

Analysis of Crimes of Violence against Children in Gorontalo Province

Moh. Tri Mulya hadju¹, Kindom Makkulawuzar², Rusmulyadi³

Universitas Ichsan Gorontalo

Article Info

Article history:

Received : 11 October 2023

Published : 01 January 2024

Keywords:

Analysis

Child Protection

Violence

Abstract

Currently, many criminal acts are often committed, such as violence. Violence is an arbitrary action carried out by someone with the aim of causing physical or psychological harm. Parents have an important role to look after and protect, but in fact acts of violence against children are carried out by those closest to them, such as parents. Child victims of violence are part of society whose development is not yet mature, both physically and psychologically, so they need special assistance in handling them. This research aims to determine the factors that cause victims of physical violence against children in the Gorontalo area in order to reduce the number of victims of violence against children. In connection with the aim of this research, it includes research that examines empirical juridical measures. Which examines the existence of violence committed against children. Data collection was carried out using interview techniques. So, there is a need to ensure that acts of violence against children do not continue to be carried out and that firm action must be taken by the government against perpetrators who commit violence. So it is deemed necessary to emphasize the regulations that have been implemented by the government, especially Law Number 23 of 2002 concerning child protection.

Article Info

Article history:

Accepted : 11 October 2023

Published : 01 January 2024

Abstrak

Saat ini banyak tindak pidana yang sering dilakukan seperti kekerasan. Kekerasan merupakan tindakan sewenang-wenang yang dilakukan oleh seseorang dengan tujuan menyakiti fisik maupun psikis. Orang tua memiliki peran penting untuk menjaga dan melindungi tetapi justru tindak kekerasan terhadap anak dilakukan oleh orang terdekatnya seperti orang tua. Anak Korban kekerasan yang merupakan bagian dari masyarakat yang belum matang perkembangannya baik secara fisik maupun psikologis sehingga membutuhkan pendampingan khusus dalam penanganannya. Penelitian ini bertujuan untuk mengetahui timbulnya faktor penyebab timbulnya korban tindak kekerasan fisik pada anak di wilayah Gorontalo guna dalam menurunkan angka korban tindak kekerasan pada anak. Sehubungan dengan tujuan penelitian ini meliputi penelitian yang mengkaji yuridis empiris. Yang mengkaji tentang adanya kekerasan yang dilakukan terhadap anak. Pengumpulan data dilakukan dengan Teknik wawancara. Maka diperlukannya cara agar tindakan kekerasan terhadap anak tidak terus menerus dilakukan dan harus diberikan tindakan yang tegas oleh pemerintah kepada pelaku yang melakukan kekerasan. Maka di pandang perlu untuk menegaskan peraturan yang sudah diterapkan dalam pemerintah khususnya undang-undang Nomor 23 tahun 2002 tentang perlindungan anak.

This is an open access article below the [Creative Commons Attribution-ShareAlike 4.0 International License](https://creativecommons.org/licenses/by-sa/4.0/)



Corresponding Author:

Moh. Tri Mulya hadju

Ichsan University Gorontalo

Email: mulyahadju1998@gmail.com

1. INTRODUCTION

Law is a series of regulations regarding people's behavior as members of society, and the purpose of law is to provide safety, happiness and order in society.

Each member of society has different interests, so that when members of society know these benefits, they will enter into relationships determined by law to create balance in society. Social life. If one or more people break the law then the balance will be shaken, because breaking the law can harm other parties.

To restore balance in society, sanctions are applied, namely administrative sanctions in the field of constitutional law, civil sanctions in the field of civil law and criminal sanctions in the field of law, civil and criminal law. Indeed, if civil and administrative sanctions are not enough to restore balance in society, criminal sanctions are the last resort or ultimum remedium.

There are many dynamics in life between victims and criminals, due to economic, political and psychological forces. Ideally, always reduce the number of victims and aggressors. If there is an increase in the number of victims, the most important thing is to empower the victims and protect them as much as possible. Likewise, if the creator wants to rise, he must be treated according to his rights. In addition, if you become a convict or convict, you will have to apply to the correctional system. What is no less important is that the perpetrator can provide compensation or compensation to the victim. Victims in the field of anthropology are defined broadly because they are not limited to individuals who actually suffer harm but also include groups, corporations, the private sector, and governments that are directly or indirectly involved in subsequent crimes.

Victim research helps to better understand crime victims as human products with mental, physical, and social suffering. Not to spoil the victims, but to explain the true roles of the victims and the relationships between them. The problem of victims has become a legal issue of social inequality because of the causal nature of various forms of social inequality in the formation of crimes and violations. Arif Gosita said: "The problem of victims is not something new, simply because some things do not receive attention commensurate with the dimensions of the role of victims in its emergence."

Perpetrators of violence against children can be parents (the victim's father and/or mother), family members, the community, and even the government itself (law enforcement officers and law enforcement officers). Violence often occurs against vulnerable children. It is called vulnerability, because the child's position is less dangerous. Vulnerable children (children at risk) are children who are at high risk of experiencing psychological (mental), social and physical development problems or disorders. Children are vulnerable due to internal and external conditions, including children from poor families; children in remote areas; disabled children and children from broken families.

The form of violence experienced by children can be acts of violence, whether physical, psychological or sexual. Judging from the victims in several incidents of violence against children, several types of victims can be identified. Several types of victims (crimes) are:

- a. People who does not have any fault but is still a victim, for this type the fault is on the perpetrator's side.
- b. Victim consciously or unconsciously committing an act that stimulates another person to commit a crime. For this type, the victim is said to have contributed to the crime, so that the fault lies with the perpetrator and the victim.
- c. They are biologically and socially potential victims. Children, the elderly, people with physical/mental disabilities, poor people, minority groups and so on are people who easily become victims' minorities and so on are people who easily become victims.
- d. Koban because he himself is the perpetrator. This is what is said to be a victimless crime. For example prostitutes, gambling, adultery.

In the provisions of article 13 paragraph (1) of Law Number 23 of 2002 concerning Child Protection ("Child Protection Law") as amended by Law Number 35 of 2014 concerning amendments to Law Number 23 of 2002 concerning Child Protection ("Law 35/2014") which states that every child while in the care of parents, guardians, or any other party responsible for care, has the right to receive protection from treatment:

- a. Discrimination;
- b. Exploitation, both economic and sexual;
- c. Neglect;
- d. Cruelty, violence and abuse;
- e. Injustice; And
- f. Other mistreatment.

Child protection is sought by everyone, including parents, families, communities, government and the state. Article 20 of Law No. 35 of 2014 determines "The state, government, community, family and parents are obliged and responsible for implementing child protection".

Therefore, every member of society tries to protect children as best as possible with various efforts in certain situations and conditions. Every citizen also has the responsibility to carry out child protection for the interests of children. Children's happiness is mutual happiness, self-protection happiness is protective happiness. There is no need to worry about children anymore, because child protection is done well, children will be prosperous.

2. RESEARCH METHOD

This research is empirical research using this research method, which aims to accurately describe the characteristics of a person (individual, group or situation) and determine the frequency of occurrence. The empirical method is a method that uses facts that occur in society to gain knowledge.

3. RESEARCH RESULTS AND DISCUSSION

Victimologists analyze various aspects of victimization, how someone can become a victim of crime with another term that discusses the role of the victim in the crime, or is rape. The role of the victim in the appearance of the crime, of course, varies. Understanding the extent of the victim's role in the occurrence of crime can be identified through several types of victims. For those who commit obscene acts with their own children, the same applies to children. Victims are included in the categories of potential victims, namely children, the elderly, people with physical and mental disabilities, ethnic minorities, who are vulnerable because of their poor physical condition and certain characteristics and personalities. So they tend to become victims.

Handling violence against children must be in sync between the family, community and state. Child abuse, in handling cases of violence against children must be carried out in a comprehensive and integrated manner. All parties need improvement and treatment, both medical, personal, legal (in this case there are still many weaknesses), and social support.

1. The Role of Parents Parents play an important role in protecting children from the threat of violence.

Parents need to be very sensitive if they notice unusual signals from their children. However, not all victims of violence have recognizable signs, especially if the perpetrator takes a persuasive approach and convinces the victim that what happened between the perpetrator and the victim is normal.

Parents (not the perpetrator) are helpful in adjusting to and recovering from sexual abuse. After an incident of sexual violence, parents need an opportunity to express their feelings about what happened and adjust to the major changes that have occurred. Apart from that, parents also need to regain self-confidence and emotions to be able to control the existing situation. The parents' recovery process is closely related to the parents' individual resilience and family resilience.

2. Community Role.

In handling sexual violence against children, it is necessary to involve the community, paying attention to aspects of prevention, not only for the community but also for children, in order to ensure child protection at the grassroots level. Children's participation is needed as a reference for detecting cases of violence they experience. At a minimum, children learn to recognize, reject and report potential threats of violence.

3. The Role of the State

The state has "allowed" violence to occur around children, so the role of the state is of course the most important in dealing with violence against children. Because, basically the state has the ability to shape the readiness of individuals, families and communities. The state, in this case the government, is the party that is fully responsible for the welfare of the people.

4. CONCLUSION

The Need for Children to Get Legal Protection. Children as part of the nation's next generation are the successors of the ideals of the nation's struggle as well as human resource capital for

national development. The government has issued statutory regulations that specifically regulate child protection, namely Law Number 23 of 2002 concerning Child Protection. Article 1 point 1 of Law Number 23 of 2002 explains that child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop and participate, optimally in accordance with human dignity, and receive protection from violence and discrimination.

The Role of Law Enforcement Officials, Supporting Institutions in Providing Protection to Children as Victims of Domestic Violence, Child Protection Law and PKDRT Law. Legal protection for children as victims of domestic violence is the protection provided, including: providing legal assistance; confidentiality of the victim's identity; arrest of the perpetrator with preliminary evidence; providing other assistance in the form of health services; Rehabilitation efforts. And it is important to socialize the Domestic Violence Law, Child Protection Law, and Child Welfare Law to the community and schools by collaborating with the police and P3A institutions, NGOs, so that the public understands more about domestic violence and children's rights.

5. BIBLIOGRAPHY

- Lisna Julianti Matiti, 2016, *Analisis Viktimologi Kasus Tindak Pidana Penadahan di Kota Gorontalo*, Fakultas Hukum Universitas Negeri Gorontalo
- Maidin Gultom, 2008, *Perlindungan Hukum Terhadap Anak Dalam Sistem Peradilan Pidana Anak di Indonesia*, PT Refika Aditama, Bandung
- Maidin Gultom, 2012, *Perlindungan Hukum Terhadap Anak dan Perempuan*, PT Refika Aditama, Bandung
- Undang-Undang Nomor 35 Tahun 2014 Tentang Perlindungan Anak.