

The Effectiveness of *Qanun Jinayat* in Preventing Sexual Violence Against Children from a Psychological Perspective

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Abstract

The Ministry of Women's Empowerment and Child Protection (PPPA) noted that 45% of the 14,571 cases of violence against children were cases of sexual violence. In Aceh, the UPTD-PPA noted that during 2021 there were 697 cases of sexual violence against women and children. The impact on victims of sexual violence can be said to be very heavy and prolonged. So far, the settlement of cases of violence against children, especially in Aceh, refers to the implementation of Aceh Qanun 6 of 2014 concerning the Jinayat Law. When compared with the loss of the victim, the punishment of Ta'zir Whip is still considered unable to provide a deterrent effect to the perpetrators. Therefore, this study aims to examine the effectiveness of the *Qanun Jinayat* in preventing cases of sexual violence against children. Overall, the *Qanun Jinayat* has not been able to provide psychological protection and recovery for victims of violence, especially children as victims. Apart from not being able to provide a deterrent effect to the perpetrators, the release of the perpetrators after the sentence creates further psychological trauma to victims of sexual violence.

Keywords: *Qanun Jinayat, Sexual Violence, Psychological, Children*

Introduction

The rise in cases of sexual violence against children is not only carried out by individuals outside the scope of the family.

Nowadays, many cases of sexual violence reported in online media have caught our attention. There are many cases of sexual violence against children committed by close



relatives and even the victims' biological parents. The Ministry of Women's Empowerment and Child Protection (PPPA) noted that 45% of the 14,571 cases of violence against children were cases of sexual violence. Furthermore, PPPA minister Gusti Ayu Bintang Darmawati said that the number of violence against children had increased during the Covid-19 pandemic.¹ For The Aceh region, the Regional Technical Implementation Unit for the Protection of Women and Children (UPTD-PPA) noted that during 2021 as of September there were 697 cases of sexual violence that occurred against women and children.² This figure is the number of cases recorded and officially registered. Head of UPTD-PPA Aceh Irmani Abdullah believes that there are many cases

that have not yet been disclosed, perhaps because victims still do not dare to report them.

Based on searches carried out on several online media such as aceh.tribunnews.com and several other media, there are many cases of sexual violence against children carried out by people closest to the victim. Among these cases is sexual violence committed by local residents,³⁴ head of a religious education institution (Pesantren), stepfather,⁵⁶ biological father,⁷ Head of Baitul Mal,⁸ and cases of sexual violence committed by young people.⁹¹⁰ The involvement of stepparents and even biological parents as perpetrators is very worrying. This is because parents, as protectors and guardians of their children, actually become perpetrators who injure the

¹ C. N. N. Indonesia, "14.517 Kasus Kekerasan Anak Terjadi Sepanjang 2021," nasional, 571, accessed March 24, 2022, <https://www.cnnindonesia.com/nasional/20220120030219-20-748827/14517-kasus-kekerasan-anak-terjadi-sepanjang-2021>.

² "Selama Pandemi, Kekerasan Seksual Perempuan Dan Anak Di Aceh Capai 697 Kasus," merdeka.com, December 12, 2021, <https://www.merdeka.com/peristiwa/selama-pandemi-kekerasan-seksual-perempuan-dan-anak-di-aceh-capai-697-kasus.html>.

³ "Gadis Berusia 16 Tahun asal Aceh Tenggara Jadi Korban Rudapaksa di Villa," Tribunnews.com, accessed March 24, 2022, <https://www.tribunnews.com/regional/2022/01/25/gadis-berusia-16-tahun-asal-aceh-tenggara-jadi-korban-rudapaksa-di-villa>.

⁴ "Pemuka Agama Diduga Perkosa Santri Di Aceh Buron, Polisi Imbau Korban Lain Melapor," merdeka.com, February 16, 2022, <https://www.merdeka.com/peristiwa/pemuka-agama-diduga-perkosa-santri-di-aceh-buron-polisi-imbau-korban-lain-melapor.html>.

⁵ LPP RRI 2022, "Seorang Ayah Di Aceh Utara Tega Rudapaksa Anak Tirinya," rri.co.id, accessed March 24, 2022, [https://rri.co.id/lhokseumawe/berita-](https://rri.co.id/lhokseumawe/berita-utama/daerah/1291677/seorang-ayah-di-aceh-utara-tega-rudapaksa-anak-tirinya)

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⁶ RRI 2022.

⁷ "Kasus Ayah Perkosa Anak Kandung Kembali Muncul Di Aceh Timur, Polisi Tahan Pelaku," accessed March 24, 2022, <https://modusaceh.co/news/kasus-ayah-perkosa-anak-kandung-kembali-muncul-di-aceh-timur-polisi-tahan-pelaku/index.html>.

⁸ Kompas Cyber Media, "Kepala Baitul Mal Aceh Tenggara Perkosa Santri, KKPAA Minta Polisi Terapkan UU Perlindungan Anak," KOMPAS.com, January 24, 2022, <https://regional.kompas.com/read/2022/01/24/163640178/kepala-baitul-mal-aceh-tenggara-perkosa-santri-kkpaa-minta-polisi-terapkan>.

⁹ Liputan6.com, "Dibawa Kabur hingga Dipaksa Menikah, Begini Kronologi Kasus Rudapaksa Anak di Aceh," liputan6.com, October 30, 2021, <https://www.liputan6.com/regional/read/4697172/dibawa-kabur-hingga-dipaksa-menikah-begini-kronologi-kasus-rudapaksa-anak-di-aceh>.

¹⁰ Agus Setyadi, "Perkosa ABG, Remaja di Aceh Dihukum 66 Bulan Penjara," detiknews, accessed March 24, 2022, <https://news.detik.com/berita/d-5914496/perkosa-abg-remaja-di-aceh-dihukum-66-bulan-penjara>.

child's honor and dignity. The ages of the victims also varied, some were still toddlers or even at school level, some of them survived and became pregnant or were traumatized and even died. Judging from the impact on victims and looking at the motives for behavior, sexual crimes that have occurred so far must be of concern to all elements, both law enforcement officials and the community.

Aceh's position as a region with special Islamic law and given the authority to implement *Qanun Jinayat* is still unable to suppress cases of sexual violence that occur in Acehnese society. Legal efforts by implementing *Qanun Jinayat* are still inadequate for the government to reduce cases of sexual violence in Aceh. If you look at the impact that victims of sexual violence have, then caning for the perpetrator is not very beneficial for the victim. Meanwhile, the perpetrators can be free after carrying out a series of caning sentences. Head of the Research and Development Agency for Legal and Judicial Training at the Supreme Court of the Republic of Indonesia, Zarof Ricar, said that the

punishment of caning for rapists was not appropriate. In a press interview given to him, he stated that the act of caning the perpetrator was inappropriate because for the victim the perpetrator was a very scary predator, and the perpetrator was released after being caned can increase the victim's psychological burden.¹¹ Furthermore, research conducted by Nadia Maulida Zuhra stated that the application of caning in several cases of sexual harassment was considered less effective in deterring perpetrators and created feelings of insecurity for victims.¹² In a sexual harassment case in Aceh, a Sharia Court judge once canceled the caning sentence for the perpetrator of the harassment and replaced it with a prison sentence. It is considered that the caning law has not been able to provide a deterrent effect for perpetrators and prioritizes the best interests of children.¹³

From a psychological perspective, cases of sexual violence, especially those that occur to children, can cause very severe psychological effects, including trauma and

¹¹ "MA Nilai Tak Tepat Hukuman Cambuk Bagi Pelaku Pelecehan Seksual Terhadap Anak," *merdeka.com*, October 6, 2021, <https://www.merdeka.com/peristiwa/ma-nilai-tak-tepat-hukuman-cambuk-bagi-pelaku-pelecehan-seksual-terhadap-anak.html>.

¹² Nadia Maulida Zuhra, "Penerapan Hukuman Cambuk Bagi Pelaku Pelecehan Seksual Dalam Perkara Jinayat Dihubungkan Dengan Jaminan Akan Hak Asasi Manusia Atas Rasa Aman Dan Perlindungan Bagi Korban," *DIH: Jurnal Ilmu Hukum* 16, no. 2 (2020),

<http://jurnal.untag-sby.ac.id/index.php/dih/article/view/3668>.

¹³ Mansari Mansari and Hasnul Arifin Melayu, "Pembatalan Hukuman Cambuk Bagi Pelaku Jarimah Pencabulan Anak Dalam Putusan Nomor 07/Jn/2016/Ms.aceh / Caning Sentence Reversal for Jarimah Criminal in Decision Number 07/Jn/2016/Ms.aceh," *Jurnal Hukum dan Peradilan* 7, no. 3 (December 18, 2018): 425–40, <https://doi.org/10.25216/jhp.7.3.2018.425-440>.

deep feelings of depression.¹⁴ The long-term psychological impact on the victim will be unbalanced if the perpetrator is only sentenced to caning and then released.

The implementation of caning punishment for perpetrators of sexual violence is considered ineffective for all perpetrators based on several studies above. Not only that, the psychological well-being of the victim is also considered to be disturbed because the perpetrator is free without a deterrent effect and does not repeat his crime against the victim. Then the resolution of cases of sexual violence, especially against children, cannot only be seen from a legal perspective, but requires psychological assessment. Therefore, this research examines the effectiveness of *Qanun Jinayat* in punishing perpetrators of sexual violence against children from a psychological perspective.

Method

This research uses a qualitative approach with descriptive techniques. The research is library research¹⁵ or in legal research it is known as normative juridical, that is, the object of research is the legal norm itself.¹⁶

In this context, the main study is the *Qanun Jinayat* regarding sexual violence. Data collection techniques were carried out using documentation studies by accessing legal literature and psychological literature about sexual violence. Then the data analysis technique is carried out using deductive logic, namely using a train of thought and drawing conclusions from general things to more specific ones.

Discussion

Psychology of child victims of sexual violence

Sexual violence against children can be defined as any form of child involvement in any sexual activity that occurs to an individual before they reach a certain age limit or are still referred to as children. then people who fall into the adult age category or other children who are older use the victim for sexual pleasure or sexual activity.¹⁷ The term violence can be interpreted as ferocity, cruelty, ferocity, abuse and rape, as well as actions carried out intentionally or not that can harm other

¹⁴ Astri Anindya, Yuni Indah Syafira, and Zahida Dwi Oentari, "Dampak Psikologis Dan Upaya Penanggulangan Kekerasan Seksual Terhadap Perempuan," *TIN: Terapan Informatika Nusantara* 1, no. 3 (August 25, 2020): 137–40.

¹⁵ Muhammad Mustofa et al., *Metode Penelitian Kepustakaan (library Research)* (Get Press Indonesia, 2023), 2.

¹⁶ Jonaedi Efendi and Johnny Ibrahim, *Metode Penelitian Hukum: Normatif dan Empiris* (Prenada Media, 2018), 12.

¹⁷ Ivo Noviana, "Kekerasan Seksual Terhadap Anak: Dampak Dan Penanganannya," *Sosio Informa* 1, no. 1 (August 24, 2015): 14–15, <https://doi.org/10.33007/inf.v1i1.87>.

people.¹⁸ In a period of 15 years starting from 1998-2013, the National Commission on Violence Against Women classified 15 types of sexual violence, including :

“Perkosaan, intimidasi seksual termasuk ancaman atau percobaan perkosaan, pelecehan seksual, eksploitasi seksual, perdagangan perempuan untuk tujuan seksual, prostitusi paksa, perbudakan seksual, pemaksaan perkawinan termasuk cerai gantung, pemaksaan kehamilan, pemaksaan aborsi, pemaksaan kontrasepsi dan sterilisasi, penyiksaan seksual, penghukuman tidak manusiawi dan bernuansa seksual, praktik tradisi bernuansa seksual yang membahayakan atau mendiskriminasi perempuan dan kontrol seksual, termasuk lewat aturan diskriminatif beralasan moralitas dan agama.”¹⁹

“Rape, sexual intimidation including threats or attempted rape, sexual harassment, sexual exploitation, trafficking of women for sexual purposes, forced prostitution, sexual slavery, forced marriage including divorce, forced pregnancy, forced abortion, forced contraception and sterilization, sexual torture, punishment humane and sexual nuances, traditional practices with sexual nuances that harm or discriminate against women and sexual control, including through discriminatory regulations based on morality and religion”.

These 15 types of sexual violence are not the final classification of the National

Commission on Women, it is possible that other varieties and types of violence based on sexuality will develop further against women and children in the future.

Ismantoro Dwi Yuwono defines sexual violence as including threatening, coercive and rape activities. Firstly, threatening, threatening is an act of intimidation with the aim of getting the victim to act as the perpetrator wishes in satisfying their needs. Second, coercion, coercion is the act of ordering someone to do something that the person or victim does not want. Coercion can be carried out in verbal form or the act of touching sensitive organs without the victim's consent. Thirdly, rape, by definition, rape is defined as an activity of forcibly inserting the penis into the vagina or anus, in simple terms it can be understood as a form of forced sexual intercourse between the perpetrator and the victim.²⁰

Sexual violence against women and children has a very heavy impact on the victims. The age limit for a child is someone who is not yet 18 years old in Article 1 Paragraph 1 of Law No. 23 of 2002 concerning Juvenile Justice. The term child in the law is not only understood as a child already living in the world, but also includes

¹⁸ Anindya, Syafira, and Oentari, “Dampak Psikologis Dan Upaya Penanggulangan Kekerasan Seksual Terhadap Perempuan,” 138.

¹⁹ “Instrumen Modul & Referensi Pemantauan,” Komnas Perempuan | Komisi Nasional Anti Kekerasan Terhadap Perempuan, accessed June 11,

2022, <https://komnasperempuan.go.id/instrumen-modul-referensi-pemantauan-detail/15-bentuk-kekerasan-seksual-sebuah-pengenal-an>.

²⁰ Ismantoro Dwi Yuwono, *Penerapan Hukum dalam Kasus Kekerasan Seksual Terhadap Anak* (MediaPressindo, 2018), 3–4.

children who are still in the womb. The impact of sexual violence on children does not always leave physical scars other than the loss of a child's virginity. Ivo Noviana stated that the most severe impact was on the victim's psychology, such as prolonged trauma. He further said that trauma resulting from sexual violence can include loss of children's trust (betrayal), sexual trauma (traumatic sexualization), feeling helpless (powerlessness); and stigma (stigmatization) that is always attached to the victim. Other psychological impacts on victims include feeling addicted to violent behavior or turning to revenge.²¹

A more complex explanation of the impact of sexual violence was put forward by Mark Yantzi, which includes psychological, physical and even social impacts. The impacts of sexual violence which have long-lasting effects include: First, General View, general view is also the assumptions and perceptions of the surrounding environment or society towards victims of sexual violence. In society, sexual violence is a shame that must always be kept secret. Some people also agree that victims of violence are considered responsible for the treatment that befell them. Views like this sometimes make victims feel afraid to tell or report themselves to people in their environment. He further said that there were

many victims who said that the way the police and courts responded to cases against victims tended to respond in a way that actually made the victim feel like they were being re-victimized or as if the violent act occurred because of the victim's fault.

Second, the physical impact, the aspect of physical damage in cases of sexual violence is also important to look at, and even requires medical action for recovery. The physical damage experienced by victims ranged from simple to severe. Among the physical impacts of sexual violence include tearing of the blood membrane or virginity, bleeding and permanent scars. Third, the impact of sexuality, touch caused by sexual violence can have an uncomfortable effect on the victim's body. The impact of sexuality affects the victim's life for a longer period, if he is a child then this impact will be felt into adulthood. Several studies have stated that commercial sex workers (PSK), both men and women, were people who experienced sexual violence as children. This impact also affects married victims regarding their sexual desires and expressions, and victims often feel guilty for life because they feel unable to be a good wife to their partner. The fourth emotional impact, apart from causing deep and prolonged trauma, violence is the cause of various disorders and feelings of lack of self-

²¹ Noviana, "Kekerasan Seksual Terhadap Anak."

confidence in the victim, in many cases the impact of violence only appears later, even into adulthood.²²

Physical and psychological damage and the long-lasting impact of sexual violence can in fact affect the life of a child until adulthood. From the victim's perspective, sexual violence cases must be resolved comprehensively, because children have a long future. Therefore, the resolution efforts carried out are not only limited to bringing the perpetrator to justice, but there are efforts to reconstruct the victim's psychology so that they are able to become individuals who can escape the impact that occurred.

Sexual Violence in *Qanun Jinayat*

Aceh, as a region that adheres to Islamic law, has regional legislation or regional regulations which are contained in a regulation called Qanun. In its efforts to enforce Islamic law, the Aceh government also has *Qanun Jinayat* as the basis for law enforcement. *Qanun Jinayat* is a form of sharia criminal law that applies to the people of Aceh and is based on the values of Islamic law as outlined in Qanun Aceh number 6 of 2014 concerning Jinayat Law. *Qanun Jinayat* regulates 10 forms of jarimah (acts prohibited in Islamic Sharia) which include *Khamar*, *Maisir*, *khalwat*, *Ikhtilath*, *Zina*, Sexual harassment, Rape,

Qadzaf, *Li'wath*, dan *Musabaqah*.²³ Of the 10 cases that can be handled by Qanun Jinayat, there are two cases that refer to cases of sexual violence, namely sexual harassment and rape.

Sexual harassment in paragraph 27 of article 1 is explained as an immoral or obscene act that is intentionally committed by someone in public or against another person as a victim. The victim in question can be a man or a woman, where the act was carried out without or without the victim's consent. Meanwhile, rape in paragraph 30 is defined as sexual intercourse through the vagina or anus of the victim with the perpetrator's penis or other objects carried out through the vagina or with the perpetrator's mouth or also carried out against the victim's mouth with the perpetrator's penis, with force or threats to the victim. Rape as intended in the *Qanun Jinayat* can more clearly be understood as an attempt to force or violence to have sexual intercourse either through the genitals or the anus, even including using the victim's mouth. Sexual harassment and rape are two forms of sexual violence recognized in the Jinayat qanun and the perpetrators can be subject to sanctions in the form of prison or flogging based on the decision of the Syar'iyah Court. Perpetrators of sexual violence in the *Qanun Jinayat* receive

²² Mark Yantzi, *Kekerasan Seksual Dan Pemulihan* (Jakarta: BPK Gunung Mulia, 2009), 21–30.

²³ Gubernur Aceh, “Qanun Aceh Nomor 6 Tahun 2014 Tentang Hukum Jinayat,” n.d.

punishment in the form of *Ta'zir Cambuk*, while the amount varies.

“Dalam Article 46 dikatakan bahwa: Setiap Orang yang dengan sengaja melakukan Jarimah pelecehan seksual, diancam dengan ‘Uqubat Ta’zir cambuk paling banyak 45 (empat puluh lima) kali atau denda paling banyak 450 (empat ratus lima puluh) gram emas murni atau penjara paling lama 45 (empat puluh lima) bulan.

Article 47 : Setiap Orang yang dengan sengaja melakukan Jarimah Pelecehan Seksual sebagaimana dimaksud dalam Article 46 terhadap anak, diancam dengan ‘Uqubat Ta’zir cambuk paling banyak 90 (sembilan puluh) kali atau denda paling banyak 900 (sembilan ratus) gram emas murni atau penjara paling lama 90 (sembilan puluh) bulan.

Article 48: Setiap Orang yang dengan sengaja melakukan Jarimah Pemerkosaan diancam dengan ‘Uqubat Ta’zir cambuk paling sedikit 125 (seratus dua puluh lima) kali, paling banyak 175 (seratus tujuh puluh lima) kali atau denda paling sedikit 1.250 (seribu dua ratus lima puluh) gram emas murni, paling banyak 1.750 (seribu tujuh ratus lima puluh) gram emas murni atau penjara paling singkat 125 (seratus dua puluh lima) bulan, paling lama 175 (seratus tujuh puluh lima) bulan.

Article 49 : Setiap Orang yang dengan sengaja melakukan Jarimah Pemerkosaan terhadap orang yang memiliki hubungan Mahram dengannya, diancam dengan ‘Uqubat Ta’zir cambuk paling sedikit 150 (seratus lima puluh) kali, paling banyak 200 (dua ratus) kali atau denda paling sedikit 1.500 (seribu lima ratus) gram emas murni, paling banyak 2.000 (dua ribu) gram emas murni atau penjara paling singkat 150 (seratus lima puluh) bulan, paling lama 200 (dua ratus) bulan.

Article 50: Setiap Orang yang dengan sengaja melakukan Jarimah Pemerkosaan sebagaimana dimaksud dalam Article 48 terhadap anak-diancam dengan ‘Uqubat Ta’zir cambuk paling sedikit 150 (seratus lima puluh) kali, paling banyak 200 (dua ratus) kali atau denda paling sedikit 1.500 (seribu lima ratus) gram emas murni, paling banyak 2.000 (dua ribu) gram emas murni atau penjara paling singkat 150 (seratus lima puluh) bulan, paling lama 200 (dua ratus) bulan.”

"In Article 46 it is stated that: Every person who deliberately commits Jarimah sexual harassment, is threatened with 'Uqubat Ta'zir whipping a maximum of 45 (forty five) times or a fine of a maximum of 450 (four hundred and fifty) grams of pure gold or imprisonment a maximum of 45 (forty five) months.

Article 47: Every person who deliberately commits sexual harassment as intended in Article 46 against a child, is threatened with 'Uqubat Ta'zir whipping a maximum of 90 (ninety) times or a fine of a maximum of 900 (nine hundred) grams of pure gold or imprisonment a maximum of 90 (ninety) months.

Article 48: Every person who intentionally commits Jarimah Rape is threatened with 'Uqubat Ta'zir whipping at least 125 (one hundred and twenty five) times, a maximum of 175 (one hundred and seventy five) times or a fine of at least 1,250 (one thousand two hundred and five) twenty grams of pure gold, a maximum of 1,750 (one thousand seven hundred and fifty) grams of pure gold or imprisonment for a minimum of 125 (one hundred twenty five) months, a maximum of 175 (one hundred and seventy five) months.

Article 49: Every person who intentionally commits Jarimah Rape against a person who has a Mahram relationship with him, is threatened with 'Uqubat Ta'zir whipping at least 150 (one hundred and fifty) times, a maximum of 200 (two hundred) times or a fine of at least 1,500 (one thousand five hundred) grams of pure gold, a maximum of 2,000 (two thousand) grams of pure gold or imprisonment for a minimum of 150 (one hundred and fifty) months, a maximum of 200 (two hundred) months.

Article 50: Every person who deliberately commits Jarimah Rape as intended in Article 48 against a child is threatened with 'Uqubat Ta'zir whipping at least 150 (one hundred and fifty) times, a maximum of 200 (two hundred) times or a fine of at least 1,500 (one thousand five hundred) grams of pure gold, a maximum of 2,000 (two thousand) grams of pure gold or imprisonment for a minimum of 150 (one hundred and fifty) months, a maximum of 200 (two hundred) months.”

The amount of punishment given in each case varies, and the amount of punishment is influenced by who is the victim. Regarding cases of sexual violence, the number of sentences given to perpetrators who carry out sexual violence against children is punished more severely than adults who are victims. For cases of sexual violence that occur against children, the perpetrator is also not given the right to restitution. Restitution is a request from the victim, family or third party based on a judge's order that the perpetrator

must pay a specified amount for the victim's losses.

Seeing the difference in the number of sentences with more severe punishments for perpetrators of sexual violence against children, it can be said that *Qanun Jinayat* has basically given special attention to children as individuals who have the opportunity to live longer in the future. However, if we look at the impact of cases of sexual violence. The punishment given seemed inadequate and even seemed to cause fear in the victim because after the perpetrator was sentenced to Ta'zir, he was caned and then immediately released.

Effectiveness of *Qanun Jinayat* from a Psychological Perspective

Qanun Jinayat has emerged as the basis for implementing the law in Aceh, but in fact it has not been able to reduce the number of sexual violence, especially against children. This can be seen from the increase in cases of sexual violence which are increasingly occurring and reported in online media and television, especially in Aceh. Although there are restitution efforts that can be imposed on perpetrators of sexual violence by judges, it is not for cases of children, but cases of violence against adults. Then it is further reviewed in Aceh Qanun number 7 of 2013 concerning the Jinayat Procedural Law, the discussion regarding compensation received by victims is

not for rape victims but for victims who have been materially harmed as regulated in article 101 paragraph (1) as well as rehabilitation in the Qanun is not addressed to victims as explained in articles 99 and 100. In article 4 letter b Qanun number 7 of 2013 also states that the guarantees and protection provided are legal guarantees and protection.²⁴

Overall, *Qanun Jinayat* has not been able to provide psychological protection and recovery for victims of sexual violence, especially children as victims. In Law Number 35 of 2014 concerning Child Protection in the form of the right to assistance for victims, the right to protection, the right to education, the right to health, the right to identity, and the right to restitution. Children must be given legal protection, the right to continue their education with a sense of security and free from negative responses from society. Psychological recovery and efforts to ensure children's lives are important when looking back at the long-term impact of sexual violence on children. Then from the perpetrator's aspect, efforts to enforce the law regarding cases of sexual violence against children can be considered inadequate if they are only implemented based on Aceh Qanun number 6 of 2014 concerning Jinayat Law. Head of the Research and Development Agency for Legal and Judicial Training at the

Supreme Court of the Republic of Indonesia, Zarof Ricar, as has been discussed, also considers that giving Ta'zir whips is still inadequate to ensure that perpetrators do not repeat their actions again.

Conclusion

Cases of sexual violence have a lasting psychological impact on victims of violence, especially children. The provision of Ta'zir whip punishment is still considered inadequate for perpetrators of violence. Apart from not being able to provide a deterrent effect to the perpetrator, the release of the perpetrator after punishment creates further psychological trauma for victims of sexual violence. The government and law enforcement officials must pay more attention to further ensure victims. Not only limited to legal protection, but also physical and psychological protection for victims after sexual violence occurs.

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²⁴ Gubernur Aceh, "Qanun Aceh Nomor 7 Tahun 2013 Tentang Hukum Acara Jinayat," n.d., 7.

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