



**THE IMPLEMENTATION OF THE REGULATION OF THE
MINISTRY OF SOCIAL AFFAIRS NUMBER 1 OF 2018 REGARDING
THE PROGRAM KELUARGA HARAPAN (PKH) PERSPECTIVE
FIQH SIYASAH
(Case study at Ngluyu, Nganjuk)**

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ABSTRACT :

Minister of Social Affairs Regulation (Permensos) No. 1 of 2018 regarding the Program Keluarga Harapan (PKH). PKH is a program of providing cash to Very Poor Households (RTSM) based on the terms and conditions that have been set by carrying out their obligations. Research Focus : 1. Supporting and Inhibiting Factors in implementing the PKH at Ngluyu, Nganjuk. 2. Implementation of the Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 1 of 2018 concerning PKH at Ngluyu, Nganjuk. 3. Fiqh Siyasa Perspective in the Implementation of PKH in Ngluyu District, Nganjuk Regency. The method in this study uses an approach and the type of research used in this study is a qualitative method. Qualitative research is a descriptive research, namely research that goes into the field with the results of interviews, observations. The results in this study state that: 1. Inhibiting Factors in running PKH at Ngluyu, Nganjuk 2. The implementation of the Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 1 of 2018 concerning PKH at Ngluyu, Nganjuk 3. Fiqh Siyasa Perspective in the Implementation of the PKH in Ngluyu, Nganjuk.

Key words: *The regulation Ministry Of Social Affairs Number 1 Of 2018, Program Keluarga Harapan, Fiqh Siyasa*

INTRODUCTION

Social welfare is the main purpose of each country in the world, but one obstacle to achieving has the poverty problem and social gap. Poverty and the social gap is a global problems in the world. Poverty and the social gap is not only in backwardness countries but also in developed country although the relatively small total number.¹

Poverty is the main indicator of increasing development in an area, especially at Ngluyu, Nganjuk. To minimize the social welfare problem at Ngluyu, Nganjuk, the government through the ministry of social affairs in Nganjuk made many programs and stimuli to solve the poverty problem at Nganjuk. One of the special programs make by the government presented the regulation of ministry social affair (Permensos) number 1 of 2018 regarding the family hope program or Program Keluarga Harapan (PKH) to solve poverty speedily.

Program Keluarga Harapan (PKH) is a program beginning since 2007 implemented continuously, in 2007 is the beginning stage of the development program or trial. Program Keluarga Harapan (PKH) is giving cast money to a poor family or Rumah Tangga Sangat Miskin

¹ Isbanndi Rukmianto, *Kesejahteraan Sosial*. Jakarta: Raja Grafindo Persada, 2013, 20.

(RSTM) based on the requirement and provision set with apply their obligation.² This program is known as the conditional cash transfers (CCT) program internationally or the program *Bantuan Tunai Bersyarat*. The requirement gives such as education facilities (for the children) and getting healthy facilities (toddler and pregnant mothers).

However, the implementation in the field of PKH is not suitable as expected, the receiver of PKH is not right on the target, and low control from the government on the PKH receiver, so there is no significant impact on health and education (funds used other need). Therefore, the writer is interest to study and describe in this study with the title: “the implementation of the regulation of ministry of social affair number Nomor 1 of 2018 regarding PKH perspective *Fiqh Siyasah* (case study at Ngluyu, Nganjuk)”.

Based on the background of the study, the researcher focuses on:

1. How is the role of the regulation of ministry social affairs number 1 of 2018 regarding Keluarga Harapan Program at Ngluyu, Nganjuk?
2. What are the factors of hamper on implementation Keluarga Harapan program at Ngluyu, Nganjuk?
3. How is the Fiqh Siyasah perspective on the implementation Keluarga Harapan program at Ngluyu, Nganjuk?

Literature review

According to Mazmanian and Sabatier (Wahab:1991) explain that implementation is understanding the statement of the program enforced or formulating focus on implementation of the policy, the activities raised after enforced on government policies guidelines, including administration and the raising impact on society and the cases.³

One of the important stages in the process of making a policy is the implementation stage, the implementation of the policy is the next stage after the policies formulated clearly and a way for the policy to achieve its goal. Lester and Stewart explain that the implementation of policy in the larges overview is the administration of law by many actors, organizations, procedures and technique working together to implementation of the policy to achieve the goal.⁴

Meter and Horn give limit of the implementation as an action by individual, private or government directed to achieve the goal.⁵ This action includes the effort to change the policy to become operational action at a certain time or continuous effort of change to achieve big change decided by the policy.

The regulation of ministry social affairs number 1 of 2018 regarding PKH is giving aid to a poor family and noted in unified data, managed by the data and information center of social welfare as received by PKH.

To fulfill the right of the receiver of PKH, their obligation must be fulfilled as the education and health sector, the member of PKH should give education to their children beginning elementary until senior high school. It is also applied for disability children that the parent note as receive of PKH.

In the health sector, the receiver of PKH is obligated to check their womb for pregnant mothers, do health checks for the elderly, and give nutritional intake and immunization for a

² Badan Pusat Satsistika Kabupaten Batu Bara. *Batu Bara Dalam Angka*, 2019.

³ Solichin Abdul Wahab, *Analisis Kebijakan dari formulasi ke implementasi kebijakan Negara*, (Jakarta:Bumi Aksara. 1991)

⁴ Wahab, Sholichin Abdul, *Analisis Kebijakan dari Formulasi ke Implementasi Kebijakan Negara*. Jakarta: Bumi Aksara, 2017, 104.

⁵ Subarsono AG. *Analisis Kebijakan Publik Konsep, Teori dan Aplikasi*. Yogyakarta: Pustaka Pelajar, 2016, 99.

toddler to decrease the mortality of mothers and toddlers. Therefore, PKH as the main program expected to break the cycle of poverty through increasing education and healthy quality.⁶

Formulate the regulation ministry of social affairs number 1 of 2018 regarding PKH, because the biggest social problem in society is poverty. Poverty is an urgent nation problem and needs solve comprehensively on decreasing the burden and fulfill the basic right of society in a nation properly. PKH is a program that gives social aid conditional especially for the poor family that is noted in unified data. Social aid from PKH in the form of cast money give poor family and is vulnerable to social risks.

Fiqh root of *Fiqih-Yafqahu-Fiqhan* means deep understanding related to good utterance and behavior. Terminology Fiqh known as science which studies law *Syara'* has characteristics on understanding behavior from the detailed theorem.

Siyasah root *Sasa* means to manage, handle and govern; or government, politic, and policy maker. According to Ibn *Qayyin Al-Jawziyah Siyasah* means all the things bring the human to goodness and benefit and avoid destruction. Abdul Wahab Khallaf defined *Siyasah* is legislation created to maintain order, and goodness and manage the situation.

Fiqh Siyasah means understanding the purpose of an utterance and certain actions deeply and accurately, the meaning is based on the etymology, while terminology, Fiqh Siyasah means a scientific study about the law of *Syara'* with understanding detail theorem related to the behavior.⁷

Based on the explanation above *Fiqh Siyasah* is a scientific study about human behavior, government, and state with various regulation, law, and policies, created by power holders to goodness goal based on Islamic basic Syariat.

Method

1. Approach and kind of research

This study is used a qualitative approach means, the study reveals symptoms comprehensively and is suitable with context through data collection naturally with the researcher as a keys instrument. Kind of qualitative approach is descriptive which the data result from utterance and observe the object.⁸

The kind of qualitative approach is a case study that uses deep analysis and detail of the problem of the implementation of the regulation of the ministry social affairs of republic Indonesia number 1 of 2018 regarding the family hope program perspective Fiqh Siyasah (case study at Bajang, Ngluyu, Nganjuk). The data get and present in the descriptive form like utterances and written.⁹

⁶ Pasal 1 ayat 1, Peraturan Menteri Sosial Nomor 1 Tahun 2018 tentang Program Keluarga Harapan.

⁷ M. Iqbal, *Fiqh Siyasah; Kontekstualisasi Doktrin Politik Islam*. Jakarta: Kencana, 2016, 3.

⁸ Imam Gunawan, *Metode Penelitian Kualitatif*. Jakarta: PT Bumi Aksara, 2014, 80-81.

⁹ Anan Sutisna, *Metode Penelitian Kualitatif Bidang Pendidikan*. Jakarta Timur: Unj Press, 2021, 16.

2. The present of the researcher

Suitable for the qualitative approach, the presence of the researcher in the place of the research is very important because a key instrument. The researcher is the main key in data collection, data analysis, and writing the report, the researcher must be in the field to give attention to the result of the interview and observation, data primary and secondary as data quality.

3. Research Location

This study was conducted at Desa Bajang Kecamatan Ngluyu Kabupaten Nganjuk. Selecting a location caused many issues with the implementation of the regulation of the ministry of social affairs of the republic of Indonesia number 1 of 2018 regarding the family hope program at Bajang, Ngluyu, Nganjuk.

4. Data Sources

a. Primary data

The primary data source is data that get directly from the source (without an intermediary). The primary data source is data source gets and collected from the informant (the society of receive PKH and Non-PKH, and the employee of PKH and village government).

b. Secondary data

Secondary data is data source get indirectly or through an intermediary (get and noted by other researchers). The secondary data is get from books and the observation result related to the research focus. All the data is expected able to give description about the implementation of the regulation of the ministry social affairs of republic Indonesia number 1 of 2018 regarding the family hope program at Bajang, Ngluyu, Nganjuk.

5. Data Collecting procedure

The purpose of the data-collecting procedure is to get data. Data collecting in this study did various techniques such as observation participation, interviews, and documentation.

6. Data Analysis technique

The data collected next stage is the data analysis process. Qualitative approach focus on the problem of research which the researcher must study with systematical analysis, depth, and have meaning.¹⁰

In this study, the researcher observes directly. The data get from the field related to the activities of the PKH at Bajang, Ngluyu proceeds and analysis used the language easy understanding by other people then displayed in a written report.

7. Checking data validity

The important instrument in the qualitative approach is the researcher himself, the researcher must prepare various things, especially the readiness of the researcher on understand the object will study, understand the research method, checking data validity

¹⁰ ¹⁰Nik Haryanti, *Metode Penelitian Ekonomi*. Bandung: Manggu Makmur Tanjong Lestari, 2019, 71.

which can do by the researcher himself as a participant, can use the result of interview and documentation collected such as (photo, letter, or special note), is the suitable with the result of interview and other data collection, if suitable with the data, the data is valid.

DISCUSSION

1. The implementation of the regulation of ministry social affairs of republic Indonesia number 1 of 2018 regarding PKH at Bajang, Ngluyu, Nganjuk.

The regulation of the ministry of social affairs of republic Indonesia number 1 of 2018 regarding the PKH was revoked or did not enforce the regulation of the ministry of social affairs number 10 of 2017 regarding the family hope program (Republic Indonesia news of 2017 number 940). The regulation of ministry social affair number 1 of 2018 regarding family hope. The regulation of the ministry social affairs number 1 of 2018 regarding the family hope program raised with consideration: to increase the quality life of in poor society and through increasing accessibility to healthy services, education, and social welfare, and need social protection program planned, directed and sustainable.

The regulation of the ministry of social affairs number 10 of 2017 regarding PKH is not accommodation yet of the need for PKH, so needs improvement and needs a decision on the regulation of the ministry of social affairs regarding PKH.

The regulation of the ministry of social affairs number 1 of 2018 regarding PKH, PKH is a program that gives cast money to a poor family or *Rumah Tangga Sangat Miskin (RTSM)* based on terms and conditions set with applying the obligation. Internationally this program is known as program conditional cash transfers (CCT) or *Program Bantuan Tunai Bersyarat*. The requirement of PKH such as education facilities and health facilities.

Meeting do door to door, *Sillaturahim*, and build intimacy between the member of PKH. Explain by the employee of PKH, this program is very helpful in decreasing the burden of poor families which need attention and help from the government. Besides receiving cast money, the member of PKH also follows the seminar to increase the ability of the family program or *Pertemuan Peningkatan Kemampuan Keluarga (P2K2)* to add insight and knowledge about managing a better family.

Each opportunity of the seminar on P2K2 guidance of PKH gives various material such as health and nutrition, nurturing and education, children protection, social welfare, and economics. An expected, the member of PKH get new knowledge and add insight to manage their family better future. The guidance of PKH has important role in implementation the regulation of ministry social affairs number 1 of 2018 regarding PKH.¹¹

2. The factor of hamper on implementation the regulation of ministry social affairs of republic Indonesia number 1 of 2018 regarding family hope program at Bajang, Ngluyu, Nganjuk.

Facility factors such as ATM. The hamper factor of ATMs means that society cannot operate ATM systems, therefore, many family boards out their money in their neighbor.

Based on the study at Ngluyu, Nganjuk, the Law factor of the regulation of the ministry social affairs of the republic of Indonesia number 1 of 2018 asses good because have a good purpose and there is complementarity. The facilities of supporting law

¹¹ Kementerian Sosial RI, *Petunjuk Teknis Penyaluran Bantuan Sosial Non Tunai*, Direktorat Jaminan Sosial Keluarga Direktorat Jendral Perlindungan dan Jaminan Sosial 2018, h. 33

enforcement, society factor where the environment of law enforced or applied, at Ngluyu, Nganjuk is open on this program.¹²

The fourth factor is culture means the result of the creation and sense based on the intention of human life, and the culture of the society in Ngluyu is tolerance and deliberation. When PKH comes to Ngluyu, Nganjuk the society is welcome and enthusiastic because it can decrease their burden and help the asses of stakeholder in society unreachable.

The last factor is law enforcer, means the creator and implementer law. This factor can be increase in other that the regulation of ministry social affairs of republic Indonesia number 1 of 2018 run maximally. When interview with guidance of PKH, implied, there is less coordination with stakeholder.

3. the Fiqh Siyasah perspective on implementation Family hope program at Ngluyu, Nganjuk

According to Al-Maududi, an executive institution on Islam explain that *ul al-Amr* and lead by *Amir* or *Khalifah*. The terminology is not only just executive institution but also legislative, judicative, and large meaning.¹³

The highest executor in this government is the president help helper such as the member of the cabinet or ministries create suitable their need, the different situation between one Islamic country with another Islamic country such as the policy of legislation cannot deviate from Islamic *Syariat*, the politic policy executive also must with nash and human benefit.¹⁴

However, the Islamic government cannot special terminology of institutions under suspicion of the precedent which has task execute statutory provisions such as *Diwan al-Kharuj* (tax institution), police, regional head, secretary, general worker, military, finance officer, etc. which have structure clearly since Umar bin Khattab, the terminology of *Ul Al-Amr* have narrowing of the meaning to represent of the institutions only have the function as an executive.¹⁵

The special task of *Baitulmal* is managing Islamic property or wealth on income or expenses. Based on the policy, the income or expenses of the country must manage well, because the finances of the country are a pillar of goodness, the large impact goodness of the welfare country's economy, in all the society.

CONCLUSION

Based on the explanation above and the result of the study can conclude that:

1. The implementation of the regulation of ministry social affairs number 1 of 2018 regarding PKH at Ngluyu, Nganjuk has run well but optimal yet, because there is an indicator to be able to implement yet and achieve well and maximally. The indicator is complementarity, in which the member of PKH is entitled to get complimentary assistance such as food, health, education, economy, subsidy energy, housing, land, and

¹² Badan Pendidikan Penelitian dan Penyuluhan Sosial “Balai Besar Penelitian dan Pengembangan Pelayanan Kesejahteraan Sosial”, (Yogyakarta,2020)

¹³ Ridwan HR, Fiqh politik Gagasan, Harapan dan Kenyataan (Yogyakarta: FH UIIPress, 2007), 273.

¹⁴ M. Iqbal, Fiqh Siyasah; Kontekstualisasi Doktrin Politik Islam, (Jakarta: Kencana,2016), 3.

¹⁵ Nurcholis Madjid, *Fiqh Siyasah Kontekstualisasi Doktrin Politik*, (Jakarta: Gaya Media Pratama, 2001), 273

building ownership asset, and fulfill the basic need suitable with article 1 point 8 the regulation of ministry social affairs number 1 of 2018, in fact, suitable yet with expectation.

2. The reality in the field regarding the implementation of PKH at Ngluyu, Nganjuk is not suitable as expected. The guidance of PKH claims that the member of PKH is right on the target and never a trouble. However, after the researcher did the interview, the case of the field is the member of PKH cannot operate ATM when receiving funds from PKH, and the receiver PKH is still upper middle social class. Because the guidance of PKH less attention to coordination with the latest population census, planning activity, and service accuracy on government officials related to PKH.
3. The factors of constraint on the implementation of the regulation of ministry social affairs number 1 of 2018 regarding PKH at Ngluyu, Nganjuk is many members of PKH cannot operate ATMs, so money taking deposited by their neighbors. There are no facilities to support guidance PKH performance on applying their task and function. Limited infrastructure has the guidance of PKH. The deadline for this agenda is a very short time and insufficient incentives for the guidance of PKH on implementing their task and the role of operational activity. Less coordination *Wizarah Tanfidzih* (the highest lead in the ministry) means the center of ministry social affairs and *Wazir* (As Implementer under suspicion by the ministry of social affairs in Nganjuk and the guidance of PKH.

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