

Unraveling Child Legal Problems in the Covid-19 Pandemic Era in a Holistic Paradigm Perspective

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ABSTRACT

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The legal approach (Law No. 35 of 2014 concerning Child Protection) in solving problems related to child protection during the Covid-19 pandemic has not shown optimal results so that an alternative approach is through a holistic approach that will elaborate on the relationship between law and other scientists.

Objective: This research aims to: 1). Describe a holistic paradigm from a legal perspective; 2). Describe the concept of a holistic paradigm as an effort to protect children from acts of family-based violence during the Covid-19 pandemic.

Methods: This research is normative legal research with a statutory approach and a holistic concept approach.

Findings: A holistic approach in law means reinstatement the law with its environment; by reuniting it with society's realities, it will restore the integrity of the law itself. A holistic approach to child protection in the Covid-19 pandemic era can be learnt in several aspects, namely religious aspects, health aspects, psychological aspects, sociological aspects, economic aspects and legal aspects.

Function: This research explains the urgency of the holistic concept that regulates child protection, which means recombining the law with its environment.

Novelty: There has not been any research that studies the same topic as that discussed in this article.

Keywords: Law, Holistic Paradigm, Child Protection

INTRODUCTION

The Indonesian state requires a modern legal system, namely a set or a legal system that is able to anticipate and overcome various problems that may arise. This is because Indonesia with Pancasila and the 1945 Constitution is a combination of religious, moral, legal and state values in one inseparable unit (Perter, 1988). Deconstruction has dismantled modernism which so far in the field of law is considered the truth by modern society. J. Balkin states that deconstruction and interpretation are means to seek justice. According to him, the law in certain aspects, is not fair (Weruin, 2018). The conception of legal truth is a very important value showing a relative and vague tendency. The value of truth is understood by using different views and leads to an understanding that truth is measured according to the perception of lawmakers. Lawmakers are based on the will of the authorities who are supported by the majority political group and are set forth in the form of a law (Bukhori, 2018). In fact, the will and political views of the majority group do not necessarily reflect the truth.

Indonesia's modern legal system needs to be directed to accommodate the protection of the interests and rights of children. Children are also human and therefore respecting children's human rights is the same as respecting human rights. Smith even confirmed that perfectly, all international human rights instruments are at the "heart" of human rights. Unfortunately, the facts still show that children are part of a group that is vulnerable to violence. Every child has human rights, just like the rights of adults, not many think and want to take concrete steps to protect children's rights. Children are immature individuals, both physically and mentally, let alone socially (Harahap, 2016). Children are part of the family and are also a mandate as well as a gift from God Almighty, which must always be protected because they have inherent dignity, dignity and rights as human beings that must be upheld (Soekanto, 2004). In addition, children are an inseparable part of the survival of human life and the sustainability of the entire nation and state. In the Indonesian constitution, children have a strategic role which is explicitly

stated that the state guarantees the rights of every child to survival, growth, and development as well as protection from violence and discrimination. Therefore, the best interests of children should be lived as the best interests for the survival of mankind.

The consequences of the provisions of Article 28B of the 1945 Constitution of the Unitary State of the Republic of Indonesia need to be followed up by making government policies aimed at protecting children (Ariani, 2014). Article 59 of Law Number 35 of 2014 concerning amendments to Law Number 23 of 2002 concerning Child Protection states that *“The Government, Regional Government, and other state institutions are obliged and responsible to provide Special Protection to Children. Children in emergency situations, Children in conflict with the law, Children from minority and isolated groups, Children who are economically and/or sexually exploited, Children who are victims of abuse of narcotics, alcohol, psychotropics, and other addictive substances, Children who are victims of pornography, Children with HIV/AIDS, Children who are victims of kidnapping, selling, and/or trafficking, Children who are victims of physical and/or psychological violence, Children who are victims of sexual crimes, Children who are victims of terrorist networks, Children with Disabilities, Children who are victims of abuse and neglect, Children with bad behavior deviant social behavior, and Children who are victims of stigmatization from labeling related to the condition of their parents”*.

The world entering the beginning of 2020 was shocked by the corona virus outbreak (Covid-19) which has spread and infects almost all countries in the world. The World Health Organization (WHO) in January 2020 has officially declared the world to enter a global emergency related to Covid-19. Various sectors of people's lives have not been spared the impact of the presence of this pandemic. Nevertheless, of course the current Covid-19 pandemic is not a barrier to continuing to be a productive human being, but rather a challenge that can be answered or solved by every nation's subjects (Fauzan, 2020). The phenomenon of the COVID-19 pandemic has an influence on the formation and regulation of children's morals in all aspects and conditions, including in the current situation in the midst of the COVID-19 pandemic which demands a change in children's interactions from previously at school to studying at home using internet access. e-learning). E-learning-based learning is expected to be able to minimize outbreaks, students can also find the widest possible information with various models (Hikam, 2020). However, the presence of e-learning-based learning with the intense presence of children at home has caused many violations of children's rights as data from the Ministry of Social

Affairs shows that child violence in the midst of the COVID-19 pandemic has experienced a drastic increase in the education cluster, as many as 42.4% of mothers and 32.3% of fathers admitted to physically abusing their children while studying at home (Indonesian Child Protection Commission, 2020). The trend increased in June 2020 as many as 3,555 cases. increased to 4,928 cases in July 2020 (Ministry of Social RI, 2020). This is part of the complaint reports of the Indonesian Child Protection Commission (KPAI) in the last 5 (five) years 2016 - 2020 with the number of victims of violations of children's rights reaching 24,650 people with the highest presentation in 2020 (Indonesian Child Protection Commission, 2020).

Based on the data above, the author will generally describe two things as the formulation of the problem: *First*, what is a holistic approach from a legal perspective? *Second*, how is the operationalization of a holistic approach as an effort to protect children from acts of family-based violence during the Covid-19 pandemic? This is important because it is related to the sustainability of Indonesian children so that the right solution with a holistic paradigm is needed as an effort to unravel the legal problems of children in Indonesia.

RESEARCH METHOD

This research is based on legal research conducted with a doctrinal approach. The approach used in this study is a legal approach using Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, a case approach with reference to cases of violations of children's rights during the co-19 pandemic and a conceptual approach using a holistic concept. The type of study in this research is more descriptive in nature because it intends to clearly describe various things related to the object under study, namely the law of data sources. The data collection method was carried out by literature study following the research problem.

RESULTS & DISCUSSION

Holistic Paradigm in Legal Perspective

If we want to maintain the dignity of the science of law, then we cannot separate it from other sciences. The science of law must be correlated and in tandem with other sciences, because science, including the science of law, is the work of human civilization to enlighten the public about the problems of life in this world. According to Satjipto Raharjo, legal science is a unity with other sciences in a scientific community (Satjipto Raharjo, 2019) and according to the author, this view is very relevant to be used as a reference in the effort to find answers to

legal problems in Indonesia today. According to (Khudaifah Dimiyati, 2005) legal science as taught in law faculties in Indonesia cannot be categorized in the flow of science, as legal science. Although empirically legal science works with positive legal propositions, what is meant by positive legal data is not the results of observations and measurements of empirical world phenomena, but positive results of judgment, both in abstracto and in concreto by certain authorities. who has the authority. Thus, jurisprudence in the jurisprudence tradition actually does not have data, what is owned as intellectual property is a treasure trove of propositions and/or premises, each of which through deduction and induction syllogisms can produce conclusions. These conclusions are both practical and function as sources of formal law, which in countries that adhere to civil law are compiled as jurisprudence, and in countries that adhere to common law are compiled in the form of judge made law. While theoretically it functions as a source of material law in the form of principles. In the jurisprudence tradition as narrated above, legal science is more visible as a state of the art or special art of thinking. That is, it is more oriented to finding rules that can be applied in concreto from a positive rule system that has been arranged logically, coherently in a hierarchical level (Satjipto Raharjo, 2002). In legalistic-positivist legal science, law as a complex regulatory institution has been reduced to something simple, linear, mechanistic and deterministic, especially for the benefit of the profession.

This legalistic-positivist law is different from the jurisprudence tradition. In the Jurisprudence tradition, the social sciences work in the tradition of thinking and scientific methods, and from the beginning the social sciences were referred to as social sciences. The difference between thinking and method in jurisprudence and social sciences does not lie in the syllogisms used but in the basic assumptions about what postulates should be used as the basis for thinking (Khudaifah Dimiyati, 2005). From the explanation above, teaching (law) and science (social) are two separate worlds. The consequence of this inequality is the fact that the epistemological basis of jurisprudence and its ontological basis are inferior, which are often ambiguous. The fact of “the great *lacuna*” or “big void” in the legal science discourse has implications for the slow development of legal science in Indonesia.

Responding to this reality, so that the continuity of the science of law is maintained, and the law is still able to provide solutions to the problems of human life, it is inevitable that the science of law must be open, addressing various disciplines in order to be able to answer various complex problems with a holistic paradigm. The holistic paradigm in law has been presented

and discussed among them by Satjipto Rahardjo who is one of the pioneers of the holistic paradigm in legal science. According to Satjipto Rahardjo, there needs to be a new step to explore legal methodologies that are complete and do not divide. Such an approach is called a holistic paradigm approach and method. The holistic paradigm is seen as capable of changing the legal map and legal learning that has guided us so far (Satjipto Rahardjo, 2005).

According to Khudzaifah Dimiyati, from a holistic and multi-faceted perspective, legal scientists must try to wander in areas that have never been touched by other scientists. Quantum theory is used as an instrument to observe the science of law, which focuses on laws, legislative, judicial, executive, legal processes, and so on. In the perspective of quantum theory, all are visible waves that can be easily observed and studied. However, in fact the great substance that is the basis of the observed things remains silent behind this empirical appearance. That substance is called order, but order can also display another side, namely disorder (Areif Budiono, 2018).

Holistic law has a legal ontology, namely the science of everything (reflecting on the nature of law and fundamental concepts in law, such as the concept of democracy, the relationship between law and power, legal relations, and morals). Legal axiology is the science of values (reflecting on the content and values contained in the law such as feasibility, equality, justice, freedom, truth, and so on). Legal ideology is the science of the purpose of law that transports human ideals (reflecting the insights of humans and society that underlies and legitimizes the rule of law, legal institutions, legal systems and parts of the legal system).

The holistic paradigm believes that in order to progress and raise the degree of legal science, it is necessary for legal science and its scientists to borrow methods from other sciences such as physics as an instrument to photograph and explain more deeply legal phenomena in the form of observed ripples and waves. as well as the meaning behind the symptoms. A strong spirit to advance the science of law to become a true science, makes legal scientists have to venture into the aisles of other sciences as reference material for their intellectual adventures (Khudzaifah Dimiyati, 2015).

The holistic paradigm pioneered by Fritjof Tjapra also influenced the thinking of legal science in Indonesia. There are several legal sciences that use holistic concepts to analyze and methodologically. According to him, the holistic legal paradigm begins with Tjapra's writing "turning point" or as a period of inability to see life as a whole, causing a crisis of intellectual,

moral and spiritual dimensions. Humans cannot focus on objects that are separated from their environment and let these objects unite with their environment. Life is a large network, so that each part can be studied, but each cannot be studied and understood in isolation (Fritjof Tjapra, 2007). In the positivistic view, the law is considered to have been fairly enforced if the rules have been enforced in accordance with established formal procedures. Thus, legal certainty becomes the main thing. Meanwhile, in a holistic view, the priority is not legal certainty, but truth and justice (Akib, 2014). The presence of holistic law as a law that accommodates values other than positive law is expected to be an offer to protect children in anticipation of acts of violence against children.

Holistic Paradigm as an Effort to Unravel Child Legal Problems in Indonesia.

Children are a gift from Allah SWT who has a role as a determinant of the future and success of the nation, therefore the international and national scope provides protection for their rights and obligations so that they can grow and develop normally. Talking about children's issues in the context of the development of legal theory is interesting, because after all, children in particular are legal subjects who of course also become parties affected by changes in paradigm and legal theory. And the discussion of children as a special subject in law will be more interesting if it is drawn in the reality of law enforcement in the context of the development of legal theory.

Children according to Law no. 35 of 2014 concerning Child Protection is a person who is not yet 18 (eighteen) years old, including children who are still in the womb. Whereas what is meant by 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 protection from acts of violence and discrimination.

The Covid-19 pandemic is an event that is felt throughout the world and has affected various sectors of life, including affecting children's problems with various dynamics. Based on data released by the Ministry of Health of the Republic of Indonesia, on December 29, 2020, it was confirmed that there were 719,219 positive cases of Covid-19 in Indonesia. As a result, all sectors, including education, have been affected by the increase in Covid-19 cases in Indonesia (Nisa, 2020). This pandemic has even given birth to various policies in the education sector,

one of which is the Distance Learning System or Online policy which can create problems that are not simple for children.

The micro impact of Covid-19 can be felt in the family environment. The stress and uncertainty caused by the pandemic has taken a toll on parents. This condition occurs along with the physical and psychological burdens their children begin to feel as a result of online school activities (Ismaniar, 2020). This condition is in line with the number of countries that have reported an increase in domestic violence during the COVID-19 pandemic, such as in America after several months of staying at home at least nine metropolitan cities reported between a 20% and 30% increase in calls for domestic violence services (Kofman, 2020). Even researchers estimate that children who live at home and undergo online education have a 60-fold risk of experiencing violence (Campbell, 2020). Dewi Eko Wati, a Psychologist and Child Education Observer from Ahmad Dahlan University said that the unpreparedness of the Government, School-Teachers and Parents in facing the Distance Learning program was the main cause of increased acts of violence against children during the pandemic.

In general, there are several factors that cause parents to commit acts of violence against children, namely the level of knowledge, attitudes, experience and environmental influences (Fitriana, 2015). Similarly, other studies have revealed that the factors that influence violence in children include emotional adjustment of parents, parental attitudes towards parenting and parental behavior when caring for children (Lundahl, 2006). In this case, parents are seen as the main factor when there is violence against children. Parents often abuse their children when they are under stress. Individuals have different abilities in responding to these pressures. Some people are very good at responding positively to negative situations, but not a few people are not very good at responding positively to similar situations. This ability to remain calm when under pressure is called emotion regulation. The data obtained by the researchers revealed that parents know that violence against children should not be carried out. But in reality, physical violence is the most common form of violence and they feel sorry after committing the violence. This indicates a discrepancy between cognition (in the form of information), psychomotor (violent behavior) and affective (regret).

After the issuance of Government Regulation Number 21 of 2020 concerning Large-Scale Social Restrictions, the Ministry of Education and Culture issued Circular Letter Number: 4 of 2020 containing directions regarding Distance Learning (PJJ) during the pandemic. The

directives contain: 1) Provide a meaningful learning experience for students, without being burdened by the demands of completing all the achievements of the curriculum for grade promotion and graduation; 2) Focusing on life skills education, including regarding the Covid-19 pandemic; 3) Providing a variety of learning activities and assignments for learning from home among students, according to their respective interests and conditions, including considering the gap in access/facilities for learning from home; 4) Provide feedback on evidence or products of learning activities from home that are qualitative and useful for teachers, without being required to give qualitative scores/values (Ministry of Education and Culture, 2020). However, at the level of implementation, the Distance Learning policy is considered not yet optimal as a result of the communication system between the Ministry and the Regional Government that is not yet good (JPNN, 2020). In addition, the understanding of the school learning management system is uneven and several obstacles that arise in the implementation of the Distance Learning include managing is still focused on completing the curriculum and the unpreparedness of teachers, children and parents in the Distance Learning system. The Indonesian Child Protection Commission (KPAI) as mandated by Law Number 35 of 2014 concerning Child Protection has a mandate to receive public complaints regarding violations of children's rights. The data entered into the Indonesian Child Protection Commission complaint system as of August 31, 2020 there were a total of 4,734 complaints cases from the previous year's 4,369 complaints in 2019 (Social ministry of the republic Indonesia. 2020).

Table 1. Child Violence Complaints in 2019-2020

No	Cluster Type	2019	2020
1.	Sosial	291	65
2.	Family	896	963
3.	Religion	193	78
4.	Civil Rights	108	38
5.	Health	344	40
6.	Education	321	1.451
7.	Pornography	653	526
8.	Trafficking	244	88
9.	Other Case	88	775

Based on the graph above, in 2020 there has been a decline in cases for certain clusters such as the religious, social, health, civil rights, cyber and trafficking clusters. However, on the contrary, there has been an increase in cases of complaints in the family and education clusters. This is believed to be inseparable from the Covid-19 pandemic, which currently has an impact

on the level of crime and domestic-based violence, children and intimate partner violence (UN News, 2020). Marcus Felson argues that the main reason for the change was that the government ordered stay-at-home orders, which impacted the regular activities of the entire population (Miro Fernando, 2014).

According to The United Nations Educational, Scientific and Cultural Organization (UNESCO) more than 91% of the world's student population has been affected by school closures due to the Covid-19 pandemic. This reality shows that the condition of the community is feeling anxious so the government urges the government to start activities at home, such as working at home and studying at home.

In this epidemic atmosphere, Online-based learning is expected to be able to minimize the occurrence of outbreaks, students can also find the widest possible information with various models (Hikam, 2020). However, this also has an impact, especially in the family environment, stress, parents' unpreparedness to accompany children in a new learning system can lead to acts of violence against children (Ismaniar, 2020). Parents' unpreparedness has encouraged violence against children, the Indonesian Child Protection Commission noted that the level of complaints of violence against children while carrying out learning at home has increased to 1,463 complaints. The psychological condition of parents has a domino effect on violence against children, 73% of mothers and 69.6% of fathers admit to physical violence against their children and 42.4% of mothers and 32.3% of fathers admit to physical violence to their children. The environment around the child also influences the child's behavior so it is necessary to monitor the child's behavior when they take actions that deviate from what they observe or feel in the surrounding environment (Bangsawan, 2017).

Efforts to unravel the child's problems are not enough to use a monolist approach or by planting character education in which guarantees children's rights (Bangsawan, 2018) but rather a holistic paradigm that examines not only one scientific family, but also interacts with other sciences within the scope of science. Holistic paradigm means using a set of general theoretical assumptions and laws and scientific application techniques, which views the overall aspect as more important than the parts, is systemic, integrated, complex, dynamic, non-mechanistic and intrinsic (Nugroho, 2015). Following a holistic approach in legal science also means reinstating the law with its environment, nature and the enormous order of life. By reuniting the law with the realities of society, it will restore the integrity of the law itself (Christiani, 2008). The

following is an overview of the concept of child protection in the pandemic era from a holistic perspective :

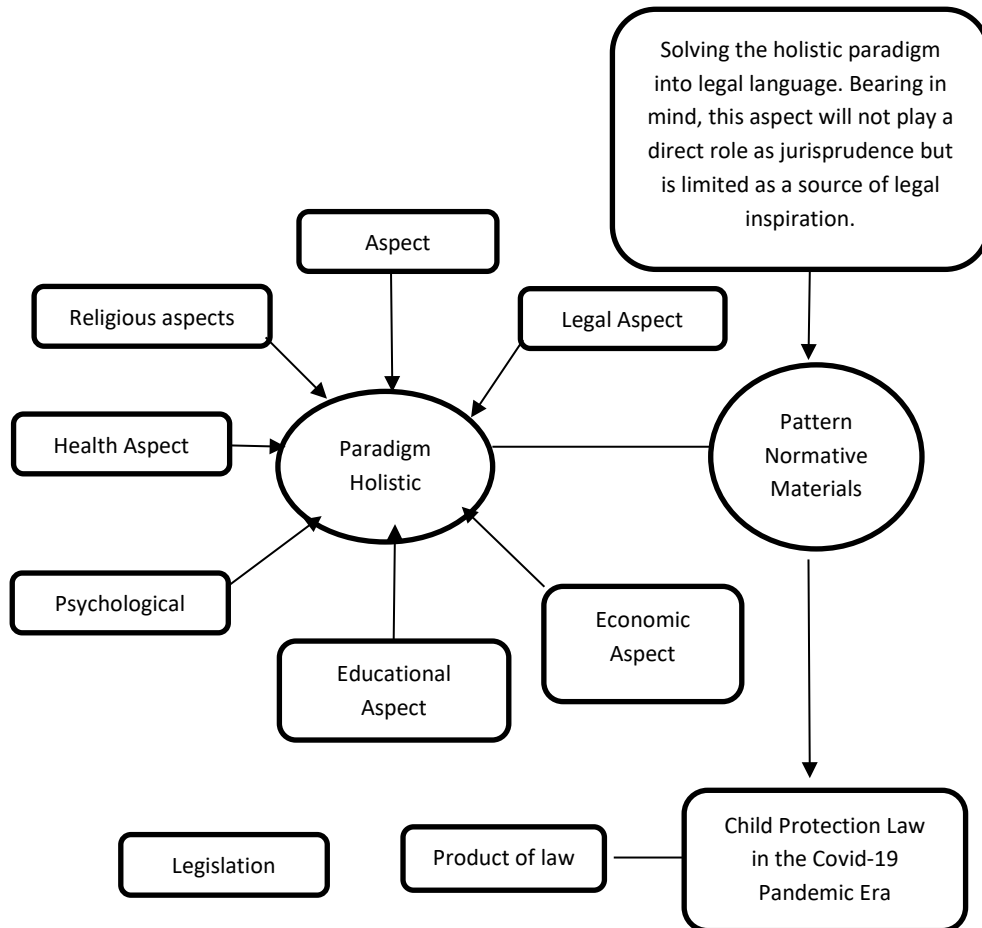


Figure 1. Holistic Paradigm of Child Protection

The presence of holistic law as a law that accommodates values other than positive law. Law holistically has a legal ontology, namely the science of everything, which is meant to reflect on the relationship between law and power as well as the relationship between law and morals. The following are several offers of child protection efforts by parents in anticipating the occurrence of violence in the family due to the implementation of Online Learning with a holistic approach that accommodates legal and moral relations, it is appropriate for parents to accompany children during the Covid-19 pandemic.:

1. Having the perspective of protecting the right to life and growth of children, Allah said: *“And do not kill your children for fear of poverty. We will provide sustenance for you and for them.”* (QS, Al-An’am: 151) ;

2. Protecting and nurturing children as a trust, Allah said: *“O you who believe, protect yourselves and your families from the torment of hellfire”* (QS At Tahrim: 6).
3. Sufficient means for children to learn optimally, Prophet said: *“It is enough for a person to sin if he wastes the people under his care (support)”*
4. Glorify and provide optimal access to education, the Prophet said: *“Glorify your children and improve their education”*. (HR. Ibnu Majah)
5. Be fair to children, Allah said: *“Be fair to your children, because being fair is closer to piety....”* (QS. Al-Maidah: 8).
6. Speaking in a subtle and soft way, Rasulullah said: *“A family is not given gentleness except it will benefit them, and not the other way around but it will harm them”*
7. Dislikes anger and reproach, Narrated by Ahmad from Anas r.a. said: *“I became Rasullullah’s assistant for ten years. He did not give an order, and then I did it for a long time, or did not do it at all, unless he did not harm me, when there was a member of his family who harmed me, he said: “Let him, if he is able, he will definitely do it.”*
8. Friendship with children, narrated by Abdullah bin Ja’far: I was with Qutsman and Ubaidullah bin Abas (child), then the Messenger of Allah passed us in his vehicle, then he said, ride the child in front and behind me, while he rubbed the heads of the two children and make him joke (R. Muhammad, (2014).
9. Motivating, giving praise and flattery, Rasullullah once lined up the children and said, whoever reaches me first, he will get a prize, so Rasullullah did not hesitate to praise the children.
10. Gradual education, Order your children to pray at 7 years old, and beat them to pray at 10 years old.
11. Gradually in giving punishment (Ali, 2021):
 - a. Advising and giving guidance, the Messenger of Allah once gave advice and guidance to Umar bin Abi Salamah while he was eating, *“Son, mention the name of Allah. Eat with your right hand and eat what is in front of you”* (HR Bukhari-Muslim);
 - b. Stopping a child’s wrongdoing If a child commits a wrongdoing, then parents must stop their actions right away, not waiting for tomorrow. This is based on the words of the Prophet when he stopped people who repeatedly made noises

because they were full. *“Stop the sound of your phlegm (sound of satiety). Because the person who is most satisfied in the world will be the one who will hunger the longest on the Day of Resurrection”* (HR At-Tirmidhi);

- c. You can scold but not hurt the Prophet, may God bless him and grant him peace, he also scolded children named Abdullah bin Bushr and Nu'man bin Bashir. But not excessive and accompanied by advice, “O untrustworthy child!”
- d. Before the child is beaten, the reason for the punishment must be explained. Accompanied by an explanation of correct manners so as not to result in a beating.
- e. Blows are prohibited from imprinting on the skin;
- f. The tool for hitting should not be too hard;
- g. It is forbidden to hit the face, head and genitals, preferably in the feet and hands;
- h. Stop hitting when the children ask for forgiveness and seek refuge in Allah;
- i. Punishment is not allowed to bring down the glory of oneself as a human being;
- j. Do not often do punishment because it can make the child even more frozen;
- k. Give the opportunity to correct the first mistake;
- l. Do not threaten punishment if it is not carried out;
- m. Keep your mouth when punishing your child, don't let dirty words come out.

In the aspect of health that is very closely related to children's mental health, the World Health Organization with regard to mental health states that working or attending school from home, reducing physical contact with family and friends requires a lot of adjustment time. Adapting to these changes while managing the fear of being infected with the virus, both yourself and loved ones as well as sadness due to being abandoned by family/friends due to Covid-19 can interfere with mental health (Ministry of Finance, 2020). In one study, the fact that the Covid-19 pandemic affected the mental health of students. They face the unique challenges that lead to poor mental health following the Covid-19 outbreak or more diagnosed mental disorders worldwide (Zhai, 2020). Covid-19 has and will continue to negatively impact the happiness function of countless individuals in the form of anxiety, grief and trauma. This effect is likely to grow as more loved ones and friends become infected and even die (Marques, 2020), including for children. In this context, it is critical to provide additional support to reduce sources of stress for caregivers and protect children from threats to their safety (Cuartas, 2020). Post-traumatic disorders, anxiety, and depression occur during and after a pandemic. Some

groups, such as children, are more vulnerable to long-term consequences in mental health. Children respond to stress in different ways - different, depending on their developmental stage, high levels of anxiety, depression, and post-traumatic symptoms (de Miranda, 2020). Therefore, lack of access to health services can be very detrimental to children. The severity and state of mental disorders can worsen due to delays in early diagnosis and prompt treatment. Caring for children with mental health issues, particularly externalizing disorders, can be challenging and add to the hardships of parents during a pandemic (Wiener, 2016).

On the psychological aspect, the Government has an important role in helping the community, parents and children to understand whether they are psychologically affected. General symptoms such as decreased enthusiasm for carrying out activities, irritability, and rapid loss of concentration should still be considered if they occur for a prolonged period. The responsibility of protecting children including protecting their mental health is the responsibility of all parties (government, community, and family). The family is the first and foremost party who is fully responsible for the protection of children (Rini, 2006). The concept of child protection covers a broad scope, in the sense that child protection is not only about protecting the child's body and soul, but also spiritually, physically and socially so that it is hoped that Indonesian children who will later develop into people who are willing and able to work for later will achieve and maintain the formation of national development. Therefore, it is clear that child protection is also related to aspects of fostering the younger generation and national problems that require structuring in an integrated and well-coordinated system (Rifky, 2019). The government's effort through the Ministry of Health in dealing with mental health issues for children and adolescents during the pandemic is to make regulations that focus on the direction of each policy on the realization of a society that cares about mental health. The presence of a child mental health protection policy has an important position by paying attention to the stages of policy formulation, starting from problem formulation which is the stage to identify and formulate problems as the most fundamental step in policy formulation (Nurhayati, 2019).

In the sociological aspect, the responsibility for child protection is the responsibility of all parties (government, community, and family). The family is the first and foremost party who is fully responsible for the protection of children (Rini, 2006). The concept of child protection covers a broad scope, in the sense that child protection is not only about protecting the child's body and soul, but also spiritually, physically and socially so that it is hoped that Indonesian children who will later develop into people who are willing and able to work for later will

achieve and maintain the formation of national development. Therefore, it is clear that child protection is also related to aspects of the development of the younger generation and national issues that require structuring in an integrated and well-coordinated system (Rifky, 2019). Bagong Suyanto, Professor of FISIP Universitas Airlangga believes that the Ministry of Social Affairs is currently reported to have opened a counseling desk for women and children who are victims of violence in the family. Outside of the counseling desk service, it is better if there are various potentials at the local level, such as NU, Muhammadiyah, recitation groups, Islamic boarding schools, church institutions, Family Welfare Empowerment (PKK), *Dharma Wanita*, *Karang Taruna*, Association of Teachers of the Republic of Indonesia (PGRI), and various other socio-religious institutions has a role to contribute as a network that needs to be cooperated in improving the services and benefits of the counseling desk which is referred to as the community support system approach. The establishment of a counseling desk based on a community support system approach is expected to be able to overcome the suffering of children victims of violence during the Covid-19 pandemic (Bagong, 2020).

On the economic aspect, departing from a survey conducted by the Institute Of International Finance (IIF) found that the Covid-19 pandemic resulted in an increase in debt to the household economy (Institute of International Finance. 2020). This is one of the impacts of the Indonesian government's policy of implementing a home-only system, namely the Indonesian people are required to remain silent and work at their respective homes. And with this regulation, factory workers and workers are forced to stay at home, their wages are reduced, and several companies have laid off (Termination of Employment) even though they are still productive to work. This causes a shift, namely from corona anxiety to economic anxiety, which means people tend to think that the uncertainty of the corona will drain economic capacity if this condition continues, considering the use of savings that continues to decrease and also information on weakening economic certainty (Setyawan, 2020). The government's policy to reduce the cost of electricity and fuel will be very beneficial for the community because these two things are primary household expenditures. At a time of economic downturn like this, this policy will greatly help the community in the midst of economic uncertainty that is not known when it will end. So, the government must issue economic packages that can be directly felt by the community, such as Direct Cash Assistance (BLT), reducing electricity and fuel costs, providing free examinations, rather than increasing the value of the benefits of pre-employment

cards and basic food recipient cards for the family program of hope, as well as providing incentives for medical personnel (Mufida, 2020).

In the legal aspect, legal protection for children in the midst of the Covid-19 pandemic is based on Law Number 35 of 2014 concerning Child Protection. Child protection provided by the government is carried out with all activities to guarantee and protect the rights of children so that they can live, grow, develop, and participate optimally in accordance with human dignity, and receive protection from treatment or acts of violence and discrimination. However, at the level of implementation in 2020 there was an increase in cases of child violence in the family and education clusters. This cannot be separated from the current condition of the Covid-19 pandemic, which currently has an impact on increasing crime in the household and children's areas. There are two things that need to be highlighted, the first relates to the regulation of distance learning (PJJ), which in its implementation is not yet optimal and the second relates to the protection of children's mental health during the pandemic. Regarding the first, the Government needs to work together with various related parties to make various efforts to be able to overcome the problems that occur in distance learning, both in terms of regulation, increasing educator readiness, as well as expanding networks and access to learning resources, so that they can run effectively and efficiently. These efforts need to be continuously improved so that the optimization of distance learning is not only for emergency conditions like today but also to be carried out in normal situations according to learning needs. The government continues to encourage the synergy of various related sectors so that efforts to improve the quality of education, both in the Covid-19 emergency period and the implementation of sustainability education in the future can be optimized. Second, to save and protect children not only from cases of Covid-19 but also to help them face the burden of mental health during the Covid-19 pandemic. The policies issued by the government during the COVID-19 pandemic have had a negative impact on children's mental health, especially social restrictions that increase activities at home. Therefore, the government needs to address the issue of mental health of children and adolescents during the pandemic by making regulations that focus on the direction of each policy on the realization of a society that cares about mental health.

CONCLUSION

The holistic paradigm has the belief that in order to progress and raise the degree of legal science, which starts from a period of inability to see life as a whole, it causes a crisis of intellectual, moral and spiritual dimensions. Humans cannot focus on objects that are separated from their environment and let these objects unite with their environment. The holistic paradigm means using a set of general theoretical assumptions and laws and scientific application techniques, which views the overall aspect as more important than the parts, is systemic, integrated, complex, dynamic, non-mechanistic and intrinsic. Following a holistic approach in legal science also means reinstating the law with its environment, nature and the enormous order of life. By reuniting the law with the realities of society, it will restore the integrity of the law itself.

The concept of child protection in the Covid-19 pandemic era in the perspective of a holistic paradigm is intended to study not only one scientific group, but also interact with other sciences in other scientific fields. Law holistically has a legal ontology that reflects legal and moral relations as well as legal relations with other disciplines, namely: 1). Religious aspects, parenting and caring for children as a mandate from God Almighty; 2). health aspects, protecting children from threats to their safety; 3). Psychological aspects, understanding whether the child is affected psychologically by looking at general symptoms such as decreased enthusiasm for activities, irritability, and rapid loss of concentration must still be considered if this occurs over a long period of time; 4). Sociological aspect, the responsibility for child protection is the responsibility of all parties (government, community and family; 5). In the economic aspect, there has been a shift from corona anxiety to economic anxiety, which means that people tend to think that the uncertainty of the corona is draining economic capacity; 6). From a legal aspect, child protection provided by the government must be carried out with all activities to guarantee and protect children's rights so that they can live, grow, develop and participate optimally in accordance with human dignity and status, and receive protection. from treatment or abuse. violence and discrimination.

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