

THE CONTRIBUTION OF SAPARUIK'S MATRILINEAL RELATIVES IN FULFILLING CHILDREN'S EDUCATIONAL RIGHTS AFTER DIVORCE (CASE STUDY IN NAGARI SALAYO, KUBUNG DISTRICT, SOLOK REGENCY)

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Abstract. This study analyzes the fulfillment of children's education rights in divorced families related to the contribution of saparuiik matrilineal relatives to the Minang Kabau family and society. This study aims to describe the contribution of saparuiik matrilineal relatives in the fulfillment of children's formal education rights after their parents divorced in Nagari Salayo, Kubung District, Solok Regency. This research is a case study qualitative research. with research informants totaling 24 people. The data of this research are the results of interviews with parents or matrilineal relatives of Saparuiik, religious court clerks, and the guardians of Nagari Salayo, the head of Jorong, and the surrounding community. The data collection technique in this study used interview, observation, and documentation techniques and was analyzed by steps such as: data reduction, data presentation, and drawing conclusions. The findings of the study indicate that the fulfillment of children's education rights after divorce in Nagari Salayo has been partially fulfilled which can be seen from 8 samples of divorced families consisting of seven women's families, namely mothers and grandmothers, and one male family, namely fathers, women are more responsible. responsible for the continuation of their children's education after divorce than men. Therefore, it can be concluded that the saparuiik matrilineal relatives contribute to the fulfillment of children's educational rights after the divorce occurs, this can be seen in the role or contribution of grandmothers, sisters from the mother's side and also the mother of the children resulting from the divorce where the cultural background of the Minangkabau adheres to the system. Matrilineal kinship is very visible in the post-divorce parenting pattern.

Keywords: contributions; Matrilineal Saparuiik relatives; children's education rights

I. INTRODUCTION

Children are the direct responsibility of parents whose rights must be fulfilled so that the process and needs of their growth and development can be fulfilled. There are various factors that cause the non-fulfillment of children's rights such as negligence, deceased parents, inadequate knowledge and education, economic problems, divorce, adultery and parental infidelity (Wardani and Hasanah [1]). Children's rights are everything that must be obtained or received by the child and if it is not obtained, the child has the right to claim these rights. In this case, parents, family, community and government are obliged to fulfill, guarantee and protect. In a family, things that need to be considered by parents in paying attention to children's rights for their future are the right to breastfeed, the right to receive care, the right to get a good name and citizenship, the right to live or property, the right to teach, as well as the right to education, morals and religion [1] [2].

For this reason, the responsibility for children as the next generation of the nation is not only the responsibility of parents, but also the responsibility of the public, including the government. Many efforts to protect children in Indonesia have been carried out by the government through several laws. This is done based on the consideration that the State guarantees the welfare of each of its citizens and includes children in it. Children's rights are part of the human rights contained in the 1945 Constitution of the Republic of

Indonesia and the United Nations Convention on the Rights of the Child. The provisions of Article 28B paragraph (2) of the Constitution of the Republic of Indonesia state that every child has the right to survival, growth and development and the right to protection from violence and discrimination.

The Convention on the Rights of the Child specifically regulates all matters concerning children's rights which came into force on September 2, 1990 through the United Nations revolution dated November 20, 1989 and in accordance with the provisions of the Convention Article 49 paragraph (1). In this convention, the child is the holder of basic rights and freedoms as well as the party who receives special protection. The Convention on the Rights of the Child is also born out of an awareness that children according to their nature are vulnerable, dependent, innocent, and have special needs [3]. Therefore, children also need special care and protection, both physically and mentally. In 1990, Indonesia has ratified the Convention on the Rights of the Child based on Presidential Decree No. 36/1990 dated August 25, 1990. In accordance with the provisions of the convention Article 49 paragraph (2), the Convention on the Rights of the Child is declared valid in Indonesia since October 5, 1990. As a consequence "should" The Indonesian government is obliged to make every effort to fulfill children's rights in Indonesia.

Other laws and regulations that regulate children's rights are Law Number 39 of 1999 concerning Human Rights in Chapter III of Human Rights and Basic Human Freedoms

in the Tenth Part which regulates children's rights. The section entitled Children's Rights provides regulatory provisions as outlined in 15 (fifteen) articles, where in Article 52 paragraph (2) it is stated that children's rights are human rights and for their interests the rights of children are recognized and protected by law even since in the womb [4][5].

In order for every child to grow optimally, physically, mentally, socially and with noble character, it is necessary to protect and realize the welfare of children by providing guarantees for the fulfillment of their rights and treatment without discrimination. The Indonesian government has issued policies on child protection efforts, one of which is through the RI Law no. 35 of 2014 concerning Child Protection. In Article 1 (one) of the Law, what is meant by child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity and protection from violence. and discrimination. In Article 1 paragraph (12) of Law no. 35 of 2014 concerning Child Protection, it reads: "Children's rights are part of human rights that must be guaranteed, protected, and fulfilled by parents, families, communities, state, government and local governments". One of the most important rights of children is the right to education. Dewantara states that children get education to educate (develop) the mind, educate the heart (conscience sensitivity), and improve skills (Novrinda [6]).

The root cause of the emergence of children's problems, one of which their rights are not fulfilled is due to the inability of the family to build happiness and prosperity in their lives [1]. Divorce has a huge influence on the mental development and education of children, especially elementary school-aged children and adolescents. Among them can cause children to be quiet and low self-esteem, excessive naughty, low learning achievement and feel lost. Although not in all such cases, most of them have a negative impact on the mental development of children and also affect the child's education process as mentioned above. In general, children whose families are divorced come with their mothers, and all living expenses that should be the responsibility of the father are the responsibility of the mother. The impact of parental divorce is also evident for school-age children such as quiet, shy, no longer cheerful and their learning achievement decreases (Yusuf MY [7]).

The dissolution of marriage between husband and wife is a legal consequence of a legal event called divorce and then the legal process is carried out in court. The psychological impact of divorce, whether we like it or not, whether we realize it or not, will affect the psychological condition of children, families or relatives of the divorced husband or wife (Stepani [8]).

Divorce has an effect on children who are still minors, namely the power of parents can turn into guardianship. Therefore, if the marriage is decided by a judge, it must also regulate the guardianship of minors. The divorce event, whatever the reason, will have an impact not only on the ex-husband and wife but also for the children. Children will usually experience the negative impact of divorce so that they will no longer be able to enjoy the love of their parents at the

same time, because it is not uncommon for a household to break up resulting in neglect of child care. This situation is the basis for children experiencing serious problems and obstacles in their education, resulting in children dropping out of school [9].

Based on data obtained from the Koto Baru Religious Court, Solok Regency, the number of divorce rates in Solok Regency has increased from year to year, which can be seen in the following table 1.

Table 1. Divorce Rate in Solok Regency

| No | Year | Number of Family |
|----|------|------------------|
| 1 | 2017 | 373 Family |
| 2 | 2018 | 454 Family |
| 3 | 2019 | 474 Family |
| 4 | 2020 | 569 Family |

Data Source: Koto Baru Solok Religious Court Office 2020

Meanwhile, the number of divorce rates in Nagari Salayo can also be seen in the following table 2.

Table 2 Divorce Rates in Nagari Selayo

| No. | Year | Jorong Lurah Nan Tigo | Jorong Galanggang Tengah | Jorong Batu Palano | Jorong Sawah Sudut | Total |
|-----|-------|-----------------------|--------------------------|--------------------|--------------------|-------|
| 1 | 2017 | 2 | 6 | 5 | 3 | 16 |
| 2 | 2018 | 3 | 8 | 6 | 5 | 22 |
| 3 | 2019 | 4 | 10 | 7 | 6 | 27 |
| 4 | 2020 | 7 | 14 | 9 | 12 | 44 |
| | Total | 16 | 38 | 27 | 28 | 109 |

Data Source: Wali Nagari Salayo Office 2020

From the data above the number of divorce rates in 2017 was 16 cases, then in 2018 it increased to 22 cases, and in 2019 the number of divorce rates increased to 27 cases, in 2020 the number of divorce rates increased to 44 cases, if added up, the total number Divorce that occurred in the period from 2017 to 2020 was 109 divorce cases. From the data above, the number of families who are divorced and have children is 40 families, after the researchers made initial observations, data on divorce cases were obtained, only 8 families had children of school age. So in order to be more focused on this research, the author only took 8 divorce cases, of which most of the 8 cases of child custody and education rights were handed over to the mother or father and the matrilineal relatives of the sapauiik.

The contribution of the extended family to the matrilineal kinship system in Minangkabau such as the presence of parents, in-laws and mamak in the care of children after divorce is usually very dominant. Ideally, in Minangkabau society, the Matrilineal kinship system provides a very large space for extended families to play a role in various aspects of life. As explained earlier, the family as the smallest unit in society in Minangkabau is not in the form of a nuclear family consisting of father, mother and children, but is an ethnic group. Minangkabau society has a tribal structure of three levels, namely sasuku, sakaum and sapauiik. Sasuku is defined as a group of people who have the same ethnic relationship and Sakaum is a group that has the same ninik. Sapauiik is a group of people who have one mande or

grandmother and are the smallest level of kinship (Fachrina and Putra [10]). Sapatuik's relatives consist of: mother, son and daughter of mother, mother's brother, mother's sister and their children, or the mother's grandchildren from her daughter. The father (husband and mother) is not part of the family in his wife's house, but is a member of the sapatuik rumah gadang family (Syafwan [11]).

The lineages and community groups that form the core of the matrilineal kinship system in Minangkabau are the parauik. After Islam entered Minangkabau, they were called people. Another social group that is a fraction of the parauik is the jurai. Social interactions that occur between people or a person with his group, in general, can be seen in a people. In the past, they initially lived in a gadang house. Even in ancient times it was inhabited by dozens of people. The inner bond among members of the clan is very large and this is not only based on blood ties, but also outside of these factors (Munir, [12]).

Ideally, with a very complex kinship system pattern, children from the divorce of their parents will not be neglected and their rights for their future will be fulfilled, namely the right to care, the right to a good name, the right to a living or property, teaching rights, and education rights. However, in reality in the field, facts were found that were not in accordance with these ideal conditions, one of the contributing factors was the lack of financial assistance from matrilineal relatives in fulfilling the formal education rights of children whose parents experienced divorce due to poverty or the mother's indifference to kamanakan education. , then two questions arise, namely what will happen to the education of children who are divorced in the future and what will the kinship relationship between mamak and kamanakan be like in the future. Moreover, according to the data found, the divorce rate continues to increase every year.

The researcher's initial observations were carried out on July 14 2019, from here the researcher observed the children of divorce victims who were in Jorong Lurah Nan Tigo Nagari Salayo, here the author saw that there were several children who dropped out of school due to the divorce of their parents. Observations were then continued on July 20, 2019, researchers tried to explore the reasons for divorce from the mother who filed a lawsuit in court. A few moments after that, the researcher visited the family of the informant who wanted the researcher to examine, the response from the family was quite good and did not hesitate to provide information regarding the fulfillment of children's education rights after divorce. To support the appropriate data, the researcher needed additional information which was conducted on August 5, 2019 and generally the family who became the shelter of the child after his parents divorced was consistent in providing information.

In this regard, Yulia [13] states that the issue of legal protection for children is one side of the approach to protecting Indonesian children. The Contribution of Sapatuik's Matrilineal Relatives in Fulfilling Children's Educational Rights Post-Divorce in terms of Philanthropy Theory. The rights of children that must be fulfilled are the obligations of parents. When parents are not at home, then

something is lacking, meaning that there are unfulfilled rights and in this case it is more to education. Based on the social problems for children, what they face is divorced parents, fathers who later become lazy. The serious thing to note is the issue of education in children which is very important for their future. The problem of education received less attention because under the care of others it was not like his parents. Caregivers who are not parents greatly shape the child's character, for example: grandmother or grandfather or brother who is too affectionate or vice versa who is too cruel, so that the child becomes spoiled or cowardly.

Things in the family that can affect the development of children are changing family conditions in a changing society. The meaning here is a condition in which mothers work outside the home or divorce occurs in the family. Children from families in which mothers participate in working outside the home may not necessarily develop better than children whose mothers do not work and stay at home. Mothers who stay at home tend to devote too much attention and energy to caring for and supervising their children. This will cause an excessive sense of worry as well and will hinder the child's independence process (Indriati [14]).

Giving in various contexts is a tradition inherent in the life of our society. The activity of giving and sharing to others who "need" is not a difficult thing to find in the midst of people's lives, both in the village and in the city. Donating can be done by anyone, at any time without any restrictions from which economic class group, what social status and from what social stratification group. Giving in contemporary terminology is better known as philanthropy (Tamim [15]).

The term Philanthropy comes from the Greek, Philos (meaning Love), and Anthropos (meaning Human), so that literally Philanthropy is a conceptualization of the practice of giving, services and associations voluntarily to help others. others who need it as an expression of love (Jusuf [16]).

As an idea, the term philanthropy, which in Indonesian means generosity and love for others, is not well known to the general public, even though in practice philanthropy has become an inseparable part of the life of the Indonesian Islamic community. In this paper, the term philanthropy is a philosophical concept formulated in order to interpret the relationship between humans and the love of a person or group of people for each other. This love is expressed through the tradition of giving or giving. The concept of philanthropy is closely related to a sense of caring, solidarity and social relations between the poor and the rich, between the strong and the weak, between the lucky and the unlucky and between the powerful and the powerless (Latief [17]).

Philanthropy can also be interpreted as a voluntary act for the public good. Another definition states that philanthropy is donations in the form of money, goods, services, time or energy to support socially useful causes, have clear goals and without material or immaterial rewards for the giver. Despite these differences, there is a common goal that underlies every definition of philanthropy, namely love, which is manifested in the form of solidarity among human beings, where people who are more fortunate help those who are less fortunate (Linge [18]).

In its development, the concept of philanthropy is interpreted more broadly, namely not only related to the charity activity itself, but also to how the effectiveness of an activity of giving, both material and non-material, can encourage collective change in society. Philanthropy movement or activism can be seen from the wider scope of philanthropic activities which are not limited to charitable activities or compassion for the poor but have also been formulated in the form of services in various sectors such as health, educational scholarships, disaster response and economic improvement for small communities [17].

In some literature it is stated that the purpose of philanthropic activities is currently interpreted as a movement or effort to create the common good or welfare (the public good), and the expected impact in a philanthropic movement or activism in the sense of volunteerism and generosity is the creation of collective change of a community. However, the importance of philanthropy as an instrument to promote social change has not been fully realized by the wider community. Philanthropy represents the collective actions of society and is an important tool in collective efforts to solve problems in social life, such as poverty alleviation, the realization of public welfare, the embodiment of social justice and the strengthening of democracy.

In this connection, poverty can be defined as the inability of a person or a family to provide adequate education and health facilities, in addition to the inability to provide basic needs for clothing, food and housing. Therefore, collective philanthropic activities or movements or activism are generally focused on providing education and health services in addition to providing basic necessities (food) to people who need them. In other words, there is a reciprocal relationship between philanthropic movements or activism and the world of education [17].

In general, Philanthropy is defined as a voluntary act in the public interest. According to its nature, there are two forms of Philanthropy, namely Traditional Philanthropy and Modern Philanthropy. Traditional Philanthropy is Philanthropy based on Charity or mercy which is generally in the form of giving for the benefit of social services such as giving benefactors to the poor to help with the needs of food, clothing, shelter, and others. Thus, when viewed from its orientation, Traditional Philanthropy is more individual. With this orientation, to a certain extent the benefactors are often motivated by the intention to maintain and raise their status and prestige in the eyes of the public. This Charity model actually strengthens the power relations between the rich and the poor. In the macro context, traditional philanthropy is only able to treat poverty as a result of structural injustice [16].

II. RESEARCH METHODS

This type of research is a qualitative research using a case study type. Where researchers describe and reveal all phenomena, symptoms, events as they are in the form of descriptions that occurred in Nagari Salayo. The qualitative method is able to see the phenomenon more broadly and in depth according to what happened and developed in the social

situation under study, namely the study of the contribution of saparuiik matrilineal relatives in the fulfillment of children's education rights after divorce. This writing aims to reveal and analyze the fulfillment of children's education rights after divorce in Nagari Salayo, Kubung District, Solok Regency.

Research informants are people who are used to provide information about the situation and condition of the research setting (Lexy j. Moleong [19]). Research subjects were taken through purposive samples that had a purpose or were carried out intentionally, how to use this sample among the population so that the sample could represent previously known group characteristics (Mardalis [20]).

III. RESULTS AND DISCUSSION

Education for children is the obligation of parents to provide education and teaching that allows the child to become a human being who has the ability and dedication with life equipped with abilities and skills in accordance with the child's innate talent which he will develop in the midst of Indonesian society as the basis of his life and livelihood after he is born. escape parental responsibility. The basis or reason for the obligation of a father to provide for the child when viewed from Islamic law, apart from the existence of a kinship relationship between the father and the child, is the condition of the child who is in need of spending.

Children who are still not able to be independent in living expenses, their lives depend on the presence of those who are responsible for ensuring their livelihood. In this case, the closest people to a child are the father and mother. If the mother is responsible for raising children at home, then the father is responsible for making a living for his children. Nagari Salayo itself, until now, the majority of those who divorce are approximately 25% of the total population in the nagari. In this divorce, the majority occur among couples who have been blessed with 1 to 6 children who are between the ages of 2 to 18 years.

The first and foremost education is of course obtained from the family, because it is the parents' family who are closest to the child in their daily lives who directly monitor the child's physical and psychological growth and monitor the child's daily interactions. The rights of children that must be fulfilled are the obligations of parents, especially the right to education, if parents do not care about their children's education, it is certain that these children will not get the right to education as they should.

The findings of the study regarding the form of parental concern for the fulfillment of the rights of children's education after divorce in Nagari Salayo were carried out using structured in-depth interviews with parents who experienced divorce. The results of the transcription of interviews with informants showed that after the divorce, only the mother's education fulfilled it herself by working. Economic problems cause household divorce which affects children's education where children drop out of school because parents are unable to pay for their children's school fees.

The Contribution of Saparuik Matrilineal Relatives in Fulfilling Children's Educational Rights after Divorce

The Minangkabau society, which adheres to a matrilineal system and lives in a broad family kinship system, ideally has a social security culture for divorced families, especially child care in the form of a concentric circle whose core is located on the inside of the circle. Before the child is independent and can support himself, the main responsibility for sponsorship rests with the child's mother's siblings. If there is no mother's brother, the responsibility for sponsorship is carried by the saparuik (seibu) family. If there is no saparuik, then it is the responsibility of the tribal family members.

And so on until the senagari is responsible for supporting if there is no one in the family that is owned to support. The contribution of matrilineal relatives to divorced families is usually seen in the form of assistance to help meet daily needs in the form of giving money to buy side dishes, pocket money for school and material assistance to buy school supplies for children who are victims of divorce. Based on the findings in the field about the contribution of matrilineal relatives in the fulfillment of children's rights after divorce in Kanagarian Salayo, the researchers found about how the contribution of matrilineal relatives in the fulfillment of children's education rights after divorce.

The extended family or matrilineal relatives who have contributed to the fulfillment of children's rights here are families belonging to the sufficient category. This family was chosen based on the socio-economic conditions of the family, namely the level of family income per month, both main and side income, housing conditions, and the availability of family inheritance such as farmland, rice fields which will ultimately determine the forms of contribution of matrilineal relatives to the fulfillment of children's education rights. . Based on the results of interviews with family members who come from families, it is quite known that the number of family dependents usually ranges from 4 to 6 people, including children from divorce.

Research findings regarding the contribution of matrilineal relatives in the fulfillment of children's education rights after divorce in Nagari Salayo were carried out using structured in-depth interviews with Nagari Wali Employees, Sisters, Grandmothers, and Head of KAN. The results of the interview transcription with the informant show that after the divorce, the child's education is the responsibility of the father, but in reality, after the divorce, the father does not provide any education costs for the child, with this saparuik matrilineal kinship, the mother's family helps a lot with the children's school fees such as grandmothers and aunts (brothers). from the mother) who helps meet the daily needs of the divorced family in the form of rice, side dishes, shopping money to buy daily necessities and school needs for children who are divorced.

Factors Affecting the Contribution of Saparuik Matrilineal Relatives in Fulfilling Children's Educational Rights After Divorce

Minangkabau culture has explained that mamak is a man who is responsible for his nephew's children, men and

women from the mother's side. Thus, a person in Minangkabau has two protectors, namely: Mamak and Ayah. Thus the mamak will try to the best of his ability according to the possibilities available to him to guide and protect his nephew and so does the father of his child. As a mamak, she has the obligation to lead and be responsible for the safety of her sisters and their children and nephews, both in customary matters, inheritance and marriage, the mamak is obliged to pay attention to and take care of her nephews.

Social changes have occurred in the Minangkabau community. Mamak's role began to feel less. Mamak functions more as a father in his wife's family. Mamak's position and role began to change, for example in guiding his nephew, the mamak should have been responsible for his nephew's education, but now this role is mostly left to the father (father).

In Minangkabau society, the main function and duty of a mamak is to look after her sisters, to guide her nieces and nephews and to look after her inheritance. Mamak will give advice or instructions to solve problems, as well as help her nieces and nephews with material, as stated by the following expression "less manukuak, seteang mambilai" (less adding, short review). In terms of education, mamak is responsible for the education of her nephew's children. Mamak organizes how: How to get along well, about religion, about skills or household education and the formal education of his nephews. In terms of needs in the field of education, the nephew always asks his mother for help. The nephew tells frankly the needs that must be provided after being partially fulfilled by his parents. In this case, Mamak should immediately provide a way and help according to his ability.

Mamak's contribution to the kamanakan of divorced families in Nagari Salayo is not yet fully visible, because of the shift in traditional values of the Minangkabau community, mamak is more concerned with family affairs and earning a living than taking care of kamanakan.

Mamak is obliged to guide nephews in the field of customs, religion and the field of daily behavior. Mamak's role began to feel less. Mamak functions more as a father in his wife's family. The position and role of the mamak began to change, for example in guiding the nephew, the mamak should have been responsible for the education of the nephew, but now the father (father) has taken this role. This, of course, has changed from what it should have been, because in Minangkabau families the role of the mamak is very important and very much needed. The position and function of the mamak began to shift, now the position and function of the mamak are no longer as they should be.

This study also shows that the role of mamak in the Selayo village has shifted normatively. The study said that the role of mamak experienced a shift that led to the assumption that mamak was only a symbol of In adat, mamak no longer acts as an example for their people and their nephews . Based on the results of interviews, the researchers concluded, from the eight families studied, three families who had ninik mamak did not care about the lives of their nephews. As a ninik mamak, her job is to foster, protect, protect and regulate the use of high inheritance and customary land for the

prosperity of her nephew's children. The impact of the shift in the mother's parenting role to the nephew is that the functioning of the *mamak's* role does not go well. This causes the lack of parenting given by *mamak* to nieces and nephews. If the functioning of *Mamak's* role weakens, it will also have an impact on his relationship with his niece.

Every citizen has the same rights in the eyes of the law, children are the direct responsibility of parents whose rights must be fulfilled so that the process and needs of their growth and development can be fulfilled. Many efforts to protect children in Indonesia have been carried out by the government through several laws. This is done based on the consideration that the State guarantees the welfare of each of its citizens and includes children in it. One of the most important rights of children is the right to education. The root cause of the emergence of children's problems, one of which their rights are not fulfilled is due to the inability of the family to build happiness and prosperity in their lives [1]. Divorce has a huge influence on the mental development and education of children.

From the data, there are 48 divorce cases that occurred in Nagari Salayo and it turns out that there are still children who drop out of school due to the divorce. The total data for the 48 divorce cases is spread across four corners of Kanagarian Salayo. Departing from the data, researchers get an overview of 8 samples of divorced families consisting of seven women's families, namely mother and grandmother, and one male family, namely father.

The data shows that most husbands have low incomes and do not have steady jobs. This has a major impact in carrying out its obligations in the form of fulfilling the rights of children's livelihood, especially for the continuity of the children's education. However, on the other hand, the obligation of a father in fulfilling the rights of the child remains attached for the survival of his child, especially the education of the child. The findings of the study confirm that there are three types of husbands who are unable to provide for their children, namely: (1) husbands who refuse to take responsibility for providing a living for their children. This case often occurs especially when husband and wife who have lived separately or ex-husband intentionally leave his wife and children; (2) husbands who are negligent in fulfilling their obligations to provide for their children; and (3) husbands who fail to fulfill their obligations to provide for their children. A husband is said to have failed in carrying out his responsibilities and has tried his best but the results are not what he expected. In fact, Law Number 1 of 1974 concerning Marriage ("Marriage Law") regulates the husband's obligations, namely: "The husband is obliged to protect his wife and provide all the necessities of household life according to his ability."

According to statutory regulations and Islamic law, the responsibility for the child's maintenance costs after a divorce is principally borne by the male parents. In the Compilation of Islamic Law concerning Child Care Article 104 paragraph 1 it is stated that "All costs of raising children are borne by the father or guardian". Therefore, a father must try to find and fulfill the right to support his child because it is an

obligation for a father even though he is divorced. In addition, according to the applicable regulations, a father also has obligations, such as: (1) providing wages for fostering and caring for his child, (2) paying rent for a house if the mother does not have a home, (3) meeting the basic or basic needs of the child. small things, such as eating, drinking, sleeping, medicines and other basic needs that are really needed by children.

Based on the findings of the research on the contribution of matrilineal relatives in the fulfillment of children's education rights in Nagari Salayo, it was found that generally women are more responsible for their families after divorce than men in fulfilling children's education rights after divorce. This can be seen in the role or contribution of *saparuik* matrilineal relatives such as grandmothers, sisters from the mother's side and also the mother of the child resulting from the divorce.

In Azwar's research (2005), it is explained that the Minangkabau community has a three-level tribal structure, namely *sasuku*, *sakaum* and *saparuik*. *Sasuku* is defined as a group of people who have the same ethnic relationship and *Sakaum* is a group that has the same *ninik*. *Saparuik* is a group of people who have one *mande* or grandmother and are the smallest level of kinship. According to him, so far the level of clan kinship and the frequency of relations between people is still quite high, where the contact and communication process of each member of the family is very intense without coercion but togetherness and runs under the supervision of the head of the inheritance.

Of the most cases found, for example the case of Divorce of Family A and Family B, the fulfillment of children's education rights in these two cases is relatively low because children who are divorced from these families have dropped out of school due to the divorce of their parents. Another reason for dropping out of children's education is that the male parents do not provide any more support after the divorce, while the female parents are housewives who do not work and some work as farm laborers.

Indifference to the fulfillment of children's rights, especially the right to education after a divorce, is seen in the cases of Family C, Family D, and Family E. Male parents from families C and E rarely provide a living when they are not divorced, even seem not to care about the fulfillment of children's education rights -his son. Meanwhile, children who are divorced from family D who live with their fathers rarely receive attention and care from their mothers.

The contribution of *saparuik* matrilineal relatives in fulfilling children's education rights after divorce in Kanagarian Salayo can be seen in the case of Family F and Family G. Family F since divorce, all children's educational needs and daily needs are borne by the maternal grandmother and sister. Whereas in family G, maternal grandparents participate in the care of their children so that the daily needs for food for the family are all borne by the maternal grandparents. So it can be assessed that matrilineal relatives contribute to the fulfillment of children's education rights after a divorce occurs. The Minangkabau cultural background that adheres to the matrilineal kinship system is still visible in

the post-divorce parenting pattern, where a small portion of the research sample experiences divorce, children resulting from divorce are still cared for by the mother's family.

Fulfillment of children's formal education rights after divorce should not only be the nuclear family but also other parties who should be responsible for fulfilling children's rights in terms of education. In the implementation of child care today, due to a shift in cultural values, the responsibility of the extended family has changed to only the nuclear family. Here, it appears that the role of *mamak* is now more to take care of their children and wife in terms of earning a living than taking care of their nieces and nephews, but the female mother's family such as grandmother, *etek*, *mak tuo*, *mak angah* still seem to be very contributing to post-divorce child care. The sense of responsibility of the mother's female relatives because blood ties are still very strong in the people of Nagari Salayo, so that the children resulting from the divorce of their parents are still fully borne by the education costs of the mother's female relatives.

In the matrilineal system, the lineage of the Minangkabau people is according to the maternal line. The members are mother, child and *mamak*. This means that the position of the father remains a member of the family from the clan where he comes from, and is another family of his wife and children. *Mamak* plays an important role in his people. He is the figure who determines everything in his tribe, as the Minang saying "*mamak mambuang far, manggantuang high*" means that he is responsible for his female siblings and their children. So even though the Minangkabau community organization is based on the maternal line, the men in power within the unit are the men from the maternal line, namely the *mamak*. As for his power, it is always based on consensus, as the Minang proverb says "*kamanakan barajo ka mamak, mamak barajo ka consensus*".

The relationship between *mamak* and nephew can be simply divided into: 1. The relationship between inheritance and sako 2. Social relationship *Mamak* is the administrator in developing an inheritance that is utilized as much as possible for the welfare of his people. In the traditional ceremony, the *mamak* and his nephew have certain tasks according to their respective statuses. Relations outside the clan both with the village and with the nagari are carried out by the *mamak* of the house (*tunganai*). *Mamak* at home is the main person in charge of his people's relationship with the outside world. The integration of solidarity and the identity of *mamak* nephew is complete and unanimous. *Mamak* as the leader of his *jurai* has duties and obligations to his *jurai*. Against all legal regulations regarding the family that he carried out must first be negotiated with his nieces and nephews.

Thus the children are taken care of by their mother, so that when the children are adults they will also repay their use to their *mamak* and there is a reciprocal obligation between the *mamak* and the nephew so as to create an orderly bearing with nieces and nephews as described above. Another expression given to *mamak* in relation to her obligations is "*pai tampek batanyo, go home tampek babarito*" which means if there are difficulties faced by her sister and her children. then *mamak* is a place to complain about problems that arise,

in order to obtain a solution. This is where *mamak* plays a huge role in solving problems faced by her brother and children. Nephews within the boundaries that have been outlined by custom, must obey their *mamak*. As the saying goes, "why are you asked to come, you are told to take a pie". As a balance for *mamak*'s obligation to take care of nieces and nephews, on the other hand, nephews must also take care of their *mamak*, so that between *mamak* and niece and vice versa, there is a customary responsibility to bear". It is described in the Minang proverb which reads "How come you are ashamed to speak, *hawui mambari aia*, why are you *litak mambari rice*, lost your *mancari, sakik maubek, die planting*", (If you are ashamed to raise up, you are thirsty to give water, If you are hungry you give rice, you lose looking for it, you get sick. dead bury).

Such is the reciprocal relationship between *mamak* and nephew in Minangkabau custom. On the other hand, the application of Minangkabau traditional values in life is in accordance with the teachings of "*raso dibao naiak, pareso dibao descend*" which means that what you think about when you want to do it must be tested for truth with feelings, while what you feel when you want to do it should be tested with your mind. This kind of thing must be owned by someone who functions as a *mamak*, because if the "*raso jo pareso*" is not embedded in the soul of a person with the predicate of *mamak*, surely all problems that arise within his people cannot be resolved properly. Therefore, in traditional Minangkabau society, it is rare to find a *mamak* who is stepped on by his nephew.

Despite the situation of the *mamak*, the nephew still respects his *mamak* and obeys all his orders, so that the behavior between *mamak* and nephew is maintained at a distance from one another, in the sense of being able to know each other's position. In another case, a *mamak* also helps his niece materially, as the expression "*less manukuak. sentiang mambilai*" (less adding, short reviewing) means that if her niece or sister is short of money, a *mamak* will try to help ease the burden of the difficulty in an appropriate way. *Kadamy* is according to his ability. Also, the help of labor is often given by a *mamak* to his nephew if he does not have money, for example in building a house, going to the fields and so on. Alluding to the problem of the function of *mamak* in traditional Minangkabau life does not escape the aspects of behavior in the life of a niece. This behavior is reflected in the pattern of daily behavior.

Some of the code of conduct between *mamak* and nephew is reflected in the field of education. *Mamak* is responsible for the implementation of formal education and religious education for his nephews. Apart from that, *mamak* also organizes skills training for their nephews in matters related to customs, such as performing traditional offerings and speeches at informal meetings. *Mamak* is also responsible for administering household education for his adult nephews, including how to live at home, the rights and obligations as *urang sumando* and others. The pattern of behavior that is reflected in everyday life is related to this educational problem, that *mamak* always asks about the progress of her nephew's education, both formal and non-formal education,

more so about religious education. Next, Mamak asked about her nephew's educational material needs, such as school fees, buying school textbooks and religious textbooks such as the Al-Quran and others. fare to his nephew's school.

In traditional ceremonies such as marriages, batagak gala, negotiations between nagari, mamak (including tribal leaders) always give their nephews an opportunity to try to be active in these events. All of them are intended to educate their nephews to be independent and able to develop themselves or think about social life, so that one day when their nephews grow up, they can become leaders who are respected by people. As explained in the research findings, the result of shifting the role of mamak to nephew's care is that the function of mamak's role does not work well.

This causes the lack of parenting given by mamak to nieces and nephews. If the functioning of Mamak's role weakens, it will also have an impact on his relationship with his niece. So the consequence of mamak's inability to provide material assistance for her nephew's education is the estrangement of social relations between mamak and nephew, nephew feels independent or too much in need of a mamak figure because he can fulfill his own formal education needs.

In addition, there will be apathy or indifference from the nephew to the mamak, so that the affectionate function of a mamak will also be eroded, where the nephew will not listen to the advice, guidance and direction given by the mamak because of the mamak's indifference to the nephew's education. Taking care of children and nephews is a noble task entrusted to women in Minangkabau, this is known as the Budo Kandung concept. In Minangkabau society, the role or contribution of bundokandung is seen in the contribution of grandmothers in fulfilling the educational rights of their grandchildren after their parents divorce. Between biological children and nephews are both cared for as the saying goes "children in the lap of nephews are guided".

Likewise, in terms of meeting the needs of his life "children are raised with livelihood assets, nephews are raised with inheritance". This means that Bundo Kandung is also responsible for his living expenses even though his parents are present in the sense that Bundo Kaduang has to pay for it at any time if needed when his parents are in trouble. Bundo Kandung has duties and responsibilities in shaping the character of his nephew and nephew in addition to meeting the outer and inner needs. The same treatment for children and nephews, who are guilty of being reprimanded, even if they need to be punished, even if they are children themselves. Bundo kaduang must be able to embrace all nephews-nephews in various ways. Likewise, in terms of fulfilling the educational rights of their grandchildren after a divorce, grandmothers must be able to be firm with their children so that they want to support the affective education and formal education of their nieces and nephews.

IV. CONCLUSION

The fulfillment of children's education rights after divorce in Nagari Salayo has been partially fulfilled where it can be seen that women are more responsible for the

continuation of their children's education after divorce than men. So it can be concluded that matrilineal relatives contribute to the fulfillment of children's education rights after a divorce occurs. The Minangkabau cultural background that adheres to the matrilineal kinship system is very visible in the post-divorce parenting pattern.

The forms of fulfillment of children's rights education in eight divorced families in Nagari Selayo are only in the form of formal education. Factors that influence the contribution of matrilineal relatives in fulfilling children's education rights in divorced families in Nagari Selayo by factors of lack of care, low economic level, and less harmonious relations with sapauiq matrilineal relatives.

REFERENCES

- [1] Wardani, R. K., & Hasanah, I. Pemenuhan Hak Anak dalam Keluarga Poligami Children Right Fulfillment in Polygamy Family. *Jurnal Perempuan Dan Anak*, 1(23), 1–6. 2015.
- [2] S. Setiarani and Y. Suchyadi, "Pola Asuh Orang Tua Terhadap Anak Tuna Netra Berprestasi," *J. Pendidik. Pengajaran Guru Sekol. Dasar*, vol. 01, no. 01, pp. 15–18, 2018, [Online]. Available: <https://journal.unpak.ac.id/index.php/JPPGuseda/article/view/866>
- [3] Y. Suchyadi, Y. Ambarsari, and E. Sukmanasa, "Analysis of Social Interaction of Mentally Retarded Children," *J. Humanit. Soc. Stud.*, vol. 02, no. 02, pp. 17–21, 2018, doi: <http://dx.doi.org/10.33751/jhss.v2i2.903>.
- [4] R. Pertiwi, Y. Suchyadi, and R. Handayani, "Implementasi Program Pendidikan Karakter Di Sekolah Dasar Negeri Lawangtung 01 Kota Bogor," *J. Pendidik. Pengajaran Guru Sekol. Dasar (JPPGuseda)*, vol. 02, no. 01, pp. 41–46, 2019, doi: [10.33751/jppguseda.v2i1.994](https://doi.org/10.33751/jppguseda.v2i1.994).
- [5] Fitriani, R. Peranan Penyelenggara Perlindungan Anak dalam Melindungi dan Memenuhi Hak-Hak Anak. *Jurnal Hukum Samudra Keadilan*, 11(2), 250–258. 2016.
- [6] Novrinda, Kurniah, N., & Yulidesni. Peran Orang Tua dalam Pendidikan Anak Usia Dini ditinjau dari Latar Belakang Pendidikan. *Jurnal Potensia*, 2(1), 39–46. 2017.
- [7] Yusuf MY, M. Dampak Perceraian Orang Tua terhadap Anak. *Jurnal Al-Bayan*, 20(29), 33–44. 2014.
- [8] Stepani. Pemenuhan Hak Anak Pasca Perceraian (Studi Kasus di Sulawesi Utara). *Jurnal Lex et Societatis*, III(3), 116–123. 2015.
- [9] Y. Suchyadi and Nurjanah, "Relationship between Principal Supervision in Increasing the Job Satisfaction of Private Junior High School Teachers in East Bogor District," *JHSS (Journal Humanit. Soc. Stud.)*, vol. 02, no. 01, pp. 26–29, 2018, doi: <https://doi.org/10.33751/jhss.v2i1.818>.
- [10] Fachrina, & Putra, R. E. Upaya Pencegahan Perceraian Berbasis Keluarga Luas dan Institusi Lokal dalam

- Masyarakat Minangkabau di Sumatera Barat. *Jurnal Antropologi Indonesia*, 34(2), 101–112. 2013.
- [11] Syafwan. “Rumah Gadang dan Kekerabatan Matrilineal: Kajian Fungsi Rumah Gadang dalam Perubahan Sosial Minangkabau”. Tesis. Surabaya: Universitas Airlangga. 2001.
- [12] Munir, M. Sistem Kekerabatan Dalam Kebudayaan Minangkabau: Perspektif Aliran Filsafat Strukturalisme Jean Claude Levi-Strauss. *Jurnal Filsafat*, 25(1), 1–30. 2015.
- [13] Rena Yulia, *Viktimologi Perlindungan Hukum Terhadap Korban Kejahatan*, Graha Ilmu, Yogyakarta. 2010.
- [14] Indriati, N., Kartika, K., Sanyoto, & Wismaningsih. *Perlindungan dan Pemenuhan Hak Anak (Studi tentang Orang Tua sebagai Buruh Migran di Kabupaten Banyumas)*. *Jurnal Mimbar Hukum*, 29(3), 474–487. 2017.
- [15] Tamim, I. H. *Filantropi dan Pembangunan*. *Jurnal Community Development*, 1(1), 121–136. 2016.
- [16] Jusuf, C. *Filantropi Modern Untuk Pembangunan Sosial*. *Jurnal Penelitian Dan Pengembangan Kesejahteraan Sosial*, 12(1), 74–84. 2007.
- [17] Latief, H. *Filantropi dan pendidikan islam di indonesia*, (February). <https://doi.org/10.15575/jpi.v28i1.540>. 2016.
- [18] Linge, A. *Filantropi Islam Sebagai Instrumen Keadilan Ekonomi*. *Jurnal Perspektif Ekonomi Darussalam*, 1(September), 154–171. 2015.
- [19] Moleong, Lexy J. *Metode Penelitian Kualitatif*. Bandung: Remaja Rosdakarya. 2009.
- [20] Mardalis. *Metode Penelitian Suatu Pendekatan Proposal*. Jakarta: Bumi Aksara. 2010.