

Social Protection Rights For The Elderly In Medan Amplas District According To Law No. 13 1998 And Islamic Law

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Info Articles	Abstract
<p>Article History Received : 2018-09-06 Revised: 2018-09-15 Published: 2018-09-29</p> <p>Keywords: <i>Elderly, Social Protection Rights, Laws, Islamic Law</i></p>	<p>The studies about "The Rights of Social Protection for Aged in Medan Amplas based on Law No. 13 of 1998 and Islamic Law". The study will investigate how is the implementation of the rights of social protection for aged in Medan Amplas based on Law No. 13 of 1998, how is the implementation of the rights of social protection for aged in Medan Amplas based on Islamic Law and what is the problem and solution in implementing the social protection for aged in Medan Amplas. The findings showed that the rights of social protection for aged in Medan Amplas were not fulfilled properly. It was based on the information which had been obtained from the Social Services of Medan and also the observations and interviews which had been carried out. They were the right to get ASLUT (The social assistance for Aged) and PKH (The Prospects of Family Program). Most of the elderly did not get those kinds of aid. Moreover, there were only 175 aged who got the ASLUT in Medan. The information has been found that the limitation of funds from the government caused the rights for most aged did not fulfill well. The case can be a good input for the government to increase the funds for the elderly to fulfill their rights of social protection</p>

I. INTRODUCTION

Indonesia is one of the countries with a large elderly population. In fact, Indonesia is among the top five countries with the highest number of elderly people in the world. According to population projections, the number of elderly people in Indonesia in 2016 reached 22.6 million out of a total of 255.5 million.

Old age is the final developmental period in human life, marked by a decline and change in physical function associated with the aging process. The aging process in humans is a natural and unavoidable process. Being a healthy elderly person is a blessing from Allah SWT. It is important to understand that That the older generation and aging are natural laws that must be appreciated as a gift from God. Being granted a long life, enabling us to fulfill our parental responsibilities in raising our children and safely completing our service and entering retirement, is certainly the most beautiful gift from God Almighty.

Aging is a natural process accompanied by a decline in physical, psychological, and social conditions, all interacting with each other. As is known, advanced age brings greater physical decline compared to previous periods. Elderly people experience a loss of neurons in the brain and nervous system, decreased sensory function, decreased lung capacity, and decreased sexual ability. The immune system also declines, making them susceptible to disease, sluggish digestion, loss of joint elasticity and flexibility, and bone loss.

Regarding the elderly, in Islamic law, providing social protection for the elderly is an obligation. Indeed, the elderly have rights that must be considered. Islam, as a perfect religion, is at the forefront of providing attention and protecting their rights. The Prophet (peace and blessings be upon him) said: "He is not one of us who does not show mercy to our children and does not respect our elders." (Nashiruddin, t.th). The Prophet's statement "not one of us" indicates that those who do not respect the elderly are not

following the Prophet's guidance and are not on the path of his Sunnah. It is understandable that Islam pays extraordinary attention to the elderly, especially regarding their social protection.

Furthermore, Indonesia also has an obligation to ensure the welfare of the elderly. The state is obligated to provide social protection for its citizens. Therefore, the elderly are also a state responsibility. This is evidenced by the existence of a specific law related to the welfare of the elderly, namely Law No. 13 of 1998. Furthermore, it is supplemented by the existence of Government Regulation No. 43 of 2004 as an implementation effort to improve the social welfare of the elderly and Ministerial Regulation No. 19 of 2012 and Ministerial Regulation No. 12 of 2013.

From this law it is clear what the rights of the elderly are in carrying out their lives. It is explained in the explanation of the article. Law No. 13 of 1998 stipulates that social protection efforts consist of fulfilling the social needs of the elderly and facilitating access to services. However, the reality I found in society is that many elderly people still do not have their social protection rights fulfilled. Therefore, it is possible that the government has not been optimal in fulfilling its obligations. Some said they once received assistance, but no longer do. Even Nek Boirah, an elderly woman who has never received any assistance from the government. Some even said they received it not from the government, but from a non-Muslim foundation.

Furthermore, based on an interview the author conducted with Mr. Nahason Sinaga at the Ministry of Social Affairs of North Sumatra, he noted that the ASLUT (Social Assistance for the Elderly) program is one of the programs for the elderly. This program provides cash assistance to neglected elderly people so they can meet their basic living needs. The cash assistance amounted to Rp. 200,000 per month. However, based on interviews with several elderly people in Medan

Amplas District, the author found that the program didn't reach them, meaning they didn't receive any assistance. Therefore, it's possible the program isn't working in Medan Amplas District.

This is a problem. A gap was found between the Law that has been made by the Government and its implementation in society. That the Law has made a regulation on social protection for the elderly in the form of fulfilling basic needs, but among the social protection programs by the Government are not implemented well for the elderly, especially in Medan Amplas District. The author's discussion includes the implementation of social protection rights for the elderly in Medan Amplas District according to Law No. 13 of 1998, the implementation of social protection rights for the elderly in Medan Amplas District according to Islamic Law as well as obstacles and solutions in implementing social protection.

I. RESEARCH METHODS

This study uses empirical juridical research, which examines the implementation of social protection rights for the elderly based on positive law (Law No. 13 of 1998) and Islamic law in society. The research was conducted in Medan Amplas District, focusing on elderly people who are poor, neglected, sick, or unable to support themselves. Data were collected through interviews, observations, and documentation involving elderly informants, elderly communities, and related institutions such as the Social Service Office and the Family Hope Program (PKH). The data were then analyzed qualitatively to understand the fulfillment of elderly social protection rights and the obstacles encountered in practice.

II. RESULTS AND DISCUSSION

A. Definition of Elderly

Aging is a natural and continuous process that experiences anatomical, physiological, biochemical changes in tissues or organs that

ultimately affect the state of function and overall body ability (Fatmah, 2010). Adulthood is also a phase of declining intellectual and physical abilities, which begins with several changes in life (Abdurrahman, 2005). As is known, when humans reach adulthood, they have the ability to reproduce and give birth to children. When living conditions change, a person will lose these duties and functions and enter the next phase, namely old age. For normal humans, whoever they are, they are certainly ready to accept new circumstances in every phase of their life and try to adapt to their environmental conditions.

Elderly people are inevitably associated with the term "aging." Aging is a normal process of change associated with time, beginning at birth and continuing throughout life. Old age is the final phase of the lifespan. Aging is a process that occurs universally across all species, progressively over time, resulting in changes that lead to organ dysfunction and ultimately to the failure of specific organs or body systems.

Aging (the process of becoming old) is the gradual loss of tissue's ability to repair itself, replace itself, and maintain its normal function, making it unable to resist infection and repair damage. As the body ages, it experiences various health problems, commonly referred to as degenerative diseases. Old age is considered the final stage of development in the human life cycle.

The WHO and Law Number 13 of 1998 concerning the welfare of the elderly, in Chapter 1, Article 1, Paragraph 2, state that 60 years of age is the beginning of old age. Aging is not a disease, but rather a gradual process that results in cumulative changes, a process of decreasing the body's resistance to internal and external stimuli that ends in death.

According to Fatmah, the elderly are a group of people undergoing a gradual process of change over a certain period of time (Fatmah, 2010). Old age is also called the closing period in a person's lifespan. This period begins at age sixty and

continues until death, marked by physical and psychological changes that gradually decline. Meanwhile, Hasan, in his book "Psychology of Islamic Development," defines old age as the age approaching the end of life. This period begins in one's 60s and continues until the end of life.

Elderly people are often perceived as no longer productive. In fact, many common perceptions of the elderly are negative (Komnas Lanjut Usia, 2007). In developed countries (such as the United States), the elderly are defined as those who have reached the age of 65 or older. The aging process is also known as "senes cene," meaning growing old. The aging process is a life cycle characterized by stages of decline in various bodily functions, such as the cardiovascular and blood vessel systems, respiratory, digestive, and so on.

Thus, it can be understood that aging is a natural and continuous process that involves anatomical, physiological, and biochemical changes in the tissues and organs of the human body. Therefore, aging is always associated with various problems because it is the final phase of human life. The goal of human life is to grow old but remain healthy (healthy aging).

B. Social Protection Rights for the Elderly According to Law No. 13 of 1998

To date, there are various definitions of social protection. This diversity is influenced by the social, economic, and political conditions of a country. The following are some of the many definitions used by various institutions and countries. Social protection is defined by the Asian Development Bank as "the set of policies and programs designed to reduce poverty and vulnerability by promoting efficient labor markets, diminishing people's exposure to risks, and enhancing their capacity to protect themselves against hazards and the interruption of loss of income." (Barrientos, 2008) and vulnerability by promoting labor markets, reducing community risks, and

increasing their capacity to protect themselves against hazards and loss of income disruption). ADB divides social protection into 5 (five) elements, namely: (1) labor markets; (2) social insurance; (3) social assistance; (4) micro and area-based schemes for protection for local communities; and (5) child protection.

The definition of Social Protection in the Law as explained in Article 1 of Law No. 13 of 1998 states that Social Protection is an effort by the government and/or society to provide easy services for elderly people who are not potential to realize and enjoy a reasonable standard of living (Anonim, 1998). Every Indonesian citizen has the right to receive social protection from their country. In a broad sense, social protection includes all actions, whether carried out by the government, the private sector, or the community, to protect and fulfill basic needs, especially poor and vulnerable groups in facing a life full of risks; and to improve the social status and rights of marginalized groups in each country.

Social protection is the most important element of public policy strategy in combating poverty and reducing the multidimensional suffering experienced by weak and disadvantaged groups. As a public policy, social protection is a type of social policy that refers to various forms of services, provisions or programs developed by the government to protect its citizens, especially vulnerable and disadvantaged groups, from various economic, social and political risks that will always affect their lives. In addition to normal public policies, the definition of social protection also includes informal practices, such as arisan (social savings and credit associations), mutual cooperation systems in the community, support from family or friends and other community-based social safety net schemes.

Furthermore, the services referred to in Article 1 paragraph 7 are contained in Article 3

of Law No. 13 of 1998 which explains that social welfare for non-potential elderly includes:

- 1) Religious and spiritual mental services
- 2) Health services
- 3) Services to obtain convenience in using public facilities, infrastructure and utilities
- 4) Providing convenience in legal services and assistance
- 5) Social protection

Furthermore, regarding social protection for the elderly, this is contained in Article 19 of Law No. 13 of 1998, namely:

- 1) The provision of social protection is intended to provide services for elderly people who are not potential to achieve a reasonable standard of living.
- 2) Social protection as referred to in paragraph (1) is implemented through maintaining the level of social welfare which is carried out both inside and outside the institution.
- 3) Elderly people who are not potentially neglected and who die are buried according to their religion and are the responsibility of the government and the community.

Related to the above article, there is an explanation of paragraph (1) that the essence of social protection efforts consists of a series of processes of maintenance, care and fulfillment of the needs of the elderly so that it needs to be preceded by social counseling and guidance efforts so that individuals, families, groups, and social organizations of community institutions have social awareness and responsibility as well as concern for improving the welfare of the elderly. Furthermore, the explanation of paragraph (2) is that maintaining the level of social welfare is an effort to maintain the elderly without potential to include physical, mental, social, health services, and approaching oneself to God Almighty. Maintaining the level of social welfare is carried out both inside and outside social institutions by the Government and the community for an unlimited period of time until

the elderly person dies.

From this law it is clear what the rights of the elderly are in carrying out their lives. It is explained in the explanation of the article 19 Law No. 13 of 1998 states that social protection efforts consist of fulfillment of the social needs of the elderly and ease in obtaining services.

In addition, social protection is also included in the Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 19 of 2012 concerning Guidelines for Social Services for the Elderly, Article 16 states that: "Social protection for the elderly is intended to prevent and address the risks of social shocks and vulnerabilities so that the survival of the elderly can be met in accordance with minimum basic needs (Shihab, 2002).

Furthermore, Article 17 states that "Social protection for the elderly includes:

- a. Social Assistance
- b. Emergency,
- c. Accessibility,
- d. Services for the elderly in substitute families.

Currently, the government program that is currently running is ASLUT (Social Assistance for Neglected Elderly). This is regulated in the Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 12 of 2013 concerning the Social Assistance Program for Neglected Elderly. Article 1 states that the ASLUT Program is a series of Government activities to provide social security to help neglected elderly people in the form of cash assistance through social assistance to meet some of their basic living needs.

Article 2 states that the purpose of ASLUT is to help fulfill some of the basic living needs of neglected elderly people, so that it is hoped that it can improve their social welfare. Furthermore, Article 3 states that the criteria for recipients of the ASLUT program are:

- a. Priority is given to neglected elderly people

aged 60 years and above, who are chronically ill and whose lives are very dependent on the help of others, or who can only lie in bed, so they are unable to carry out daily activities, do not have a fixed source of income and are poor,

- b. Elderly people aged 70 years and over who are not potential, do not have a fixed income, are poor, or are neglected.

In addition to ASLUT, the Medan City Social Services Department also has the PKH (Family Hope Program). This program has been around since 2008, but previously it was only for low-income, poor families, and those with disabilities. However, recently, the elderly have also been included in the PKH program since 2016. Assistance comes in the form of cash, rice, and other necessities. Other basic necessities are provided once a month. This is certainly very helpful for the elderly. Regarding the Family Hope Program (PKH), it is stated in the Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 1 of 2018 in Article 22 that the PKH National Coordination Team handles matters of poverty alleviation, education, health, disability, and the elderly. Article 1, point 1, states that the Family Hope Program (PKH) is a program providing conditional social assistance to poor and vulnerable families and/or individuals registered in the integrated data of the poverty management program, processed by the Social Welfare Data and Information Center, and designated as PKH beneficiary families. Furthermore, point 3 explains that social assistance in the form of money, goods, and services to families and/or individuals who are poor, underprivileged, and/or vulnerable to social risks. Article 5 explains that the elderly are included in the criteria for social welfare components starting from the age of 60 years.

Thus, it is understandable that the right to social protection for the elderly in Law No. 13 of

1998 is clearly regulated to ease the lives of the elderly and ensure they fulfill their rights to social protection as stipulated in the law. This social protection takes the form of assistance for daily needs, such as the ASLUT program and the PKH program, which have been promoted by the Social Services Agency.

C. The Right to Social Protection for the Elderly According to Islamic Law

When discussing the elderly, the term "parents" inevitably comes up. Because, in essence, the elderly are the embodiment of parents. As children, it is our duty to be devoted to our parents. This is especially true when our parents are elderly, when their physical condition often begins to weaken and become ill. Therefore, it is important for us as children to know how to be devoted to our parents, whether they are our own parents or not.

We need to understand that every phase of our lives will continue to evolve and undergo change. If it was once our parents who diligently cared for us as children, now it's time to repay their kindness by caring for us in our old age. This "role reversal" is perfectly natural and something we should be grateful for. Indeed, there is a hadith narrated by Muslim, from Abu Hurairah (may Allah be pleased with him) who said, that the Messenger of Allah (peace and blessings of Allaah be upon him) once said: "Woe! Woe! And truly woe!" Someone asked, "Who, O Messenger of Allaah?" He replied, "A person who finds one or both of his parents old, but cannot cause him to enter Paradise (because of his attitude towards them)." In the Quran regarding parents, Allah describes it in QS. Al-Isra: 23-24: Meaning: "... and your Lord has commanded that you should not worship other than Him and that you should do good to your parents as well as possible. If one of them or both of them reaches old age in your care. So never say to either of them the word "ah" and do not shout at them and say to them noble words. And humble yourself towards them both with love

and say: "O my Lord, love them both, as they both have taught me when small". (QR: Surah al-Isra [17]: 23-24).

These two verses reflect the love, respect, and responsibility that Islam commands every believer to show toward their parents. In Muhammad Quraish Shihab's Tafsir Al-Misbah, it is stated that this verse serves as guidance for children, listing each step in a hierarchical manner. It begins with "do not say to them the word 'ah'." This means do not show boredom, irritation, or disrespect toward them. Furthermore, it progresses to behavior that reflects both love and humility toward both parents. Behavior born of love involves always paying attention to and fulfilling the wishes of both parents, including when they reach old age (Shihab, 2002). By fulfilling their legitimate and reasonable needs according to the child's ability (Shihab, 2000). As stated in Tafsir Al-Maraghi, a child is obligated to repay or be devoted to their parents with gratitude when they are old (Mustafa, 1993).

The Prophet sallallahu 'alaihi wa sallam said: "Indeed, glorification of Allah is included glorifying gray-haired people and Muslims, glorifying Qur'anic experts by not exaggerating or underestimating them, and glorifying leaders who do justice." (Abu Dawud, t.th).

Regarding the explanation of the above hadith in Imam Nawawi's Syarah Riyadhus Shalihin, it states that the hadith is a recommendation to honor older Muslims, those who have memorized the Quran, and just leaders. The key point to emphasize is the honoring of older Muslims (Mustafa, 2010).

The above hadith demonstrates the enormity of the rights of the elderly and their elevated status. In fact, the Prophet also advised:

لَيْسَ مِنَّا مَنْ لَمْ يَرْحَمْ صَغِيرَنَا وَيَعْرِفْ حَقَّ كَبِيرِنَا

Meaning: "He is not one of us who does not love our children and does not respect our elders." (Nashiruddin, t.th). The Prophet's words "we are

not among our group" shows that people who do not respect the elderly do not follow the instructions of the Prophet sallallaahu 'alaihi wa sallam, they are not above the path and sunnah.

In Western civilization, efforts to provide humane treatment to the elderly are carried out by placing them in nursing homes. In these homes, the elderly receive intensive care. Conversely, in family environments, children and relatives often lack the opportunity to provide adequate care due to their busy lives. Western family tradition generally views placing parents in nursing homes as a reflection of a child's love for their parents. Conversely, leaving elderly parents in the family environment tends to be seen as neglect. This is because elderly people who live in a family environment are generally isolated. In a nursing home, they are cared for and can gather with peers, fellow elderly people. And with the assertion of a father-child bond, children usually they visit at every opportunity, such as during holidays.

This is different from the concept recommended by Islam. The treatment of elderly people is recommended to be as careful and meticulous as possible. Islam pays special attention to the family and its care, by establishing the rights that apply to each family member (Habsyi, 2004). The care of elderly parents is the responsibility of their children, not of institutions or orphanages, including nursing homes. The treatment of parents according to Islamic requirements begins at home. Allah specifically mentions the care of elderly parents by commanding their children to treat them with affection.

In this article, the author discusses the right to social protection for the elderly. So, what is the government's duty to protect its elderly citizens in Islam? And what does the state provide in Islam to provide social protection for the elderly? Discussing governance in Islam inevitably involves the figure of the Prophet Muhammad

(peace be upon him), the leader of the Muslim community. The Prophet highly respected his parents, as stated in his hadith, "He who does not honor his parents is not one of my people." This hadith demonstrates the Prophet's deep respect for parents and the elderly.

Regarding social protection for the elderly, the author took it from the government of Umar bin Khathab. Caliph Umar Ibn al-Khattab was the caliph who succeeded in proving the greatness of the Islamic economic system and the Islamic welfare system taught by Allah and the Prophet SAW. So that the reign of Caliph Umar Ibn al-Khattab was said to be a golden age in Islamic history, even though Umar ruled for only 10 years, in that short period the Islamic state experienced very rapid prosperity, something that had never been witnessed by the Arab nation before (Karnaen, 2008).

As is known, the Islamic State guarantees the basic needs of all people who are sick, old, poor, disabled, or unable to work. Umar provided assistance from the state treasury. everyone is like that, including non-Muslims. He gave his assurance to the Jews who were old, sick, and blind, and also to Christians who suffered from leprosy and disabilities. Caliph Umar made the necessary plans and took every necessary step to ensure that in the Islamic country no one lived hungry or without clothing, food and shelter. All the poor and weak laum, irrespective of their caste, color or creed, were provided with financial assistance from the state exchequer. The Department of Social Security lists aid for the poor, the weak and the destitute. This department aims to ensure that no one in the caliphate loses their right to earn a living. All people who are disabled, old, orphans and widows, or for other reasons which cause them to have no livelihood, receive annual assistance from the state treasury. This department was formed based on the verses of the Koran regarding alms and zakat, and the words of the Prophet which explicitly stated that

alms should be collected from the rich to be spent for the benefit of the poor and weak members of society.

As is known, in the year 20 Hijri, Umar established a department called Diwan which was tasked with conducting a regular population census. Based on this census, annual quotas were determined for (i) widows and children, (ii) the disabled and elderly, (iii) the Prophet's widows, (iv) the heroes of the Battle of Badr, (v) the early Muhajirin and Ansar (Chaudry, 2011). Not only that, the disabled, elderly and destitute among non-Muslims were also given financial assistance from the Baitul Mal and exempted from paying jizyah. The role of Caliph Umar saw an old man begging and he asked him, "Why is he doing that?" The old man replied that he was a non-Muslim and that he had to beg to be able to pay jizyah to the State. Umar took him home, gave him some money and told him to go to the Baitul Mal guard with an order that such people should be helped financially and be exempted from paying jizyah.²⁶ This can be understood as the social protection provided in the form of financial assistance, food and exemption from paying jizyah for non-Muslims.

Thus, it can be understood that the right to social protection for the elderly in Islamic law is to fulfill their rights. As in the reign of Umar ibn Khattab, which had an excellent system that was able to ensure the welfare of its citizens, especially the elderly. Among these were assistance in the form of food, where there was a special place provided for free meals, in addition to assistance with basic necessities and exemption from paying jizyah (tax) for non-Muslim elderly. This is the specialty of Islam, which strongly encourages the welfare of its people through its government, as practiced by Umar ibn Khathab. The special status of the elderly in Islam is also illustrated by the hadith of the Prophet, which states that those who do not respect their parents are not included in his group. Therefore, Islam pays extraordinary

attention to the elderly, especially in terms of their social protection.

D. Fulfillment of Social Protection Rights for the Elderly in Medan Amplas District According to Law No. 13 of 1998 and Islamic Law

The research location in this paper is Medan Amplas District. The author chose this sub-district as one of the areas where elderly people have unfulfilled social protection rights. Medan Amplas District consists of seven villages, namely Harjo Sari II, Siti Rejo II, Siti Rejo III, Harjo Sari I, Amplas, Timbang Deli, and Bangun Mulia. The author chose two sub-districts as research locations: Harjo Sari I and Siti Rejo III. This selection of these sub-districts aims to illustrate the elderly in Medan Amplas District whose social protection rights are only partially fulfilled, and many remain unfulfilled. The subjects of this research are elderly people aged 15-20 years 60 years and older. To obtain data or information, informants are needed. Informants are people who will be interviewed regarding this research. The informants in the author's thesis are part of the 697 elderly people in Medan Amplas District with the following characteristics:

- 1) Elderly people who have no family/are abandoned
- 2) Poor elderly
- 3) Elderly people who are unable to earn a living or are sick.

After the author conducted interviews with several elderly people, including Mbah Suriatseh (74 years old), Mbah Suliem (75 years old), Nek Boirah (74 years old), Mbah Ponem (71 years old), Nek Saenah (67 years old), Kek Jani (71 years old), Kek Ramli (74 years old), Nek Rosnida (67 years old), Nek Paikem (65 years old), and Kek Jemu Amat Rejo (70 years old). Among these elderly people are elderly people who are unable and choose to live with their children. Some are in very worrying

conditions and some have a simple life. And what is more worrying is Nek Rosnida, who has two disabled children. Having a heavy burden of life besides her old age, she also has to bear the burden of her two disabled children. There is no help that can be received except help from neighbors.

Furthermore, the author also traced the existence of elderly people in an elderly community called "Monalisa" located on Jalan Selamat Sisingamangaraja. This community is chaired by grandmother Hj. Wahana Lubis. It has been established for approximately ten years. It was founded due to grandmother Wahana's concern for the condition of elderly people in her area. The elderly who are members of the community number 103 elderly people. Among them are: Nurhayati (60 years old), Suniati Pasaribu (63 years old), Asni (75 years old), Ratna (72 years old), Asti Nst (62 years old), Dahniar (68 years old), Rakinem (71 years old), Parini (75 years old), Rahniah (81 years old), Salimah (77 years old), Nurhanah Lubis (72 years old), and others.

Based on an interview the author conducted with Grandma Hj. Wahana Lubis, the current situation of the elderly is quite worrying. Many elderly people live with their children, but their children are also less well-off, so they are not enough for their daily needs, some even beg and ask for food on the streets. In addition, it is known that the elderly are also very vulnerable to disease. However, they also cannot afford treatment and buy medicine. The health assistance that comes is only to monitor the elderly's blood pressure and provide basic medication. This is certainly very inadequate for them. However, Grandma Wahana often spends her own money for the elderly's needs by providing MK (additional food such as sugar, oil, and others). Because they do not receive funds from the government.

Furthermore, the fulfillment of social

protection rights for the elderly in Medan Amplas District has not been optimally met. This is based on research conducted by the author on the elderly and the elderly community. Furthermore, interviews conducted by the author with the City Coordinator of the Family Hope Program (PKH), Mr. Dedy Pardede, revealed that the elderly's needs have not been optimally met (Pardede, 2018). This is evident from the fact that most of them do not receive assistance from the government of either Medan or North Sumatra. Furthermore, interviews conducted by the author with the elderly and the head of the elderly, Mrs. Hj. Wahana Lubis, agreed that the elderly's needs have not been optimally met.

It's truly unfortunate that those who should receive this assistance are not receiving it. This is where the sense of injustice arises. They feel they've been treated unfairly by the government. The government tends to focus only on the poor and underprivileged. Yet, the elderly also need significant government attention.

The Social Service Department actually provides assistance to the elderly through the ASLUT (Elderly Assistance) program, which provides 200,000 Rupiah per month in cash. However, it is unfortunate that the ASLUT program does not reach the elderly in Medan Amplas District effectively. This was also explained by Mrs. Hj. Wahana Lubis, who stated that they do not receive any assistance from the government. I (Grandma Wahana) mostly provide assistance to the elderly with my own money, earned from selling at my shop and from donations from my children. In fact, according to Mr. Zailun, Head of the Children and Elderly Division at the Medan City Social Service, only around 175 elderly people receive ASLUT, and this does not cover all districts in Medan City. This is because the government has a limited quota.

According to the author's interviews, the government's quota limitations are also due to limited funding for the elderly. This has resulted in uneven distribution of assistance to the elderly in Medan City, particularly in the Medan Amplas sub-district. Many elderly people. Many elderly people are not receiving their rights, and many are still in dire straits. In addition to limited government funding, another factor is the fact that elderly people are often mobile. Most elderly people don't settle in one place, moving from one child to another. This also makes it difficult for data collectors to record elderly people in an area. This results in many elderly people going unregistered and not receiving assistance.

In addition to the ASLUT program, the Social Services Department also has the Family Hope Program (PKH), which has targeted the elderly for the past year. The PKH program is designed to support underprivileged communities, such as toddlers, the poor, people with disabilities, and the elderly. PKH provides quarterly assistance to the elderly in the form of cash and basic necessities like rice, eggs, and cooking oil. However, most elderly people in Medan Amplas District do not receive this assistance.

It is understandable that the fulfillment of the rights to social protection for the elderly is still far from their expectations. It is hoped that the government can address this by improving the existing system. This system may be flawed, resulting in the elderly not receiving their rights from the government. Yet, the elderly are among those who must be protected and cared for by the government. Their role is to be honored and respected. They should not be placed in nursing homes and isolated from their families. This is wrong. The elderly must have their rights fulfilled so they can survive and be happy at the end of their lives. The health of the elderly also requires extra attention because the elderly are

highly susceptible to degenerative diseases due to their weak physical condition and are highly sensitive to everything.

Furthermore, in Islamic law, the author takes the example of Umar's government in providing social protection to the elderly. This is in line with Islamic law and is not much different from the provision of social protection under Law No. 13 of 1998. In Islam, the right to social protection includes the fulfillment of needs and money, as well as exemption from paying *jizyah*. In Medan Amplas District, the fulfillment of needs The elderly receive basic necessities and cash assistance under the ASLUT program, which only provides cash each month. Furthermore, the Family Hope Program (PKH) provides cash assistance and basic necessities. Therefore, some, if not all, elderly people in Medan Amplas District have their social protection covered according to Islamic law. However, what is inconsistent with Islamic law is the unequal distribution of assistance, leaving many elderly living below the poverty line. This is also due to government limitations.

The obstacles in implementing Social Protection for the Elderly are:

- 1) Updating elderly data.
- 2) High mobility. Another obstacle is high mobility, meaning that many elderly people live in unstable places.
- 3) Lack of support for the elderly community.

Furthermore, a significant obstacle relates to funding. The funds provided by the government are grossly inadequate, even severely inadequate. Solutions must be sought for these obstacles, among the solutions are:

- 1) Continuously update data. This is to obtain data on elderly people who are in dire need of social protection from the government.
- 2) Strengthening support for the elderly community.
- 3) Holding seminars for the elderly.
- 4) Increase assistance for the elderly by

increasing the budget for assistance for the elderly. Given that the budget allocated for the elderly is very minimal.

III. CONCLUSION AND SUGGESTIONS

A. Conclusion

Based on the author's description, several conclusions can be drawn, including the following:

A general overview of the elderly population in Medan Amplas District shows that many of their social protection rights are still unfulfilled. This is evident in the large number of elderly who still have very limited access to basic necessities.

The fulfillment of social protection rights for the elderly still falls far short of their expectations. It is hoped that the government can address this by improving the existing system. This could be due to a flaw in the system itself.

Law No. 13 of 1998 concerning social protection rights for the elderly in Medan Amplas District has not been optimally implemented. This is evident in the large number of elderly whose rights, including their right to social protection, are not being met. Although the law regulates the welfare of the elderly, it is not being effectively implemented.

In Medan Amplas District, based on the author's research, the elderly are often within their own families. This means they are cared for and live with their children. No one places the elderly in nursing homes or leaves them abandoned on the streets. This is in line with Islamic law, and the author cites the example of the reign of Umar bin Khattab, where he, as a caliph, was able to improve the welfare of his people. In Medan Amplas District, the needs of the elderly are still met, but what is inconsistent is that aid recipients are sometimes not always in the poverty line; some poor and elderly individuals do not receive assistance.

B. Suggestions

The government should improve the effectiveness of social protection programs for the elderly by **updating beneficiary data regularly, increasing funding allocations, and ensuring fair distribution of assistance**. Support for elderly communities should also be strengthened to improve outreach and identify vulnerable elderly populations. In addition, healthcare services and social assistance programs need to be expanded to guarantee that elderly individuals receive adequate support. From an Islamic perspective, greater awareness should be promoted regarding the responsibility of families and society to protect, respect, and care for elderly people as an important aspect of social welfare and human dignity.

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