


# Family as the Front Guard: Strategy For Preventing Violence Against Children From the Perspective of Law No. 35 Of 2014 on Child Protection

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Article Info	ABSTRACT
<b>Keywords:</b> Child protection, Violence against children, Family, Law No. 35 of 2014, Prevention strategies	This study discusses in depth the role of the family in preventing violence against children from the perspective of Law No. 35 of 2014 concerning Child Protection, and offers applicable and law-based strategy solutions. Violence against children is a violation of human rights that has long-term impacts on the psychological, social, and physical development of children. In this context, Law No. 35 of 2014 concerning Child Protection emphasizes the role of the family as the front line in preventing violence against children. This study aims to examine preventive strategies that can be adopted by families in preventing violence against children, in accordance with the principles of child protection mandated in the law. A juridical-normative approach is used to analyze legal provisions and their implementation at the family level. The results of the study indicate that active involvement of parents in positive parenting, education of anti-violence values, and increasing legal awareness are the main strategies in protecting children in the domestic environment. The family not only functions as the first social unit, but also as the main fortress in guaranteeing children's rights to a sense of security and protection from all forms of violence.
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## INTRODUCTION

As a social institution in the wider community, the family also has legal and cultural certainty of its rights and fulfillment, which are stated in the formal laws of the State and informal norms of community customs and traditions. For example, parents have an obligation to provide basic needs for children, both in terms of food, shelter, clothing, and care for their children. In the Qur'an, Allah also explains the duties and responsibilities of parents to be able to care for, educate and also protect children from bad things. As in the word of Allah in Surah Al-Isra verse 31 (RI, 2025).

وَلَا تَقْتُلُوا أَوْلَادَكُمْ خَشْيَةَ إِمْلَاقٍ نَحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ أَنْ تَقْتُلَهُمْ كَانَ خَطَاً كَبِيرًا ﴿٣١﴾

Meaning: And do not kill your children for fear of poverty. We provide sustenance for them and for you. Indeed, killing them is a great sin.

In verse 31 of Surah Al-Isra, Allah SWT forbids parents from killing their children for fear of poverty. Allah SWT promises that He will provide sustenance to children and also to

parents. In the family environment, children first learn to know affection, moral values, and social norms. When the family does not function properly, the risk of violence against children becomes higher. Therefore, the family needs to be placed at the forefront in efforts to prevent violence against children.

In the context of Indonesian law, Law Number 35 of 2014 concerning Child Protection provides a clear legal framework regarding the obligations of families in providing protection to children. The articles in the law regulate the rights of children to grow and develop optimally in a safe environment, and emphasize the responsibility of parents and families as primary protectors.

Violence against children is a complex and multidimensional problem. Data from various child protection agencies show that cases of violence against children, whether physical, psychological, or sexual, continue to increase from year to year. Ironically, many of these cases occur in an environment that should be the safest place for children, namely the family. The family as the smallest social unit has a fundamental role in the growth and development of children.

Violence against children is the most fundamental violation of human rights and has long-term impacts on the physical, psychological, and social development of children. In the context of Indonesia, the increasing cases of violence against children raises the urgency to strengthen the protection system, especially at the family level as the first social unit that comes into direct contact with children.

Law Number 35 of 2014 as an amendment to Law Number 23 of 2002 firmly places the family as a key actor in child protection efforts. Article 26 paragraph (1) "states that parents are obliged and responsible for educating, caring for, protecting, and preventing children from violence" (Law, 2014). Thus, the family is not only a place for children to grow and develop, but also becomes the vanguard in creating a safe and child-friendly environment.

As explained in the Law, psychological violence can occur in various forms, ranging from intimidation, oppression, to detrimental psychological manipulation. The affirmation of the need to protect children from psychological violence is in line with the principles of human rights, where every individual has the right to live in a safe environment that supports optimal growth and development. The family plays a crucial role as the front line in protecting and caring for children. The role of the family or parents in preventing physical, psychological, and sexual violence is very important because the role of parents is very important in helping children so that children are ready to live their lives well (Elis, 2021).

The state has responded to this issue through legal instruments, especially Law Number 35 of 2014 concerning Child Protection as an amendment to Law Number 23 of 2002. This law emphasizes that families, especially parents, have an absolute obligation to protect children from all forms of violence and discrimination. The articles in the law emphasize the role of the family as the primary protector and first caregiver of their children (Law, 2014). However, in reality, many families do not fully understand the preventive functions that they should carry out, and do not have an effective strategy to prevent violence. This is

exacerbated by the lack of legal socialization in society and weak supervision of the implementation of the law at the family level.

According to Law No. 35 of 2014, a child is someone who is not yet 18 years old, including children who are still in the womb. Meanwhile, according to the UN Convention on the Rights of the Child, a child is everyone who is under 18 years old, but it does not rule out the possibility of a country using other age figures as limits to categorize the age range of children. 5 Children have the right to receive protection from all types of discrimination against themselves or discrimination caused by the beliefs or actions of parents, family members, friends and others outside the family. cases of parental violence against children also often occur in Indonesia. Violence from child care providers or household assistants also occurs, especially toddlers (Francisca, 2020).

## METHOD

This study uses a qualitative method with a normative legal approach. Data were collected through literature studies covering laws and regulations, scientific journals, books, and reports from various related institutions. The analysis was conducted descriptively-analytically to examine the role of the family and strategies for preventing violence against children based on the provisions of Law Number 35 of 2014 concerning Child Protection. This approach was chosen to gain a deep understanding of legal and social efforts in protecting children from acts of violence.

The type of research used is legal research, which focuses on the analysis of child protection regulations and policies. In addition, a qualitative approach is used to contextually understand the role of the family in preventing violence against children. This research is also included in the category of literature studies, because it relies on various written sources as a basis for analysis of legal provisions and implementation strategies for child protection in the family environment.

The data sources in this study consist of primary and secondary data. Primary data were obtained from the analysis of official documents, especially Law Number 35 of 2014 concerning Child Protection and other implementing regulations. Meanwhile, secondary data were collected through literature studies that discuss violence against children, the role of families in preventing it, and various strategies that have been proposed or implemented to create a safe and supportive environment for child development.

## RESULT AND DISCUSSION

This law establishes the family, especially parents, as the primary protectors who are required to prevent all forms of physical, psychological, sexual violence, and neglect against children. Researchers examine several important articles such as:

- a. Article 76C : Prohibition of violence against children.
- b. Article 54 & 58 : Protection of children from violence in education and law.
- c. Article 80 & 81 : Criminal threats for perpetrators of violence.

The study also bases its analysis on Bronfenbrenner's ecological theory, social control theory, and conflict theory, and emphasizes the affective, protective, and educational

functions of the family as a foundation for violence prevention. The family plays a central role as the first and main actor in protecting children from violence. This task is not only moral and religious, but also a legal obligation. Concrete strategies for preventing violence that can be applied by families:

- a. Legal education and literacy of Law 35/2014.
- b. Reinforcement of positive parenting.
- c. Open communication between children and parents.
- d. Early detection of signs of violence.
- e. Collaboration with child protection agencies.

The implementation of the Child Protection Law at the family level still faces obstacles such as lack of legal understanding, weak internal family supervision, and minimal socialization by the state.

### **Theoretical Basis of Family**

#### **Definition of Family**

The family is the smallest unit of society consisting of husband and wife, or husband, wife and child, or father and child, or mother and child. Family comes from the Sanskrit Kula and Warga "Kulawarga" which means "member" "group of relatives". Family is the smallest unit of society consisting of the head of the family and several people who gather and live in a place under a roof in interdependence (Mufti, 2022).

Family can be seen in two aspects, namely extended family and nuclear family. The extended family is drawn on the basis of lineage above the original family. The extended family includes relationships between uncles, aunts, grandfather's family, and grandmother's family. While the nuclear family consists of father, mother and their children. In other words, a family consists of a man as husband and a woman as wife along with their children who live in one house. This kind of family is called a nuclear family (somah). (Mufti, 2022) "

The concept of family is as old as the history of human life. Where there are humans, there must be a family that gives birth, cares for and educates them even in a very short time. The family is a school where the sons and daughters of the nation learn. From there they learn noble qualities, such as loyalty, mercy, and compassion, ghira (positive jealousy) and so on. Marriage is to form and build a happy household for every married couple. No one expects something bad in their marriage when they get married. Referring to the positive law on marriage, it states that the purpose of marriage is to create a happy and eternal family (household) based on the One Almighty God (Eka, 2020).

#### **Family Functions**

Family is two or more people who live together in emotional bonds and closeness, whether they are not related by blood, marriage, or adoption and have no membership limits in the family. According to Hasanah (2021), there are three environments that are responsible for educating children. The three environments are family, school and society (Cepi, 2023). These three environments cannot be separated, but of the three, the family environment has the most important role in educating, caring for, and protecting children from all forms of violence. The functions of the family are as follows:

- a. Affective function (affection)

- b. Protective function (protection)
- c. Educational function (education)
- d. Socialization function and values

### Definition of Violence

Violence according to the explanation in article 1 number 15a of Law No. 35 of 2014 states: "*Violence against children is any act against a child that results in physical, psychological, sexual, and/or neglectful misery or suffering, including threats to commit acts, coercion, or unlawful deprivation of liberty.* (Law, 2014) "

According to WHO in the World Report on Violence and Health (2002): "Violence is the use of physical force or power, actual or threatened, against oneself, another person, or against a group or community, that results in or is likely to result in injury, death, psychological damage, developmental disorders, or loss." 1. Definition of violence against children (WHO, KPAI, Law No. 35 of 2014 concerning Child Protection). 2. Forms of violence: physical, psychological, sexual, neglect, and exploitation. 3. Impact of violence on children (psychological, social, educational, personality development).

Child abuse is also known as violence against children, which is all forms of violence against children carried out by those who should be responsible for the child or those who have power over the child, who should be trusted, for example: parents, close family, and teachers. Forms of violence against children can be classified into four types, namely (Fransiska, 2021) :

- a. Physical violence
- b. Psychological violence
- c. Sexual violence
- d. Social violence (neglect)

The four forms of violence are closely related. Physical violence experienced by children will affect their souls. Likewise, psychological violence against children will affect their physical development, while sexual violence will result in both physical and psychological violence.

### Child Protection in Social Theory

Child protection in social theory is an approach to understanding how society as a whole through social structures, cultural values, power relations, and interactions between individuals shape, influence, and regulate efforts to protect children from violence, exploitation, neglect, and other inappropriate treatment. The social theories are as follows:

- a. Ecological theory of child development (Bronfenbrenner): the importance of the microenvironment (family) in the development and protection of children.
- b. Social control theory: the family as an institution that controls the behavior of children and parents so that it does not deviate.
- c. Conflict theory (if needed): explains the conditions of conflict in the household that can cause violence against children.

### The Role of the Family as the Vanguard

The family is the first and foremost institution in an individual's life. In the context of education, health, and character building of children, the family plays a strategic role as the

vanguard. It is in the family that the process of internalizing values, norms, healthy living habits, and the basis for moral and intellectual formation begins. Social changes, including the pandemic, have reinforced the importance of the family's role in ensuring children's holistic well-being.

- 1) Family as the primary protector of children: the role of father, mother, and other family members.
- 2) Prevention strategies that families can do:
  - a. Improving communication within the family
  - b. Positive parenting education
  - c. Role model and emotional closeness

### **Strategy for Preventing Violence Against Children**

In Law No. 35 of 2014 concerning Child Protection, there are several articles and verses that are more specific in discussing violence against children. Article 76C regulates the prohibition of committing violence against children, while Article 80 regulates criminal sanctions for perpetrators of violence (Rifda, 2024). In addition, Article 54 regulates the protection of children from violence in the educational environment, and Article 58 regulates legal protection from all forms of violence. The article on child abuse is specifically regulated in Article 76C of Law 35/2014 which reads as follows: Everyone is prohibited from placing, allowing, committing, ordering, or participating in committing Violence against Children.

In an effort to prevent violence against children, families must hold three main functions, namely: preventive (prevention), promotive (strengthening values), and protective (direct protection). The following strategies refer to key articles in the Child Protection Act and ideal practices in child care:

1. Increasing awareness and literacy of family law, which refers to Article 26 paragraphs 1 and 2 of the Child Protection Law.
2. Creating a positive and democratic parenting pattern, which refers to articles 13 and 14: Children's rights to protection from violence and to receive proper care.
3. Early detection and rapid response to signs of violence, which refers to article 54: Children have the right to receive protection from violence from their families, schools and other community environments.
4. Building a safe and child-friendly home environment, which refers to articles 9 and 10: Children's rights to live, grow and develop optimally.
5. Involving child protection institutions and community services, which refer to articles 72 and 74: The role of communities and institutions in child protection.
6. Strengthening sanctions and internal supervision of families, referring to articles 80 and 81: Criminal sanctions for perpetrators of violence against children.

The violence prevention strategy according to Law No. 35 of 2014 is stated in several important articles, namely:

- a. Article 59A: Special Protection ( The State is obliged to provide special protection) to children who are victims of violence, exploitation and neglect through:
  1. Social and psychological rehabilitation
  2. Legal protection and assistance



3. Education and life skills training
4. Alternative supervision and care
- b. Article 72A ( Mandates that community participation in preventing violence against children must: a. Involve families, educational institutions, and the wider community; b. Encourage active participation in early detection and reporting of violence; and c. Provide child-friendly facilities for education and recovery).

In government regulation no. 1 of 2016 concerning procedures for handling child victims is one of the efforts made by the government to be able to protect children from all forms of violence that occur. This PP is an implementing regulation of the articles in Law No. 35 of 2014 and establishes concrete steps in handling and preventing violence against children.

- a. Articles 5 to 9: Prevention Strategies
  1. Socialization and education children's rights in the family, school and society
  2. Early detection through training of teachers, parents and health workers
  3. Increasing the capacity of child service provider institutions (Dinsos, P2TP2A, UPTD PPA)
  4. Fast and responsive reporting through child protection units and the police
  5. Provision of child-friendly services in the education and health sectors
- b. Articles 12–20: Recovery & Reintegration
  1. Medical, psychological and social rehabilitation
  2. Placement in a safe place if the child experiences violence in the family
  3. Legal assistance from the reporting stage.

## CONCLUSION

The family plays a central role as the vanguard in preventing violence against children. This role is not only based on moral and religious values, but is also strengthened by a solid legal basis, as stated in Law No. 35 of 2014 concerning Child Protection. Important articles such as Articles 26, 54, 58, 76C, 80, and 81 emphasize the prohibition of violence against children and place the family as the primary protector. The state also supports this effort through follow-up policies such as Government Regulation No. 1 of 2016 which regulates the handling of child victims of violence. Concrete strategies recommended for families include legal education and increasing literacy of the Child Protection Law, positive parenting that emphasizes compassion and discipline without violence, and building open communication and emotional closeness within the family. In addition, early detection of symptoms of violence and active collaboration with child protection agencies and social services are important parts of the prevention strategy. Theoretically, this study uses a normative-juridical approach supported by various social theories, such as Bronfenbrenner's ecological theory which emphasizes the importance of the micro environment (family), social control theory which views the family as a controller of children's behavior, and conflict theory to understand the dynamics of domestic violence. However, the implementation of child protection at the family level still faces obstacles, including a lack of legal understanding, minimal socialization from the government, and weak internal family supervision. The impact of violence against

children is very broad, covering physical, psychological, sexual, and neglect aspects, all of which can hinder children's overall growth and development. Therefore, early prevention is very important. This study emphasizes that the role of the family in preventing violence against children is vital and irreplaceable, so it needs to be supported by strong regulations, high awareness, and active cooperation from all elements of society.

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