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Judul Artikel : Punishment For Individuals Committing Sexual Crimes Against Children: A Comparative Analysis Of Positive And Traditional Criminal Law In Indonesia

Jurnal : Kanun Ilmu Hukum, Vol. 26, No. 1, April 2024

Penulis : Fitri Wahyuni, dkk

No	Perihal	Tanggal
1	Proses Submit Artikel	27 April 2021
2	Revisi I artikel	14 Desember 2023
3	Revisi II Artikel	15 Desember 2023
4	Artikel Publish online	10 April 2024

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[Kanun] CRIMINAL SANCTIONS FOR PEOPLE OF SEXUAL CRIMES AGAINST CHILDREN ACCORDING TO POSITIVE CRIMINAL LAW AND TRADITION Kotak Masuk



Universitas Islam Indragiri Fitri Wahyuni

CRIMINAL SANCTIONS FOR PEOPLE OF SEXUAL CRIMES AGAINST CHILDREN ACCORDING TO POSITIVE CRIMINAL LAW AND TRADITIONAL CRIMINAL Fitri Wahyuni1, Aris Irawan2, Riana



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### Submission

Authors: Fitri Wahyuni, Aris Irawan, Riana Kesuma Ayu  
Title: PUNISHMENT FOR INDIVIDUALS COMMITTING SEXUAL CRIMES AGAINST CHILDREN: A COMPARATIVE ANALYSIS OF POSITIVE AND TRADITIONAL CRIMINAL LAW IN INDONESIA  
Section: Articles  
Editor: Mahfud Jufr

### Peer Review

#### Round 1

Review Version: 20906-65208-1-RV.DOC 2021-04-27  
Initiated: 2023-12-12  
Last modified: 2024-07-14  
Uploaded file: Reviewer A 20906-122459-1-RV.DOC 2023-12-14  
Reviewer B 20906-122460-1-RV.DOC 2023-12-14

### Editor Decision

Decision: Accept Submission 2024-08-04  
Notify Editor: Editor/Author Email Record 2024-08-04  
Editor Version: 20906-139100-1-ED.DOCX 2024-08-04  
Author Version: 20906-122537-1-ED.DOCX 2023-12-15 DELETE  
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## PUNISHMENT FOR INDIVIDUALS COMMITTING SEXUAL CRIMES AGAINST CHILDREN: A COMPARATIVE ANALYSIS OF POSITIVE AND TRADITIONAL CRIMINAL LAW IN INDONESIA

*Fitri Wahyuni, Aris Irawan, Riana Kesuma Ayu*

### Abstract

The current punishment for sexual crimes against children, limited to imprisonment, is deemed ineffective in deterring perpetrators. This article delves into this issue through the lens of positive and customary criminal law. Employing a doctrinal method and drawing from various legal sources, the article reveals that the existing punishment under the Indonesian Criminal Code and Child Protection Laws fails to significantly reduce the incidence of such crimes. As a potential solution, traditional law could serve as supplementary punishment, involving corporal punishment or fines payable to the state treasury. This suggests that customary law could complement judicial sanctions. However, the implementation of such additional measures warrants evaluation to address other environmental factors that may contribute to these crimes.

### Keywords

Criminal Sanctions; Sexual Violence; Criminal Law; Customary Law

### Full Text:

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### References

Arbita, Diaz Anwarop, Muchtar Syamsuddin, 2014. Arisa Nur, "The Concept Of Imposing Criminal Sanctions For Perpetrators Of



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