



## Legal Review of Parents in Facilitating Children Playing Jaran Kepang in View of Islamic Law and Law Number 35 of 2014 concerning Child Protection (Case Study of Sei Rotan Village, Percut Sei Tuan District, Deli Serdang Regency)

Siti Nurheliza<sup>1</sup>, Iwan<sup>2</sup>

*Universitas Islam Negeri Sumatera Utara*

Email: siti0201201002@uinsu.ac.id, iwan@uinsu.ac.id

Number Phone (Whatsapp): +62 822-7380-7276

**Abstract** - This study aims to understand the portrayal of the Jaran Kepang game and the perspectives of Islamic law and positive law on parents who facilitate their children playing Jaran Kepang in Sei Rotan Village. The research method employed is empirical research, which examines applicable legal provisions and the realities in Sei Rotan Village, Percut Sei Tuan Subdistrict, Deli Serdang Regency. The primary data for this research consists of observations and interviews with children who play Jaran Kepang, parents of Jaran Kepang players, the community of Sei Rotan Village, Jaran Kepang experts, and leaders/members of the Indonesian Ulema Council (MUI) North Sumatra. Secondary data sources include primary legal materials such as Law Number 35 of 2014 concerning Child Protection, and secondary legal materials obtained from literature review comprising books, journals, articles, internet searches, and research findings. The results indicate that some parents in Sei Rotan Village facilitate their children playing Jaran Kepang, as evidenced by interviews with the community and observations. The legal consequences for parents facilitating their children playing Jaran Kepang, according to Islamic law, are considered haram due to the game's association with polytheism. Under Law Number 35 of 2014 concerning Child Protection, the legal consequence is the potential revocation of custody rights for parents who facilitate their children playing Jaran Kepang.

**Keywords:** Parents, Facilitating Children, Jaran Kepang

### I. INTRODUCTION

The Jaran Kepang game which is carried out in Sei Rotan Village, Percut Sei Tuan District, Deli Serdang Regency is a haram game, because in this game there is an element of collaborating with the devil, namely when summoning a spirit and asking for safety for the spirit and when being possessed because this is an act of shirk. and contrary to the faith (Asmuni, 03 July 2024).

Islam mandates parents to educate their children with full responsibility for their development and progress, guided by love and compassion. Children are the result of sexual intercourse between a woman and a man, whereby from the woman's body a human is born, associating the man as the father and the woman as the mother (Talib, 1986).

The understanding of a child as intended in the Child Protection Act is someone who is under 18 years old, including children who are in the womb. The crucial role in raising a child falls upon parents, who are responsible members of a family. Parents are also tasked with preparing and guiding children towards adulthood by providing guidance, direction, and meeting all their needs to help them navigate life.

Parents play a crucial role in a child's life, as they are first and foremost guides, educators, mentors, and primary educators for their children. Parents are the first to guide and educate children about their surroundings and things unknown to them. According to the child's development, parents must provide good support so that each stage of the child's development increasingly familiarizes them with everything in their environment (Suharian, December 2020).

In Islam's perspective, every child born worldwide is blessed with various virtues and potentials, namely abilities and developmental needs according to their psychological nature. Each child born is endowed with fitrah, the potential to be good and the potential to be bad, and this becomes the responsibility of parents. Providing attention and fulfilling the good aspects for a child helps them grow well both physically and psychologically. Conversely, parents' lack of attention in developing and guiding a child's potential can lead to imbalance in the child's soul (Fahimah, 2019).

Playing is one of the needs of children that must be fulfilled by parents, as it helps them develop motor skills and serves a function in their growth and development (Rahmadianti, May, 2020). While parents must fulfill their children's need to play, this research aims to investigate the role of parents in facilitating children to play Jaran Kepang.

Jaran Kepang, also known as Jaranan, Jathilan, or Kuda Lumping, is a traditional performing arts form originating from Java. The dancers in this performance portray warriors riding bamboo horses (kuda lumping) accompanied by other supporting performers. The dance is embellished with various attractions such as playing with rings, fire eating, flower dancing, and other elements. Towards the end of the performance, it culminates in "ndadi," where a dancer appears to be inhabited by a spirit known as "Endang." The purpose of invoking Endang is to connect with supernatural beings beyond the visible realm, although these practices are sometimes misinterpreted as superstitious due to the mystical elements involved, such as rituals to summon spirits like Endang with various offerings, such as rare chancesi... (Radhia, "Dynamics of Jaran Kepang Performing Arts in Malang City", 2019).

Based on the detailed explanation provided, the researcher is interested in conducting a study titled "Exploring the Legal Framework Concerning Elders Facilitating Children to Play Jairain Keping Under Islamic Law and Local Regulations No. 35 of 2014 Regarding Child Protection" (Case Study: Sei Rotain Village, Percut Sei Tuain Subdistrict, Deli Serdang Regency). This study aims to analyze various aspects related to elders facilitating children to play Jairain Keping in Sei Rotain Village, Percut Sei Tuain Subdistrict, Deli Serdang Regency, and how these actions align with Islamic law and Local Regulations No. 35 of 2014 concerning child protection.

The researcher also found a previous study by Cici Trisnawati titled "The Role of Elders and Environmental Influence on Playing Moral Development and Al-Ghaimah of Children Aged 4-5 Years in RT.04 Beringin Jaya Village, Kemiling District, Bandar Lampung." The conclusion of this study highlighted the focus on the influence of elder guidance and environmental factors in shaping the moral development and al-ghaimah of children at an early age, as well as the roles of elders and the environment in influencing the moral development and al-ghaimah of children aged 4-5 years.

The researcher also discovered previous studies, including one by Puspita Indini (2019) discussing the Responses of Community Members to the Diversity of Female Horse Dance Dancers (Case Study on the Community of Sidokaton Village, Gisting District, Tanggamus Regency). This study focused on the responses of community members to female horse dance dancers, revealing varied responses: positive responses (appreciating the dance and its cultural significance), negative responses (concerns about disruption to schooling and other activities), and affective responses (entertainment value, sometimes causing disturbances but generally liked).

Furthermore, Citra Widiya Ningsih's study titled "The Role of Horse Dance in Kaimbingan Village (2020)" concluded that elders in Kaimbingan Village support their youth's participation in horse dance to preserve this cultural heritage, despite some youths showing

less interest or involvement due to their age-related priorities and modern influences. Additionally, the practice of this tradition fosters community bonding and prioritizes the engagement and training of youth in horse

The results of the previous studies and this current study share similarities but also notable differences. Similarities include Cici Trisnawati's study focusing on the cultural environment of children's play and the differences related to their age. On the other hand, Puspita Indini's study emphasizes female horse dance performers, while this research examines Jairain Kepaing performers more broadly. Furthermore, Citra Widiya Ningsih's research highlights the support of elders for youth participation in Jairain Kepaing, contrasting with the broader legal and contextual analysis conducted here and in previous studies, which were evaluated under Islamic and other laws.

## **II. METHOD**

The type of research described is an empirical study aimed at understanding social issues within the community of Sei Rotan Village, specifically focusing on the traditional game of Jaran Kepang and the legal considerations regarding the role of elders in facilitating children to play Jairain Kepaing in Sei Rotan Village. Primary data sources include direct observations and interviews with Jaran Kepang players, elders of the Jairain Kepaing players, Jairain Kepaing experts, and leaders/members of MUI (Indonesian Ulema Council) Sumatera Utara. Secondary data sources include primary legal sources such as Law No. 35 of 2014 concerning Child Protection, and secondary legal sources obtained through literature review including books, journals, articles, and internet searches based on previous research findings. Tertiary data in this research is derived from various sources that support primary and secondary legal sources. The data analysis technique employed is qualitative, specifically descriptive, aimed at explaining social phenomena within the legal and social contexts involved.

## **III. RESULT AND DISCUSSION**

### **Significance of Jaran Kepang Performance in Desa Sei Rotan, Kecamatan Percut Sei Tuan, Kabupaten Deli Serdang**

Jaran Kepang or also known as jaranan, jathilan, or kuda lumping is a traditional art entertainment originating from Java. The dancers in this dance are soldiers who ride horses (made) made of bamboo or other supporting materials. And it is a dance accompanied by a number of attractions such as eating glass, passing through burning coals, eating flowers and so on. Where at the end of the show there will be ndadi. Ndadi means a dancer whose pattern is irregular, where the dancer will be entered by a kind of spirit or spirit called Endang (Radhia, "Dynamics of Jaran Kepang Performing Arts in Malang City", 2019).

The ritual of Jairain Kepaing performances in Desa Sei Rotan, Kecamatan Percut Sei Tuan, Kabupaten Deli Serdang begins with a ritualistic process led by the leader (pemimpin group), which involves the preparation of a main bamboo pole (baimbu dikepaing). This process is connected to the invocation of ancestral spirits and seeking permission for the upcoming activities until completion. Following the invocation of ancestral spirits, the Jairain Kepaing performance proceeds, involving dancers using bamboo sticks formed into horse-like shapes. Typically, these performances are carried out by 4-6 performers, accompanied by rhythmic movements forming two lines, left and right, based on the number of participants involved.

The performance continues with the addition of rhythmic movements called "kipraih pegon," where the participants form a circle and move around, interspersed with jumping movements and concluding with a final rhythmic sequence. In this final sequence, the performers on the left and right sides of the circle alternate their positions, meaning those who were on the left move to the right and vice versa. This marks the culmination of the performance.

During this stage, some dancers may enter a state of trance, particularly when immersed in the dance and music of the performance. This trance state is often associated with a spiritual entity known as Endaing. Those possessed by Endaing may exhibit behaviors such as eating glass, walking on fire, kissing the sharp edge of a sword, chewing raw cassava, biting a banana leaf, smelling flowers, and other actions. To end the possession, a designated leader (paiwaing) is needed to assist in bringing the possessed person out of their trance state (Supaimin, December 23 2023.)

### **Elderly People Facilitating Children to Play Jaran Kepang in Sei Rotan Village, Percut Sei Tuan Subdistrict, Deli Serdang Regency**

The research data regarding the role of parents in facilitating children playing Jaran Kepang in Sei Rotan Village, Percut Sei Tuan District, Deli Serdang Regency, which the author has presented after obtaining data in the field with several sources, is as follows:

According to the parents who were interviewed by researchers, they stated that there was no problem if children participated in the Jaran Kepang art. According to Mr. Marjo, there was no problem participating in the Jaran Kepang game because participating in the Jaran Kepang art was an activity to preserve culture and children became more understand Javanese customs, as well as introduce them to the younger generation so that the customs/traditions of our ancestors are not lost. And Mr. Marjo also facilitates his children to play Jaran Kepang, apart from the facilities provided by giving permission to his children to take part in the art of Jaran Kepang which is marked by marking the signature of the permission letter from the Jaran Kepang community, then he also facilitates the children- their children by providing means of transportation to go play Jaran Kepang either by giving them oil money and pocket money. Apart from preserving culture, Nonai also allows her children to take part in the art of Jaran Kepang because by participating in Jaran Kepang, children's relationships broaden and children are able to socialize outside. Not only that, Ms. Nonai is happy that her children are playing Jaran Kepang because while playing, the children also get prizes. Mrs. Nonai also facilitates her children playing Jaran Kepang by providing support when doing the attraction, namely coming to the event when the Jaran Kepang game is in progress (Nona, May 18 2024.)

Meanwhile, the results of the researcher's interview with the children of Jaran Kepang players are as follows: According to Dani, by participating in the Jaran Kepang game he was able to preserve culture, apart from that he felt he looked cooler, his popularity increased, his friendships became stronger, and he gained experience from playing Jaran Kepang (Dani, December 23 2023).

### **Concerning Islamic Law and Law Number 35 of 2014 concerning Child Protection for Parents Who Facilitate Children Playing Jaran Kepang**

As mentioned in the book *Fiqh al-Laihi wa al-Tarwihi* by Yusuf al-Qaradawi, games or entertainment that contain elements of violence, magic and are done excessively are not recommended (Dimas Hakamsyah dan Muhammad Ihsan). Berdasarkan penjelasan tersebut, permainan Jaran Kepang yang terjadi di Desa Sei Rotan, Kecamatan Percut Sei Tuan, Kabupaten Deli Serdang, memang memiliki beberapa hal yang perlu diperhatikan dari sudut pandang hukum Islam. Permainan ini dapat dianggap sebagai jenis hiburan yang mengandung unsur kekerasan, seperti memakai beling dan mengejar api, serta mengandung unsur syirik dengan melakukan pemujaan terhadap roh leluhur dan meminta izin untuk kelangsungan acara tersebut (Rawo, December 23 2023)

Based on this explanation, the Jaran Kepang game that took place in Sei Rotan Village, Percut Sei Tuan District, Deli Serdang Regency, does have several things that need to be considered from an Islamic legal perspective. This game can be considered a type of entertainment that contains elements of violence, such as wearing glass and chasing fire, and contains elements of shirk by worshiping ancestral spirits and asking permission for the event to continue (Rawo, December 23 2023).

The results of an interview with Zulfahmi, when he was a member of the North Sumatra MUI, show that he linked the Jaran Kepang game with several aspects that are clearly explained in fiqh law, and that several practices related to these beliefs could potentially lead to acts of shirk or associating partners with Allah. . This is mainly related to the belief that when a person is possessed by a jinn and their body can no longer be completely controlled, for example. Even though Jaran Kepang is just a game, when a person's body is entered by a genie, this can lead to behavior that is considered to violate Allah's rules, such as using sharp objects or making movements that endanger oneself or others. Parents who facilitate their children to play Jaran Kepang also have a responsibility to protect themselves and their families from risks that may arise from fire or injury (Zulfahmi, 05 July 2024).

Based on an explanation from Sugeng Wianto Pardi, he stated that the practice of Jaran Kepang art does not have strict or absolute laws, but this depends on how the Jaran Kepang practice is carried out. Acceptable activities are those that do not violate sharia principles. This needs to be considered carefully in accordance with the existing arguments.

*المحافظة على القديم الصالح والأخذ بالجديد الأصح*

*Meaning: Maintaining old things (traditions) that are good and adopting new things that are better (Musthafa, 2016).*

What needs to be done regarding culture or traditions is to maintain what is in accordance with sharia principles and change content that is not in accordance with religious teachings. This includes modernizing traditions such as Jaran Kepang, where practices such as summoning spirits, inviting jinn, following shirk, and so on, must be avoided and changed in accordance with Islamic values (Pardi, 05 July 2024).

In this game, which contains elements of shirk due to worshipping the devil, this has been explained in the Qur'an, that it is actually forbidden to follow the steps of the devil. This is stated in the Al-Qur'an Surah Al-Baqarah verse 168:

*يَا أَيُّهَا النَّاسُ كُلُوا مِمَّا فِي الْأَرْضِ حَلَالًا طَيِّبًا وَلَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ إِنَّهُ لَكُمْ عَدُوٌّ مُبِينٌ*

*Meaning: "O people, eat the best of what is lawful and good on earth, and do not follow the steps of Satan. Indeed, he is a real enemy for you." (Al-Qur'an, 2012)*

Then, we should pay attention to the role of ancestors carried out by the performance of the Jaran Kepang art to ask for salvation as stated by Mr. Jono, of course it must be in accordance with Islamic law, because asking for an intermediary other than Allah SWT is an act of shirk whose sin will not be forgiven by Allah SWT . As stated by Allah in Surah An-Nisa verse 48:

*إِنَّ اللَّهَ لَا يَغْفِرُ أَنْ يُشْرَكَ بِهِ وَيَغْفِرُ مَا دُونَ ذَلِكَ لِمَنْ يَشَاءُ وَمَنْ يُشْرِكْ بِاللَّهِ فَقَدْ افْتَرَىٰ إِثْمًا عَظِيمًا*

*Meaning: Indeed, Allah will not forgive the sin of shirk, and He will forgive sins other than shirk for whomever He wills. Indeed, whoever associates partners with Allah has indeed committed a great sin. (Al-Qur'an, 2012).*

The element of magic in this art is a serious problem for those who believe in magic. This involves connections with contemporary matters as stated by Sheikh Muhammad Yusuf al-Qaradawi that magic itself is not related to actual magic, but also includes belief in magic and belief in things connected to magic. Furthermore, it is important to consider the broader impact of using magic for specific purposes (Qardhawi, 1993).

Referring to what was stated by Imam Izzuddin Ibn 'Abd al-Salam that the aim of the Shari'a is to achieve goodness and prevent harm. This is more concrete in achieving benefits and avoiding damage.

Playing Jaran Kepang for children in Sei Rotan Village, Percut Sei Tuan District, Deli Serdang Regency often has a real *syairi'*at purpose, namely causing harm that disrupts their education and disrupts the activities of the practice. Children usually immediately go to the Koran after studying and go to the Sanggar Peguyuban Jaran Kepang and their very limited time is used for studying and breaks are used to go to the community group to practice playing Jaran Kepang.

In polytheism, this is a major sin that results in various forms of damage and deviation and disturbs the purity of mind and the level of time in action. Shirk is one of the major sins that Allah SWT will not forgive unless the person repents before their death. Shirk also means likening Allah SWT to something else. Shirk is a major sin whose laws can be very fruitful if obeyed (Salsabila, 2023)

Parents should always accompany their children in all situations, providing direction and orders that suit their interests. This includes giving permission to children to play in accordance with religious principles that do not contain elements of shirk and do not damage their own beliefs. Apart from that, as guardians who have obligations, parents are also responsible for ensuring the well-being of their children in terms of education and other things. Therefore, it is a moral responsibility for parents not to ignore things that children should pay attention to.

Facilitating children to play Jaran Kepang from the perspective of:

*للسائل حكم المقاصد*

“For *wasilah-wasilah* (media) the law of purpose applies”. (Ibrahim, 2019)

The true law corresponds to the actual act, the law of playing Jaran Kepang is polytheism, doing shirk to God is haram, so playing Jaran Kepang like preparing a child to play Jaran Kepang is haram. In addition to providing children to play Jaran Kepang will fulfill the purpose of the actual act. Doing everything in the *sarainai* used in the game which actually shows that we hold fast to the text, like the words of Allah who have reminded and do everything in the *sarainai* used in destructive matters.

Then, if we look at the rules applied, the benefits and results of playing *Jairain Keping* can be seen that the benefits resulting from playing *Jairain Keping* direct children towards prohibited actions, while the benefits that can be obtained only lead to actions that are good for socialization, relationships, and new knowledge for such a child is better. Therefore, if we refer to the rule:

*درء المفاسد اولي من جلب المصلح*

“Rejecting benefits takes priority over achieving benefits”.

Therefore, the *Jairain Keping* game which is practiced in Sei Rotan Village, Percut Sei Tuan District, Deli Serdang Regency is an act of shirk and causes a lot of harm to individuals. Therefore, parents must prohibit children from playing *Jairain Keping*. Although the benefits of playing *Jairain Keping* can reduce study time, it becomes increasingly disorganized and his education is disrupted. Apart from the benefits it produces, such as maintaining culture, expanding relationships, enriching children's socialization, and maintaining religious values. Therefore, the level of harm generated is greater than the benefits generated. So prohibiting children from playing *Jairain Keping* is a good and right thing for parents to do and not facilitating this is also an obligation for parents.

Law Number 35 of 2014 concerning Child Protection states that the obligations of parents in facilitating children's play are regulated in Article 1 Paragraph (12). Children must be guaranteed, protected, and have their rights fulfilled by parents, family, community, state, government and local government. Apart from that, Article 56 Paragraph (1) requires the government and regional governments to carry out child care and protection to support children in resting, playing, recreating and creating arts and culture. Also, Article 76G emphasizes that every person is prohibited from destroying children to fulfill their own cultural needs (Law Number 35 of 2014 concerning Child Protection)

In the context of referring to this law, it shows that children not only need to receive education, but also need to be given opportunities to play, have recreation and create art. Therefore, parents have an obligation to provide appropriate and good facilities for their children. The community and government also need to play an active role in helping make this happen. The focus of your research in facilitating children's play here, especially in the context of Jairain Keping play, can be directed to ensuring that these activities support children's development in accordance with their rights guaranteed by the Child Protection Law.

The elderly have the responsibility to facilitate their children playing, but in addition to facilitating their children playing the elderly should also be able to develop their character and personality, as a protector, advisor, supporter, child supporter. The elderly are like a force of encouragement, that is, the elderly are always happy to encourage their children to be positive. Because the elderly cannot leave their children in a situation that is different in accordance with Article 76B "Every person is allowed to place, leave, involve a child in a different situation" (Law Number 35 of 2014 concerning Child Protection). Because the watering of the old man's dairy is as important as the watering. The role of the old people as a form of protection for the *ainak-ainaknyai* (Abu Ahmaadi, 2015). In other words, if parents do not give positive instructions to their children, it means that they are like a child who is not allowed to fulfill his obligations.

According to the Child Protection Law, if parents are negligent in their responsibilities towards the child, contained in Chapter VI concerning Custody Power in Article 30 paragraph (1) states that: In the event that parents as referred to in Article 26, neglect their obligations, Supervision measures can be taken against them or the parental power of custody can be revoked. Paragraph (2): Supervision of parents or revocation of parental authority as intended in paragraph (1) is carried out through a court order (Law Number 35 of 2014 concerning Child Protection). From the explanation of the contents of the law, it is clear that if parents neglect their obligations towards their children, namely parents who give permission for their children to play on the Keping Screen, Sei Rotan Village, Percut Sei Tuan District, Deli Serdang Regency, supervision or revocation of child custody can be taken. And regarding the child's custody, it can fall to a person or legal entity that meets the requirements to be appointed as guardian of the child in question.

However, parents' responsibility to facilitate their children must also be considered. There are many important things that must be considered, one of which is the child's play space or environment. Namely, when children play, parents must ensure safety, health and play materials that do not harm children. Therefore, the children's play activity area is a special value for children that parents must pay attention to (Sania Lestari, 2021).

#### **IV. CONCLUSION**

Conclusion from the discussion above regarding "Legal Review of Parents in Facilitating Children Playing Jaran Kepang in View of Islamic Law and Law Number 35 of 2014 concerning Child Protection (Case Study of Sei Rotan Village, Percut Sei Tuan District, Deli Serdang Regency)" Research results shows that the Jaran Kepang practiced in Sei Rotan Village is an act of shirk and in Islamic law the act of shirk is a haram act. And the law for parents who facilitate children playing Jaran Kepang in terms of Islamic law is haram because playing Jaran Kepang is an act of shirk, so means of committing shirk to Allah such as facilitating children playing Jaran Kepang is also haram. Meanwhile, according to Law number

35 of 2014 concerning child protection, the legal consequences for parents who facilitate their children playing Jaran Kepang is the revocation of parental rights for parents who facilitate their children playing Jaran Kepang because this action is an act of neglecting their responsibility as parents who are obliged to protect them. children from negative things or things that endanger the child.

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