

justice, expediency, and legal certainty. According to Satjipto Raharjo, Legal Protection is to give aegis towards the human rights which were violated and the protection is given to the society so they can benefit all the rights that law have given to them.⁶¹

According to Phillipus M. Hadjon, there are two types of legal protection, such as Preventive Legal Protection and Repressive Legal Protection.⁶² The preventive legal protection is aiming to prevent conflicts using the rules and regulations, while the repressive legal protection is aiming to prevent conflicts using the agreement of the parties.⁶³ It means that legal protection is a protection given to a society or subject of law according to the rules or regulations of law, even if it is the preventive legal protection or repressive legal protection, written or unwritten, in order to establish the rule of law.

The use of this theory is to examine whether the DRC as a state had already did or had not did the main purpose of this theory to prevent and protect the subject of law, individuals of their state, in this case children, for being recruited and used as soldiers in the Ituri conflict.

⁶¹ Satjipto Raharjo, *Ilmu Hukum*, (Bandung: PT. Citra Aditya Bakti, 2000), pg.54.

⁶² Philipus Hadjon, *Perlindungan Hukum Bagi Rakyat di Indonesia*, first edition, limited edition, (Surabaya: Peradaban, 2007), pg.2.

⁶³ *Ibid*, pg.3-5.