



**THE MODUS OF BEGGARS IN LAMPUNG URBAN AREA:
AN ISLAMIC LAW PERSPECTIVE**

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Abstract: The poor, underprivileged, and *dhuafa'* are people who must be taken care of by the government. However, in reality, at this time, many poor, underprivileged, and *dhuafa'* make their status as professions in Bandar Lampung City and Metro City. Therefore, it is necessary to review the existence and factors influencing it. This review is field research conducted in Bandar Lampung City and Metro City; by describing data obtained through observation, in-depth interviews; the method used in analyzing is the qualitative analysis presented descriptively; the aim is to find factors that drive the existence of beggars in urban areas and the mode used by urban beggars. The existence of beggars in Bandar Lampung City and Metro City at the intersection of traffic lights, the mall yard, the mosque yard, and the home visit is a mode to obtain income easily. The main factor that drives the existence of beggars in Bandar Lampung City and Metro City is due to income that cannot meet the life needs, the appealing factor of easy, practical work influenced by the sympathies of potential benefactors, and relatively large income; various modes undertaken by beggars to attract the sympathy of the community including bringing toddlers, pretending to be blind and lame, employing elderly, wearing worn-out clothes, and pretending to have an unhealed smear.

Abstrak: Fakir miskin dan *dhuafa'* adalah orang yang harus diperhatikan oleh Pemerintah, namun realitanya pada saat ini telah banyak fakir miskin dan *dhuafa'* yang menjadi profesi di Kota Bandar Lampung dan Kota Metro, sehingga perlu ditinjau ulang keberadaan dan faktor apa yang mempengaruhinya. Tinjauan ini merupakan penelitian lapangan (*field research*) yang dilaksanakan di Kota Bandar Lampung dan Kota Metro; dengan mendeskripsikan data yang diperoleh melalui observasi, wawancara mendalam; metode yang digunakan dalam menganalisis adalah analisis kualitatif yang disajikan secara deskriptif; tujuannya untuk menemukan faktor yang mendorong keberadaan pengemis di perkotaan, dan modus yang dilakukan oleh pengemis perkotaan. Keberadaan pengemis di Kota Bandar Lampung dan Kota Metro baik di

simpang jalan lampu merah maupun di halaman Mal, halaman Masjid dan home visit merupakan modus untuk mendapatkan penghasilan yang mudah, faktor utama yang mendorong keberadaan pengemis di kota Bandar Lampung dan Kota Metro disebabkan penghasilan yang tidak mencukupi kebutuhan hidup, faktor daya tarik pekerjaan yang mudah, praktis, dipengaruhi oleh simpati calon dermawan, dan berpenghasilan yang relatif besar; berbagai modus yang dilakukan oleh pengemis untuk menarik simpati masyarakat, di antaranya, membawa anak yang masih balita, berpura-pura buta dan pincang, mempekerjakan orang tua lanjut usia (lansia), berpakaian yang serba lusuh, dan berpura-pura korengan yang tidak kunjung sembuh.

Keywords: *Islamic Law; Beggar Mode; Urban Area.*

INTRODUCTION

Beggars are the social problems that emerged as a negative impact of the poverty. However, at present, the cause of the emergence of beggars is becoming increasingly complex making poverty no longer the sole cause of beggars.¹ Therefore, beggars are a relevant social problem to be studied continuously. Guidance for beggars becomes a task as developed by the government of Bandar Lampung City and Metro City regarding the development and welfare of the community.

Social Service is a government agency that performs general tasks of the Regional Government in the field of social welfare following applicable laws and regulations.² Guidance for beggars conducted by the Social Services of Bandar Lampung City and Metro City has the following programs: prevention efforts, countermeasure efforts, and social rehabilitation efforts. This program aims to reduce the growing number of beggars in Bandar Lampung City and Metro City.³

Two factors affecting beggars on the streets include internal factors of individual and family poverty, low levels of education, and mental attitude. Meanwhile, external factors include permissive conditions in the City, urbanization, lack of employment, and development gaps. Social Services of Bandar Lampung City and Metro City have not functioned properly in guiding the beggars since some efforts have not been realized by the Social Services to guide beggars. The main factors that obstruct are the insufficient budget and the absence of shelter that cannot be provided by Social Service to conduct guidance.⁴

¹ Putri Ratna Zunita, "Fenomena Pengemis Anak Studi Kualitatif Proses Sosialisasi Serta Eksploitasi Ekonomi pada Pengemis Anak Di Makam Sunan Giri Kecamatan Kebomas Kabupaten Gresik" (PhD Thesis, Universitas Airlangga, 2015), 34, <http://repository.unair.ac.id/id/eprint/15953>.

² Cyntia Ratna Ayu Ariani dan Tri Winarni Soenarto Putri, "Dampak Program Rehabilitasi Sosial Lanjutan dalam Penanganan Gelandangan dan Pengemis (Studi di Balai Rehabilitasi Sosial Bina Karya Laras Yogyakarta)" (PhD Thesis, Universitas Gadjah Mada, 2018), 83.

³ Basuki Rahmat Street No. 72 Teluk Betung (0721) 481600 dinsos@lampungprov.go.id <http://dinsos.lampungprov.go.id>

⁴ F. Fatmawati, "Fungsi Dinas Sosial dalam Pembinaan Pengemis di Kota Bandar Lampung" (PhD Thesis, UIN Raden Intan Lampung, 2018), <http://repository.radenintan.ac.id/id/eprint/3308>. See also

The phenomenon that currently occurs in urban society is the rise of urban beggars, which becomes a social problem that concerns the interests of many people. Therefore, the daily activities are possibly disturbed by the existence of urban beggars.

Bandar Lampung City and Metro City are the two cities in Lampung Province which are the third largest and most populous on Sumatra Island after Medan and Palembang. They are even included as the most populous cities outside of Java, as well as the gateways of Java and Sumatra. Lampung Province is popular as one of the global tourisms with the presence of Pahawang Island, Kiluan Bay, and Jukung Beach. Therefore, it is potential to become a target for beggars. It is not only happened in Bandar Lampung City and Metro City but also in other big cities like Bali,⁵ Samarinda,⁶ Pekanbaru Riau,⁷ D.I. Yogyakarta⁸ and Medan Sumatera Utara.⁹ Meanwhile, Islam advises to perform all activities, not even giving a chance to become unemployed.¹⁰ Motivation to work as much as possible in life in search of divine gifts aims to meet the family needs that becomes one's responsibility through the *halal* way.

The phenomenon of beggars in Bandar Lampung City and Metro City is increasingly rampant. Therefore, the benefactors are almost difficult to distinguish between those who are actually classified as poor, indigent, and the *dhu'afa* or those who only use it as a mode. This case often increases, particularly in traffic lights, malls, mosque yards, and bus stops, and even in various forms of models. There have been some studies conducted, including the one by Pramudita Rah Mukti, a thesis about the beggars' strategy in community life in Surabaya City. This research shows how the strategy of beggars in Surabaya City. Based on its location, this study is different from the one conducted by the authors. Another work was written by Isti Rachhatun, a thesis entitled Exploitation of Street Children As Beggars in the Simpang Lima area of Semarang. This research was focused in Semarang and the object was street children. Based on location and

Uci Yulanda Syafitri, "Evaluasi Pelaksanaan Peraturan Daerah Kota Pekanbaru Nomor 12 Tahun 2008 Tentang Ketertiban Sosial" (PhD Thesis, Universitas Islam Riau, 2018), 1-12.

⁵ Indra Christiawan dan dkk., "Determinasi Keberadaan Pengemis Perkotaan di Kecamatan Denpasar Barat," *Jurnal Ilmu Sosial dan Humaniora* Vol. 6, no. No.1 (2017): 1

⁶ Resti Paramban, "Perilaku Masyarakat terhadap Pengemis Di Kota Samarinda (Studi Kasus di Jalan Pramuka kel. Sempaja Selatan Kec. Samarinda Utara)," *eJournal Sosiatri-Sosiologi*, 5 (4):132-146, Vol. 5, Nomor 4 (2017): 1.

⁷ Dia Meirina Suri, "Analisis Faktor yang mempengaruhi Implementasi Kebijakan Penertiban dan Pembinaan Gepeng di Kota Pekanbaru," *PUBLIKA*, No. 1, Vol . 3, (2017): 89.

⁸ Rina Rohmaniyati, "Pemberdayaan Gelandangan Dan Pengemis (Gepeng) Melalui Usaha Ekonomi Produktif (UEP) Di Lembaga Sosial Hafara Bantul, Daerah Istimewa Yogyakarta," *Jurnal Elektronik Mahasiswa Pend. Luar Sekolah* 5, no. 2 (2016): 1.

⁹ Matias Siagian, "Respon Masyarakat terhadap Pengemis di Simpang Jalan Kota Medan," *Jurnal Ilmu Kesejahteraan Sosial.*, No. 2, Vol. 12 (2013): 1.

¹⁰ Farhat Amaliyah, "Perspektif Hukum Islam tentang Praktik Mengemis". (Studi Kasus di Kota Bandar Lampung" (Bandar Lampung, UIN Raden Intan, 1438), 7.

object, this research is more pursued and different from the research conducted by the authors. A journal article by Saptono Iqballi entitled Case Study of Bums-Beggars (Gepeng) in Kubu District, Obviously, this study is different from the focus of the authors. Besides, there are some studies on beggars, but the focus of location, objects and targets is different.

Certainly, there have been many studies on beggars, including Ahmad Maghfur's writing which revealed several factors causing a person to become a beggar-bum; the meaning of activities done by bums and beggars; and the strategies they use to survive in Pekalongan City. The results of this study revealed that begging activities are done by beggars because of economic factors, life advanced, physical disability, and the minimum vacancy factor. For them, knocking and begging are activities that have the meaning as a protest movement, a profession, a way to refine and expand property and avoid bad luck, and righteous deeds compared to stealing. Besides, to be able to survive, they improve many strategies to compete for their life survival.¹¹

According to Mukti's research, Surabaya is the second-largest city in Indonesia after Jakarta. The data shows the increasing complex development resulting in a problem of poverty. The poors in Surabaya City do everything they can to survive in the economic pressures that are becoming increasingly difficult. One of those jobs is to become a beggar. Becoming a beggar is surely seen as an inappropriate job. Beside disturbing the environment, religion also does not allow people to be lazy. Not all beggars do dramaturgy on their frontstage when meeting benefactors. In everyday life in their neighbourhood, beggars blend in and their neighbourhood does not question their background as beggars. It is not necessary to change work from beggars to other jobs because begging still promises a lot of money.¹² The two studies at Pekalongan and Surabaya have a different focus with the one conducted by the researchers since this study focuses on Bandar Lampung City and Metro City.

This study aims to find the factors causing the existence of urban beggars in the Bandar Lampung City and Metro City, also to find a variety of modes performed by beggars, especially in Bandar Lampung City and Metro City; and how to analyze Islamic law in responding to the existence of beggars in cities. The results of this study are expected to be useful as input and further study materials for the authorities (City Government) in creating a clean, beautiful and dignified city. Another aim is to describe the implications of the findings in this study to

¹¹ Maghfur Ahmad, "Strategi Kelangsungan Hidup Gelandangan-Pengemis (Gepeng)," *Jurnal Penelitian* 7, no. 2 (2010): 1-16, <https://doi.org/10.28918/jupe.v7i2.108>.

¹² Pramudita Rah Mukti, "Strategi Pengemis Dalam Hidup Bermasyarakat Di Kota Surabaya" (Ph.D Thesis, Universitas Airlangga, 2013), 22.

minimize and suppress the existence of beggars in Bandar Lampung City and Metro City, known as the City of *Tapis Berseri*. The method used is a qualitative analysis presented descriptively.

Indonesia is a developing country that is experiencing complex social problems in its community. The total of poor people in Indonesia, based on the data compiled by the Central Bureau of Statistics (BPS), reached 28 million people or about 11.50% of the total population in Indonesia. Poverty is caused by several factors that are closely related to one another. One of its causes is because of physical or mental limitations, relatively low education, lack of skills, moreover supported by the unavailability of jobs.¹³

Empirically, the practice of exploitation of begging with the mode of bringing children is one of the scenes that is seen frequently at the intersection of the traffic light of Hajimena, and the traffic light of Wayhalim; at least there are 2 (two) beggars who bring toddlers in the midst of the day by holding out bowls to two-wheeled and four-wheeled drivers to get mercy from the generous benefactors who pass by. This reality often appears in the hours after work, especially in the morning and evening at its peak, and during the day.¹⁴

Some of the modes done by beggars in Bandar Lampung City and Metro City include genuinely physically handicapped, wearing worn-out and dirty clothing, operationalizing under age beggars, pretending to be blind, pretending to limp (side leg defects), pretending to be stump or having one hand or one leg.¹⁵ Based on this explanation, it is important to reveal the emergence of the existence of beggars, especially in the perspective of Islamic law, since Islamic law has defined in both the Holy Qur'an and the Hadith of the Prophet concerning the meaning of who is actually called the poor, indigent, and *dhuafa'*.

This research is expected to contribute to the government of Bandar Lampung City and Metro City in the social field in particular and the Lampung community in general as well as academics who are actively researching on Islamic law and social society about the existing phenomena.

The research problems are how the factors affect the beggars in Bandar Lampung City and Metro City as well as the Islamic perspective in responding to it? This research is in the form of a research field, classified as qualitative, descriptive-qualitative research that reports and presents data according to the conditions of beggars. The research objects are Bandar Lampung City and Metro City which are

¹³ Matias Siagian, "Respon Masyarakat terhadap Pengemis di Simpang Jalan Kota Medan," *Jurnal Pemberdayaan Komunitas* 12, no. 2 (2016): 8.

¹⁴ Deni Zulniyadi, "Dinsos Tindaklanjuti Mulai Maraknya Pengemis Pembawa Anak," *Lampung Post*, 13 Juli (2018): 8

¹⁵ Amaliyah, "Perspektif Hukum Islam tentang Praktik Mengemis". (Studi Kasus di Kota Bandar Lampung," 67-70.

major cities in the Lampung Region with a high number of beggars and not resolved by the local government. The approach used is a social-juridical approach by looking at the situation of the existing beggars as well as the Government regulation about beggars. Meanwhile, data collection is done by the authors through an interview, observation, and documentation by directly looking into the field. The data source used is primary data of field data obtained, government regulations, and secondary data include books and articles relating to street beggars. The analysis is done inductively, which uses data that has been collected and then analyzed.

Theories used to analyze are social theory and Maqasid al-Shari'ah theory. The issue of socio-cultural change has become an appealing discussion topic, not only by social science experts but also among the wider community.¹⁶ There is an awareness of the importance of examining the problem of socio-cultural change, especially once the community realizes the fact that the rapid progress in the field of science and technology is highly encouraging to perform conceptual studies. Socio-cultural changes in society are not focused on the life of urban society. Rural communities also have experienced several changes and developments as a consequence of the introduction of technology, communication, transportation in the order of the life of the wider community.¹⁷

BUMS AND BEGGARS

This review reveals the discussion and results of the study, which in general comprised of the factors that drive the existence of beggars in Bandar Lampung City and Metro City, and the ways done to get compassion to the word of Bums (*Gelandangan*) and Beggars (*Pengemis*) or *Gepeng* (*Gelandangan* and *Pengemis*). It does not only become vocabulary in the topic of daily conversation but is often used in media. Sometimes the word "gepeng" is even used to refer to "homelessness".¹⁸ *Gepeng* is almost found in every traffic light intersection and on the highway (Way Halim, Way Kandis, Untung Suropati), most of the Teluk Betung market, even in every shopping centre such as on Jl. Kartini, Jl. Raden Intan, Jl. Teuku Umar, Jl. Zainal Abidin Pagar Alam, Bandar Lampung.

Bums (*gelandangan*) came from the word *gelandang* who receives the suffix "an". In the Indonesian dictionary, it means not fixed, always moving, and moving from one place to another. It can also mean wandering or travelling. In other words, bums are people who do not have a place to live and do not have permanent jobs that are considered appropriate. Therefore, they roam, eat, and

¹⁶ Rauf Hatu, "Perubahan Sosial Kultural Masyarakat Pedesaan (Suatu Tinjauan Teoritik-Empirik)," *Jurnal Inovasi* 8, no. 04 (2011): 6.

¹⁷ T. Romi Marnelly, "Corporate Social Responsibility (CSR) Tinjauan Teori dan Praktek di Indonesia," *Jurnal Aplikasi Bisnis* 2, no. 2 (2012): 49-59.

¹⁸ Ahmad, "Strategi Kelangsungan Hidup Gelandangan-Pengemis (Gepeng)," 2.

drink everywhere.¹⁹ Meanwhile, beggars are those who always earn the income by begging to others, both in public places and in homes, by asking and begging attention to get compassion from others.²⁰

Bums and beggars on the streets and in big cities have become accustomed to their repeated work, so they do not feel ashamed²¹ and do not even have self-respect.²² The loss of self-esteem and shame is caused by a variety of reasons for the beggars, such as the demands of responsibilities in the household and the lack of employment. The government is trying to handle bums and beggars with the issuance of regional regulations (*Perda*). However, the existence of regional regulations on social order has not been seen to be effective. It is proven that many bums and beggars still roam around doing their profession. Besides, the supervision of related parties is not optimal yet. Beggars are often found in every traffic light, highway, and shopping centre areas, and they raise their hands to ask for alms.

FACTORS CAUSING THE EXISTENCE OF BEGGARS

Poverty cannot only be seen from the economic benchmarks that are lacking but also as a manifestation of the results of interactions involving almost all aspects of human life. The most dominant aspects are cultural and social, the result of the lack of facilities to meet the needs of life. Absolute poverty will stimulate and direct the individual personal society to beg incidentally, seasonally and permanently.²³

Such high competitiveness in urban areas can drive a person to improve creativity and quality to get a job. People with sufficient skills and expertise, as well as education and solemnity to try will get the job they want. It is different from unemployed people who are not serious, do not want to try hard to get a job in urban areas. Indeed, they will not get the job they want. One alternative option for them is to beg, although this method is prohibited by the city government.²⁴

The way to survive by begging according to Adit (pseudonym/30 years old)²⁵ who appears to be a transgender and often walk in around shops in Bandar Lampung City, is to bring a set of tape recorder, while singing in front of shops;

¹⁹ Shinta Larasati Herdiyati, "Penegakan Hukum Terhadap Perda No.1 Tahun 2014 Tentang Penanganan Gelandangan dan Pengemis," *Jurnal Hukum* <http://e-journal.uajy.ac.id/12226/1/JURNAL%20HK11300.pdf>, (2017): 08.

²⁰ Regional Regulation of Denpasar, "Peraturan Daerah Kota Denpasar" (Perda Denpasar, tahun 2015). Pasal 1 (13)

²¹ Dimas Dwi Iriawan, *Pengemis Undercover Rahasia Seputar Kehidupan Pengemis*, (Jakarta: Titik Media Publisher, 2013), 1

²² Feni Sudilarsih, "Kisah Suksesnya Seorang Pengemis," (Jakarta: Penerbit Sabil, tt.), 9.

²³ Christiawan dan dkk., "Determinasi Keberadaan Pengemis Perkotaan di Kecamatan Denpasar Barat," 4.

²⁴ Resti Paramban, "Perilaku Masyarakat terhadap Pengemis Di Kota Samarinda (Studi Kasus di Jalan Pramuka kel. Sempaja Selatan Kec. Samarinda Utara)."

²⁵ Adit, *Interview*, a beggar in Bandar Lampung City, January 5, 2019.

this method is done by Adit because he previously worked as a beauty parlour employee (haircut) who experienced an adjustment and was less in demand by customers who wish to have their hair cut and do a facial; it is better to beg than being pickpocket, snatcher, or thief, he commented.

Udin, a beggar who wants to only be called by his nickname, begs almost every day because of the responsibility to provide for his wife and children who are still in high school. Although he looks physically defective on one leg, according to him, one of the ways that can be done temporarily to support his wife and children is by begging, and or asking for mercy from others who care for him.²⁶

Yanto (29 years old)²⁷ is an unemployed young man whose limbs (hands, feet and neck) are full of tattoos. Accompanied by a person with the same profession, he begs almost every day starting at 07.30 by intentionally wiping and cleaning the windshield of a car (using feather duster/quill) when vehicles stop waiting at the traffic light at the intersection bypass between Sukarno Hatta street and Letjen Hendro Suratmin street to the direction to the campus. According to Yanto, he intentionally begs on the streets for food, smoking, and drinks as well as rent costs. Yanto, who runs away from his parents' house because of his friend's influence, likes to stay up late at night, having fun without regard to messages and advice of his parents.

The statement from Mrs. Lutfiana (40 years old)²⁸, who was interviewed, argues that being a beggar is easier and more earning than working as a housemaid. Regarding the income, it gives more money. Regarding the time, it is also not tied to other people. Mrs Lutfi begs every day from 8:00 in the morning to sunset. In carrying out her work as a beggar, Mrs Lutfi brings clothes on her bag. She often changes her clothes that are rather shabby, rather dirty, but sometimes she dresses from the place where she lives.

Mrs Sumarni (usually called Marni, 43 years old)²⁹, became a beggar because she was influenced by the invitation of her friend. After doing it, she found it to be easy, profitable, and advantageous. Therefore, Marni is more interested and makes begging her permanent job. To become a beggar in Bandar Lampung City, although in her statement she said she still has parents and still feels able to do other work such as being a washerwoman and ironing clothes in other people's places, she argued that her income is less when compared to income of being a beggar on the street. These things really become the reality of society which the right paradigm and mindset need to be built, so that it can be the life benefit.

²⁶ Udin, *Interview*, a beggar in Bandar Lampung City, March 20, 2019

²⁷ Yanto, *Interview*, a beggar in Bandar Lampung City, June 24, 2019.

²⁸ Lutfiana, *Interview*, a beggar in Bandar Lampung City, March 10, 2019.

²⁹ Sumarni, *Interview*, a beggar Bandar Lampung City, March 15 2019.

BEGGAR TREATMENT MODE

The poor and underprivileged are actually *dhuafa'* who are reasonable of getting attention because they are part of the *mustahiq*, both *zakat* and *shadaqah* which are normally distributed primarily to the poor and underprivileged.³⁰ However, social phenomena can not be denied. Based on empirical reality, it can even be categorized that 90 percent of street children are not classified as poor and underprivileged, but pretend to be. Why is it so, based on the results of observation, in reality, they (the street children and bums) have been enslaved by certain parties who deliberately work for the sake of earning income, and profession, not totally the need.

The mode of occurrence of the beggar phenomenon has actually been global, especially in urban areas. The reality in Indonesia is that the number of beggars grows in the capital city of Jakarta, which is a metropolitan city, and spread to several major cities in Indonesia, including Surabaya,³¹ Medan, Palembang, to Lampung, particularly Bandar Lampung City dan Metro City.

Jakarta as the capital city of the country has become a magnet for the local community to earn their fortune of income. These migrants come without any expertise, so that many migrants who come to the capital city become beggars, hoping for mercy from others. According to the data of the Jakarta Social Service, beggars can earn an astounding income (IDR 750.000-Rp1.000.000) in a day, although some also receive an income between IDR 450.000-Rp 500.000,³²

Several modes are used by beggars to attract sympathy in the Capital City (Jakarta), ranging from looking so pathetic, pretending to be pregnant, and lying pretending to show imperfect body conditions, such as:

Aris Setianto (27 years old), a beggar who operates on Gunung Sahari Raya street Jakarta who pretends to be limp. Apparently, his left foot is bent backwards. When he was caught in the operation of the service task force, supervision and social control (P3S), he felt ashamed. In his confession, he has been doing his action since 2008.³³

Beggar mode is performed with a variety of ways. Some pretend to be poor, with shabby, tattered, and dirty clothes to attract compassion and attention from others so that they are touched to give something to the beggars.³⁴

³⁰ Malihatul Fuadah, "Ragam Program dan Hambatan dalam Penanganan Gelandangan Terhadap Keefektifitasan Program," *The Journal of Society and Media* 2, no. 2 (2018): 121-29.

³¹ Citra Intan Trisnalia, "Gambaran Perawatan Organ Reproduksi Remaja Saat Menstruasi Pada Komunitas Anak Jalanan di Surabaya" (PhD Thesis, Universitas Airlangga, 2018).

³² Reynaldo Ghiffari Lubabah, "Modus Licik Para Pengemis ini terbongkar, masih mau kasih uang?," *Merdeka.com*, accessed November 16 (2019).

³³ Reynaldi Ghiffari Lubabah, "Pengemis Pura-pura Buntung ternyata Kakinya ditekek," *Merdeka.Com*, accessed November 15 2019.

³⁴ Mushin, *Menyayangi Dhuafa'*, (Jakarta: : Gema Insani Press, 2004), 87.

Another method done is by making fake wounds on their bodies, so that it looks foul, by mixing shrimp paste and betadine solution so that it appears to be new wounds; The Head of Rehabilitation Section of the Jakarta Social Service (Miftahul Huda), revealed that the shrimp paste mixed with betadine solution aims at inviting flies towards their 'artificial wounds', so that the wound seems to rot and needs medical expenses; although there are also beggars who genuinely have a childhood disability due to scalding.

Another deception of a beggar mode is to pretend to be pregnant, as those who often act at the traffic light crossroad at the Mampang intersection area.³⁵ Another mode to get compassion from others is by pretending to be blind. It was also confirmed by the Head of the Rehabilitation Section of the Jakarta Social Service (Miftahul Huda). Therefore, he appealed to the public to give their donations to the right place, as channelled to the official zakat body. There is also another mode by bringing the elderly when begging. This kind of drama involves a sick elderly, and shows that the elderly looks in an unhealthy condition.

In Bandar Lampung, the strategy is done in an organized way by employing the elderly and the disabled. It was revealed by the Subdit 3 officer of Jatanras Lampung Regional Police, in the arrest of 6 syndicates suspected of being the perpetrators of the crime.³⁶ They hid behind the Urip Sumoharjo General Hospital, Jagabaya II Sub-District, Bandar Lampung; and found 5 (five) elderly people who are sick and disabled to beg on the streets and public places.

Another mode that found in the field is by carrying toddlers.³⁷ It is intended to attract sympathy and raise feelings of compassion from people who passby. Aini (40 years old)³⁸ often brings a child in her action when she begs, but in her confession, Aini brings her child, not as a strategy or a mode, but she said no one to look after him when she left. This mode of carrying the child is found in other big cities, such as Jakarta, Surabaya, Yogyakarta, Medan,³⁹ done by 'renting' a toddler; Syndicates for renting toddlers are carried out by other parties (skipper). Therefore, the most benefited is the skipper who coordinates it because it proves to be highly effective in earning a lot of money.

The beggar mode in *koko* clothes is also another scene. This model is done by teenagers aged 12-16 years wearing *koko* and black skull cap while approaching 4-wheeled drivers at a traffic light. Some of them also go around from house to house around Bandar Lampung city, like in Rajabasa Sub-District.

³⁵ Reynaldi Ghiffari Lubabah, "Pengemis Berpura-pura hamil," *Merdeka.com*, accessed June 25 2019.

³⁶ Koesma, "Pekerjakan Lansia dan Orang Cacat, Enam Sindikat Digulung Polisi," *Poskota news*, August 17 2018.

³⁷ Isma Riskawati and Abdul Syani, "Faktor Penyebab Terjadinya Gelandangan dan Pengemis," *Sociologie* 1, no. 1 (2013).

³⁸ Aini, *Interview* a beggar who carried a child, Bandar Lampung City January 10, 2019

³⁹ Ahmad, "Strategi Kelangsungan Hidup Gelandangan-Pengemis (Gepeng)," 12.

In Pertamina located in Rajabasa Sub-District (near Gang Nunyai), and Pertamina Kali Balok (in front of the Nusantara Hotel), there are some beggars who dress in a neat, clean, simple hijab, holding a container that prepared with the words “Care for the *Dhuafa*”. In an interview conducted with Sumyati (pseudonym), are you from a foundation? Where is the foundation located? Yes, we are indeed from a foundation located in Gunung Sulah, Bandar Lampung.⁴⁰

Another case is shown by beggars and a group of “punk” children who are often seen at the traffic light of Halim street and the traffic light of Dr. W. Mongonsidi street. They perform activities by singing accompanied by a set of musical instruments. Then, one of its members offers a container to drivers in two-wheeled and four-wheeled vehicles when the red light is on to get alms from benefactors who are willing to donate some rupiah to them.

Another mode based on researchers’ direct observation on Friday, specifically, beggars who are relatively old enough (between 45-60 years old) often line up in the courtyard of mosques such as Taqwa Tanjung Karang Mosque, Al-Abror Mosque, a mosque in front of BRI Raden Intan Street, Al-Anwar Teluk Betung mosque, and Al-Ikhlas Teluk Betung Mosque. Even though, a number of other beggars line up in some other mosques.

JURIDICAL BASIS FOR GOVERNMENT POLICY

The aims of law are none other than justice and usefulness for its members, as well as in the phenomenon that occurs in urban areas. In this case, beggars in Bandar Lampung City and Metro City have been taken care of by the government stakeholders, which in this case is the Social Service.

The head of the Bandar Lampung City Social Service (Tole Dailami), along with the City Pol PP, often conducts raids and solicits beggars. However, the beggars often hide when there are raids and arrests. Even though there are beggars who are arrested and recorded, they often return after a long time.

Prohibition of giving donations to street children, bums, and beggars in Bandar Lampung City is set out in Regional Regulation (Perda) number 3 of 2010 concerning the prohibition of giving donations to street children, bums and beggars; Therefore, Yusuf Qohar as Deputy Mayor of Bandar Lampung, asked the citizens not to give money to beggars.⁴¹ One of the government’s efforts to minimize the existence and rise of urban beggars in Bandar Lampung is the enactment of Regional Regulation No. 3 of 2010 concerning a ban on giving to beggars.

⁴⁰ Sumyati, *Interview*, pseudonym, a beggar at gas station at Rajabasa Sub-District, February 10, 2019

⁴¹ Zulniyadi, “Dinas Sosial Tindaklanjuti Mulai Maraknya Pengemis Pembawa Anak.”

In Islamic law,⁴² someone who works for his own needs and/or for the welfare of the family he is responsible for, if it is performed seriously without deviating from the prohibited provisions, the value of his reward to be received will be multiplied.

The perspective of Islamic Law towards Beggars

In the study of *maqasid al-shari'ah*, the purpose of a law is *lijalbi al mashalih wa li daf'i al-mafasid*, which is to take *maslahat* and avoid *mudharat*. Regarding primary needs, the purpose of life is to protect religion, life, reason, religion, and wealth.⁴³ Street beggars are a familiar phenomenon. Based on facts, at the time of Rasulullah, at the beginning of the arrival of Islam, the beggars were already in the environment of Mecca and Medina. Therefore, Rasulullah advised his people not to be lazy and not to beg because the hands above are better than the hands below.

Islam teaches that the purpose of human life on earth is to worship. Humans are God's perfect and glorified creatures. Besides, humans are created by God on earth not just to live without responsibility⁴⁴; to sustain the life purpose people are encouraged to try to find good fortune according to their skills and expertise. Therefore, Islam does not justify it the people just wait for fortune to come along to them.

Islam does not justify a Muslim to be lazy in seeking fortune, even though the reason is self-concentration to worship Allah or others, because the sky will not be able to pour out the rain of gold or money.⁴⁵ Let alone when people only relying on giving from other people, either because they are given or asking (begging), despite having the strength physically to try to provide a living for their family.

On one side, Islam indeed justifies the right of the poor to the rich, "*And from their properties was [given] the right of the [needy] petitioner and the deprived*"⁴⁶ (Q.S. Az-Zariyat (51): 19). The verse emphasizes that there is a kind of obligation for the rich to give part of their wealth, and there is a right for the poor to ask for a share of the wealth of the rich. However, that does not mean that the poor become beggars and expect mercy from others.

In accordance with the purpose of the verse, the prophet Muhammad also underlined that the hand above (giving) is better than the hand below (asking). Therefore, asking (begging) is not an essential requirement in Islam. However,

⁴² Miftahul Asror malik, *Sedekah Non Stop* (yogyakarta,: Semesta Hikmah, 2015)., 83

⁴³ Agus Hermanto, "Konsep Maslahat dalam Menyikapi Masalah Kontemporer (Studi Komparatif al-Tūfi dan al-Ghazali)," *Al- 'Adalah* 14, no. 2 (2017): 433-60.

⁴⁴ Khoirul Abror, *Fiqh Ibadah*, (Yogyakarta: Ladang Kata, 2017), 7.

⁴⁵ Yusuf Qardhawy, *Halal Haram dalam Islam*, terjemahan Wahid Ahmadi, Et.al (Surakarta: Era Intermedia, 2007), h. 181.

⁴⁶ Yayasan Penerjemah Al-qur'an, *Al-Qur'an dan Terjemahnya*, Cet. 9 (Bandung: Sinar Baru, 2010), 1104.

Islam teaches that a high-quality life is when someone can provide something useful to others as a sense of caring and concern for other people who need each other. However, as far as possible, people are advised not to ask (beg) as daily work.

One of the government's efforts to minimize the existence and emergence of urban beggars in Bandar Lampung is the ratification of Regional Regulation No. 3 of 2010 concerning a ban on giving beggars. It is in accordance with the teachings of Islam which, although not totally prohibit Muslims from giving alms, only applies to certain locations and places.⁴⁷ Islam distinguishes between giving alms to beggars and giving alms to the poor.

Prohibition to give the street beggars aims to maintain *mudharat*, to close the gap for beggars and street children, which becomes the main task of Bandar Lampung City and Metro City. If it is not immediately addressed, it will lead to a rising number of beggars and street children with several modes. It will also open a gap for the unemployed to beg and increasingly rampant thuggery. It is because, in fact, the beggars are also part of the victims of the thugs who deliberately enslave children and the poor and unemployed, in ways that are in opposite to *syara'*.

Based on some factors encouraging beggars to beg in cities within Indonesian territory (specifically Bandar Lampung City and Metro City), as the findings of this study, Islam considers two laws for urban beggars: *First*, it is not justified in Islam (*haram*) because there are elements of fraud done, such as pretending to limp, pretending to be disabled, pretending to be blind and so on. Therefore, one can earn such a large income from the fraudulent deeds. *Second*, the law is *makruh* which means that it is preferred to leave rather than to beg. The law of *makruh* is applied to beggars who are physically handicapped, such as beggars at Pertamina's Two Way Halim Road. There is a blind beggar is found standing at the corner of the exit door of Pertamina for days to wait for mercy from others who pass before him; including those with mediocre finance and low education level.

After researching the existence of beggars in Bandar Lampung City, the results obtained are the findings of the study including:

a) Poverty is the most dominant factor

Poverty is the cause of the emergence and presence of beggars in urban areas; however, poverty must be dealt wisely and prudently. Therefore, it is more feasible if the beggars are portrayed in positive terms. For example, by giving the provision of training to become independent human beings and not to beg that is clearly prohibited in Islam.

⁴⁷ Sinta Yulia Marta, "Analisis Hukum Islam Terhadap PERDA NO. 3 tahun 2010 DI Bandar Lampung Tentang Larangan Memberi Sesuatu Kepada Pengemis" (UIN Raden Intan Lampung., 2018).

b) Other than Economic Factors

Some other factors influence the emergence of urban beggars:

First, in the beggars' perspective, the activity is seen as an easy and appealing economic activity; if it continues, it will cause *mudharat* leading to the regeneration of beggars and unemployment which is increasingly rampant and if it carries on, it will damage the *nasab*.

Second, being a beggar because influenced by poor mentality. Such beggars are classified as individuals who are lazy to work and are influenced by hedonism trends and bad habits in their daily lives; the mindset must be changed because there must be an effort towards their well-being. A small and not creative mindset in work will plunge into their generation and will damage their *nasab*.

Third, beggars are coordinated by a group of organized syndicates; this pattern is highly beneficial for the syndicate who coordinates them; and if it carries on, there will be a lot of thuggery by enslaving and it is obviously contrary to Human Rights which must be protected by the State. Besides, in religion, a person is forbidden to obtain money by *syubhat* and easily without giving some efforts.

Fourth, begging culture is seen as a practical solution in obtaining income so that it becomes a permanent job for the beggars. Therefore, for this group, begging is regular work that must be done every day; hence, a new *bi'ah* (habit) that can provide a healthy, creative, and prosperous mindset must be developed.

Fifth, the influence of particular groups in the environment, therefore, it is carried by the flow to follow the activities of these groups, especially if one feels uncomfortable with their family, who ultimately trapped to choose to meet their own needs by begging; an association that cannot be filtered properly will plunge. Therefore, in this case, the role of government must be active, so that it can bring a comfortable and peaceful environment and will bring benefits to humans.

Sixth, physical inability to work that causes the inability to compete with other job seekers who have more skills. It is because the beggars have become nature since they suffered physical deficiencies, such as blindness, limping, and other bodily defects. It is one reason that is logically very normal. However, if seen socially and juridically, the street people, underprivileged children, and physically handicapped are the responsibility of the government. In this case, the government is expected to mediate this implementation.

In the theory of *sad al-zari'ah*, a gap that will lead to greater *mudharat* must be closed. In this case, beggars who operate in Bandar Lampung City and Metro City with some data that researchers have obtained have obviously brought *mudharat*. Among them is that Islam forbids asking and begging because if it is still being done, it will damage and tarnish religion. Small children who become beggars

will feel threatened by thugs and bad people. Moreover, their health cannot be managed and it will damage the soul. Children portrayed as beggars will not be able to develop properly and their mindset will also be damaged and stuck and education will also be neglected, which will damage their mind. When parents have allowed or even bring the children along and invite them to beg, it becomes a destructive action to regenerate afterwards and it will harm the *nasab*. Poor souls that are fostered since childhood will determine the future, especially when the children are invited to become beggars on the streets where it is easy to find income. It obviously will plunge them into tragedy because when they live on the streets, they will see a lot of uneasy reality and leads to the habit of drinking liquor, drugs, narcotics, and so on. The income is not used for life but a spree, and it will certainly make it wasteful and excessive in using the fortune. Based on the mentioned criteria, it is clear that closing the gap for beggars must be immediately done for the sake of the benefit of *li jalbi al-mashalih wa li dafi al-mafasid*.

The Social Service in charge to implement the regulation and training of bums and beggars certainly acknowledges that there is still a lack of resources for mentoring and distributing the talents and skills possessed by beggars, although in Bandar Lampung, special rehabilitation centres are available.⁴⁸ Regarding this, beggars in Bandar Lampung City and other cities in Indonesia, such as in Pekanbaru City⁴⁹ and others have not been managed optimally.

The beggars in Bandar Lampung City and Metro City comprised of 3 (three) categories: 1) who are truly blind and disabled since their childhood, so they try to earn their fortune by begging, asking for compassion at various gas stations, or a crossroads (traffic light). 2) who pretend to be blind or have other bodily defects; 3) who employ elderly and or underage children. Begging is one of the efforts to obtain income easily. The primary factors that encourage the existence of beggars in urban areas are the absence of permanent work and no income that can meet the needs of their life or their dependents.

CONCLUSION

Islamic law does not allow begging for independence. The phenomenon in Bandar Lampung City and Metro City is the existence of factors that influence beggars, namely that becoming a beggar is an easy, practical job, influenced by the sympathies of benefactors, and relatively large incomes. Therefore, various modes are performed by beggars to attract the sympathy of the community, including,

⁴⁸ Muzarin Daud, *Interview*, Head of Service and Rehabilitation Division, Social Service of Bandar Lampung City, December (2018).

⁴⁹ Dia Meirina Suri, "Analisis Faktor yang Mempengaruhi Implementasi Kebijakan Penertiban dan Pembinaan Gelandangan dan Pengemis di Kota Pekanbaru," *PUBLIKA: Jurnal Ilmu Administrasi Publik* 3, no. 1 (2017): 98.

bringing toddlers, pretending to be blind and lame, employing elderly, dressing all worn out, pretending to have other bodily disabilities, such as stumps hands or feet, and employing underage children. It should be taken seriously so that the benefactors do not share some of their alms and are right on the targets and advantageous.

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