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## Legal Protection of Children Due Occurrence of Violence in the Family

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### **Abstract:**

*Protection of children from violence in the family is new is reflected and embodied in various areas of public life, among others in the field of law, legal certainty should be sought so that various legislation has been much set especially children's rights are concerned, because the child is a very important in the context of a sustainable nation is very vulnerable to human rights abuses (human rights) that can inhibit growth. Shared responsibility for the protection of women and children victims of domestic violence, both government officials and the people who carry out the discharge of duties in the field of law enforcement, protection and service to the community in order ensuring order and rule of law in order to realize security and public order.*

*Factors that cause violence against children in the household is Psychodinamyc models, the violence is due to the lack of "mothering / trace the mother." Someone who never treated or cared for by a mother as well, then he cannot become a mother and care for her own child; Personality or character trait models, almost the same as psychodynamic, the child's parents are not mature enough, too aggressive, frustrated / bad character; Social learning models, lack of social skills, as indicated by the unsatisfied feeling of being a parent, was deeply troubled by the presence of children, requires the child to behave like an adult; Family structure model, which refers to the inter-family dynamics that have a causal relationship with violence; Environmental stress model, which saw children and women as a multidimensional problem and put a "stressful life" as the main cause. If there are changes in the factors that make up the human environment, such as welfare, poor education, lack of work, it will give rise to violence against children; Social-Psychological models, in this case the "frustration" and "stress" became a major factor in causing violence in children. Stress can occur due to various reasons, such as; marital conflict, social isolation, and others; Mental illness models, due to neurological disorders, psychiatric disease.*

**Keyword:** Legal Protection, Children, Domestic violence

### **1. Introduction**

The child is part of a younger generation, as one of human resources, which is a potential successor to the ideals of national struggle, which has a strategic role and has specific characteristics and properties. In maintaining this potential, children need guidance and protection in order to ensure the growth and development of physical, mental, and social whole, harmonious and balanced.

"Family and violence" at a glance like a paradox. Violence is destructive, dangerous and scary, while on the other hand, the family is defined as an environment of human life feel the love, education, physical growth and spiritual, shelter, rest and so on, received members of his family until he was an adult and able to meet their own needs, if a woman or child gets the violence of his family, who bear the losses suffered. Or the loss of women and children as victims of violence perpetrated by the family, not only material, but also immaterial which include emotional and psychological shock, which directly or indirectly affect his future life.

When observed closely, out of the many products legislation, the existing rules in particular on the Elimination of Domestic Violence namely Law No. 23 of 2004), it is proper family protection, in terms of both judicial and non-judicial. But that hope is still limited to "hope in a dream" and the problems of violence still continues and shows the scale increases every year.

The birth of the Law on the Elimination of Domestic Violence against the background of today's developments, which show that domestic violence is in fact often happens in people's lives, both in the form of physical, psychological, sexual or neglect of household. Law enforcement and related personnel in the handling of victims of domestic violence, will be more sensitive and responsive to the handling of cases of domestic violence prevention, protection and justice.

In fact the handling of cases of violence against women, especially domestic violence (domestic violence) and sexual violence, is not easy for women as victims or are positioned by the law as a "doer" (in this context perpetrator is basically a victim / violence against women), to break out of the shackles of violence. Many layers of barriers that complicate the condition of the victim. Ranging from psychological conditions and dependence of victim to perpetrator, lack of family support and the surrounding environment, the stigma of a given society on the victim, the bias apparatus (for victim blaming / victim participating) to no protection from the state through the legal system and social disqualify the victim or even the perpetuation of violence itself through policies that discriminate against women.

The existence of close relations, often hierarchical (domination-subordination) between the victim with the perpetrator, who put the victim in a situation powerless to be a key issue of the dependence of the victims. This situation (hierarchical relationship) is clearly rooted in the social construction of patriarchal society that are stereotypes (labeling) put women as inferior beings, and ironically the country also participated let example, through the policy on marriage. In Articles 31 and 34 of the Basic Law of Marriage, Law No. 1 of 1974, mentioned that the husband as head of household and breadwinner while the wife as housekeeper. Construction like this in turn encourages and perpetuates the dependency of women, at least economically dependency.

Violence often occurs against children and women vulnerable. Called vulnerable is because the position of children and women who are less profitable or disadvantaged children and women. Children and women vulnerable (children and women at risk) is children and women who have a great risk for disorders or problems in their development, both psychological (mental), social and physical. Vulnerable children and women affected by the condition of internal and external conditions, among them are children and women are "economically disadvantaged" (children and women from poor families); culturally disadvantaged (children and women in remote areas); children and women and girls with disabilities and children from a broken home (family cracked).

## 2. Formulation of the Problem

1. What are the causes of violence against children in the family?
2. How to protect children from violence in the family?

## 3. Discussion

### 3.1. Causes of Violence against Children

Models that can be linked to violence are:

- a. Psychodynamyc model, the violence is due to the lack of "mothering / trace the mother." Someone who never treated or cared for by a mother as well, then he cannot become a mother and care for her own child;
- b. Personality or character trait models, almost the same as psychodynamic, but not too noticed anything ever experienced by parents as the perpetrators of violence, but consider that this is due to the child's parents are not mature enough, too aggressive, frustrated / bad character;
- c. Social learning models, lack of social skills, as indicated by the unsatisfied feeling of being a parent, was deeply troubled by the presence of children, requires children to always behave like adults.
- d. Family structure model, which refers to the inter-family dynamics that have a causal relationship with violence.
- e. Environmental stress model, which saw children and women as a multidimensional problem and put a "stressful life" as the main cause. If there change factors that shape the human environment, such as welfare, poor education, lack of work, it will give rise to violence against children;
- f. Social-Psychological models, in this case the "frustration" and "stress" became a major factor in causing violence in children. Stress can occur due to various reasons, such as; marital conflict, social isolation, and others;
- g. Mental illness models, child abuse occurs because of neurological disorders, psychiatric disease.

If an inseparable factor as the sole factor influencing the child's development, it is clearly a factor family or parents. The family unit, although it has changed drastically as a result of technological innovation and sociological, but remains as the primary socialization. Parents instill patterns of attitudes, behaviors, and values to children, is dependent upon the philosophy or perspective of parents of children (children in the eyes of the parents). The means used in the care of the child's parents will have an impact on the development of the personality and behavior of children. Basically there are three perspectives of parents to children, namely:

- (1) The child is seen as an object;
- (2) the child is seen as subject;
- (3) The child is seen as an object and subject.

Parents who view children as objects, tend to use authoritarian approach in parenting; and parents who see children as subjects, tend to use the approach permissive or laissez-faire parenting; while parents who see children as an object and subject, tend to use the authoritative approach in parenting. There are three (3) types of parents to their characteristics, namely: authoritarian parenting, permissive parents, and parents are authoritative:

- 1) Type of authoritarian parents are trying to determine, control and assess the behavior and attitudes of children in accordance with the prescribed, particularly based on absolute standards regarding behavior. These parents stressed the value of high compliance with power or authority to punish, with a strong force to curb 'will themselves' child when the behavior and beliefs of children contrary to what is deemed correct by the parent. Authoritarian approach emphasizes the strong compliance, without variation or negotiation, and less attention to the surrounding environment. This approach is particularly recommended to eliminate irregularities behavior.
- 2) Type of permissive parents are trying to react to the behavior of passion and desire, impulses of children, in a way not to punish but to accept, affirm or allow. These parents do not offer themselves to the child as an 'agent' active and responsible for the establishment or modification of the child's behavior now or in the future. Parents of this type make itself as a source of livelihood (resource) for children, and to the wishes or will of the child. Approach permissive or laissez-faire emphasis on the freedom of the child to act or activity in developing themselves. The considerations that children have rights and freedoms and should be given the freedom to develop themselves according to their potential. Permissive parent is excessively loose and discipline were applied inconsistently.
- 3) Type of authoritative parents try to show or regulate the activity of their children in ways that centered on the issue rationally. Parents trying to stimulate the desired behavior in children through explanations and consider it with a child. Parents of this type

provide verbal encouragement (verbal) 'give and take' and allow the child to sit together to take into account what is implied reversed their policy. These parents using firm control but at a level that does not overload the child with restriction or restraint. Authoritative parents trying to combine the power or authority and induction of raising a child with rules that are seen as rights and obligations of mutual complementarity between parents and children of authoritative parents are warm but firm. They use a set of standards to regulate the child's behavior but build expectations that are tailored to the development of children's abilities and needs. They emphasize a high value on the development of autonomy and self-direction, but take full responsibility for the child's behavior. These parents instill habits of rational, problem-oriented and fun conversations and explanations around the issue of discipline with their children.

So the parents are the ones who determine the direction in which the child undergo a process of evolution. Children will experience the process of evolution and therefore she need parental guidance. Parents who will become a significant actor to guide and then to provide support to children to be realized rights of children. So at times like this parent is a significant part and formulated within the norms of law, both of Law No. 23 of 2002 and Law No. 3 of 1997 on Juvenile Justice.

### 3.2. *Legal Protection of Children Against*

Violence According to the JCT Simorangkir, law is coercive regulations that determine human behavior in a community environment created by official bodies authorities. The legal definition is important to know the nature and objective of the law itself. The goal is for the law itself to get truth and justice. According to Van Apeldoorn purpose of the law is to regulate other human social life peacefully. Gosita Arif said that the child protection law is the law (in writing) that guarantees children actually carry out their rights and obligations. Bismar Siregar said that the legal aspects of protection, more focused on the rights of the child set out in the law and not the obligation, considering that (judicial) children are not burdened with the obligation. Child protection laws exist in a variety of legal, because the interests of children in various fields of family, nation and state community.

#### 3.2.1. According to the Code of Criminal Law.

Legal protection of children can be seen in the Code of Criminal Law (Criminal Code) as follows:

a. Article 341 of the Criminal Code determines:

A mother who deliberately removes his soul on when they are born or how long after birth, for fear of being discovered that she had given birth to a child punished, because of treason death of children (kinderdoodslag), with imprisonment for a seven-year-old.

b. Article 342 of the Criminal Code determines:

A mother who would deliberately run his decision for fear of getting caught that he will soon give birth to a child, deprive the soul of his son on at birth or shortly afterwards than that, was convicted of infanticide (kindermoord), planned with imprisonment forever nine years.

c. Article 346 of the Criminal Code determines:

Women who purposely cause a fall or die abortion or tell others to it, was jailed for four-year-old.

d. Article 347 of the Criminal Code determines:

1) Whoever willfully causes the fall or die abortion a woman is not the woman's permission, was sentenced to prison for ever twelve years.

2) If because of what the woman so that, he was sentenced to fifteen-years.

e. Article 348 of the Criminal Code determines:

1) Whoever with the intent to cause the fall or the death of a woman with the permission of the woman imprisoned forever five years and six months.

2) If it's because of what she was to die, he was jailed for seven years-old.

f. Article 349 of the Criminal Code determines:

If a physician, TBA, or herbalist assist in crime which mentioned in Article 346, or guilt, or assist in any of the crimes described in Articles 347 and 348, then the punishment specified in article it can be coupled with a third of his and he was fired from office used to commit the crime.

g. Article 326 of the Criminal Code determines:

Whoever is absent from work as sailors on a ship (boat), while knowing that the vessel (boat) was used to run commercial bondsman or used for necessity it, or if he despise himself remained working after he heard his point or point vessel (boat) were sentenced to prison for nine years-old.

h. Article 330 of the Criminal Code determines:

1) Whoever willfully deprive minors of legitimate authority over it or from custody the person who legitimately run the guard, was sentenced to jail forever ujuh years.

2) Dropped sentenced to prison forever nine years, if the act was committed by means of deceit, violence or threats of violence or if minors under the age of twelve.

i. Article 331 of the Criminal Code determines:

Whoever deliberately hiding minors who are deprived or deprive him of the power of the legitimate top or from the custody of people who legitimately keep him, or he who deliberately conceal the child from the investigation of employees of the judiciary or the police, was sentenced to prison for every four years, or, if the child is under the age of 12 (twelve) years, with imprisonment forever seven years.

j. Article 332 of the Criminal Code determines:

1e. with jail forever seven years, whoever ran the women who are minors not with the will of his parents or guardian, but the willingness of women themselves with the intention of having a good woman to marriage, whether or not the marriage.

2e. with imprisonment for a nine-year-old, one who runs women with deceit, violence or threats of violence with the intention of having a good woman to marriage, whether or not marriage.

k. Article 287 of the Criminal Code determines:

1. Anyone with a woman who is not his wife, was known or should be should she thought, that the age of women was not quite 15 years, if not real how old, that she was not his time to mate, was jailed for nine years-old.

2. Prosecution only be done if there is a complaint, unless the woman was not until the age of 12 years or if there is one thing that is.

l. Article 288 of the Criminal Code determines:

1. Whoever has sexual relations with his wife, who knows or should should she thought, that she was not mated for its time, was sentenced to prison for every four years, if the act resulted in the woman's body gets injured.

2. If the action was caused women received severe injuries, sentenced to prison forever eight years.

3. If the act results in the death of the woman sentenced to jail for ever twelve years.

m. Article 290 paragraph (2) of the Criminal Code determines:

Whoever commits obscene acts with someone, being known or reasonably should she thought worth should she thought, that was not enough people age 15 (fifteen) years or if it is not real how old that his time was not yet made are married.

n. Article 292 of the Criminal Code determines:

Adults who commit obscene acts with minors of the same sex, being known or reasonably should expect him it's immature, sentenced to prison for ever fifteen years.

o. Article 294 paragraph 1 of the Criminal Code determines:

Whoever commits obscene acts with children who are minors, stepchild or child levy, the child pet, or with an immature entrusted him to bear, educated or guarded, or footman or peers who are minors, sentenced to prison forever seven years.

p. Article 295 of the Criminal Code determines:

1. with imprisonment for every five years, anyone who intentionally causing or facilitating obscene acts performed by children, stepchildren or adopted children who are minors, the children were handed over to him, so that was maintained, their students or guarded or servant who in minors or those minors or people underneath with others.

2. with imprisonment for every four years, whoever intentionally, beyond the things referred to in paragraph (1), cause or facilitate a lewd act with another person who has not worked by the adult who knows or should she thought, that he there is not yet an adult.

q. Article 297 of the Criminal Code determines:

Trafficking women and men who are minors, was jailed for six-year-old.

r. Article 305 of the Criminal Code determines:

Whoever put the child under the age of seven years in one place so that a charged levied by another person, or in order to be freed from the maintenance of the child, leave it, punishable by imprisonment up to five years and six months.

s. Article 308 of the Criminal Code determines:

If she put her somewhere that collected by others will not for some time after the child was born, fearing the unknown person she gave birth to a child or with the intent to be limited to the maintenance of the child, leave, then the maximum penalty mentioned in Article 305 and 306 is reduced up Half of.

### 3.2.2. According to Law No. 23 of 2002 on Child Protection

Over the last five years Indonesia moves quickly in its efforts fabulous human rights in the legislation. Then one of the most important steps which he passes is adopted the Child Protection legislation. The new law is a powerful tool in implementing the Convention on the Rights of the Child (CRC) in Indonesia. In it set the basic rights of children to obtain identity, freedom, education, health care, entertainment and protection. This legislation is a major frameworks and very beneficial in terms of providing protection to children who are most vulnerable, including children who are still exploited economically and sexually, children trafficked children who are in trouble with the law, children who are victims of violence and abuse, children who are in conflict situations, children from minority groups and isolated, neglected children or children who are abandoned and disabled.

Manufacture of Act 23 of 2002 on the Protection of Children above background by ratifying the CRC by Indonesia in 1990 after the convention adopted by the UN General Assembly in order to regulate the issue of the rights and special needs children.

Article 1 Item 1 of Law No. intervention 23 of 2002 on Child Protection, said child is a person under 18 (eighteen) years, including children who are still in the womb. This article has a very wide scope. The law must be implemented and enforced. Everyone expects to implementation of the law in the event of a concrete event. In enforcing the law there are three (3) elements that always have to be considered, namely: legal certainty (Rechtssicherheit), usefulness (Zweckmassigkeit) and justice (Gerechtigkeit). That's how the law should apply. It is necessary to achieve legal certainty.

Sudikno Mertokusumo assess legal certainty is yustisiabel protection against arbitrary action, which means that someone will be able to obtain something that is expected in certain circumstances. Legal certainty be hoped society becomes very important in the law itself. This is because once any contents of the articles contained in a rule of law, becomes not mean anything if it cannot provide legal certainty in the implementation.

In law enforcement there must be a compromise between these three elements. Three elements must receive attention proportionally balanced. But in practice it is not always easy to work out a compromise proportionally balanced between the three elements.

Legal protection of children can also be seen in Law 23 of 2002 on Child Protection is as follows:

*a. Article 59 of Law No. 23 of 2002 determines:*

Government and other institutions are obliged and responsible to provide special protection to children in emergency situations, children in conflict with the law, children from minority groups and isolated, children exploited economically and / or sexually, trafficked children, children who are victims of abuse narcotics, alcohol, psicotropika, and other addictive substances (drugs), child abduction, sale and trafficking, child victims of abuse and neglect.

*Article 64 of Law No. 23 of 2002 determines:*

Special protection for children in conflict with the law referred to in Article 59 including children in conflict with the law and child victims of crime, the duty and responsibility of government and society (paragraph 1).

Special protection for children in conflict with the law referred to in paragraph (1) shall be implemented through:

- 1) Treatment humanely in accordance with the dignity and rights of the child;
- 2) Provision of escort officers specially for children from an early age;
- 3) facilities and infrastructure of specific sanctions appropriate to the best interests of the child;
- 4) The imposition of sanctions appropriate to the best interests of the child;
- 5) Monitoring and recording constantly on the development of children in conflict with the law;
- 6) The provision of guarantees for dealing with parents or family.
- 7) Protection of the provision of identity through mass media and to avoid labeling. (paragraph 2)

Special protection for children who are victims of criminal acts referred to in paragraph (1) shall be implemented through:

- 1) rehabilitation efforts, both within the institution and outside the institution;
- 2) the protection of identity through the news media and to avoid labeling.
- 3) Provision of safety guarantees for witnesses and expert witnesses, both physically, mentally and socially.
- 4) Provision of accessibility of information The development of the case. (paragraph 3).

*b. Article 66 of Law No. 23 of 2002 determines:*

Special protection for children who are economically and / or sexually as referred to in Article 59 is the duty and responsibility of government and society. Special protection for exploited children as referred to in paragraph (1) is done through:

- 1) dissemination and / or socialization of the provisions of the legislation regarding the protection of children who are economically and / or sexual abuse;
- 2) monitoring, reporting, and sanctions; and
- 3) Involvement of various government agencies, companies, unions, non-governmental organizations, and communities in the elimination of economic exploitation of children and / or sexually.

Every person is prohibited from placing, let, do, told to do, or participate in the exploitation of children as referred to in paragraph (1).

*c. Article 69 of Law No. 23 of 2002 determines:*

Special protection for child victims of violence as referred to in Article 59 includes physical violence, psychological, sexual and carried out through the efforts:

- a. Dissemination and socialization of the provisions of the laws and regulations that protect child victims of violence;
- b. Monitoring, reporting and sanctions. (paragraph 1)

Every person is prohibited from placing, let, do, told to do, or participate in violence as referred to in paragraph (1). (paragraph 2).

*d. Article 77 of Law No. 23 of 2002 determines:*

Any person knowingly taking action:

- 1) Discrimination against children which resulted in the child suffered losses, both materially and morally thereby inhibiting its social function (paragraph (1))
- 2) Neglect of children against child resulting in the child experiencing pain or suffering, whether physical, mental, and social, as well as social, shall be punished with imprisonment of 5 (five) years and / or a fine of Rp 100,000,000.00 (one hundred million rupiah). (paragraph 2)

*e. Article 78 of Law No. 23 of 2002 determines:*

Everyone who knows and deliberately let the children in emergency situations which a referred to in Article 60, children in conflict with the law, children from minority groups and isolated, children exploitation economically and / or sexually, trafficked children, children who are victims abuse narcotic, alcohol, psychotropic, addictive substances other (drugs), child abduction, child victims of trafficking, or child victims of violence as referred to in Article 59, when these children need help and should be helped, shall be punished by imprisonment of five (5) years and / or a fine of Rp 100,000,000.00 (one hundred million rupiah).

*f. Article 80 of Law No. 23 of 2002 determines:*

Anyone who committed atrocities, violence or threats of violence, or child abuse, shall be punished by a maximum of 3 (three) years and 6 (six) months and / or a fine of not more Rp72.000.000,00 (seventy-two million). (paragraph 1) In the case of the child referred to in subsection (1) were seriously injured, the offender shall be punished with imprisonment of 5 (five) years and / or a fine of Rp

100,000,000.00 (one hundred million rupiah). (paragraph 2) In the case of the child referred to in subsection (2) dies, then the offenders are punished by a maximum imprisonment of 10 (ten) years and / or a fine of Rp200.000.000,00 (two hundred million rupiah). (paragraph 3)

Additional law third of the provisions in paragraph (1), paragraph (2) and (3) if the person who committed abuses his master. (paragraph 4)

9. Article 81 of Law No. 23 of 2002 determines:

Any person who intentionally commit violence or threats of violence to force children to do intercourse with her or with another person, shall be punished with imprisonment of 15 (fifteen) years and 3 (three) years and a maximum fine of Rp300,000,000.00 (three hundred million rupiah) and at least Rp60,000,000.00 (sixty million rupiah) (paragraph 1)

Penal provisions referred to in paragraph (1) shall also apply to any person who deliberately ruse, a series of lies, or persuade the child had intercourse with her or with other people.

3. According to Law No. 23 Year 2004 on Domestic Violence.

That domestic violence happens very often, the victim is a child. Among these are physical violence, sexual violence, psychological violence, economic violence. In this case law, specifically Law No. 23 of 2004 gives special protection to child victims of domestic violence which are as follows:

a. Article 15 of Law No. 23 of 2004 determines:

Anyone hearing, seeing, or knowing the occurrence of domestic violence are obliged to take steps in accordance with the limits of its ability to:

- a. Ongoing prevent criminal acts
- b. Provide protection to victims
- c. Provide emergency aid, and
- d. Assist the application process determination of protection.

b. Article 16 of Law No. 23 of 2004 determines:

1) In the 1x24 (one time twenty-four) hours commencing from knowing or receiving a report of domestic violence , police must immediately provide temporary protection to the victims.

2) temporary protection referred to in paragraph (1) shall be issued no later than 7 (seven) days since the victim received or handled.

3) In the 1x24 (one time twenty-four) hours commencing from give protection referred to in paragraph (1), the police are required to request the determination letter from court protection orders.

c. Article 18 of Law No. 23 of 2004 determines:

Police are required to provide information to victims about the right of victims to get services and assistance.

d. Article 19 of Law 23 of 2004 determines:

Police shall immediately conduct an investigation after knowing or receiving a report about the occurrence of domestic violence.

e. Article 25 of Law No. 23 of 2004 determines:

In terms of providing protection and services, advocate mandatory:

- a. Provide legal consultation includes information on the rights of victims and the judicial process.
- b. Accompany the victim at the level of investigation, prosecution, and examination in court and help the victim to completely describe the domestic violence they experienced; or
- c. Doing coordination with other law enforcement agencies, volunteer, and social workers so that the judicial process runs as it should.

f. Article 26 of Law No. 23 of 2004 determines:

1) The victim is entitled directly report domestic violence to the police the victim was either in place or at the crime scene.

2) the victim can give power to your family or others to report domestic violence to the police are either in place or being the victim at the crime scene.

g. Article 27 of Law No. 23 of 2004 determines:

In case the victim is a child, reports can do by parents, guardians, caregivers, or children in question were conducted in accordance with the provisions of the legislation in force.

h. Article 44 of Law No. 23 of 2004 determines:

1) any person who commits acts of physical violence in the household as referred to in Article 5 letter a shall be punished by imprisonment of five (5) years or a maximum fine of . 15,000,000.00 rupiah (fifteen million rupiah).

2) If the act referred to in paragraph (1) resulted in the victim gets sick or seriously injured, shall be punished with imprisonment of ten (10) years or a fine of 30.000.000,00 rupiah (thirty million rupiah).

3) If the act referred to in paragraph (2) resulted in the death of the victim, shall be punished with imprisonment of 15 (fifteen) years or a fine of not more than Rp45,000,000.00 (forty-five million rupiah).

i. Article 45 of Law No. 23 of 2004 determines:

Any person who acts psychological violence within the domestic sphere as referred to in Article 5 letter b shall be punished with imprisonment of three (3) years or a fine of Rp9,000,000.00 (nine million).

j. Article 46 of Law No. 23 of 2004 determines:

Everyone who engage in sexual acts referred to in Article 8 letter a shall be punished with imprisonment of twelve (12) years and / or a maximum fine of Rp36,000,000.00 rupiah

#### 4. Conclusion

1. The protection of children from violence in the family is new is reflected and embodied in various areas of public life, among others in the field of law, legal certainty should be sought so that various legislation has been much set especially children's rights are concerned, because the child is part which is very important in the context of a sustainable nation is very vulnerable to human rights abuses (human rights) that can inhibit growth. Shared responsibility for the protection of women and children victims of domestic violence, both government officials and the public, including police who carry out the discharge of duties in the field of law enforcement, protection and service to the community in order ensuring order and rule of law as well as ordered peace of the community in order to realize security and order community, but will not be helpless togas and effective if the public does not participate.

2. The factors that cause violence against children in the household is Psychodinamyc models, the violence is due to the lack of "mothering / trace the mother." Someone who never treated or cared for by a mother as well, then he cannot become a mother and care for her own child ; Personality or character trait models, almost the same as psychodynamic, the child's parents are not mature enough, too aggressive, frustrated / bad character; Social learning models, lack of social skills, as indicated by the unsatisfied feeling of being a parent, was deeply troubled by the presence of children, requires the child to behave like an adult; Family structure model, which refers to the inter-family dynamics that have a causal relationship with violence; Environmental stress model, which saw children and women as a multidimensional problem and put a "stressful life" as the main cause. If there are changes in the factors that make up the human environment, such as welfare, poor education, lack of work, it will give rise to violence against children; Social-Psychological models, in this case the "frustration" and "stress" became a major factor in causing violence in children. Stress can occur due to various reasons, such as; marital conflict, social isolation, and others; Mental illness models, child abuse occurs because of neurological disorders, psychiatric disease.

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