



THE LEGAL POSITION OF *SUMANG CHILD* ACCORDING TO CUSTOMARY LAW IN KOPONG VILLAGE OF EAST NUSA TENGGARA

Evi Djuniarti

Badan Penelitian dan Pengembangan Hukum dan HAM, Jakarta

Corresponding author. Email: evi_djuniarti@yahoo.com

Paper received on: 31-01-2022; Revised on: 08-03-2022; Approved to be published on: 25-03-2022

DOI: <http://dx.doi.org/10.30641/dejure.2022.V22.135-144>

ABSTRACT

The existence of *Sumang Child* for the people of Kopong Village, Sikka Regency, East Nusa Tenggara is a “disgrace” for his extended family, so based on local customs, the parents as well as the child must be expelled from the village, after going through the customary procession. Children born from unexpected relationships do not have rights either from the family of the 2 (two) parents or based on the provisions of national and international law. The formulation of the problem in the writing of this paper is “How is the Position of *Sumang Child* seen from Customary Law and State Law? This research is secondary data obtained through literature studies in the form of laws and descriptive analysis. Custom is a very sacred ritual for the people of Kopong village, Sikka Regency, East Nusa Tenggara, especially regarding ceremonies for the existence of *Sumang Child* and the parents that cannot be delayed or avoided. When viewed from the existence of the Child Protection Law and other regulations, this does not occur in the protection of the child and his parents.

Keywords: *sumang child*; customary law; customs; state law

INTRODUCTION

Children are not to be punished (customary law) but must be given guidance and direction/coaching so that they can grow and develop as a normal child who is fully healthy and intelligent. Children are the grace of God Almighty as a candidate for the next generation of the nation who are still in a period of physical and mental development. Sometimes children experience difficult situations that make them commit unlawful acts. However, children who break the law do not deserve to be punished let alone then put in prison. Law No. 3 of 1997 concerning Children’s Courts is no longer following the social development of society, and even criminalizes child delinquency. Therefore, the responsive efforts of the House of Representatives and the Government of the Republic of Indonesia are to revise it, so that Law No. 11 of 2012 on the Criminal Justice System of Children was born.

Convention on the Rights of the Child contains in detail the human rights of each child, which include the right to survive, the right to *growth* and development, the right to obtain protection, and the right to be involved and

participate in life.¹

Convention on the Rights of the Child has four general principles that further describe the above-mentioned human rights. The four general principles are:

- a. Non-discrimination; meaning that all rights contained and recognized in the Convention on the Rights of the Child shall be applied to each child without any distinction on any basis.
- b. The best *interest of the child* is that all actions carried out by the persons of duty *bearer* (i.e. all government agencies either executive, legislative and judicial, as well as the private party and society as a whole) must be in the best interests of the child as his main consideration.
- c. The right *to life*, survival, and development means that all parties must recognize that every child has an inherent right to life, and

¹ Buku Panduan Pemantauan Pelaksanaan Undang-Undang Nomor 23 Tahun 2002, *tentang Perlindungan Anak*, (Guidebook for Monitoring the Implementation of Law Number 23 of 2002, concerning Child Protection), Publisher: KPPI, 2008, page. 27

therefore must also ensure the maximum possible survival and development of the child both from the physical and mental side.

- d. *Respect for the views of the child* means that the child's opinions, especially when it comes to matters that affect his life, must be considered in every decision making. This also means that This also means that children are not objects that can be treated arbitrarily.²

Unlike the case with the existence/birth of children from the results of illicit relations both according to customary law and wherever possible the current national law.

In the study by the author to discuss this paper, the author does not have literature that specifically writes about the existence of the *Sumang Child*.

For indigenous peoples in the village of Kopong, Sikka Regency of East Nusa Tenggara, a child born from a forbidden relationship between siblings or biological nephews is something taboo and cannot be forgiven by the custom.

Such a child for the people of Kopong village is called the "INSET" child, his existence is not recognized, and his family (his father and mother) must leave the child, and get out of the village, after customary expulsion and break up relations not only to their biological child but all their families.

Before discussing the existence of *Sumang Child* in Sikka Regency, the author first compared several studies such as the existence of *Sumang Child* (in Aceh Gayo) as written by Syukri from the Post-Graduate Program of North Sumatra State Islamic University,³ where he elaborated that Sumang culture for the Gayo community is good and bad, right and wrong, *amar makruf nahi munkar*. Therefore, Sumang culture is a gayo cultural system that is of spiritual value and oriented to noble morals, forming a common life association based on Islamic teachings and customs.⁴ Thus, Sumang culture became a

tradition of the Gayo people from generations to generations in the relay, as C. Snouck Hurgronje in his book *Het Gajoland en Zijne Bewoners* wrote that the Sumang culture and customs of the Gayo people were the results of life experiences of the problems faced, from the ordinances encountered, which were ultimately made a provision of the law that continue to live from generation to generation.⁵

An impact of the customary decision, the mother and son do not have the rights as heirs and lose their family relationship. In the formal juridical of the child's existence, he does not want that to happen, but it is the custom that separates his existence.⁶

When associated with the principles of child protection, among others, are as follows:

1. Principles of Non-discrimination

This means that all rights recognized and contained in the Convention on the Rights of the Child must be applied to every child without any distinction. This principle is contained in Article 2 paragraph (1) of Convention on the Rights of the Child, "States Parties respect and guarantee the rights established in this Convention for any child residing in their jurisdiction without discrimination of any kind, regardless of race, color, gender, language, religion, political views or other views, national origin, ethnicity or social, the status of ownership, disability or not, birth or other status either from the child himself or from the parent of his legal guardian." Paragraph (2): "States Parties shall take all necessary measures to ensure that the child is protected from all discrimination or punishment based on the status, activities, opinions expressed or beliefs of the child's parents, legal guardians or family members."

² *Ibid*, hlm. 47

³ Syukri, "Budaya Sumang dan Implementasinya Terhadap Restorasi Karakter Masyarakat Gayo di Aceh, Jurnal," (Sumang Culture and Its Implementation in Restoring the Character of the Gayo Community in Aceh), *Jurnal Miqot* XLI, no. 2 (2017): 2.

⁴ Syukri dan Sarakopat, *Sistem Pemerintahan Tanah Gayo dan Relevansinya terhadap Pelaksanaan Otonomi Daerah* (The Gayo Land Government System and Its Relevance to the Implementation of Regional

Autonomy) (Jakarta: Hijri Utama, 2006). Page 32

⁵ Hatta Aman Asnah, *Gayo: Masyarakat dan Kebudayaan Awal Abad ke-20* (Society and Culture of the Early 20th Century) (Jakarta: Balai Pustaka, 1996). Page 70-71

⁶ SH Interview with Mrs. Emilia, "Chairman of the Kasih Mandiri Foundation who handles Problematic Children on January 10, 2022 hours. 10.00 am" (Jakarta, 2022).

2. Principles of Best Interest for Children (*Best Interest of the Child*)

This principle is stated in Article 3 paragraph (1) of the Convention on the Rights of the Child: “*In all actions concerning children carried out by the government and private social welfare institutions, judicial institutions, government agencies or legislatures, the best interests of the child must be the main consideration.*”

This principle reminds all child protection organizers that considerations in decision-making concern the future of the child, not with the size of an adult let alone centered on the interests of adults. What according to the size of an adult is good, not necessarily good according to the measure of the child’s interests. It may be the intention of adults to provide help and assistance, but what really happens is the destruction of the child’s future.

3. Principles of The Right to Life, Survival, and Development

This principle is contained in Article 6 paragraph (1) of Convention on the Rights of the Child: “*States Parties recognize that every child has an inherent right to life.*” Paragraph (2): “*States Parties shall ensure to the maximum extent the survival and development of the child.*”

The message of this principle is very clear that the State must ensure that every child will be assured of his survival because the right to life is something inherent in him, not a gift from the State or person per person. To guarantee the right to life means that the State must provide a conducive environment, adequate living facilities and infrastructure, and access for every child to basic needs. Related to this principle, it has also been described in previous discussions related to the rights of children.

4. Respect for the views of The Child

This principle is contained in article 12 paragraph (1) of the Convention on the Rights of the Child: “*States Parties shall ensure that children who have their own views have the right to express views freely in all matters affecting the child, and those views shall be valued according to the age and maturity of the child.*”

This principle confirms that the child has personality autonomy. Therefore, he can not only be viewed in a weak, accepting, and passive position, but in fact, he is an autonomous person who has experiences, desires, imaginations, obsessions, and aspirations that are not necessarily the same as adults.

It can be drawn one-knot understanding that the perspective of child protection is a way of looking at all issues by placing the position of the child as first and foremost. The implementation of such a view is when we always put children’s affairs as the most important thing.

Based on the foregoing, in community life, the behavior of individuals or social groups is bound by various social norms or laws, both written and unwritten. According to Esmi Warasih, these social and legal institutions basically aim to achieve order or regularity so that various interests can be integrated for the benefit of humans in general so that the orders governing human behavior become very important for their existence. In satjipto Rahardjo’s view (2008), the law was born not for the law itself, but the benefit and achievement of the happiness of human life.

Positivist-formalist jurists define law as written rules in their modern form called very important laws. While social scientists state that the law is not only in written form but also in the form of customs or customs of the way of life of the citizens as recorded in the pattern of behavior of daily life of the citizens of the community.

However, long before the existence of modern law (read: written law) which became the instrument of state law appeared, community law or customs had become the collective social norms of society, established, guarded and preserved from generation to generation. The individual’s behavior has been culturally patterned with the values, norms and laws of the local community. It is in these small local community units that humans gather, specialize, and communicate. In these units, they will behave with relative obedience, following the rules that have been taught and known.

Therefore, the understanding of law in society will be more comprehensive and objective, if it takes into account the socio-historical background of the birth of the law itself. Society has its own

legal expression and characteristics according to the level of development of the community. In other words, the dynamics and developments in society will greatly influence how the characteristics and nature of the law are born and enforced.

Throughout the history of law, it can be known that the law that first took effect and is a reflection of the legal awareness of the Indonesian people is customary law. This aspect and dimension are identical to *the theorie receptie* of Snouck Hurgronje.⁷ For a considerable period of time this customary law as a legal norm, together with other social norms and Hindu religious norms, played its role as a means of social control.⁸ Logical consequences as a means of social control, customary law is born, growing, and developing in a social system.

A social system is a system of interaction, so a human action, involving numbers of individuals. The system of human action, as a system, is composed of a number of parts, called subsystems, that are interrelated and mutually supportive. Each part or sub-system has a specific function to the system that includes it. Talcott Parsons mentions there are 4 (four) functions that include, namely:

1. Adaptation function, which is an adjustment to the situation and environment. This function refers to the necessity for social systems to face their environment;
2. The function of achieving goals (*goal attainment*) which is the achievement of goals or goals. It assumes that action is directed towards its purpose. However, the attention that takes precedence here is not the personal purpose of the individual, but the common goal of the members in a social system;
3. The function of *integration* is to combine or accommodate various factors related to the achievement of objectives consisting of guarantors of the necessary coordination between units of the social system relating

⁷ Snouck Hurgronje, "Theory Receptie, pada pokoknya menyebutkan hukum yang hidup dan berlaku dikalangan rakyat Indonesia (Bumi Putra) adalah hukum adat." (Theory Receptie, basically states that the law that lives and applies among the people of Indonesia (Bumi Putra) is customary law.) n.d.

⁸ H.R. Otje Salman, *Kesadaran Hukum Masyarakat Terhadap Hukum Waris* (Public Legal Awareness of Inheritance Law) (Bandung: Alumni, 2007). page. 21

to the contribution of each unit to the organization and its overall functioning;

4. The function of pattern maintenance or latency is to preserve patterns that have been formed based on values.⁹

Customary law as a social model of Talcott Parsons focuses on the function of integration. Furthermore, H.R. Otje Salman said the law is directed to accommodate the entire social system of society. This function includes a system of rules (norm systems) that are tasked with correcting behavior that deviates from the rules concerned. Thus, those rules in social integration demand certain behaviors that create certain roles. The formulation of the problem in writing this paper is "How is the Position of *Sumang Child* seen from Customary Law and State Law?"

RESEARCH METHODS

Based on the type and form, the data needed in this study is secondary data obtained through literature studies in the form of laws and descriptive analysis, namely analyzing laws and regulations. Secondary data is data obtained from a source that has been collected by other parties. In this case, the author performs a search of the library data consisting of:

- a. Primary legal materials. To find out the juridical study, the author uses laws and regulations;
- b. Secondary legal materials. In writing this paper, the author also uses various scientific books, lecture materials, and existing articles.
- c. Tertiary law materials. Tertiary law materials that the author uses include a legal dictionary and a complete dictionary in Indonesian.

As for the qualitative analysis of this research data. That is, library data, documents, and works of literature are analyzed in-depth and comprehensively. The use of the qualitative analysis method is based on considerations, namely, *first*, the data analyzed is diverse that has different basic properties from one data to another. *Second*, the nature of the data analyzed is that it is entirely unity. It is characterized by a diversity of data and requires in-depth information.

⁹ Doyle P. Johnson, *Teori Sosiologi Klasik dan Modern* (Classical and Modern Sociological theory) (Jakarta: Gramedia, 1985). Page 144

DISCUSSION AND ANALYSIS

The position of *Sumang Child* from the perspective of Customary Law and State Law

The law can be felt and realized in the simplest form, namely legislation. In a more complicated form, the form of law is controlled by several principles, doctrines, theories, or philosophies of law, which are universally recognized by the legal system. One's freedom and freedom contain broad aspects. One aspect is a person's right to be treated fairly, non-discriminatory and under the law, especially when a person is suspected or suspected of committing an act of violation or a crime. That is, the deprivation or restriction of the independence and freedom of movement of a person suspected of committing a criminal offense, viewed from the point of law can be in the form of arrest, detention, and execution can be justified if based on applicable laws and regulations, which have existed before legal action was imposed on him.¹⁰

In addition to wanting legal certainty and justice, legal settlements must have a value of benefit. The value of expediency must be an important indicator in the enforcement and settlement of the law, namely the benefit for the perpetrators is also more important for the benefit of society in general. So far, the focus of law enforcement has put more emphasis on legal certainty but forgets the other legal goals, namely justice and expediency.¹¹

Cornelis van Vollenhoven (1876-1933), founder of the Leiden School and *adatrecht* discipline of study at Leiden University, unhesitatingly identified customs, rules in people's lives in Indonesia, *with recht*, a word conventionally translated into English as "law" or "law" in Indonesian. Cornelis van Vollenhoven offers an antithesis interpretation that *adatrecht* is a Dutch creation. Cornelis van Vollenhoven also distinguished custom from

the law. Cornelis van Vollenhoven maintains the opinion that communities can live without legal institutions: a person who talks about or writes 'formal law' in those communities denies himself. In societies without states, custom serves to organize and guide social behavior. Customs can have legal significance: customs can contain material that can be made into law.

However, the law itself, according to Cornelis van Vollenhoven is essentially firm and clear: in a society, the law depends on existence, in a stronger, impartial third-party society that serves to resolve conflicts in that society and, acting in that role, to explain to its members the obligations to be obeyed, as well as the opportunities that can be enjoyed.

Despite adatrech a fact, Dutch construction, many authentic customs gained their legal significance under Dutch law. An example of *an honest* marriage institution in Sumatra.¹² *Jujur* that is a marriage that 'rendering' the bride to the bridegroom's family and becomes a member of *the male tribe*, widespread in Sumatra, being a reflection of the institution parallel to it, namely the institution of *semendo* marriage, where the bridegroom steps into the bride's family but does not become a member of the *tribe* of the bride's family. The most important consideration of customs in areas that practice one or both types of marriage is the place of the family within the area, the spouse of the bride and groom who comes from that family must be brought in or 'being purchased' to live with the family of origin of the *tribe* and maintain gender balance among family members. Instead, the recipient's family 'pays' the rendering family a certain amount of the bride's 'price' (*jujur*) or the groom's price (*semendo*), the amount of which is negotiated between the two families.¹³

If you pay attention to Cornelis van Vollenhoven's statement, the use of customary law on the territory of Indonesia is still the top priority of the existence of State law. This fact

¹⁰ Muhaimin, "Penetapan Tersangka Tidak Ada Batas Waktu," (No Time Limit for the Determination of Suspect) *Penelitian Hukum De Jure* 20, no. 2 (2020): 277, https://ejournal.balitbangham.go.id/index.php/dejure/article/view/1165/pdf_1.

¹¹ Muhaimin, "Restoratif Justice Dalam Penyelesaian Tindak Pidana Ringan," (Restorative Justice in the Settlement of Minor Crimes). *Penelitian Hukum De Jure* 19, no. 2 (2019): 188, <https://ejournal.balitbangham.go.id/index.php/dejure/article/view/648/pdf>.

¹² *An earlier description of honesty can be found in the work of eighteenth-century British observers, Marsden (1975:225-9, 257-60, 300), Hazairin (1936) provide a detailed explanation., n.d.*

¹³ *The defenders of jujur and semendo institutions will certainly object to the terms 'bride price' and 'bridegroom price' because they sound too commercial in terms of transactions, but Cornelis van Vollenhoven uses them here to, n.d.*

cannot be denied and ignored even though it has been understood by the people of Indonesia.

For indigenous peoples in the Kewa Pante District of Sikka Regency of East Nusa Tenggara, customs are very much a non-negotiable tool for an event that has been banned. The indigenous people of Kopong village, Kewa Pante District are very appropriate to apply their customs as well as the marriage of “Sumang” or known as the sibling marriage between brother and sister, or cousin of one of their parents.

The implementation was carried out by the Customary Elder, his parents, and his brothers who still have a brotherly relationship to attend to witness the expulsion ceremony of the 2nd (two) parents and children. The ceremony began with the slaughter of a pig, and the planting of a shared head as a manifestation of the termination of family relations between the 2 (two) parents and children born from illicit relations according to the customary law of the Kopong village community in East Nusa Tenggara.

In an interview with High Judge Dr. Lilik Mulyadi¹⁴ about the existence of children in several provinces/community areas, there were several different responses where on the one hand Gayo was different from what happened in Flores, East Nusa Tenggara. For the indigenous people of Kopong village, Sikka Regency, the culture of family shame (dignity) is a priority and it is inevitable.

With the birth of the Child Protection Act, adults, especially parents, are no longer allowed to carry out childcare by violent means. For those who do, the person concerned may be subject to criminal sanctions and/or penalties.

In case the child cannot be educated gently, then the parent or teacher gives a penalty, the parent or teacher can be subject to imprisonment for a maximum of 3 years 6 months and/or a maximum fine of Rp 72 million (Article 80 paragraph 1); If the child is seriously injured, then the prison sentence is a maximum of 5 years and/or a maximum fine of Rp 100 million (Article 80 paragraph 2); If the child dies, then the prison sentence is a maximum

of 10 years and/or a maximum fine of Rp 200 million (Article 80 paragraph 3); The punishment is added one-third of the provisions as intended in Article 80 paragraphs 1,2 and 3 if the one who commits the “violence” is his own parents (Article 80 paragraph 4).

From the explanation that has been conveyed above, it seems that the Child Protection Law has a good purpose (manifest function). But if the Child Protection Law is carried out consequentially, while ways of educating children without violence are not widely known, it can also have a negative impact (latent function), for example:

1. With the enactment of the Child Protection Law, what will happen to families in Indonesia in the future? What is clear is that parents will be afraid of “violence” in parenting or disciplining their children. Including teachers in educating their students, because the legal sanctions are very heavy. The result is that parents, especially teachers, will ignore their students. Whether you want to be late or not in class, want to do homework or not, want to be naughty or not, want to use school uniform or not, ignorance, ‘I don’t care’. Meanwhile, ways of educating children without violence are not widely known. As a result of this problem, it will certainly produce children that we do not expect, which is contrary to the manifest function of the Child Protection Law itself.
2. With the enactment of the Child Protection Law, many parents and teachers will be subject to imprisonment and/or fines. Because in parenting and giving discipline to children ways of “violence” is commonly done and it is done because of affection for the child.
3. If many parents and teachers go to jail, will our country be able to accommodate inmates in Correctional Institutions? In this case, the state must spend large funds to establish new Penitentiaries or expand existing Penitentiaries. Increase funds for the living expenses of prisoners in the Penitentiary. Increase the personnel of the Penitentiary. Is this possible at this time? Not to mention the criminal conduct of the parents and teachers themselves. The implementation of fines will certainly make the families of prisoners become economically burdened, while the

¹⁴ Wawancara dengan Dr. Lilik Mulyadi, pada tanggal 9 Februari 2022, lewat sambungan telepon pada hari Selasa, Jam 9.00 di Jakarta menyangkut keberadaan/perbandingan pengakuan anak sumang pada beberapa daerah., n.d.

state has not been able to support its poor citizens.

4. In addition, family ties become messy, especially if the one in prison is the breadwinner of the family.
5. In addition, it can also cause families to be afraid of having many children (or completely afraid of having children) because they know the difficulty of parenting, so this encourages the success of the Family Planning program (positive latent function).

What has been stated above is a latent function that can be identified from the Child Protection Law. It is possible that there are other latent functions that can be stated.

Furthermore, the Child Protection Law in its application cannot run due to various factors:

- a. The values contained in the Child Protection Law are different from the values that are being embraced by members of the community. This is because Indonesian society consists of various ethnicities and religions that have different rules in terms of childcare. In East Nusa Tenggara, the term “at the end of the rattan there is gold”, which means that if you want your child to be good yes in rattan (hit) if the child does not obey or disobeys the parents. In Minang, if it is not wrong there is the expression “If you don’t beat your child with a rattan now, later he will beat your grave with a rattan” (because he is angry to be an unrighteous child). In Manado there is a story to know a woman who will be sentenced to death, she made a last request before she died, namely to kiss her mother’s mouth. However his mother’s lips were not kissed but bitten until they broke. “how come you bite?”, “yes, it was a kiss that made me go to death”; “When I was a child what I did was both wrong and right, my mother always kissed me.” Elsewhere, somewhere else, there is a similar phrase “if you love children, rattan your child”.
- b. Members of the public and law enforcement do not yet know the meaning of “violence”, which is stated by the Child Protection Law. There is no instructions and implementation or guideline for any form of violence. This makes it difficult for parents and teachers to comply with the Child Protection Law.

Moreover, they have never known how to educate children without violence. The Explanation of the Child Protection Law only explained that the treatment of violence and abuse “for example the act of hurting and/or injuring the child, and not solely physical but also mental and social”. Being cruel treatment is alleviated by “for example, acts or deeds in a despotic, heinous, cruel, or not compassionate act to the child”. Is it only with that explanation that members of the public and law enforcement understand what is meant by violence? Or do members of the public and law enforcement share the same perception of what child abuse means? The results of research by Tampubolon et al in 2003 in Sikka and Ende regencies, East Nusa Tenggara, stated that in general the tradition of parenting parents towards their children uses a way that emphasizes the principle of “child obedience to parents”. Although the child is accepted as a bounty and gift from God, the child must obey and obey the parents. If the child refuses or does not according to the word of the parents, then they must be educated strictly, either using verbal means (yelled at, berated, threatened, etc.) or non-verbal (spat at, not fed, locked in a room, taped, beaten with wood, etc.). Importantly, he did not cause consequences such as getting sick, bleeding, or other physical injuries. According to them, what he did was based on their affection for the child. So, what they do is not an act of violence against the child, but the right way to shape the child’s obedience and discipline. This method according to them has become a tradition of Eastern Indonesians who are downhill. They believe that this method is the most effective way to shape the character of the child.

- c. The implementation of legal sanctions is still difficult to carry out because the state has not been able to support members of the community who cannot afford it (including accommodating many prisoners violating the Child Protection Law). If a parent (breadwinner) is imprisoned, who will support his children? In Australia, for example, the unemployed are covered by the state, including the school fees of children who cannot afford it.

- d. In addition, there is also a consideration that if violence against his child is brought to court, the family bond is certain to end.

CONCLUSION

Based on the discussion in writing the paper above, the author concluded as follows:

Custom is a very sacred ritual for the people of Kopping village, Sikka Regency, East Nusa Tenggara, especially regarding ceremonies for the existence of *Sumang Child* and their parents that cannot be delayed or avoided. Traditional culture for the family is a characteristic of their self-esteem even though the child is the result of a parent relationship who is still a sibling / or relative to be immediately expelled from the village.

The child who is born on earth is not out of or the will of the child, but his presence is due to the relationship of the 2 (two) people as husband and wife that he (the child) is not aware of. If what happens is where the 2 (two) parents are siblings, biological brother and sister or nephews then, for the people of Kopping Village, Kewa Pante District, Sikka Regency, East Nusa Tenggara Province it is taboo, and the existence of the child and his parents are expelled from his village, and the child does not get a good inheritance from his parents, nor his grandmother and grandfather and his whereabouts must go out of the village.

When viewed from the existence of the Child Protection Act and other regulations, this does not occur in the protection of the child and his parents. When viewed from the existence of the Child Protection Act and other regulations, this does not occur in the protection of the child and his parents.

ADVICE

The advice that can be conveyed in the writing of this paper is that the government needs to socialize the issue of the legal protection of children who face the law both materially and formal law so that what is stipulated in the convention on children's rights can be applied to children who have problems with the law.

ACKNOWLEDGEMENT

Thank you to all colleagues who provide input and thought assistance until the writing of this scientific work can be completed properly,

including Ahyar Arigayo as the coordinator of Legal Research in Balitbangkumham, Syprianus Aristeus for the advice on writing techniques, and Muhaimin for suggestions on improving the substance of writing and the use of Mendeley tools in writing scientific papers.

DAFTAR KEPUSTAKAAN

- Hatta Aman Asnah. *Gayo: Masyarakat dan Kebudayaan Awal Abad ke-20*. Jakarta: Balai Pustaka, 1996.
- Hurgronje, Snouck. "Theory Receptie, pada pokoknya menyebutkan hukum yang hidup dan berlaku dikalangan rakyat Indonesia (Bumi Putra) adalah hukum adat,," n.d.
- Johnson, Doyle P. *Teori Sosiologi Klasik dan Modern*. Jakarta: Gramedia, 1985.
- Muhaimin. "Penetapan Tersangka Tidak Ada Batas Waktu." *Penelitian Hukum De Jure* 20, no. 2 (2020): 277. https://ejournal.balitbangham.go.id/index.php/dejure/article/view/1165/pdf_1.
- . "Restoratif Justice Dalam Penyelesaian Tindak Pidana Ringan." *Penelitian Hukum De Jure* 19, no. 2 (2019): 188. <https://ejournal.balitbangham.go.id/index.php/dejure/article/view/648/pdf>.
- Rianto Adi, *Sosiologi Hukum: Perannya Dalam Penegakan Hukum*, Pidato Pengukuhan Jabatan Guru Besar Tetap Fakultas Hukum Universitas Katolik Indonesia Atma Jaya, 14 September 2009
- Salman, H.R. Otje. *Kesadaran Hukum Masyarakat Terhadap Hukum Waris*. Bandung: Alumni, 2007.
- Sarakopat, Syukri dan. *Sistem Pemerintahan Tanah Gayo dan Relevansinya terhadap Pelaksanaan Otonomi Daerah*. Jakarta: Hijri Utama, 2006.
- Syukri. "Budaya Sumang dan Implementasinya Terhadap Restorasi Karakter Masyarakat Gayo di Aceh, Jurnal." *Jurnal Miqot* XLI, no. 2 (2017): 2.
- Wawancara dengan Ibu Emilia, SH. "Ketua Yayasan Kasih Mandiri yang menangani Anak Bermasalah pada tanggal 10 Januari 2022 jam. 10.00 pagi," 2022.

Deskripsi lebih dini tentang jujur dapat ditemukan dalam karya pengamat Inggris abad kedelapanbelas, Marsden (1975:225-9, 257-60, 300), Hazairin (1936) memberikan penjelasan secara rinci., n.d.

Para pembela lembaga jujur dan semendo tentu akan berkebaratan dengan istilah 'harga mempelai perempuan' dan 'harga mempelai laki-laki' karena berkesan sejenis transaksi yang terlalu komersial, tetapi Cornelis van Vollenhoven menggunakannya di sini untuk , n.d.

Wawancara dengan Dr. Lilik Mulyadi, pada tanggal 9 Februari 2022, lewat sambungan telepon pada hari Selasa, Jam 9.00 di Jakarta menyangkut keberadaan/ perbandingan pengakuan Sumang Child pada beberapa daerah., n.d.

BLANK PAGE