

The implementation of Article 10 concerning rehabilitation has involved outreach, education, social guidance, the provision of basic necessities, and repatriation. Nevertheless, rehabilitation remains suboptimal because of limited human resources and inadequate post-repatriation support. The Social Affairs Agency acknowledges that

¹⁰ Araska Arkananta Celesta and Tutik Wijayanti, "Kesenjangan Struktural Antara Penegakan Represif Dan Rehabilitasi Sosial Berkelanjutan Dalam Penanganan Kelompok Perkotaan Yang Terpinggirkan Di Kabupaten Banyumas," *Jurnal Ilmu Sosial Dan Ilmu Politik (JISIP)* 15, no. 1 (2026): 143–59, <https://doi.org/10.33366/jisip.v15i1.3782>.

its staffing capacity is insufficient to conduct outreach activities on a daily basis. Meanwhile, members of the target population report that, after receiving food assistance and instructions, they are often returned to their communities without sustained follow-up support. These findings suggest that rehabilitation continues to rely heavily on short-term interventions, whereas its effectiveness should be assessed in terms of its capacity to prevent recurrence through sustained guidance, empowerment, livelihood placement, and continuous monitoring.¹¹

The implementation of Article 14 concerning community participation is likewise suboptimal. Although community members recognize that the presence of GPAJ in public spaces may disrupt public order, feelings of sympathy and pity discourage some residents from reporting such activities to the authorities. In addition, members of the public have limited knowledge of the available reporting mechanisms and expect government agencies to respond more rapidly to reported cases. This situation illustrates an imbalance in the community's legal culture: although there is general awareness of the importance of maintaining public order, such awareness does not always translate into compliance with or use of established legal mechanisms.

The implementation of Regional Regulation No. 15 of 2017 demonstrates that the principal challenge is not the absence of a legal framework but the limited capacity to translate legal norms into sustained and coordinated social outcomes. The findings reveal interconnected weaknesses in preventive intervention, enforcement continuity, rehabilitation, empowerment, institutional coordination, resource allocation, and community participation. Consequently, enforcement-oriented measures alone are insufficient to achieve the regulation's objectives. Effective implementation requires an integrated approach in which public order is pursued simultaneously with social protection, socioeconomic empowerment, and respect for the dignity of vulnerable populations.

Funding constraints associated with Article 18 emerged as one of the most significant findings of the study. Although funding is allocated through the regional budget (APBD), the available resources remain insufficient to meet operational requirements. Reductions in operational funding have affected field mobility and the number of personnel available for patrol activities, while the quality of planning and budget prioritization by Regional Government Organizations (OPDs) directly influences the extent to which programs mandated by the Regional Regulation can be supported. Thus, the funding problem extends beyond the adequacy of the budget itself and involves what may be termed "institutional budgeting capacity," namely, the ability

¹¹ Mitro Subroto and Hibatullah Ulya Mukhlis, "Rehabilitasi Narapidana Melalui Pembinaan Berbasis Masyarakat: Analisis Implementasi Teknik Community-Based Corrections Dalam Sistem Pemasyarakatan," *Innovative: Journal of Social Science Research* 5, no. 1 (2025): 7035–45, <https://doi.org/10.31004/innovative.v5i1.18240>.

of government institutions to translate the operational requirements of implementing the Regional Regulation into concrete budgetary plans and expenditure priorities.¹²

The prohibitions established under Article 19 have been addressed through public awareness campaigns, advisories, patrols, enforcement operations, and the signing of statements of commitment. However, awareness of these prohibitions does not necessarily translate into compliance. Informants acknowledged being aware of the prohibitions on street performing and begging but continued these activities because they lacked viable alternative sources of income. At the same time, members of the public continue to provide money to GPAJ in public spaces. These findings reveal a “compliance gap,” defined here as the discrepancy between knowledge of legal norms and the capacity or willingness of individuals to comply with them. The persistence of this gap indicates that formal prohibitions are unlikely to produce sustainable behavioral change when the socioeconomic conditions underlying noncompliance remain unaddressed.

The implementation of Kudus Regency Regional Regulation No. 15 of 2017 is ongoing but has not yet achieved full effectiveness. This finding is consistent with Hermawanto et al., who found that the implementation of policies addressing street-based vulnerable populations in Magelang Regency remained suboptimal, particularly because of weaknesses in communication and human resources.¹³ The findings from Kudus also correspond with Nasir et al., who identified budgetary constraints and the public practice of giving money to beggars as significant implementation barriers in Mataram City.¹⁴ Similarly, Kencana et al., in their study of Palembang, identified challenges related to government personnel, infrastructure, rehabilitation staff, and public awareness.¹⁵

The implementation challenges identified in Kudus, however, extend beyond these individual factors. They primarily reflect a disconnect between successive stages of the policy process, particularly enforcement, rehabilitation, empowerment, and social reintegration. This finding complements Rahma, who demonstrated that although Kudus Regency Regional Regulation No. 15 of 2017 is normatively consistent with the constitutional framework, it contains conceptual challenges in positioning begging simultaneously as a public order issue and a manifestation of poverty.¹⁶ The present study demonstrates how this normative tension becomes evident in empirical implementation. When the economic needs of the target population remain

¹² Elsa Sepriani, “Penyusunan Peraturan Daerah Tentang Anggaran Pendapatan Dan Belanja Daerah Dalam Perspektif Hukum Keuangan Negara,” *Petita* 7, no. 2 (2026): 59–64, <https://doi.org/10.33373/pta.v7i2.8937>.

¹³ Hermawanto et al., “Implementasi Kebijakan Peraturan Daerah Kabupaten Magelang Nomor 1 Tahun 2019 Tentang Penanganan Gelandangan, Pengemis Dan Anak Jalanan Dalam Mewujudkan Ketertiban Umum Oleh Satuan Polisi Pamong Praja.”

¹⁴ Nasir et al., “Pelaksanaan Peraturan Daerah Nomor 5 Tahun 2012 Tentang Penanggulangan Gelandangan Dan Pengemis.”

¹⁵ Kencana et al., “Efektivitas Peraturan Daerah Yang Berkesejahteraan Sosial Di Kota Palembang.”

¹⁶ Rahma, “Sinkronisasi Peraturan Daerah Kabupaten Kudus Tentang Pengemisan.”

inadequately addressed, prohibitions and enforcement measures alone are insufficient to generate sustained compliance.

Accordingly, public order should be understood not simply as the removal of beggars and other street-based vulnerable populations from public spaces, but as an outcome of the integration of law enforcement with social welfare interventions. The effectiveness of Kudus Regency Regional Regulation No. 15 of 2017 ultimately depends on the local government's capacity to establish a sustainable and integrated management system. Although the regulation provides a relatively comprehensive legal framework and the necessary institutional structures are in place, legal culture, institutional capacity, funding, and continuity of intervention remain insufficient to fully support the achievement of its objectives.

Strengthening implementation therefore requires the integration of enforcement measures with rehabilitation, vocational and skills training, access to employment and livelihood opportunities, post-intervention assistance, interagency referral mechanisms, enhanced community participation, and needs-based budgeting. Such measures would shift the implementation framework from a predominantly enforcement-oriented model toward a continuum of intervention in which enforcement is connected to rehabilitation, empowerment, and social reintegration. Sustainable public order cannot be achieved through repeated enforcement operations alone; rather, it requires a continuous and integrated approach that simultaneously addresses regulatory compliance, socioeconomic vulnerability, institutional capacity, and the long-term reintegration of the target population.

3.2. Strengthening the Legal and Institutional Implementation of Kudus Regency Regional Regulation No. 15 of 2017

The primary challenge is not merely the absence of legal norms but the lack of continuity among public order enforcement, law enforcement, rehabilitation, empowerment, and social reintegration. Legal strengthening should therefore focus on establishing an integrated management system that connects law enforcement functions with social protection and recovery mechanisms. In terms of law enforcement, the Public Order Agency (Satpol PP) has conducted patrols, public outreach, issued warnings, collected data, carried out enforcement operations, and provided initial guidance. However, most interventions continue to rely on nonjudicial measures. The application of the minor offense (Tipiring) procedure therefore needs to be optimized to ensure that violations of the Regional Regulation are addressed through a clear and legally accountable process. This requires an explicit escalation mechanism that distinguishes among persuasive measures, guidance, public order enforcement, and judicial proceedings

according to the nature of the violation and the fulfillment of the relevant legal elements.¹⁷

The minor offense procedure should not be applied merely because an individual belongs to the GPAJ population. Rather, its application must be based on specific acts that are expressly prohibited and satisfy the criminal elements established under the Regional Regulation. Such an approach is essential for ensuring legal certainty while preventing the disproportionate criminalization of vulnerable populations. Law enforcement should also extend to individuals or entities that organize, direct, facilitate, or exploit begging activities. Enforcement actions that focus exclusively on individuals found in public spaces risk overlooking actors who derive economic benefits from such activities.¹⁸ In cases involving children, the legal approach must be particularly protective because children may be victims of exploitation.¹⁹ Where indications of exploitation are identified, reliance solely on the Regional Regulation is inadequate. Such cases should be coordinated with the applicable national legal framework on child protection, taking into account the specific elements of the acts committed. Accordingly, the orientation of law enforcement should shift from merely “clearing public spaces” toward “breaking the cycle of exploitation” while ensuring the protection of victims.

Preventive and repressive measures should likewise be integrated within a coherent enforcement framework. Routine patrols, mapping of high-risk areas, dissemination of information concerning prohibited activities, and the installation of public notices should be strengthened as preventive instruments. Repressive measures, including enforcement operations and judicial proceedings, should be employed when violations persist despite prior awareness-raising, warnings, and guidance. Maintaining an appropriate balance between prevention and enforcement is critical because enforcement operations without subsequent social interventions tend to produce only temporary effects. The effectiveness of law enforcement should therefore not be measured by the number of enforcement operations conducted, but by the capacity of the overall system to reduce repeated violations and generate sustainable improvements in the social and economic conditions of the target population.²⁰

¹⁷ Fajar Nur Rimantoro et al., “Penerapan Tindakan Yustisi Dan Non Yustisi Dalam Penertiban PKL Oleh Satpol PP Kabupaten Kediri,” *Sosio Yustisia: Jurnal Hukum Dan Perubahan Sosial* 5, no. 1 (2025): 81–95, <https://doi.org/10.15642/sosyus.v5i1.816>.

¹⁸ Puji Ningtyas et al., “Implementasi Peraturan Daerah Kota Mataram Nomor 11 Tahun 2015 Tentang Ketentraman Dan Ketertiban Umum Mengenai Larangan Mengemis Di Kecamatan Ampenan: Studi Di Kelurahan Kebun Sari,” *Sosial: Jurnal Inovasi Pendidikan IPS* 5, no. 1 (2025): 73–83, <https://doi.org/10.51878/social.v5i1.4569>.

¹⁹ Athira Nurahmadhani et al., “Perlindungan Hukum Terhadap Anak Korban Eksploitasi Sebagai Pengemis,” *Legal Dialogica* 1, no. 1 (2025): 1–19.

²⁰ Muhammad Yasin Al Arif, “Penegakan Hukum Dalam Perspektif Hukum Progresif,” *Undang: Jurnal Hukum* 2, no. 1 (2019): 169–92, <https://doi.org/10.22437/ujh.2.1.169-192>.

From an institutional perspective, three major constraints have been identified: the lack of halfway houses or temporary shelters, the absence of dedicated operational vehicles for the Social Affairs Agency (Dinas Sosial P3AP2KB), and inadequate coordination among Regional Government Organizations (OPDs). Social workers within the agency reported that these limitations hinder the effective implementation of rehabilitation and case management. This condition demonstrates a gap between the normative obligations established by the Regional Regulation and the institutional capacity available to fulfill them. Enforcement actions that are not supported by adequate rehabilitation facilities, social assessments, support services, skills training, and follow-up monitoring increase the likelihood that individuals removed from public spaces will return to those spaces.

Institutional strengthening therefore requires the establishment of an integrated coordination mechanism, including consideration of the “GPAJ Task Force” proposed by the Social Affairs Agency, together with the development of cross-agency Standard Operating Procedures (SOPs) governing the entire intervention process, from initial outreach and assessment to rehabilitation and social reintegration. At a minimum, these SOPs should clearly define the respective authorities and responsibilities of the Public Order Agency (Satpol PP), the Social Affairs Agency, relevant regional agencies, village and subdistrict administrations, and law enforcement authorities. They should also establish standardized procedures for assessment, referral to rehabilitation services, economic empowerment, child protection, interagency coordination, and post-intervention monitoring.

The establishment of halfway houses and the provision of dedicated operational vehicles should not be viewed merely as administrative or logistical matters. Rather, they constitute essential components of the institutional infrastructure required for the effective implementation of the Regional Regulation. Without adequate facilities, mobility, personnel, and coordination mechanisms, legal norms cannot be translated consistently into effective interventions. Institutional capacity must therefore be understood as an integral component of legal effectiveness, because the practical force of the Regional Regulation depends not only on the existence of legally valid provisions but also on the capacity of implementing institutions to operationalize those provisions in a continuous, coordinated, and rights-respecting manner.

Strengthening the implementation of Regional Regulation No. 15 of 2017 requires a transition from a fragmented enforcement model toward an integrated governance framework. Such a framework should connect preventive measures, proportionate law enforcement, rehabilitation, empowerment, child protection, and social reintegration within a continuous intervention process. This approach would enable the local government to pursue public order without reducing GPAJ management to the removal

of vulnerable individuals from public spaces and would instead promote sustainable compliance, social recovery, and protection of human dignity.

Strengthening the role of the Regional House of Representatives (DPRD) is also essential, particularly with respect to its legislative, budgetary, and oversight functions. The Regional Regulation already provides a relatively comprehensive legal framework for addressing GPAJ-related issues; therefore, implementation challenges do not necessarily require substantive amendments to the regulation itself. DPRD members indicate that suboptimal implementation is largely attributable to weaknesses in enforcement, interagency coordination, and the socioeconomic conditions of the target population. Accordingly, the legislative function should focus on evaluating the existing regulatory framework and developing technical instruments, particularly Standard Operating Procedures (SOPs), rehabilitation mechanisms, clear divisions of authority, and proportionate enforcement procedures. The budgetary function should ensure that the operational requirements for enforcement activities, rehabilitation services, halfway houses, operational vehicles, empowerment programs, and oversight mechanisms are incorporated into needs-based budget planning. Meanwhile, the oversight function should emphasize the evaluation of Regional Apparatus Organizations (OPDs) and ensure that oversight findings are followed by concrete and measurable corrective actions.

Kudus Regency's fiscal constraints in 2026 must also be taken into account in the strengthening process. The decline in regional fiscal capacity and the need to rationalize public expenditure inevitably affect the financing of GPAJ-related programs. Strengthening implementation should therefore not be reduced to demands for increased budget allocations. Instead, it should be guided by needs-based budgeting, measurable performance indicators, and clearly defined program priorities that link budgetary allocations to expected outcomes. Funding for GPAJ management should be conceptualized not merely as an operational cost associated with enforcement activities but as a strategic investment in achieving public order, social protection, rehabilitation, and sustainable social reintegration.

Legal culture within the community constitutes another critical determinant of implementation effectiveness. Some members of the public continue to give money to beggars or street performers out of sympathy, while others have not received adequate information about the applicable prohibitions. Conversely, members of the GPAJ population who are aware of these prohibitions may nevertheless return to public spaces because they lack viable alternative livelihood opportunities. These conditions demonstrate that legal compliance cannot be established solely through the threat of sanctions. Public awareness campaigns should therefore be conducted continuously through public spaces, village and subdistrict administrations, neighborhood associations (RT/RW), schools, government social media platforms, and locations

identified as vulnerable to GPAJ activities. At the same time, community members should be encouraged to express social concern through assistance mechanisms that do not reinforce dependency on street-based activities.

These findings reinforce the conclusions of Hermawanto et al., who found that the implementation of policies addressing street-based beggars and homeless people remained suboptimal because of communication problems and limited human resources.²¹ In Kudus, however, implementation challenges extend beyond communication and human resource constraints to include a discontinuity in the institutional chain connecting enforcement actions with rehabilitation and subsequent social interventions. The findings also are consistent with Nasir et al., who identified budgetary limitations and the public practice of giving money or goods to beggars as significant obstacles to addressing the issue.²² Similarly, Kencana et al. demonstrated that the effectiveness of GPAJ management policies is influenced by the performance of implementing officials, institutional facilities, human resources, and public awareness.²³ In contrast to Rahma, whose analysis focused primarily on the normative synchronization of Kudus Regency Regional Regulation No. 15 of 2017,²⁴ the present study empirically demonstrates that the principal challenge lies in “law in action,” particularly in the capacity of the legal structure to operationalize existing legal norms and translate them into sustainable outcomes.

Legal strengthening should therefore be pursued simultaneously across the three dimensions of the legal system. Legal substance should be strengthened through the proportionate application of penal provisions, the development of technical regulations and SOPs, the establishment of referral mechanisms, and the incorporation of safeguards for vulnerable populations. Legal structure should be strengthened through systematic coordination among the Public Order Agency (Satpol PP), Civil Servant Investigators (PPNS), the Police, the Prosecutor’s Office, the Courts, the Social Affairs Agency, the Regional House of Representatives (DPRD), and village and subdistrict governments. This coordination should be supported by an integrated working mechanism that clearly assigns responsibilities, establishes referral pathways, and defines measurable performance indicators. Legal culture should be strengthened through consistent and proportionate enforcement by public officials, increased compliance among members of the GPAJ population, sustained public education, and a transformation in patterns of community assistance so that expressions of social concern do not inadvertently perpetuate street-based activities.

²¹ Hermawanto et al., “Implementasi Kebijakan Peraturan Daerah Kabupaten Magelang Nomor 1 Tahun 2019 Tentang Penanganan Gelandangan, Pengemis Dan Anak Jalanan Dalam Mewujudkan Ketertiban Umum Oleh Satuan Polisi Pamong Praja.”

²² Nasir et al., “Pelaksanaan Peraturan Daerah Nomor 5 Tahun 2012 Tentang Penanggulangan Gelandangan Dan Pengemis.”

²³ Kencana et al., “Efektivitas Peraturan Daerah Yang Berkesejahteraan Sosial Di Kota Palembang.”

²⁴ Rahma, “Sinkronisasi Peraturan Daerah Kabupaten Kudus Tentang Pengemisan.”

Accordingly, strengthening the implementation of Kudus Regency Regional Regulation No. 15 of 2017 cannot be achieved merely by increasing the frequency of enforcement operations or imposing more severe sanctions. What is required is systemic strengthening that connects law enforcement with legal protection, rehabilitation, empowerment, social reintegration, budgeting, institutional oversight, and meaningful public participation. Minor offense proceedings (The minor offense) provide legal certainty when a specific violation satisfies the elements of a criminal offense. Enforcement directed at individuals or actors who organize, facilitate, or exploit begging activities broadens the scope of law enforcement beyond those found in public spaces and addresses the structural dimensions of the problem. At the same time, halfway houses, integrated task forces, cross-agency SOPs, adequate budgetary support, empowerment programs, and post-intervention monitoring ensure that legal enforcement is accompanied by appropriate social follow-up.

Through this integrated model, Regional Regulation No. 15 of 2017 can move beyond functioning merely as an instrument for maintaining public order and instead operate as a local legal governance framework capable of simultaneously promoting public order, protecting vulnerable populations, supporting social rehabilitation, strengthening economic self-reliance, and ensuring sustainable management of GPAJ-related issues. The effectiveness of the regulation ultimately depends on the government's ability to establish continuity across the entire intervention process—from prevention and proportionate enforcement to rehabilitation, empowerment, and social reintegration—while ensuring that legal action remains consistent with the principles of legality, proportionality, human dignity, and social protection.

4. CONCLUSION

The substantive provisions of the Regional Regulation establish a normative framework encompassing prevention, enforcement, rehabilitation, public participation, financing, and prohibitions. Nevertheless, implementation remains suboptimal. Significant gaps persist in budgetary resources, human resources, rehabilitation facilities, interagency coordination, continuity of support, and compliance among both the public and the target population. Enforcement efforts tend to focus primarily on repressive measures and have not yet fully achieved the broader objectives of social reintegration and economic self-reliance. These findings underscore the need to strengthen the three dimensions of the legal system simultaneously: legal substance, legal structure, and legal culture.

This study provides an empirical basis for evaluating and improving local governance in the management of GPAJ. However, the study has several limitations, particularly its geographical focus on Kudus Regency and its reliance on qualitative data. These limitations constrain the generalizability of the findings to other regions and underscore the need for further empirical validation. Local governments should

therefore strengthen integrated Standard Operating Procedures (SOPs), establish cross-agency task forces, provide adequate shelters or halfway houses, implement needs-based budgeting, apply minor offense proceedings (The minor offense) proportionately, and expand sustained public education and awareness programs. Strengthening implementation should also include clear referral mechanisms, post-rehabilitation monitoring, and measurable performance indicators to ensure continuity of interventions and assess their long-term outcomes.

Future research should evaluate the effectiveness of this integrated management model through longitudinal and comparative studies across different regions. Such research would help determine whether the proposed integration of enforcement, rehabilitation, empowerment, social reintegration, institutional coordination, and public participation can produce sustained reductions in repeated GPAJ-related activities while simultaneously strengthening the protection and socioeconomic well-being of vulnerable populations. A longitudinal approach would also enable researchers to assess whether improvements in public order are accompanied by durable changes in compliance, self-reliance, and social reintegration rather than merely short-term reductions in the presence of GPAJ in public spaces.

REFERENCES

Journals

- Al Arif, Muhammad Yasin. "Penegakan Hukum Dalam Perspektif Hukum Progresif." *Undang: Jurnal Hukum* 2, no. 1 (2019): 169–92.
<https://doi.org/10.22437/ujh.2.1.169-192>.
- Celesta, Araska Arkananta, and Tutik Wijayanti. "Kesenjangan Struktural Antara Penegakan Represif Dan Rehabilitasi Sosial Berkelanjutan Dalam Penanganan Kelompok Perkotaan Yang Terpinggirkan Di Kabupaten Banyumas." *Jurnal Ilmu Sosial Dan Ilmu Politik (JISIP)* 15, no. 1 (2026): 143–59.
<https://doi.org/10.33366/jisip.v15i1.3782>.
- Hermawanto, A'an, Dyah Adriantini Sintha Dewi, and Dilli Trisna Noviasari. "Implementasi Kebijakan Peraturan Daerah Kabupaten Magelang Nomor 1 Tahun 2019 Tentang Penanganan Gelandangan, Pengemis Dan Anak Jalanan Dalam Mewujudkan Ketertiban Umum Oleh Satuan Polisi Pamong Praja." *Borobudur Law and Society Journal* 4, no. 1 (2025): 1–23.
<https://doi.org/10.31603/11942>.
- Idza, Allisa Akhidatul. "Gelandangan Dan Pengemis Dalam Konteks Ketenteraman Dan Ketertiban Umum." *Jurnal Tatapamong* 5, no. 2 (2023): 145–61.
<https://doi.org/10.33701/jurnaltatapamong.v5i2.3859>.
- Kencana, Ulya, Yuswalina Yuswalina, and Eza Triyandhy. "Efektivitas Peraturan Daerah Yang Berkesejahteraan Sosial Di Kota Palembang: Studi Kasus Anak

- Jalanan, Gelandangan Dan Pengemis Di Masa Pandemi Covid-19.” *Simbur Cahaya* 27, no. 2 (2021): 70–97. <https://doi.org/10.28946/sc.v27i2.1039>.
- Khasna A, Nindya, Tri Yuniningsih, and Ida Hayu D. “Evaluasi Program Penanggulangan Gelandangan Dan Pengemis (GEPENG) Di Kabupaten Demak.” *Journal of Management and Public Policy* 11, no. 1 (2022): 83–97. <https://doi.org/10.14710/jppmr.v11i1.32909>.
- Nasir, Harun Muhammad, Sofwan Sofwan, and Kafrawi Kafrawi. “Pelaksanaan Peraturan Daerah Nomor 5 Tahun 2012 Tentang Penanggulangan Gelandangan Dan Pengemis: (Studi Di Kota Mataram).” *Jurnal Diskresi* 1, no. 2 (2022): 236–44. <https://doi.org/10.29303/diskresi.v1i2.2092>.
- Ningtyas, Puji, Rispawati Rispawati, M. Samsul Hadi, and Yuliatin Yuliatin. “Implementasi Peraturan Daerah Kota Mataram Nomor 11 Tahun 2015 Tentang Ketentraman Dan Ketertiban Umum Mengenai Larangan Mengemis Di Kecamatan Ampenan: Studi Di Kelurahan Kebun Sari.” *Social: Jurnal Inovasi Pendidikan IPS* 5, no. 1 (2025): 73–83. <https://doi.org/10.51878/social.v5i1.4569>.
- Nurahmadhani, Athira, Hardiyanto Djanggih, and Asriati Asriati. “Perlindungan Hukum Terhadap Anak Korban Eksploitasi Sebagai Pengemis.” *Legal Dialogica* 1, no. 1 (2025): 1–19.
- Pertiwi, Rita. “Analisis Pelaksanaan Peraturan Daerah Nomor 03 Tahun 2010 Tentang Pembinaan Anak Jalanan Gelandangan Dan Pengemis Di Kota Bandar Lampung.” *Jurnal Tapis: Jurnal Teropong Aspirasi Politik Islam* 17, no. 2 (2021): 53–69. <https://doi.org/10.24042/tps.v17i2.12822>.
- Rahma, Nabila Luthvita. “Sinkronisasi Peraturan Daerah Kabupaten Kudus Tentang Pengemisan.” *Yudisia: Jurnal Pemikiran Hukum Dan Hukum Islam* 11, no. 1 (2020): 105–24. <https://doi.org/10.21043/yudisia.v11i1.7527>.
- Rahmadanita, Annisa. “Pembinaan Ketentraman Dan Ketertiban Umum: Studi Kasus Gelandangan Dan Pengemis.” *Jurnal Tatapamong* 1, no. 2 (2019): 95–104. <https://doi.org/10.33701/jurnaltatapamong.v1i2.1154>.
- Rimantoro, Fajar Nur, Aldi Ahmad Nugroho, Cininthia Kareena Dewi, and Dinda Irlianti Puspitaningrum. “Penerapan Tindakan Yustisi Dan Non Yustisi Dalam Penertiban PKL Oleh Satpol PP Kabupaten Kediri.” *Sosio Yustisia: Jurnal Hukum Dan Perubahan Sosial* 5, no. 1 (2025): 81–95. <https://doi.org/10.15642/sosyus.v5i1.816>.
- Sepriani, Elsa. “Penyusunan Peraturan Daerah Tentang Anggaran Pendapatan Dan Belanja Daerah Dalam Perspektif Hukum Keuangan Negara.” *Petita* 7, no. 2 (2026): 59–64. <https://doi.org/10.33373/pta.v7i2.8937>.
- Subroto, Mitro, and Hibatullah Ulya Mukhlis. “Rehabilitasi Narapidana Melalui Pembinaan Berbasis Masyarakat: Analisis Implementasi Teknik Community-Based Corrections Dalam Sistem Pemasyarakatan.” *Innovative: Journal Of Social*

Science Research 5, no. 1 (2025): 7035–45.

<https://doi.org/10.31004/innovative.v5i1.18240>.