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The implementation of child rights protection for *santri* at Al Munawwir Islamic Boarding School, Krapyak, Yogyakarta

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Abstract: Children are an essential part of national development, and their rights must be protected in all educational settings, including Islamic boarding schools (*pesantren*). This study aims to examine the implementation of child rights protection for *santri* at Al-Munawwir Islamic Boarding School, Krapyak, Yogyakarta. Using a descriptive qualitative approach, the study involved *santri*, religious teachers (*ustadz*), and boarding school caretakers as participants. Data were collected through interviews and documentation, and analysed through data reduction, categorisation, presentation, and conclusion drawing. The findings show that the school has implemented child rights protection in line with national laws and the UN Convention on the Rights of the Child. Minor challenges such as adolescent misbehaviour and limited capacity in fulfilling all rights due to the number of students were identified. However, these did not significantly hinder access to rights and even contributed to improving student discipline and focus. The school has also responded to these issues through preventive and corrective efforts to ensure a more inclusive and child-friendly educational environment. This study highlights the importance of integrating child rights principles in religious educational institutions and offers insights into practical strategies for improving child protection within the *pesantren* context.

Keywords: implementation; Islamic boarding school (*pesantren*); child rights.

Introduction

Children are an integral part of the continuity of human life and the sustainability of a nation. Their presence represents not only the future of a country but also the foundation for its long-term development. As such, ensuring the optimal growth and development of every child—physically, mentally, and socially—is a critical responsibility shared by society and the state. To prepare children for their future roles as responsible citizens, they must be provided with the widest possible opportunities to develop in a safe and supportive environment. This necessitates comprehensive protection efforts aimed at promoting child well-being by guaranteeing the fulfilment of their rights without discrimination.

The State of Indonesia upholds the principles of human rights, which include the rights of the child. These commitments are enshrined in the 1945 Constitution of the Republic of Indonesia and further reinforced through various national and international legal frameworks. One of the most significant legal milestones in this regard is the ratification of the United Nations Convention on the Rights of the Child, formalised through Presidential Decree No. 36 of 1990. This ratification affirms the state's obligation to protect and fulfil children's rights as part of its broader human rights agenda.

As a member of the United Nations, the Government of Indonesia is expected to follow global developments related to the protection of human rights, including the rights of children and women, who are among the most vulnerable groups in society. According to a publication by the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia (24 February 2016), titled "Protecting Children's Rights from Violence", violence against children in Indonesia has become a cultural norm, passed down through generations.

As a result, cases of violence against children continue to increase each year. One major contributing factor is poverty or economic hardship faced by parents. However, this is not the only cause. Child abuse is also strongly linked to cultural and structural factors in society.

Cultural factors include the belief that children are the property of their parents or that children must obey without question. These views are often used to justify acts of violence. When a child is seen as disobedient, loud, or defiant, punishment may escalate into abuse. Structural factors involve unequal (asymmetric) power relations within families or communities, which allow violence to persist.

Educational institutions play a vital role in protecting children's rights, whether in public, private, religious, or boarding schools, such as Islamic boarding schools (*pesantren*). As one of the oldest forms of education in Indonesia, *pesantren* has a well-documented historical foundation. Although there are differing accounts, it is generally believed that the first *pesantren* in Java was founded by Syaikh Maulana Malik Ibrahim, also known as Syaikh Maghribi, who came from Gujarat, India. He is often credited as the founder of the earliest *pesantren* on the island. According to Muh. Said and Juminar Affan, the first *pesantren* was established by Sunan Ampel, also known as Raden Rahmat, in Kembang Kuning, Surabaya. Kyai Machrus Ali adds that besides Raden Rahmat, another scholar, Sunan Gunung Jati (Syaikh Syarif Hidayatullah), also founded a *pesantren* in Cirebon during a period of retreat (*khalwat*) for spiritual devotion to Allah (Zulfa, 2020).

Pesantren are educational institutions operating under the authority of the Ministry of Religious Affairs and are governed by Law No. 18 of 2019 concerning Islamic Boarding Schools (*Pesantren*). Despite their legal status, *pesantren* are still often perceived by segments of the public as solely non-formal educational institutions. *Pesantren* education has significantly expanded. Today, it includes both non-formal and formal education streams. Non-formal *pesantren* education is commonly known as Salafiyah education, which focuses on the study of classical Islamic texts (*kitab kuning*). In contrast, the formal *pesantren* system comprises Pendidikan Diniyah Formal (PDF) and

Satuan Pendidikan Mu'adalah (SPM), which correspond to primary (*Ula*), lower secondary (*Wustha*), and upper secondary (*Ulya*) education levels—equivalent to elementary, junior high, and senior high schools. At the higher education level, formal *pesantren* education is provided through institutions known as Ma'had Aly (Ministry of Religious Affairs, Republic of Indonesia, 2022).

As an educational environment that provides both care and instruction for children, *pesantren* are also expected to comply with the Child Protection Law. This is reflected in Article 54, Paragraphs (1) and (2) of Law No. 35 of 2014, which amends Law No. 23 of 2002 on Child Protection. The law stipulates that children within educational institutions must be protected from acts of violence—physical, psychological, sexual abuse, and other forms of harm—committed by educators, education personnel, fellow students, and/or other parties. Such protection is the responsibility of educators, education staff, government officials, and/or the community. Ensuring child protection within educational settings is essential so that every student can pursue their learning freely and without obstruction.

The implementation of child protection within educational institutions is essential, as violations frequently occur in these settings, including within *pesantren*. Such incidents demand serious attention from all stakeholders, particularly the government. Addressing violations of children's rights and cases of violence in educational environments requires collaboration between the government and education providers (Lestari & Hisbullah, 2020).

Pesantren education refers to education organised and conducted within the environment of a *pesantren*, where the curriculum is developed based on its distinctive characteristics—typically grounded in classical Islamic texts (*kitab kuning*) or *dirasah islamiyyah*—and follows the muallimin teaching model. Within the *pesantren* system, there also exists a disciplinary practice known as *ta'zir* (punishment), which is imposed on students (*santri*) who violate internal rules. The implementation of *ta'zir* varies from one *pesantren* to another, depending on the policies set by its leadership, even when they share similar typologies. For instance, one *pesantren* may impose head shaving as punishment for theft, while another may require students to run laps for arriving late to madrasah *diniyah* lessons. In some *pesantren*, corporal punishments such as caning or ear-twisting are still practiced. Human rights activists have criticized such punishments as violations of human rights, arguing that physical discipline does not lead to meaningful behavioural change and should be replaced with non-violent forms of character education (Zulfa, 2020).

In addition, numerous violations have occurred in various educational settings, including public, private, religious, and boarding schools. A notable example is the sexual abuse case involving 13 female *santri*, which has been described as part of a broader "iceberg phenomenon" of sexual violence in religious boarding schools. The abuse reportedly took place from 2016 and was only uncovered in 2021. As a result of the assaults, nine babies were born (Komnas Perempuan, 2022).

In early 2023, at least four cases of sexual violence were reported in Lampung and Jember, East Java. In most of these cases, the perpetrators were the heads or leaders of the *pesantren* themselves (BBC, 2023). Another case involved a statement by the Indonesian Child Protection Commission (KPAI), which expressed deep concern over the repeated occurrence of violence against children in *pesantren*, some of which have resulted in fatalities. One such tragedy involved the death of a 13-year-old student, INF, at a *pesantren* in East Java, due to severe burns allegedly inflicted by MHN (16) (KPAI, 2023).

A previous study by Komalasari (2022) at a *pesantren* in Bandung identified patriarchal ideology as a contributing factor to sexual violence perpetrated by *pesantren* leaders. In communities where men are considered dominant in leadership roles, such ideologies foster power imbalances that are vulnerable to abuse. The modus operandi often includes manipulating *santri*, threatening them with academic failure, or using religious arguments to coerce them. Victims are often unable to resist when faced with

spiritual manipulation or academic threats. The explanatory note to Law No. 18 of 2019 on *Pesantren* emphasises the importance of educating *pesantren* caretakers to provide a safe environment for students, free from violence. Accordingly, *pesantren* must take concrete steps to ensure the protection of children under their care. Based on these concerns, this study aims to explore how child rights protection is implemented in *pesantren* settings.

Method

This study employed a descriptive qualitative approach aimed at examining the implementation of child rights protection for *santri* at Al Munawwir Islamic Boarding School (Pondok Pesantren Al Munawwir), Krapyak, Yogyakarta—specifically focusing on children attending SMK Al Munawwir who reside in the *pesantren* dormitories. The research was conducted from March to September 2023. Participants were selected using purposive sampling and consisted of two male *santri*, two female *santri*, two caretakers (*pengasuh*), two teachers (*ustadz*), and the principal of SMK Al Munawwir, who also serves as a caretaker of the *pesantren*.

Data collection methods included in-depth interviews and document analysis. Data validity was ensured through source and method triangulation. The data were analysed inductively using the stages of data reduction, categorisation, data presentation, and conclusion drawing. The research procedure encompassed a literature review, policy analysis related to child protection, interviews with participants, documentation of child protection practices within the *pesantren*, and data analysis leading to the final report.

Finding and Discussion

The environment of Al-Munawwir Islamic Boarding School (*Pondok Pesantren Al-Munawwir*) in Krapyak is deeply rooted in religious values, with most *santri* (students) residing in the dormitories. Consequently, the implementation of child protection and the fulfilment of children's rights in this context differ significantly from those in family settings where children are raised by their parents. In the *pesantren*, the responsibility for care and supervision is assumed by designated caretakers (*pengasuh*). The protection of children's rights in this setting involves not only fulfilling their entitlements but also guiding them in understanding and exercising their responsibilities. These rights include the right to life, growth and development, the right to worship, think, and express opinions, the right to education, the right to be heard, and the right to protection from violence and discrimination.

Based on the accounts provided by research participants during fieldwork at Al-Munawwir Islamic Boarding School in Krapyak, it was evident that caretakers, administrators, and teachers (*ustadz*) demonstrated a sound understanding of children's rights. According to them, efforts to fulfil these rights begin as soon as *santri* are admitted to the *pesantren*. The students come to the *pesantren* with the intention of obtaining a proper education, which includes both general academic learning and moral or religious instruction, particularly for those also enrolled at SMK Al-Munawwir.

Beyond the right to education, *santri* are also entitled to quality services, both at school and in the dormitory environment. These include access to extracurricular activities, writing workshops, Qur'anic recitation (*ngaji*), and Islamic studies (*ilmu madin*) through the *madrasah diniyyah*. Students are also provided with necessities such as personal storage (lockers), meals, and attentive supervision by dormitory staff. These practices align with Government Regulation No. 55 of 2007 on Religious and Religious-Based Education, specifically Article 14(1), which defines *madrasah* or *madrasah diniyyah* as part of Islamic non-formal religious education.

In addition to these rights, both documentation and interviews with *pesantren* administrators indicate that *santri* are entitled to other key services. These include access to healthcare—dormitory staff are instructed to escort ill students to the on-site clinic—as well as the right to communicate with their families. While personal

smartphones are not permitted, the *pesantren* provides shared devices for supervised communication. Furthermore, students receive two meals per day and attend *madrasah diniyyah* classes three times daily: after *subuh* (dawn), *maghrib* (sunset), and *isha* (evening) prayers. Formal education at SMK Al-Munawwir takes place from 7:00 AM to 3:00 PM.

Child protection within school environments is regulated under various legal frameworks in Indonesia. Teachers are responsible for the safety and well-being of students while they are under the school's supervision. This responsibility, however, is limited to the time students are physically present within the school environment. In this context, the role of teachers is not only instructional but also supervisory. As supervisors, teachers are expected to prevent misconduct and protect students from harm. This responsibility is closely related to the duties expected of children themselves, which include respecting parents, guardians, and teachers; showing love and care for their families and communities; demonstrating loyalty to the nation; fulfilling religious obligations; and practising ethical and moral behaviour (Ahmad, 2019).

At Pondok Pesantren Al-Munawwir Krapyak, a teacher at SMK Al-Munawwir functions not only as an instructor during formal class hours but also as a caretaker (*ustadz*) responsible for supervising *santri* outside academic time, particularly during the afternoon and evening. This is because students engage in both general education during the day and religious learning (*madrasah diniyyah* or *madin*) at night. Therefore, child protection within *pesantren* is crucial to ensuring that children enrolled in religious education institutions receive their rights in accordance with national laws and international conventions that have been ratified into Indonesian legislation.

Findings from the fieldwork at Pondok Pesantren Al-Munawwir Krapyak indicate that child rights protection is being implemented in alignment with national child protection laws. As expressed by Kiai Nurcholis and supported by teachers, administrators, and students themselves, *santri* are regarded as equivalent to students in public and private schools, such as those at the elementary, junior high, senior high, and even university levels. The difference lies in their personal commitment to deepen their understanding of Islamic knowledge, aiming to balance religious and general education. The curriculum offered at *pesantren* not only includes Islamic disciplines but also integrates general subjects, providing *santri* with broader opportunities, including future career pathways. The dual emphasis on religious and general knowledge helps equip students with a strong moral foundation while preparing them for real-world challenges.

According to one of the caretakers and supported by institutional documents, *pesantren* function as religious education institutions designed to enhance students' understanding of Islamic teachings. The institution welcomes students from various backgrounds and serves as a place for character and moral development. As an educational entity, *pesantren* are obligated to implement child protection measures and to guarantee the fulfilment of children's rights. One key strategy used at Al-Munawwir Krapyak includes preventive and corrective education based on religious teachings. *Santri* are taught religious principles to help them understand their rights and responsibilities, which also serves to deter misconduct.

To monitor and ensure the well-being of students, the *pesantren* collaborates with school staff, members of the surrounding community, and even external professionals such as psychologists. The institution also ensures that children's rights—such as access to education, a sense of safety and well-being, freedom from violence and exploitation, and the opportunity to develop their potential—are fulfilled through various policies. These include strict regulations, and a comprehensive code of conduct enforced both in the *pesantren* and at SMK Al-Munawwir.

In addition, *pesantren* provide dedicated supervisors or caretakers who act as parental figures for the students. These individuals offer round-the-clock supervision and guidance, as most *santri* spend more time in the *pesantren* than in their family

homes. Supervisors also work closely with teachers to instil discipline and character. Students are taught that proper manners (*adab*) are more important than knowledge itself. For instance, *santri* are required to follow established rules both at the school and in the boarding environment.

Interviews conducted during the research confirmed that child rights protection efforts at Pondok Pesantren Al-Munawwir Krapyak have been implemented effectively, particularly for boarding students enrolled in formal education at SMK Al-Munawwir. These students are also given time to rest and engage in recreational activities after completing their academic responsibilities at 3:00 PM. Many students use this time to play sports or socialise in the field adjacent to the *pesantren* grounds.

The obligation to guide children in fulfilling their responsibilities, particularly in adhering to *pesantren* regulations, is formally established in a written code of conduct. Sanctions are imposed for violations. The most common infractions committed by *santri* include bringing smartphones and smoking—both of which are strictly prohibited by the *pesantren* from the outset. The first offense typically results in a verbal warning. If repeated, the student's smartphone is confiscated permanently and will not be returned, even to parents, unless they visit the *pesantren* in person to discuss the matter informally.

For repeated offences, a formal warning letter (SP1) is issued, accompanied by parental notification and a counselling session. Before the SP1 is issued, the student is required to write a statement promising not to repeat the offence. If further violations occur, SP2 and then SP3 are issued. Upon receiving SP3, the student is dismissed and returned to their parents. The written statement must be signed and sealed and is typically preceded by multiple stages: verbal warnings, advice, parental involvement, and counselling. These procedures are applied primarily to minor infractions.

For major violations, the response is more immediate. SP3 may be issued at once, and the student is dismissed without warning. Serious infractions include drug abuse, consumption of alcohol, bullying or violence, involvement in gangs or brawls, and inappropriate relationships. In such cases, parents are summoned immediately. However, offences such as theft are treated with more nuance; motives are first explored before sanctions are applied. According to *pesantren* administrators, such severe cases are rare. This is attributed to a psychological screening process conducted during admissions to filter prospective students.

Unlike some traditional boarding schools, *santri* at Al-Munawwir Krapyak are not under 24-hour surveillance. The gates remain open, and students are allowed to interact with the surrounding community. For example, some students purchase lunch outside the *pesantren*. According to informants, child supervision is not only the responsibility of families and *pesantren* authorities but also of the broader community. The actions of *pesantren* caretakers and administrators align with the Child Protection Law, which mandates shared responsibility between parents, the government, and society. Testimonies from students and staff indicate that the *pesantren* actively implements child rights protection in accordance with national legislation and international conventions ratified by the Indonesian government.

The implementation of child rights protection at both Pondok Pesantren and SMK Al-Munawwir has been carried out with reasonable effectiveness. While *pesantren* staff and school administrators may not fully understand the legal and international definitions of children's rights, their practical efforts reflect a general awareness of child welfare. Nevertheless, several challenges—although not severe—have been identified in the implementation process.

First, there is a tension between certain child rights and the educational model of *pesantren*, which emphasises independence. *Pesantren* are generally founded with two main objectives: (1) to nurture students into devout Muslims who can serve as religious guides (*muballigh*) in society, and (2) to prepare students to become learned individuals who embody and disseminate Islamic teachings (Salam, 2021). To meet these goals,

santri are expected to live independently, often away from their parents, and adapt to limited facilities, especially given the large student population.

This emphasis on self-reliance inevitably restricts certain rights. For instance, the right to be cared for by one's parents (as stated in Article 14(1) of Law No. 35 of 2014 on Child Protection) and the right to maintain regular, direct contact with both parents (Article 14(2)(a)) are difficult to fulfil. These restrictions are intentional: limited access to smartphones and direct communication are designed to help students stay focused on their religious studies. While these rights may not be fully realised, the restrictions are intended to produce long-term benefits, such as increased independence and deeper religious understanding.

Second, juvenile misconduct among *santri* also limits the full realisation of children's rights. Adolescence is a transitional and vulnerable period during which children are particularly susceptible to external influences, both positive and negative (Sumara, 2017). Teenagers often experiment as they search for identity, which can lead to misconduct. Common issues include staying out late, smoking, fighting, and, in some cases, stealing. These behaviours have been reported at Al-Munawwir Krapyak and are addressed through rules, guidance, and disciplinary measures.

Sanctions vary from physical reprimands, such as pulling a student's hand or feet, splashing water, or assigning dishwashing tasks. While intended as corrective, these actions conflict with Article 13(1)(d) of the Child Protection Law, which guarantees children protection from all forms of violence. While such punishments limit certain rights, they are intended as part of the disciplinary process aimed at character development. Disciplinary action is only taken after prior interventions, such as advice and counselling, have been exhausted.

Preventive efforts are key to minimising obstacles to child rights fulfilment. One such effort involves screening students' family backgrounds during the admissions process. In the past, all applicants were accepted regardless of their history. However, after observing negative behavioural influences among certain students, stricter selection criteria were introduced. Additional preventive measures include the establishment of comprehensive rules and regulations within both the *pesantren* and its affiliated school. These guidelines serve as a behavioural framework for all individuals involved in the educational process, helping to cultivate discipline and responsibility. *Santri* are made aware of their rights and responsibilities and are held accountable for their actions. On the repressive side, the *pesantren* strengthens collaboration and raises awareness among all members of the institution regarding their roles in safeguarding child welfare.

Conclusion

Based on the preceding discussion, the following conclusions can be drawn. *First*, the findings of this study indicate that Pondok Pesantren Al-Munawwir has implemented child rights protection in accordance with applicable regulations, including the United Nations Convention on the Rights of the Child, which has been ratified by the Indonesian government and incorporated into national child protection law. Therefore, the implementation of child rights protection—particularly for *santri* residing in the dormitories of Pondok Pesantren Al-Munawwir Krapyak, Yogyakarta—has been carried out effectively.

Second, the study identified several minor challenges, such as adolescent misconduct and the need to fulfil the broader objectives of *pesantren* education. These factors, in practice, have led to limitations in the fulfilment of certain child rights. However, these challenges have not prevented *santri* from accessing their fundamental rights. In fact, such limitations have had a positive effect by enhancing student discipline and increasing their focus on religious studies.

Third, the *pesantren* administration has acknowledged these challenges and responded through both preventive and corrective measures. These efforts aim to

develop a more inclusive and supportive educational environment for all parties involved.

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