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Title: Neglect of Acts of Violence against Children Viewed from Law No. 35 of 2014 on Child Protection (A Study in Blangpidie, Southwest Aceh Regency)

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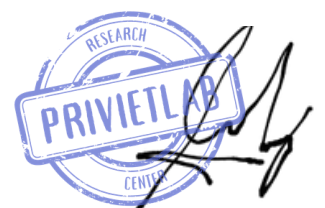
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The manuscript is scheduled for publication in Volume 6, Issue 8, August 2026. Please note that failure to complete the required revisions or editorial requirements within the specified timeline may result in the postponement or rescheduling of publication.

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Dr Mochammad Fahlevi, S.Pd.I., M.M., M.A., M.Ud., AWP

Neglect of Acts of Violence against Children Viewed from Law No. 35 of 2014 on Child Protection (A Study in Blangpidie, Southwest Aceh Regency)

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ABSTRACT

This article explores and analyzes the neglect of cases of violence against children based on Article 76C of the Child Protection Law in Blangpidie. This study stems from the problem of weak legal awareness within society, where acts of violence against children are often ignored or left unreported. The research aims to assess the effectiveness of enforcing Article 76C and to identify barriers to child protection. Using a qualitative method with an empirical juridical approach, data were collected through observation, interviews, and documentation, and then analyzed descriptively and prescriptively. The findings show that although the legal norms are clear, binding, and valid, their implementation remains ineffective due to weak law enforcement, limited utilization of available facilities, and a permissive social culture. Consequently, child protection has not been achieved optimally because the law loses its effectiveness in everyday practice. This study recommends intensive legal awareness campaigns, strengthening the capacity of law enforcement officials, and establishing accessible reporting mechanisms so that the prohibition against neglect can be effectively implemented in society.

Keywords: Neglect of Child Abuse, Child Protection

1. INTRODUCTION

Children are legal subjects who have the human right to receive protection from all forms of violence (Putri & Sari, 2025). Child protection as a fundamental legal principle arises from the universal awareness that children are legal subjects who possess the same dignity as adults, but whose position is more vulnerable than that of adults to various forms of exploitation, violence, and discrimination (Lolo et al., 2026). Philosophically, ethically, and juridically, the idea of child protection is rooted in the fulfillment of the principles of justice, human dignity (respect for the inherent dignity of every individual from birth), and constitutionalism, which in the Indonesian context refers to the 1945 Constitution of the Republic of Indonesia, particularly Article 28B paragraph (2), which stipulates that every child has the right to survival, growth, and development, as well as the right to protection from violence and discrimination (Lestiawati & Syah, 2025).

The State, through Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection (hereinafter referred to as UUPA), expressly stipulates that everyone is prohibited from allowing acts of violence against children to occur. Article 76C of the UUPA provides that everyone is prohibited from placing, allowing, committing, ordering the commission of, or participating in acts of violence against children. At the same time, the criminal threat for perpetrators of such neglect is regulated in Article 80 paragraph (1) of the UUPA, namely imprisonment for a maximum of 3 (three) years and 6 (six) months and/or a maximum fine of Rp72,000,000. The prohibition against allowing violence, particularly in cases of sexual violence such as indecent acts, is also regulated in Article 417 of Law of the Republic of Indonesia Number 1 of 2023 concerning the Criminal Code (new KUHP)



(Huraerah, 2020). Thus, Article 76C in conjunction with Article 80 of the UUPA serves as a normative instrument that closes the space for tolerance toward passive attitudes by society and officials when dealing with cases of violence against children. This norm arises from the awareness that allowing violence to occur is as dangerous as the violent act itself because it permits children to remain in situations that harm their growth and development.

Violence against children refers to any act that causes suffering or distress to children, whether physical, mental, sexual, or in the form of neglect. This scope also includes threats, coercion, and unlawful restrictions on freedom. The UUPA provides a legal basis for efforts to prevent, address, and enforce the law in cases of violence against children with the aim of protecting children's rights and welfare (Dhamayanti et al., 2024). Violence against children is an intentional act that may harm children physically or emotionally, including acts committed by adults against children such as emotional, physical, and sexual abuse that affect children's social welfare. According to the World Health Organization (WHO), violence against children includes all harmful acts against children, whether physical, emotional, or sexual abuse, neglect, or exploitation, that endanger children's health, affect their development, or threaten their dignity (Neherta et al., 2023). Violence against children encompasses all forms of violence against individuals under 18 years of age, whether committed by parents or caregivers, peers, romantic partners, or strangers. This shows that violence against children is a widespread phenomenon affecting millions of children worldwide (World Health Organization United Nations, 2026). Such violence takes various forms and is influenced by diverse factors, ranging from the personal characteristics of victims and perpetrators to the cultural and physical environments in which they live (United Nations & United Nations on Office Drugs, 2015). Therefore, comprehensive efforts are needed to protect children from violence.

Nevertheless, social realities in various regions show a serious gap between imperative legal norms (norms that are coercive, mandatory, and leave no room for choice) and practices in the field. In Blangpidie, Southwest Aceh Regency, the phenomenon of allowing acts of violence against children to continue is still found. Such neglect is also referred to as omission, namely the act of failing to include someone or something, or failing to do something that should be done (Echols & Shadily, 1992; Fowler & Fowler, 1919) (Hornby, 2005). Accordingly, neglect of acts of violence against children can be understood as a person's failure to act or failure to do what should be done when witnessing or seeing violence against children.

People often choose to remain silent or refrain from reporting cases occurring in their surroundings. Law enforcement officials and child protection institutions also tend not to be consistently responsive—not meaning that they never respond at all—in handling reports, leaving child victims of violence in vulnerable conditions. This constitutes the main visible gap and shows that the prohibition against neglect regulated in Article 76C is in stark contrast with, and is often disregarded by, empirical reality. For example, initial observations and interviews indicate that cases of violence against children occur not only in public spaces but are also prevalent in domestic settings (households), where parents scold and even hit children, causing physical and psychological injuries.

The overall data on cases of violence against children in Southwest Aceh Regency are presented in the following table:

Table 1. Data from the Aceh PPPA Service on the Number and Forms of Violence against Children in Southwest Aceh Regency (January–December 2025)

No.	Form of Violence	Number of Cases
1	Physical	11
2	Psychological	4
3	Rape	4
4	Domestic Violence	1
5	Children in Conflict with the Law (ABH)	1
Total	5 Forms of Child Violence	21 Cases

Source: Aceh PPPA Service, 2026, (Fahmi, 2026)

The above case facts demonstrate a disparity between the ideal conditions established by the UUPA and the reality in the field. This gap raises fundamental questions regarding the effectiveness of legal norms in protecting children's rights. If Article 76C has expressly prohibited allowing violence to occur, why does the practice of allowing violence against children continue? Is it caused by weak law enforcement, low public awareness, or cultural barriers that cause violence against children to be regarded as a domestic matter that does not require outside intervention? These questions constitute an initial point of departure for examining more deeply the relationship between legal norms and social realities concerning the neglect of violence against children.

In legal theory, particularly the effectiveness of law enforcement, there are several indicators or factors that influence it. Soerjono Soekanto identifies five factors affecting the effectiveness of law enforcement, namely legal substance, law enforcement officials, infrastructure/facilities, society, and legal culture (Soekanto, 2019). Similarly, Syahrizal Abbas and Djalil identify four factors: good legal substance, law enforcement officials, facilities or infrastructure for law enforcement, and society (Abbas & Djalil, 2018).

The existence of cases in which violence against children is allowed to continue in Blangpidie cannot be separated from the local social and cultural context. Some members of society assume that violence against children is part of parenting or family discipline (Andi, Interview, 2026). Others believe that children today tend to be more disobedient and unruly, so it is considered reasonable for parents, or even society, to allow violence against children (Hamdi, Interview, 2026). Generally, violence experienced by children in domestic contexts takes the form of physical and psychological violence. In public contexts (within the social environment), it takes the form of physical, psychological, sexual, and economic violence. This condition shows that when society views violence against children as normal, silence or neglect becomes the consequence. Legally, however, such an attitude clearly contradicts Article 76C, which requires everyone not to allow violence to occur. This reveals a contradiction between universal legal values and social values that remain permissive toward violence against children.

Therefore, this research is important to determine the extent to which Article 76C of the UUPA has been implemented and is effective in society. This study seeks to highlight the gap between the legal norm prohibiting neglect and social practices that continue to allow violence to occur. Accordingly, this article addresses two main issues. First, the neglect of acts of violence against children in Blangpidie, Southwest Aceh Regency, viewed under Article 76C of Law No. 35 of 2014 concerning Child Protection. Second, the effectiveness of law enforcement relating to Article 76C of Law No. 35 of 2014 concerning Child Protection in Blangpidie, Southwest Aceh Regency.

Several studies are relatively relevant to this article. For example, the study by Prasetya et al. examines the phrase "allowing" in Article 76C and concludes that the phrase is addressed to all Indonesian society. Sadiida's research finds that Article 76C of the UUPA regulates the prohibition against committing and allowing violence against children (Prasetya et al., 2023). Meanwhile, Yulius focuses on psychological violence, with its legal basis also referring to Article 76C of the UUPA (Sadiida & Dyahtaryani, 2025). There are also studies concerning social factors underlying violent practices in the form of bullying (Yulius et al., 2025). Ibrahim's research, for example, identifies social factors including the neglect of violence against children as intended by Article 76C of the UUPA, one form of which is bullying. Although several other studies exist, their focuses differ (Ibrahim et al., 2025). Therefore, this research has its own distinction, and its novelty lies in examining the neglect of acts of violence against children in Blangpidie, Southwest Aceh Regency, from the perspective of Article 76C of Law No. 35 of 2014 concerning Child Protection, with the analysis focusing on the effectiveness of the implementation and enforcement of the law established in Article 76C of the UUPA.

2. DATA AND METHODS

This research is qualitative because the object under study is natural in nature, namely events and phenomena (Creswell, 2013; Maxwell, 2013; Yusuf, 2017). Since this is legal research, the type of research employed is empirical juridical research, in which the object of study is legal behavior within a community

(Diantha, 2017; Efendi & Rijadi, 2022; Marzuki, 2017). Three approaches are used: the case approach, conceptual approach, and statute approach:

- a. The case approach is used to analyze legal cases, events, or legal occurrences concerning the neglect of violence against children in Blangpidie.
- b. The conceptual approach is used to explain concepts, such as violence against children, the concept of neglect, and the theory of law enforcement effectiveness.
- c. The statute approach is used to analyze relevant legislation, particularly Article 76C of the UUPA.

The research data were obtained from observations and interviews as primary data. Meanwhile, documentation studies and literature studies in the form of books and journals constituted secondary data, including the UUPA and other literature (Soekanto, 2020). Data analysis consisted of two stages: the descriptive stage, which objectively describes the research problem as it is, and the prescriptive analysis stage, namely the researcher's effort to identify the legal ideality of the legal issue under study (Arikunto, 2013) (Marzuki, 2017). The prescriptive analysis in this research is intended to carefully examine the coherence and conformity between legal norms and legal practices in the field.

3. RESULTS AND DISCUSSION

3.1. Legal Effectiveness Theory

The theory of legal effectiveness has several terms commonly used in legal literature, including the effectiveness of law implementation and the effectiveness of law enforcement. These terms are used to convey the meaning of law enforcement effectiveness. Legal effectiveness theory concerns whether a legal regulation operates within society. Legal effectiveness is a concept related to how law works and, more specifically, how law is obeyed by society. Legal effectiveness is a condition in which law, through its instruments and forms, is obeyed or implemented by society as well as government officials and state administrators as legal subjects (Santiago & Asnawi, 2024). Legal effectiveness concerns the extent to which a legal rule is obeyed or disobeyed, including the degree of its effectiveness, such as whether a person obeys a rule because it corresponds with the values they believe in or because compliance serves their interests. Measuring legal effectiveness is not limited to written norms in legislation but also includes unwritten legal norms, such as legal values living within society (Ali, 2017).

Kelsen states that legal effectiveness or efficacy is a fact: the fact that a norm is actually applied and obeyed, and the fact that society actually behaves in accordance with the norm. Legal effectiveness is a continuation of legal validity (Kelsen, 2019). This means that the effectiveness of law can be measured once the law has been declared valid. Thus, legal effectiveness concerns conditions demonstrating that the law is capable of functioning in society or being implemented and accepted by society in accordance with the objectives of its establishment and existence (Fuady, 2014).

In relation to law enforcement, the effectiveness of law enforcement in society is connected with law enforcement, namely the enforcement and implementation of laws applicable in society. Law enforcement is a theory based on the effectiveness of implementing legal substance. Law enforcement itself forms part of the functioning of all components of the legal system. According to Friedman, the legal system has three main components: legal substance, namely the substance of legislation; legal structure, namely law enforcement officials including judges; and legal culture, namely the legal culture existing in society (Friedman, 2019). In this context, law enforcement does not merely mean implementing legislation, but is closely related to the implementation of judicial decisions on the one hand and their application in society on the other (Soekanto, 2019). In implementing rules, supporting factors are required. These factors include five aspects, as follows:

- a. The legal factor itself, meaning the factor of legal provisions and legal substance in the form of articles in legislation. A law can operate effectively in society if the established legal regulation is clear, firm, and unambiguous. In this context, the legal-substance factor is limited to Article 76C of the UUPA. The legal-substance factor is closely related to rules that are materially valid and have been enacted in the form of positive law. Ahcmad Ali states that at least four attributes must be fulfilled by the legal-substance factor: attribute of authority (law is made or formulated in the form

of positive rules by an authority), attribute of intention of universal application (law has broad and lasting reach), attribute of obligation (law contains legal obligations), and attribute of sanction (law contains sanctions). The legal-substance aspect is also related to the principle of legal certainty, meaning that a provision must be positive and fact-based (Imanuddin, 2024). However, the facts must also be formulated in the form of positive legal norms. Kelsen similarly states in pure theory of law that a material fact is regulated by a legal norm (Kelsen, 2019). In addition, to create legal certainty, legal substance must be clear so that it is not misunderstood by society and can be easily implemented (Rahardjo, 2006).

- b. The law-enforcement factor refers to parties who formulate or implement the law. According to legal-system theory, law enforcement officials constitute a component of the legal structure (Friedman, 2019).
- c. The facilities or infrastructure factor supports law enforcement. This means that a law can truly operate effectively when supported by facilities and infrastructure for its implementation, such as operational vehicles, weapons, technological devices, and others.
- d. The societal factor refers to the environment in which the law operates or can be applied. This factor is very important because society is the legal subject that implements the law itself. Public compliance with the law is essential for law to be genuinely effective (Soekanto, 1977). This is also consistent with Rawls's view that a law or command is accepted as such when society generally believes that it can be obeyed and implemented (Rawls, 1999).
- e. The cultural factor refers to the works, creativity, and feelings based on human will within social interaction (Soekanto, 2019).

These five factors are closely interconnected because they constitute the fundamental essence of law enforcement and serve as benchmarks for its effectiveness. Nevertheless, some other views reduce them more narrowly while retaining the same core. For example, Syahrizal Abbas identifies four factors determining whether a legal norm can be successfully implemented in society, namely:

- a. Legal-substance factor
- b. Law-enforcement apparatus factor
- c. Legal infrastructure factor
- d. Community legal-culture factor (Abbas & Djalil, 2018).

Munif Fuady narrows the factors of law enforcement effectiveness to only two indicators: the formulated legal rule must be capable of being applied, and the legal rule must be accepted by society. Although the three views differ in the number of factors identified, they are essentially similar when examined further (Fuady, 2014). Legal culture and legal society have a strong relationship; legal rules are related to legal substance, while the requirement that legal rules be accepted by society reflects the presence of law enforcement, law-enforcement infrastructure, society, and legal awareness simultaneously. In other words, without all these elements, law cannot operate effectively.

The above factors are closely related to one another, and all have the same position and function in supporting the implementation and enforcement of a legal norm or rule. If one factor fails to function, the implementation or enforcement of law will almost certainly face obstacles or even fail, because law cannot perform its function as a means of realizing order, justice, and welfare. In this article, the effectiveness theory serves as the analytical basis for examining the implementation of Article 76C of the UUPA concerning the neglect of violence against children in Blangpidie (Abbas & Djalil, 2018).

3.2. Concept of Violence against Children

The concept of violence against children essentially has a broad meaning, encompassing all impacts experienced by children as a result of violence by people around them. Violence, derived from the word "hard," refers to acts by an individual or group that cause physical, psychological, or other harm to victims. Violence also implies coercion (Phoenix, 2009). Meanwhile, the term child in this research specifically follows Article 1 point 1, namely a person under 18 years of age, including a child still in the womb (Lolo et al., 2026).

Violence against children has a broad meaning. Dhamayanti states that violence against children encompasses all forms of physical, emotional, sexual violence, or neglect that causes or may cause injury, suffering, or damage to children's welfare. Such violence may occur in various places, including homes, schools, social environments, and other institutions, and is often committed by individuals known to or trusted by children (Dhamayanti et al., 2024). The World Health Organization (WHO) states that violence against children encompasses all forms of violence against individuals under 18 years of age, whether committed by parents or caregivers, peers, or strangers. Forms of violence may include physical, sexual, and emotional violence, as well as experiences of witnessing violence (World Health Organization, 2020).

According to the revised UUPA, violence against children is an act that causes physical, mental, or sexual suffering or distress, or takes the form of neglect, including threats, coercion, or unlawful restrictions on freedom. Paragraph (15a) of Article 1 of Law No. 35 of 2014 states similarly when defining violence against children, covering various forms of suffering experienced by children. Thus, it can be understood that any act causing physical, mental, or sexual suffering or distress to children, or taking the form of neglect, falls within this definition.

Forms of violence against children can be described as follows:

- a. Physical violence refers to acts that cause physical injury to children, such as hitting, kicking, or violently shaking them.
- b. Emotional or psychological violence refers to acts that damage children's mental and emotional health, such as humiliation, threats, or emotional neglect.
- c. Sexual violence refers to acts that sexually exploit children, including rape, sexual abuse, or pornographic exploitation.
- d. Economic violence refers to acts involving economic exploitation of children, such as employing children, among others.
- e. Neglect refers to failure to fulfill children's basic needs, such as food, clothing, medical care, education, and affection.

3.3. Substance of the Criminal Offense of Allowing Violence against Children under Article 76C of the UUPA

Allowing violence against children is also part of a strategic child-protection issue. Through Article 76C, the UUPA expressly states that persons who allow violence against children may be subject to certain punishment as provided in Article 80 of the UUPA. Article 76C is an important instrument for taking action against perpetrators who allow violence against children. The provision of Article 76C of the UUPA can be understood through the following textual transcription:

"Everyone is prohibited from placing, allowing, committing, ordering the commission of, or participating in acts of violence against children."

Violators of this provision are subject to the penalties stipulated in Article 80, which provides as follows:

Paragraph (1): Any person who violates the provision referred to in Article 76C shall be punished by imprisonment for a maximum of 3 (three) years and 6 (six) months and/ or a maximum fine of Rp72,000,000 (seventy-two million rupiah). Paragraph (2): If the Child referred to in paragraph (1) suffers serious injury, the perpetrator shall be punished by imprisonment for a maximum of 5 (five) years and/ or a maximum fine of Rp100,000,000 (one hundred million rupiah). Paragraph (3): If the Child referred to in paragraph (2) dies, the perpetrator shall be punished by imprisonment for a maximum of 15 (fifteen) years and/ or a maximum fine of Rp3,000,000,000 (three billion rupiah). Paragraph (4): The penalty shall be increased by one-third of the provisions referred to in paragraphs (1), (2), and (3) if the person committing the abuse is the child's parent.

The position of Article 76C above is that of a "prohibition" norm. This means that the article emphasizes that allowing violence against children is not merely a neutral passive attitude but constitutes a criminal offense. In other words, "allowing" is positioned on an equal footing with actively committing violence because both produce consequences that harm children. The juridical meaning of "allowing" in the a quo article, particularly in the context of criminal law, is a failure to take preventive, protective, or reporting measures when aware of violence against children. This omission is regarded as a form of negative participation that still produces legal consequences for the child.

Upon further analysis, the word “allowing” in the wording of Article 76C operates in parallel with the other prohibited forms. Therefore, when separated one by one, it can be reduced into the following table:

Table 2. Forms of Prohibition under Article 76C of the UUPA

No.	Elements and Forms of Prohibition	Separated Wording of the Article
1	Placing	Everyone is prohibited from “placing” violence against children
2	Allowing	Everyone is prohibited from “allowing” violence against children
3	Committing	Everyone is prohibited from “committing” violence against children
4	Ordering the Commission	Everyone is prohibited from “ordering the commission of” violence against children
5	Participating in the Commission	Everyone is prohibited from “participating in” violence against children

Source: Data reduced from Article 76C of the UUPA.

The above description clarifies the structure of the prohibition in Article 76C of the UUPA by separating each element of the criminal offense into an independent sentence. Each prohibited element in the a quo article can be said to be parallel, meaning that every form of prohibition stands on an equal level, with none lower or higher than another. Thus, “allowing” has the same legal weight as “committing” or “ordering the commission.” Allowing violence against children under this legal norm is therefore not merely administrative negligence, but an independent criminal offense, and consequently the perpetrator may actually be subject to the same sanction as the person who commits violence against children.

The consequence of this prohibition is that the phrase “allowing” means that everyone is prohibited from allowing another person to commit violence against children. “Everyone” here refers to all components within the Indonesian state, from the President to parents. Such neglect has a dimension of legal responsibility because allowing violence against children demonstrates a failure to fulfill the legal obligation to protect children (Prasetya et al., 2023). In child-protection law, every adult has a moral and legal responsibility to protect children, including by not allowing violence to occur, through supervision, reporting when violence occurs, preventing or stopping the violence, and other measures. When this responsibility is ignored, the State regards the attitude as a criminal violation, and the perpetrator must be punished under Article 80 of the UUPA, as previously cited.

Article 80 contains clear criminal sanctions for violations of Article 76C. The attitude of allowing violence against children is qualified as an ethical or social violation and, at the same time, as a criminal offense punishable by imprisonment and fines. Understanding the legal construction of the prohibition under Article 76C in conjunction with Article 80 of the UUPA requires legal interpretation. Referring to methods of legal interpretation, the attitude and act of “allowing violence against children” carries the same sanctioning consequences as the act of “committing violence against children.” Two examples of interpretation can be presented: grammatical and systematic interpretation.

- a. The grammatical interpretation method interprets statutory provisions by explaining them according to ordinary everyday language (Mochtar & Hiariej, 2021). The term “allowing” means not prohibiting, disregarding, or failing to properly care for something (Phoenix, 2009). Consistent with Remmelink’s view, allowing in the legal sense is understood as negligence, meaning a passive act, particularly a conscious passive act (allowing) even though the person is actually capable of preventing it. Thus, grammatically, the phrase “allowing” in Article 76C of the UUPA is a transitive verb (a verb requiring an object, which here is violence against children) with a passive meaning, namely failure to take preventive, protective, or reporting action concerning known violence against children (Remmelink, 2014; Chazawi, 2014). Its position is equal to other prohibitions such as placing or committing, so normatively it is treated as an independent criminal offense. Under this

construction, silence or inaction is no longer considered neutral but is regarded as a form of negative participation that creates legal consequences for children, and the perpetrator may be subject to criminal sanctions.

- b. The systematic or logical interpretation method interprets statutory provisions by relating them to all articles in the relevant law, or by relating them to other legal regulations or statutes or to the legal system as a whole. Under this method, legal interpretation must be consistent. Following this interpretive method, the wording “allowing” in Article 76C of the UUPA is parallel with Article 80 of the UUPA (Asshiddiqie, 2017; Marzuki, 2021; Mochtar & Hiariej, 2021). This means that a person who consciously allows violence against a child but fails to prevent it may be punished according to the categories in Article 80. Therefore, every person violating Article 76C, including by allowing violence against children, may be subject to the criminal penalties stipulated in Article 80 of the UUPA.

Systematically, perpetrators who allow violence may also be subject to the same criminal threat as direct perpetrators who commit violence, order violence to be committed, or participate in violence against children. Violence here includes physical, psychological, economic, sexual violence, or neglect. Thus, the UUPA places perpetrators who allow violence on an equal footing with other perpetrators. The punishment likewise follows the pattern of criminal threats established in Article 80 paragraphs (1), (2), (3), and (4) of the UUPA, as detailed in the following table:

**Table 3. Forms of Sanctions for Perpetrators Who Allow Violence against Children
(Article 76C in conjunction with Article 80 of the UUPA)**

Article 80	Impact of Violence Experienced by the Child	Legal Sanctions
Perpetrator Other Than the Child's Parent		Threat for the Person Allowing Violence According to the Impact Experienced by the Child Victim
Paragraph h (1)	No serious injury	A person who knowingly sees another person commit violence against a child and allows it may be punished by a maximum of 3 years and 6 months' imprisonment and/or a maximum fine of Rp72,000,000
Paragraph h (2)	Serious injury	A person who knowingly sees another person commit violence resulting in serious injury to a child may be punished by a maximum of 5 years' imprisonment and/or a maximum fine of Rp100,000,000
Paragraph h (3)	Death	A person who knowingly sees another person commit violence resulting in the child's death may be punished by a maximum of 15 years' imprisonment and/or a maximum fine of Rp3,000,000,000
Perpetrator Is the Child's Parent		Threat for the Person Allowing Violence According to the Impact Experienced by the Child Victim
Paragraph h (4)	No serious injury	The person allowing the violence is punished by a maximum of 3 years and 6 months' imprisonment and/or a maximum fine of Rp72,000,000, increased by one-third.
	Serious injury	The person allowing the violence is punished by a maximum of 5 years' imprisonment and/or a maximum fine of Rp100,000,000, increased by one-third.
	Death	The person allowing the violence is punished by a maximum of 15 years' imprisonment and/or a maximum fine of Rp3,000,000,000, increased by one-third.

Source: Data reduced from Articles 76C and 80 of the UUPA.

From Table 3 above, it can be seen that the sanction criteria imposed on perpetrators who allow violence against children are the same as those imposed on perpetrators who directly commit violent offenses, ranging from ordinary violence without serious injury to cases resulting in the child's death.

Table 3 systematically presents the forms of sanctions imposed on perpetrators who allow violence against children as regulated in Article 76C in conjunction with Article 80 of the UUPA. It can be understood from the table that the criminal threat for perpetrators who allow violence is determined by the severity of the impact suffered by the child victim. If the child does not suffer serious injury, the perpetrator may be punished with a maximum imprisonment of 3 years and 6 months and/or a maximum fine of Rp72,000,000. If the child suffers serious injury, the criminal threat increases to a maximum of 5 years' imprisonment and/or a maximum fine of Rp100,000,000. If the violence results in the child's death, the criminal threat reaches a maximum of 15 years' imprisonment and/or a maximum fine of Rp3,000,000,000. These provisions apply both to perpetrators who are not the child's parents and to parents, with the difference that if the perpetrator is a parent, the sanction is increased by one-third of the applicable criminal threat. This demonstrates that allowing violence against children is regarded as equally serious as direct violent offenses because silence and failure to report are considered to aggravate the suffering of the child victim. Thus, legal norms affirm that anyone who knows of violence against children has a legal obligation not to allow it, but rather to report or prevent it so that child protection can operate effectively. The table also confirms that allowing violence is not a passive attitude free from consequences, but a form of legal violation carrying clear, measurable, and proportionate criminal sanctions according to the impact of the violence.

Based on the interpretive pattern above, it can be understood that allowing violence against a child, whether the child does not suffer serious injury, suffers serious injury, or dies as a result of the violence, is regarded as an independent criminal offense rather than merely moral negligence. This demonstrates that the UUPA places the obligation to protect children as an active legal norm. Everyone is required to prevent, prohibit, or report violence that occurs. Thus, allowing violence has legal consequences equivalent to those of direct violent acts.

3.4. Handling Cases of Violence against Children

Cases of violence against children in Blangpidie in particular and Southwest Aceh Regency in general take various forms. According to Ms. Ayu, Head of the Child Protection Division at the Office of Women's Empowerment, Child Protection and Family Planning (DP3AKB), the criteria for violence against children are divided into four forms: physical violence, psychological violence, sexual violence, and neglect. To date, the overall data on cases of violence against children recorded by DP3AKB in 2025 amounted to 14 cases. The categories consisted of 6 cases of physical violence, 1 case of psychological violence, and 7 cases of sexual violence (Ayu, Interview, 2026).

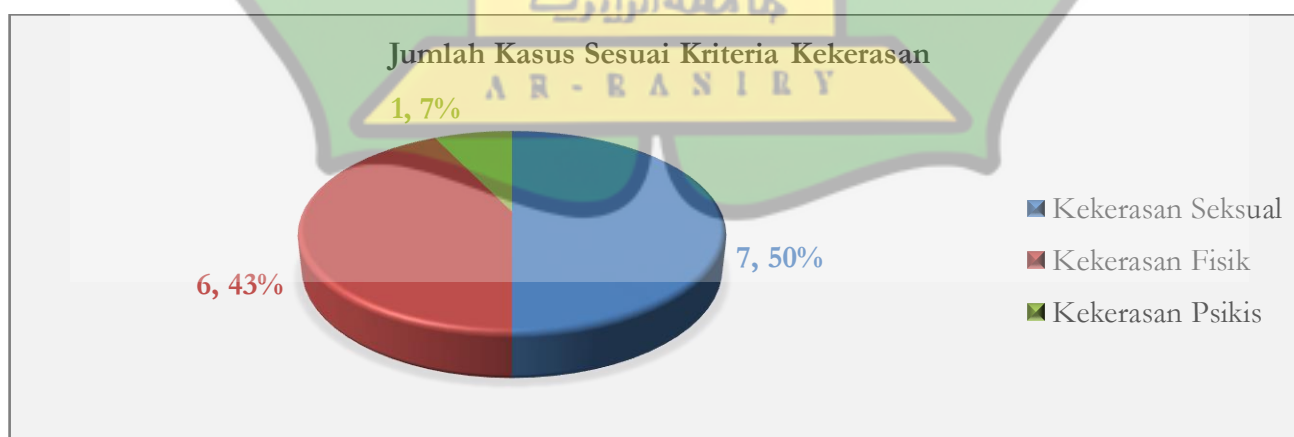


Figure 1. Number and Percentage of Cases by Category of Violence against Children

Source: Documentation from the DP3AKB of Southwest Aceh Regency, Data in Blangpidie, 2026.

Detailed data on the sexual violence cases can be seen in the following table:

Table 4. Detailed Data on the Total Number of Cases of Violence against Children Requiring Special Protection in Southwest Aceh Regency in 2025

N o.	Name (Initials)	Distri ct	Address	Type of Report	Type of Assistance
1	KHN	Babah rot	Blang Dalam	Sexual Violence	Outreach, Counseling, Clinical Psychological Assistance, Health Assistance, Home Visit
2	FN	Kuala Batee	Krueng Panto	Physical Violence	Counseling, Legal Assistance
3	FAA	Kuala Batee	Suka Damai	Physical Violence	Counseling, Legal Assistance
4	RF	Kuala Batee	Kuta Bahagia	Physical Violence	Counseling, Legal Assistance
5	MB	Kuala Batee	K. Tengah	Physical Violence	Counseling
6	RM	Jeumpa	Iku Lhung	Sexual Violence	Outreach, Counseling, Home Visit
7	MS	Susoh	Padang Baru	Psychological Violence	Counseling, Legal Assistance
8	SW	Blang pidie	Babahbihi	Sexual Violence	Outreach, Counseling, Legal Assistance, Clinical Psychology, Health Assistance, Home Visit
9	IM	Blang pidie	Panton Raya	Physical Violence	Outreach, Counseling, Home Visit
10	RA	Mang geng	Sejahtera	Physical Violence	Counseling
11	CER	Mang geng	Sejahtera	Sexual Violence	Outreach, Counseling, Legal Assistance, Clinical Psychology, Health Assistance, Home Visit
12	CN	Mang geng	Panton Makmur	Sexual Violence	Outreach, Counseling, Assistance
13	NS	Mang geng	Tengah	Sexual Violence	Outreach, Counseling, Legal Assistance, Clinical Psychology
14	PM	Mang geng	Sejahtera	Sexual Violence	Outreach, Counseling, Legal Assistance, Clinical Psychology

Source: Documentation from the DP3AKB of Southwest Aceh Regency, Data in Blangpidie, 2026.

Based on the data in Table 4, it can be seen that the handling of child victims of violence by DP3AKB varies according to the type of report and the needs of the victim. Cases of sexual violence are generally handled through comprehensive measures, including outreach, counseling, home visits, and legal, health, and clinical psychological assistance, because their impacts are more complex physically and mentally. Physical violence cases are more often handled through counseling and legal assistance, although some cases also require home visits to assess the victim's environment. Psychological violence cases are handled through counseling and legal assistance, emphasizing psychological recovery as well as protection of the child's rights. This variation in handling demonstrates that DP3AKB adjusts interventions to the characteristics of each case so that each child victim receives comprehensive protection according to their specific needs.

Case handling begins with a report, followed by receipt of the report by DP3AKB. Reports may be submitted in three ways: by the complainant directly visiting the DP3AKB office, by telephone, or through social media (Ayu, Interview, 2026). The second step is outreach. Outreach is carried out to identify the

case by directly visiting the victim and identifying persons who know about the case, such as community members, neighbors, or school officials if the case occurs at school (Ayu, Interview, 2026). Thus, outreach is not limited but is adjusted to obtain information about the case, its background, and chronology. Subsequently, DP3AKB conducts a meeting to deliberate on case handling. At least five decision options are usually taken in handling child victims of violence: a home visit, counseling, and three forms of assistance, namely legal, health, and clinical psychological assistance (Ayu, Interview, 2026).

The five options for handling violence cases are sometimes applied together to one case, while in other cases only one option is used. This can be seen in Table 4 above. For example, in Case Number 11 in Table 4, the child identified by the initials CER experienced sexual violence. According to DP3AKB's assessment, the case required special handling, and the child needed all measures, including outreach, counseling, legal assistance, clinical psychological assistance, health assistance, and a home visit. This differs from Cases Number 5 and 10 in Table 4, in which the children experienced physical violence and, according to DP3AKB's assessment, only required counseling. This means that not all handling options are applied to every case of violence against children.

The steps for handling child victims of violence can be reduced into the following figure:

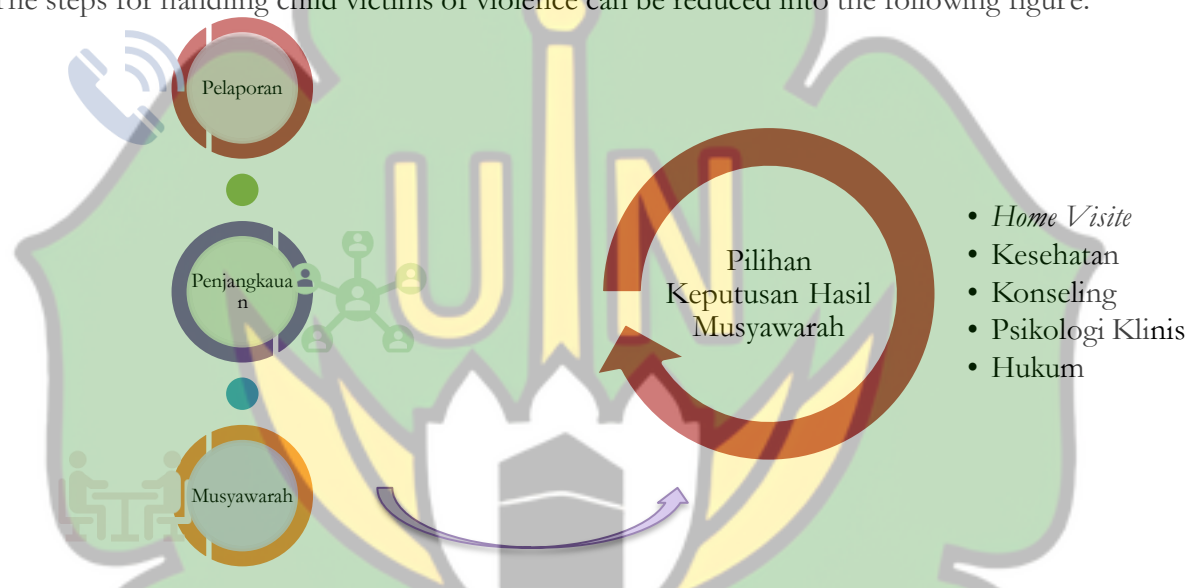


Figure 2. Steps for Handling Child Victims of Violence

Source: Data reduced from interviews and document studies conducted by DP3AKB.

The five follow-up measures carried out by DP3AKB can be further explained as follows:

- Home visit.* A home visit is a direct visit to the victim's home. Its purpose is to understand family environmental conditions, observe the actual situation faced by the child, and establish communication with parents or guardians. Through this step, DP3AKB can assess whether the child is in a safe environment or at risk of experiencing repeated violence.
- Counseling.** Counseling is conducted to provide children and families with space to express feelings, trauma, and problems they face. Through counseling, children are assisted in restoring their psychological condition, while families are given an understanding of how to support children so that they do not become victims again.
- Legal assistance.** Legal assistance is provided when a case of violence against a child enters the legal sphere. DP3AKB assists victims and their families in understanding legal procedures, accompanies them during the reporting process to law enforcement officials, and ensures that children's rights are protected throughout judicial proceedings. In accordance with Aceh Qanun No. 12 of 2025 concerning Amendments to Aceh Qanun No. 6 of 2014 concerning Jinayat Law, one of the rights of child victims is to receive restitution from perpetrators of violence, including compensation for losses arising from suffering directly related to the criminal act of violence, reimbursement of medical and/or psychological treatment costs, and compensation for other losses suffered by victims as a result of the violence they experienced.

- d. Health assistance. Health assistance is an action taken to ensure that children receive necessary medical care, whether due to physical injuries or other health impacts. DP3AKB coordinates with medical personnel or hospitals so that children receive appropriate health services.
- e. Clinical psychological assistance. Clinical psychological assistance is more intensive than ordinary counseling. Children are treated by psychologists or psychiatrists to recover from severe trauma, anxiety disorders, or serious psychological conditions resulting from violence. Consistent with the statements of Ms. Ayu and a village official in Blangpidie, children who experience psychological violence will inevitably be affected psychologically (Interview, 2026; Interview, 2026). Therefore, providing clinical psychological assistance is important so that children can resume their lives with greater emotional stability.

Through these five steps, handling cases of children as victims of violence does not stop at identification but also addresses comprehensive protection, including the child's environment, mental health, legal protection, physical health, and psychological well-being.

3.5. Resolution of Cases of Violence against Children in Blangpidie

The case data presented above concern violence against children handled by DP3AKB following reports from the public. However, based on observations and interviews with members of the community, including DP3AKB itself, acts of violence that are not exposed and not reported are also relatively numerous. This occurs partly because of the neglect practiced by society. Ms. Ayu stated as follows:

Of all forms of violence, cases of violence most often allowed to continue by the community or family and not reported are sexual violence cases. This is because the family does not want to report them, considering them a disgrace, whether the sexual violence occurs at school, at a religious study place, or at home, especially when committed by people close to the child. These cases are often not reported because the family considers them a disgrace, feels ashamed, and perceives that reporting would tarnish the family's reputation. Nevertheless, at present there are no longer cases in which people allow violence against children to occur, because the government, including DP3AKB, has made efforts to provide education and socialization to the community (Ayu, Interview, 2026).

Another statement was provided by AM, a village official in Blangpidie, as follows:

Cases of violence against children, for example within families, communities, and schools, are quite numerous but are not reported. Most people tend not to want to interfere, especially when the violence occurs within a particular family, such as from a father to a child or from a mother to a child. The factors include reluctance to report and indifference to the surrounding environment. There is also a perception that violence against children perpetrated by children is a normal occurrence. However, today public legal awareness tends to be increasing, as people have become more willing to report and no longer allow violence against children to continue (AM, Interview, 2026).

The findings from observations and interviews show that there were 6 cases involving the neglect of violence against children: 2 cases categorized as economic violence, namely children being allowed to work as fruit sellers, and 4 cases of physical violence that also involved psychological violence committed by family members (parents) (AM, Interview, 2026; Andi, Interview, 2026; Hamdi, Interview, 2026).

Table 5. Cases of Neglect of Violence against Children in Blangpidie

No.	Violence	No.	Description
1	Economic	2	Children under the age of 18 were allowed to work to meet household needs, even though both parents were still present.
2	Physical/Psychological	4	Children frequently experienced harsh treatment and violence from parents, such as being hit and shouted at.

Source: Data reduced from interview results, 2026.

Nevertheless, the data in this table are far lower than the actual conditions visible to the community because, according to Ayu, physical and psychological violence, including economic violence, and even

sexual violence occur in families in very large numbers, resembling an iceberg whose visible surface is small while the dominant part lies beneath the surface and cannot be seen (Ayu, Interview, 2026).

Based on the interview information above, it can be understood that initially the community tended to allow cases of violence against children to continue. In cases of sexual violence, for example, this was due to strong social stigma. Sexual violence is often regarded as a family disgrace and therefore is not reported, whether it occurs at home, at school, or at a religious study place. Feelings of shame, fear of tarnishing the family's reputation, and the perception that such cases would damage the family's honor led families to remain silent and allow the violence to continue (Ayu, Interview, 2026). In addition, at the community level there was an attitude of indifference and reluctance to interfere, especially when the perpetrator came from the victim's own family environment. There was even a perception that physical violence, psychological violence, and bullying among children were ordinary matters and therefore did not need to be reported. This pattern reflects a culture of neglect that worsens child protection because cases remain undisclosed and child victims do not receive appropriate treatment.

Ms. Ayu considers that the implementation of Article 76C of the UUPA, particularly the prohibition against allowing violence against children, has not been maximized because not everyone understands violence against children, and some people regard violence against children as normal, particularly when parents hit their children and consider it an educational act. The community also tends to pay insufficient attention to children's misbehavior (Ayu, Interview, 2026).

Based on the description above, it can be understood that neglect of cases of violence against children in Blangpidie demonstrates a tendency among community members to show low concern and limited understanding of the meaning of child-protection law. Violence against children is often regarded as a family disgrace, particularly sexual violence, so cases are not reported, while physical and psychological violence are frequently viewed as normal or even as forms of education. This attitude indicates that the responsibility of families and society to protect children has not been optimally fulfilled because it is dominated by shame, fear of tarnishing the family's reputation, and reluctance to interfere in other families' affairs. This condition reflects a weak legal culture in society, in which the legal norm prohibiting neglect as regulated in Article 76C of the Child Protection Law is not consistently obeyed. One indication of legal compliance is whether society implements existing rules in everyday life. Consequently, legal non-compliance occurs, and society does not place child protection as a legal obligation and responsibility (Soekanto, 1977).

Based on the data and interviews, there was previously a tendency among the people of Blangpidie to allow cases of violence against children, particularly sexual violence, and to regard them as a family disgrace so that they were not reported. However, this condition has now changed. Ms. Ayu explained that although many cases were previously not exposed because of shame and fear of tarnishing the family's reputation, people now no longer allow violence against children to occur. This has happened because of government efforts, particularly by DP3AKB, to provide education and socialization that increases public awareness of reporting violence cases (Ayu, Interview, 2026).

A similar statement was given by AM, a village official in Blangpidie. He explained that previously people tended to be reluctant to report cases of violence against children because they were unwilling, indifferent, or considered violence among children to be normal. Today, however, public legal awareness has begun to increase. People are more willing to report cases of violence and no longer allow them to occur without intervention (AM, Interview, 2026). Thus, cases involving the neglect of violence against children in Blangpidie are now being handled more seriously. Changes in public attitudes demonstrate an increase in legal awareness and compliance with child-protection rules as regulated in Article 76C of the Child Protection Law. This also indicates a shift in the community's legal culture from a permissive attitude toward a more caring and responsible attitude concerning child protection.

3.6. Analysis of the Effectiveness of Law Enforcement of Article 76C of the UUPA concerning the Neglect of Violence against Children in Blangpidie

Empirical data from Blangpidie show that the practice of allowing violence against children still occurs frequently. People often allow parents to harshly scold children, which may result in psychological violence against them; some parents also hit their children, and people allow violence committed by

someone against a child or between child peers without intervention. This phenomenon can be understood as a gap between the prohibition norm in Article 76C of the UUPA and social reality in the field. When analyzed using legal effectiveness theory, particularly Kelsen's theory, the norm of Article 76C, although materially valid, has not been fully effective because society does not behave in accordance with the prohibition. Legal effectiveness requires factual compliance. Meanwhile, silence and neglect still occur in Blangpidie (Kelsen, 2019). This demonstrates that legal validity has not yet developed into legal effectiveness.

Within Friedman's framework, this failure of effectiveness can be traced through three components of the legal system. First, legal substance: Article 76C is actually clear and firm but has not been deeply understood by society, so the prohibition against "allowing" is considered unimportant. Second, legal structure: law enforcement officials have not optimally conducted socialization, supervision, and enforcement concerning cases of neglect, so legal norms have not operated effectively. Third, legal culture: society remains permissive toward violence against children, regarding it as normal or part of parenting, so the attitude of allowing violence continues.

If examined further through four indicators of law enforcement effectiveness, the situation can be explained as follows.

- a. First, the legal-substance factor is relatively good because Article 76C of the UUPA and Article 80 are normatively clear, firm, and unambiguous in prohibiting the neglect of violence against children. These norms also fulfill legal certainty and provide measurable sanctions, so there is no substantive weakness.
- b. Second, the law-enforcement apparatus factor remains relatively weak, as reflected in the lack of socialization to the public concerning the prohibition against allowing violence against children and the limited direct enforcement action against cases of neglect. Officials have not maximized enforcement of the norm, so society does not feel that there are legal consequences for allowing violence against children.
- c. Third, legal facilities and infrastructure are relatively available because there are social institutions, the police, and operational mechanisms that can be used to handle cases of violence against children. However, the effectiveness of law depends on the extent to which these facilities are actually utilized in practice.
- d. Fourth, the community's legal-culture factor remains the main obstacle. A permissive culture toward violence against children, the assumption that scolding or hitting children is a legitimate part of parenting, and reluctance to report because of fear or because such conduct is considered normal cause the prohibition against "allowing" violence not to be applied within society. This legal-culture factor demonstrates that even when norms are clear and facilities are available, without changes in public legal awareness, effective enforcement of Article 76C is difficult to achieve.

Thus, the effectiveness of enforcing Article 76C in Blangpidie remains low because the five factors determining legal effectiveness (legal substance, law enforcement officials, facilities, society, and legal culture) have not functioned synergistically. The prohibition against "allowing" violence against children already exists, but its implementation is hindered by weak legal awareness in society, insufficient official action, and a permissive culture toward violence against children. Normatively, Article 76C of the UUPA provides a strong legal basis for taking action against the neglect of violence against children. Nevertheless, effectiveness has not been achieved in Blangpidie because society still allows violence to occur, officials have not maximized enforcement of the norm, and legal culture does not yet support child protection. Therefore, law enforcement must be strengthened through socialization, increased capacity of law enforcement officials, provision of easily accessible complaint mechanisms, and changes in community legal culture so that the prohibition against "allowing" violence truly lives and functions within society.

4. CONCLUSION

Based on the preceding discussion, two conclusions can be drawn. First, the neglect of violence against children in Blangpidie demonstrates that the practice of remaining silent and failing to report cases of violence, particularly sexual violence, remains strong because of social stigma, shame, and fear of

tarnishing the family's reputation. Physical and psychological violence are often considered normal or part of parenting, causing people to hesitate to intervene and instead allow violence to continue. The attitude of ignoring and allowing violence against children reflects weak legal awareness and a permissive culture that contradicts the prohibition in Article 76C of the Child Protection Law. As a result, child protection does not operate optimally because society does not regard legal obligations as a shared responsibility, causing legal norms to lose their effectiveness in everyday life.

Second, the analysis of the effectiveness of enforcing Article 76C of the UUPA in Blangpidie shows that although the prohibition against allowing violence against children has a clear and firm legal foundation, its implementation remains far from effective. The legal substance is essentially unproblematic; however, the weak role of law enforcement officials, insufficient utilization of available facilities, and the community's permissive culture toward violence against children cause the norm not to function as intended. As a recommendation, intensive socialization, capacity building for officials, and the establishment of accessible reporting mechanisms are needed so that society can report cases effectively.

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