

## **Criminological Factors of Children as Crime Offenders (Study of Decision Number 6/Pid.Sus-Anak/2025 PN Kbm)**

*Tia Utami Suciанти Mawarti* 

Universitas Negeri Semarang, Semarang, Indonesia  
[tiutamismo1@students.unnes.ac.id](mailto:tiutamismo1@students.unnes.ac.id)

*Indah Sri Utari* 

Universitas Negeri Semarang, Semarang, Indonesia  
[indahsuji@mail.unnes.ac.id](mailto:indahsuji@mail.unnes.ac.id)

### **Abstract**

Children as perpetrators of criminal offenses have become a phenomenon that has increasingly attracted attention in legal and criminological studies. Child development, which is strongly influenced by the social environment, family conditions, and psychological factors, makes children vulnerable to engaging in deviant behavior and coming into conflict with the law. This study aims to analyze the criminological factors underlying children as perpetrators of crime through a case study of Decision Number 6/Pid.Sus-Anak/2025/PN Kbm. The research method employed is normative legal research combined with an empirical approach, utilizing a statutory approach and a case approach. The data were obtained from primary, secondary, and tertiary legal materials and analyzed qualitatively. The findings indicate that social and family environmental factors, as well as the psychological condition and age of the child, are dominant factors influencing the occurrence of criminal acts. The lack of supervision, attention, and social control from the surrounding environment, combined with the child's psychological immaturity, encourages children to engage in unlawful conduct. Therefore, a criminological approach emphasizes that the handling of children as perpetrators of criminal offenses should prioritize



the principles of child protection, guidance, and preventive efforts to prevent the recurrence of criminal acts in the future.

## **KEYWORDS**

Criminology, Children, Criminal Offenses

## **Introduction**

Based on Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, Indonesia is affirmed as a state of law. Consequently, every act must be subject to the provisions of the law that govern what is allowed and prohibited. In the Indonesian legal system, various forms of criminal acts have been clearly regulated in laws and regulations. Regarding the status of children, Law Number 23 of 2002 concerning Child Protection in Article 1 number 1 defines a child as someone who is not yet 18 (eighteen) years old, including a child who is still in the womb. Meanwhile, Law Number 3 of 1997 concerning Juvenile Justice in Article 1 paragraph (1) provides the definition of a child as an individual who has been 8 (eight) years old, has not been married, and in certain contexts is qualified as a delinquent child.

The process of children's growth and development is inseparable from the influence of the surrounding social environment. These influences can have a positive or negative impact, along with the characteristics of children who have high curiosity at every stage of their development. An unsafe or unsupportive environment has the potential to instill deviant behavior in children. This condition causes many children to then face the law, both in their capacity as victims and as perpetrators of criminal acts.<sup>1</sup> The increase in child delinquency that occurs from time to time, both in terms of the number of cases, the level of seriousness of the acts, and the patterns and modus operandi used, is a serious concern. This behavior often

---

<sup>1</sup> Rozak, Abdur. "Analisis Faktor-Faktor Penyebab Anak Berhadapan dengan Hukum (ABH) Ditinjau Dari Sisi Kriminologi." *Studi Hak Anak Nasional Dan Perempuan* 1, no. 2 (2025): 112-122.

causes unrest in the community. This phenomenon shows that there is a tendency to increase deviant acts and criminal acts committed by children, which are no longer proportional to the age of the perpetrator, so that age alone cannot be used as the main benchmark in assessing the level of maturity and legal responsibility.<sup>2</sup>

Children are strategic assets for the sustainability of national development and the next generation of the nation. Therefore, efforts to protect and pay attention to children are very important. In line with this, the inculcation of legal values from an early age needs to be carried out so that children understand that every act has legal consequences, including criminal acts that can be sanctioned in accordance with the provisions of the law.<sup>3</sup> Any act that violates social norms and positive legal provisions that apply in society can be categorized as child delinquency. Child delinquency is not only limited to actions that are contrary to laws and regulations, but also includes behavior that violates the social values and norms that live in society. In the context of criminal law, child delinquency is often qualified as a form of crime committed by children.<sup>4</sup>

One example of a case of crime committed by a child is in Decision Number 6/Pid.Sus-Anak/2025 PN Kbm. Based on this case, it can be known that acts of violence can be committed by anyone, including individuals who have not reached maturity in age. Violent behavior carried out by children has the potential to cause a wide social impact, one of which is in the form of insecurity in the community. This condition shows that crimes can basically be committed by anyone regardless of age, including by minors. The actions and behavior of children who commit criminal acts are a

---

<sup>2</sup> Balla, H. (2022). *Diversi: Anak yang Berhadapan Dengan Hukum*. JULIA: Jurnal Litigasi Amsir, 10(3), 202-206.

<sup>3</sup> Syahbana, Ikrima Salsa, and Margo Hadi Pura. "Kasus Anak Sebagai Pelaku Tindak Pidana Pencurian Berdasarkan Kajian Kriminologi." *Jurnal Ilmiah Wahana Pendidikan* 10, no. 13 (2024): 210-218.

<sup>4</sup> Negara, AA Gd Prawira, Ni Putu Rai Yuliantini, and Dewa Gede Sudika Mangku. "Tinjauan Kriminologis Terhadap Tindak Pidana Pembunuhan Oleh Anak Di Kota Denpasar." *Jurnal Komunitas Yustisia* 5, no. 1 (2022): 49-59.

reflection of the conditions of the surrounding social environment which is characterized by a lack of care, low social sensitivity, and a neglect of children's needs. When children do not receive adequate attention and supervision, this condition has the potential to encourage the formation of deviant attitudes and behaviors that are contrary to the provisions of the law.<sup>5</sup>

Criminology is a branch of social science that studies various social phenomena related to crime. Because they are multidisciplinary, criminologists provide definitions of criminology based on their respective scientific perspectives. In general, criminology is understood as the science that studies crime. Andi Zainal said that criminology is a science that examines the factors that cause crime to occur and efforts to overcome it. Meanwhile, Bonger defines criminology as a science that aims to examine the symptoms of crime broadly and comprehensively. As for Mabel Elliot, criminology views criminology as the study of all behaviors that are prohibited and threatened with criminal penalties by the state as formulated in laws and regulations. Etymologically, the term criminology comes from the word *Crime* which means evil and *Logos* which means science. Thus, criminology can be interpreted as a science that studies crime as a social phenomenon.<sup>6</sup>

Based on this, this study aims to analyze the criminological factors of children as criminals by studying Decision Number 6/Pid.Sus-Anak/2025 PN Kbm, as well as examining how these factors are considered by judges in imposing sentences.

## Methods

---

<sup>5</sup> Sinaga, Marco Duran. "Kajian Kriminologi terhadap Anak sebagai Pelaku Tindak Pidana Kekerasan yang Mengakibatkan Kematian (Studi Putusan Nomor: 55/Pid. Sus-Anak/2022/Pn Mdn)." (2024).

<sup>6</sup> Samosir, A. (2020). Penegakan Hukum Tindak Pidana Narkotika ditinjau dari Perspektif Kriminologi. *Logika: Jurnal Penelitian Universitas Kuningan*, 11(02), Hlm. 90

The type of research used in this study is normative legal research combined with an empirical approach. Normative legal research is carried out by examining literature materials or secondary data as the main material for research through tracing of laws and regulations and literature related to the problems being studied.<sup>7</sup>

The empirical approach is carried out through field research by observing and examining facts that occur in society, especially related to the application of laws and regulations in practice. The approaches used in this study include the statute approach and the case approach.<sup>8</sup> In this study, the author conducted an inventory and collection of legal materials consisting of primary, secondary, and tertiary legal materials. Primary legal materials include the Criminal Code, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, and Law Number 35 of 2014 concerning Child Protection. Secondary legal materials are books, articles, scientific journals, research results, papers, and comments on court decisions. The tertiary legal materials consist of the Legal Dictionary and the Great Dictionary of the Indonesian Language (KBBI).

The data obtained were analyzed qualitatively and presented in the form of a systematic description to answer research problems regarding the criminalization of children as perpetrators of criminal acts from a criminological perspective.<sup>9</sup>

## Result and Discussion

---

<sup>7</sup> Soekanto, Soerjono. "Penelitian hukum normatif: Suatu tinjauan singkat." (2007).

<sup>8</sup> Wiraguna, Sidi Ahyar. "Metode normatif dan empiris dalam penelitian hukum: Studi eksploratif di Indonesia." *Public Sphere: Jurnal Sosial Politik, Pemerintahan dan Hukum* 3, no. 3 (2024).

<sup>9</sup> Hura, Martha Sarah Valentina, and Edi Yunara. "Kajian Hukum Pidana Terhadap Anak Sebagai Pelaku Tindak Pidana Perjudian dalam Perspektif Kriminologi." *UNES Law Review* 6, no. 4 (2024): 11582-11600.

## 1. Criminology

Etymologically, the term criminology comes from the Greek language, namely *Crime* which means evil and *Logos* which means science. Thus, criminology can be interpreted as a branch of science that studies crime as a social phenomenon. A number of criminal law experts have proposed a definition of criminology based on their respective points of view. Wood views criminology as the sum of knowledge gained through theory and empirical experience related to crime and perpetrators, including society's response to those acts and perpetrators. Meanwhile, Noach defines criminology as the science that studies evil deeds and despicable behavior, especially those related to individuals involved in such acts. Walter Reckless defines criminology as an effort to understand the regularity of individual behavior in delinquency and crime, as well as examining how the criminal justice system works in dealing with these behaviors.<sup>10</sup>

W.A. Bonger argued that criminology is a science that aims to investigate the symptoms of crime as broadly as possible. Bonger divides criminology into 2 (two), namely:<sup>11</sup>

### 1. Pure Criminology or Theoretical Criminology

Theoretically, pure criminology is divided into several interrelated branches of science. The branches are used to understand crime from a variety of scientific perspectives.

#### a. Criminal Anthropology

Criminal anthropology is a branch of science that studies crime by focusing on the biological or physical aspects of the perpetrators of crimes. This science seeks to identify certain physical characteristics that are considered inherent in the perpetrators of

---

<sup>10</sup> B. Bosu, *Sendi-sendi Kriminologi*, Surabaya: Usaha Nasional, 1982, Hlm. 11

<sup>11</sup> Topo Santoso dan Eva Achjani Zulfa, *Kriminologi*, Jakarta: Raja Grafindo Persada, 2015, Hlm. 9

crime. One of the well-known figures in this field was Cesare Lombroso, who argued that criminals had special physical characteristics, such as the shape of a certain skull, bushy hair, as well as prominent temple bones.

#### b. Criminal Sociology

Criminal sociology views crime as a social phenomenon that is influenced by the conditions of society. This branch of science examines the social factors that trigger crime, including public reactions and the impact caused by criminal acts. Unstable social and economic factors are often considered to be the trigger for rising crime rates. The development of criminal sociology gave birth to an environmental stream pioneered by thinkers from France. The scope of criminal sociology includes:

1. Social etiology, which is the study of the social causes of crime;
2. Criminal geography, which studies the relationship between the conditions of a particular region and crime rates;
3. Criminal climatology, which examines the relationship between climate and crime;
4. Criminal meteorology, which examines the influence of weather conditions on the occurrence of crime.

#### c. Criminal Psychology

Criminal psychology is a branch of criminology that analyzes crime from the perspective of psychiatry. This science examines the psychological factors behind criminal behavior, including psychiatric deviations, the relationship between character and mental disorders and certain types of crime, as well as the psychological conditions that influence evil acts. In addition, criminal psychology also examines the psychological aspects of parties involved in the criminal

justice process, such as prosecutors, judges, clerks, and defendants.

The scope of criminal psychology includes:

1. Criminal typology, which is the study of the grouping of types of criminals;
2. Social psychology of crime, which studies crime from the point of view of social psychology.

#### d. Psychopathology and Criminal Neuropathology

Psychopathology and criminal neuropathology are branches of criminology that study crime by focusing on the condition of the perpetrator's psychiatric disorder and nervous system. Criminal psychopathology studies criminal behavior related to mental disorders, while criminal neuropathology examines the relationship between disorders or deviations of the nervous system and a person's tendency to commit crimes. Experts in this field argue that abnormalities in the nervous system can be a driving factor in the emergence of criminal behavior.

#### e. Penology

Penology is a branch of science that studies the origins and development of the penal system, the meaning of punishment, and the purpose and benefits of the application of criminal sanctions. Penological studies focus on the effectiveness of punishment in achieving criminal goals, including crime prevention and coaching for criminal offenders.

#### 2. Applied Criminology or Practical Criminology

Applied criminology is a branch of criminology that is oriented towards efforts to combat crimes that occur in society. This science is applicable because it aims to formulate concrete steps in preventing and eradicating crime. Some branches of practical criminology include the following.

##### a. Criminal Hygiene

Criminal hygiene is a branch of criminology that focuses on crime prevention efforts by eliminating or minimizing factors that cause crime. These efforts can be carried out through improving the social and economic conditions of the community, the establishment of laws and regulations by the government, and the provision of social security and welfare systems as preventive measures in reducing crime rates.

b. Criminal Politics

Criminal politics is a branch of criminology that studies the formulation and implementation of the most appropriate penal policies against criminal offenders. The main purpose of criminal politics is so that the sanctions imposed are able to create legal awareness for convicts and prevent the recurrence of criminal acts in the future.

c. Criminalistic

Criminalistics is a science related to techniques and methods of investigation and disclosure of criminal acts. This branch focuses on the technical aspects in handling crimes, especially in the process of collecting and analyzing evidence.

E. H. Sutherland defined criminology as the whole science that studies crime as a social *phenomenon*. According to him, the study of criminology does not only cover the crime itself, but also includes the process of forming laws, violations of the law, and the reaction of society and the state to these violations. Furthermore, Sutherland divides criminology into three main branches, namely:<sup>12</sup>

1. Legal Sociology

---

<sup>12</sup> Sahat Maruli T. Situmeang, Buku Ajar Kriminologi, Depok, PT Rajawali Buana Pusaka, 2021, Hlm.3

From the perspective of legal sociology, crime is understood as an act that is prohibited by law and threatened with criminal sanctions. Thus, the law plays a role in determining whether an act can be qualified as a crime. The study of the causes of crime cannot be separated from the factors that affect the development of the law, especially criminal law.

## 2. Etiology of Crime

The etiology of crime is a branch of criminology that focuses on finding and analyzing the causes of crime. This branch is the core of criminology studies because it aims to uncover the factors behind the emergence of criminal behavior.

## 3. Penology

Penology is basically a science that studies punishment. However, according to Sutherland, penology also includes various crime control efforts, both repressive and preventive, including the protection of rights related to the penal system.

Criminology is applied to understand crime and various forms of deviant behavior, and does not solely function as a tool for the judicial process as criminalistic. Criminology is seen as a pure science (*Pure Science*) whose results of the study are objective and can be used for practical purposes. As a complex discipline, criminology is a combination of various other branches of science that function as a supporting part in the study of criminology. Criminology is a science that studies and analyzes the origins of crime or known as criminal etiology. From a criminological perspective, crime is not only understood as a violation of the provisions of the law, but also as a human act that reflects a social phenomenon.<sup>13</sup>

---

<sup>13</sup> Abintoro Prakoso, *Kriminologi dan Hukum Pidana Pengertian, Aliran, Teori dan Perkembangannya*, Yogyakarta, LaksBang Pressindo, 2017, Hlm. 17-18

Criminology as a branch of social science always seeks to trace the causes of the emergence of various forms of crime, with the aim of knowing the appropriate prevention and countermeasures measures. Through this understanding, criminology is expected to be able to help in efforts to overcome crime, or at least reduce the crime rate in society. In addition, criminology also examines how society reacts to evil acts as well as to the perpetrators of the crime itself. Wolfgang, Savitz, and Johnston in *The Sociology of Crime and Delinquency* Defining criminology as a collection of knowledge about crime that aims to gain knowledge and understanding of the symptoms of crime, through the process of studying and scientifically analyzing various information, uniformity, patterns, and causal factors related to crime, perpetrators, and people's reaction to both. Broadly speaking, criminology aims to examine crime from various perspectives so that an understanding of the phenomenon of criminality can be obtained more comprehensively. Along with the development of criminology, critical thinking has also emerged that leads to the study of the process of law formation.<sup>14</sup>

## **2. Factors Behind Children Committing the Crime of Theft with Violence**

Children are the young generation who are the successors of the nation's ideals. The existence of children has a very important role in maintaining the sustainability of the existence of the nation and state in the future. Children are also the main indicator of a nation's progress, because in essence the development of a country is very determined by the quality of its next generation. Therefore, children need to be equipped with a good education, which must be supported by the surrounding environment. However, as previously explained, in the current development, not a few

---

<sup>14</sup> Totok Sugiarto, S. H. (2017). Pengantar Kriminologi. Jakad Media Publishing. Hlm. 12-14

children have actually transformed into criminal offenders, even though children should not be involved in these acts. Criminal acts committed by children are even more troubling because they not only harm themselves, but also cause harm to others. Child delinquency like this continues to occur and is not limited to a small scope, but is often found both in big cities and in regions, so that it has developed into a national problem.<sup>15</sup>

The term child delinquency is a translation of "*juvenile delinquency*", which can be understood as a form of deviation in the behavior, actions, or deeds of children that are immoral or asocial, contrary to religious values, and not in line with the applicable legal provisions in society.<sup>16</sup> In this context, the state should establish a legal system that is more friendly to children who commit offenses or criminal acts. The goal is for children who have made mistakes to learn from their actions, while preventing other children from falling into similar behavior. The state should also have a big role in minimizing violations of the law committed by children, considering that they are the hope and successors of the nation in the future.

One of the government's efforts to provide child-friendly legal protection is realized through Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. The law emphasizes that children who undergo criminal proceedings still have rights that must be fulfilled. One of these provisions is contained in Article 3 letter b, which states that children who are undergoing criminal proceedings must be separated from adults. This separation is intended so that children are not further affected by deviant behavior committed by adults, especially those who are used to committing criminal acts.

---

<sup>15</sup> Felisia, Kusnul. "KAJIAN KRIMINOLOGI TERHADAP ANAK BERHADAPAN DENGAN HUKUM (ABH) DALAM TINDAK PIDANA PENGANIAYAAN PADA PERKARA NOMOR BP/9/II/RES. 1.6./2021/RESKRIM (Studi Kasus di Unit Pelayanan Perempuan dan Anak Satreskrim Polres Blitar Kota)." PhD diss., Universitas Islam Balitar Blitar, 2025.

<sup>16</sup> Maida Maidin Gultom. 2010. *Perlindungan Hukum Terhadap Anak*. PT Refika Aditama. Bandung. hlm.56

In the settlement of criminal cases involving children, there is a diversion mechanism, which is the process of resolving cases outside the court channels. Diversion is carried out through deliberation involving the perpetrator, victims, and families of both parties, with the aim of reaching an agreement without having to go through a repressive judicial process. This mechanism is also intended to avoid the possibility of retaliation in the future, as well as to fulfill other objectives as stipulated in Article 6 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. However, the application of diversion has limitations, namely it can only be carried out if the child commits a criminal act that is threatened with imprisonment under 7 (seven) years and is not a repetition of the criminal act, as affirmed in Article 7 paragraph (2) of the Law on the Juvenile Criminal Justice System.<sup>17</sup>

The factors that cause children to commit criminal acts are the lack of supervision from parents, especially regarding their associations, because children have been abandoned by their mother and father who are busy working so that children's associations are not supervised. In addition to that, there are other factors such as education and economic factors. Broadly speaking, the factors that cause children to commit criminal acts include:

#### 1. Social and Family Environmental Factors

According to environmental theory, the occurrence of crime is influenced by various environmental factors that surround individuals, including family environment, economic, social, and cultural conditions, as well as security aspects and influences from the outside world. In addition, technological developments and the influx of foreign products, such as television media, books, films, and various forms of advertising as a means of promotion, also play a role in shaping people's behavior

---

<sup>17</sup> Harsono, Raka Ardyana, Yenni Muliani, and Dudung Mulyadi. "KAJIAN KRIMINOLOGIS TERHADAP PELAKU RESIDIVIS OLEH ANAK DI WILAYAH HUKUM KABUPATEN CIAMIS: Studi Kasus Putusan Putusan Nomor: 3/Pid. Sus. Anak/2022/PN. Cms." *Pustaka Galuh Justisi* 2, no. 1 (2023): 168-181.

patterns that can ultimately affect crime rates.<sup>18</sup> The Differential Association Theory put forward by Edwin H. Sutherland states that a person becomes a criminal because he learns criminal behavior from his social environment through an intense and continuous process of interaction and communication. This theory recognizes that humans have reason and free will in determining their choice of action, but these will are still influenced by the factors of the surrounding social environment. Thus, this theory is based on the assumption of a cause-and-effect relationship, where criminal behavior is the result of a learning process influenced by the social environment.<sup>19</sup>

From the legal facts revealed in the trial, it can be seen that the social environment has an important role in shaping children's behavior. The lack of supervision, attention, and guidance from the immediate environment, especially the family, is an external factor that encourages children to commit unlawful acts. In the study of criminal sociology, uncondusive environmental conditions are often the main trigger for the emergence of deviant behavior in children.

## 2. Age and Psychological Factors of Children

Criminologically, children are still in the stage of immature mental and emotional development. This psychological condition causes children to not fully understand the legal consequences of their actions. In the context of criminal psychology, emotional instability, low self-control, and influence from other parties can encourage children to commit criminal acts without considering the long-term consequences of their actions.

## 3. Influence of the Social Environment

---

<sup>18</sup> Hari, P. Y. D. P. M., & Rahma, N. I. Tinjauan Kriminologis Terhadap Kejahatan. Hlm. 27

<sup>19</sup> Kurniaty, Y. (2020). Pengaruh Lingkungan Pergaulan Terhadap Peningkatan Kejahatan Yang Dilakukan Anak. Proceeding of The URECOL, Hlm. 418

Children's social association is also a significant criminogenic factor. Children tend to be easily influenced by their surroundings, especially if they are in an environment that is permissive to deviant behavior. From a sociological criminology perspective, the process of imitation and peer *pressure* are often the cause of children being involved in criminal acts. The lack of social control from the family and society over the perpetrator is one of the factors that encourage the occurrence of criminal acts. In addition, perpetrators often come from an uncondusive social environment, where similar criminal behavior has become commonplace. This condition is exacerbated by social patterns that are not in accordance with the norms that apply in society, thus increasing the tendency of perpetrators to commit unlawful acts.<sup>20</sup>

In addition, there are several theories in criminology that are the background for children to commit criminal acts, namely:

#### 1. Strain Theory

The strain theory in criminology was developed by Robert K. Merton in 1938 and is known as one of the most influential theories in the study of criminology. This theory explains that when a person does not have adequate ability or opportunity to achieve social goals that are considered valuable and valued in the culture of society, the condition can cause psychological distress in the form of tension and frustration. Merton called this situation *anomie*, which is a situation when individuals experience confusion of values and identity crises due to obstacles in achieving expected social goals.<sup>21</sup> Further, when individuals face tensions between a glorified social goal—such as success, recognition, or a certain achievement—and the limited means to achieve it legitimately, the

---

<sup>20</sup> Apriyanda, A., & Hadi, A. (2021). Tinjauan Kriminologis Terhadap Tindak Pidana Penipuan Jual Beli Sepeda Motor. *Jurnal Ilmiah Mahasiswa Bidang Hukum Pidana*, 3(2), Hlm. 306-307

<sup>21</sup> Agnew, R. (1992). Foundation for a General Strain Theory of Crime and Delinquency. *Criminology*, 30(1), 47-87.

individual may be encouraged to pursue alternative means. In such conditions, some individuals have the potential to choose a deviant or unlawful path in an attempt to achieve success that cannot be achieved through legal means.<sup>22</sup> This theory also recognizes that a person's involvement in unlawful behavior is not solely influenced by the pressure to achieve social goals, but is also influenced by other factors. Environmental factors such as applicable social norms, the influence of friend groups, and the surrounding culture can shape the way of thinking and encourage individuals to make decisions to commit crimes.<sup>23</sup>

## 2. Differential Association Theory

Edwin H. Sutherland in 1934 through his book *Principle of Criminology* introduced a theory in criminology known as the Differential Association Theory. Sutherland was the first figure to introduce this theory in the study of criminology in the United States. In its development, the theory was presented by Sutherland in two versions, the first version was put forward in 1939 and then refined in the second version in 1947. In essence, Sutherland argues that criminal behavior is the result of the learning process in a social environment. This means that any form of human behavior, including deviant or criminal behavior, can be studied through certain social interactions. Thus, the difference between behavior that conforms to norms (conform) and criminal behavior does not lie in innate factors, but in what is learned and how the learning process occurs.

In his first version, Sutherland defined differential association as "*the contents of the patterns presented in association would differ from individual*", meaning that the contents of the patterns of behavior obtained through association could differ from individual to individual. This shows that the theory does not state that a person will become a criminal just

---

<sup>22</sup> Akers, R. L., & Sellers, C. S. (2004). *Criminological Theories: Introduction, Evaluation, and Application*. Roxbury Publishing Company.

<sup>23</sup> Manullang, Clara Jennifer. "Analisis Teori Kriminologi Strain Dalam Kasus Balap Liar." *UNES Law Review* 5, no. 4 (2023): 3708-3723.

because he associates with criminals, but what is most decisive is the substance of the communication that takes place in that association. In other words, evil behavior arises because of the process of communication and social interaction that forms values, justifications, and techniques for committing crime. Therefore, Sutherland never states that simply associating with a criminal automatically causes a person to commit a crime. Furthermore, in 1947, Sutherland developed a second version of his theory by asserting that all behavior could be studied, while at the same time replacing the concept of *social differential disorganization* with *social organization*. Through this thinking, differential association theory rejects the view that bad behavior is something that is biologically inherited from parents. On the contrary, Sutherland emphasized that patterns of criminal behavior are not inherited, but rather learned through intense and intimate association.<sup>24</sup>

### **3. Criminological Analysis of Children's Behavior as Perpetrators of Theft with Violence Based on Decision No. 6/Pid.Sus-Anak/2025 PN KBM**

Based on Decision Number 6/Pid.Sus-Anak/2025/PN Kbm, it can be analyzed that criminal acts committed by children do not stand alone, but are influenced by various interrelated criminological factors. From a criminological perspective, crimes committed by children are the result of the interaction between individual factors, the social environment, and the structural conditions that surround them.

It can be seen from the facts found in the trial that:

---

<sup>24</sup> Hamdani, Fachmi, Adhi Setyawan, Zaldy Kurniawan, Temmy Toni, RA Gismadiningrat Sahid Wisnuhidayat, and Andis Anshori. "Analisis fenomena tawuran antar pelajar dengan teori differential association." *IKRA-ITH Humaniora: Jurnal Sosial dan Humaniora* 8, no. 2 (2024): 235-245.



after that the child overtook the 2 (two) people who were riding and the child together with Witness Abdee stopped on the side of the road then followed him while said "get out of the way (stop stopping)", then Witness Abdee got off the motorcycle while carrying the sharp weapon and pointed towards the 2 prang while brandishing a sharp weapon and said "ndue duit ora (you don't have money), "don't get a lie if you lie)", then after that the person who was riding gave cash of Rp100,000, 00 (one hundred thousand rupiah) to Abdee's Child and Witness, and because Witness Abdee felt that he was lacking, then the Witness forced the victim who was riding to hand over his cellphone and after that his cellphone was handed over to the Witness;

6. That at the time of the incident, the child asked for a cellphone and wallet belonging to the victim who was riding a motorcycle but the victim did not give it so that Witness Abdee committed violence using a clurit weapon directed at the victim who in front hit the upper head repeatedly, then the sharp weapon was swung to the back body precisely on the left back repeatedly, then the child swung the sharp weapon again into the victim's left hand repeatedly;
7. That the incident had been planned while at Witness Abdee's boarding house, at that time Witness Abdee told the child "penak iki koyone sing koyo wingi" (this is delicious like the rich yesterday);
8. That the violence committed by Witness Abdee together with Child XXXXXXXXXXXX to the victim in turn, namely swinging the sharp weapon of the clurit type towards the victim's head repeatedly, then the sharp weapon was swung at the back of the body, precisely on the left back repeatedly, and for the violence that the child committed against the victim who was sitting in the front, namely swinging the sharp weapon of the clurit type

towards the back of the body, precisely in the the left back repeatedly, and swinging the sharp weapon at the victim's neck 2 or 3 times;

9. That 1 (one) cell phone unit produced by Witness Abdee together with Child XXXXXXXXXXXX committed theft with violence at the time mentioned above for Witness Abdee's cellphone to use himself, and for the cash Witness Abdee used it to buy cigarettes and tea drinks, and left money of Rp 14,000 (fourteen thousand rupiah), and at the time the Witness was secured the cellphone was being borrowed by Child XXXXXXXXXXXX.
10. That as a result of the incident, the Witness was traumatized, and wounds in several parts of the body, namely bruises on the left arm, cuts on the right arm, cuts on the right and left shoulders, cuts on the left back, and the Witness's jacket torn due to sharp weapons and also the Witness's helmet was damaged;
11. That the Witness suffered a total loss of approximately Rp900,000.00 (Nine hundred thousand rupiah);

Based on the facts revealed at the trial, the crime of theft with violence committed by children can be understood through a criminological perspective as deviant behavior influenced by economic factors, the social environment, and the psychological dynamics of adolescents. In the trial, it was also revealed that the purpose of the child and Witness Abdee committing the act was to get money which was then divided to meet daily needs, based on the statement of Witness Abdee. This fact shows the existence of an economic motive that in criminology can be attributed to strain theory, which suggests that the tension between the desired goal and the means that can be used to achieve it can lead to criminal acts. Moreover, it happened Economic tensions caused by large income gaps can prompt individuals to seek alternative ways to achieve their financial goals. This can

lead to criminal acts such as theft.<sup>25</sup> In addition, the fact that the Child committed the crime with Witness Abdee shows a strong peer influence, which is relevant to Sutherland's differential association theory, namely that criminal behavior is learned through social interaction with others who have previously had a tendency or habit to commit crimes. This is even stronger because there is a statement "like yesterday" that shows a pattern of repeated crimes, so it can be understood that these crimes are not just spontaneous actions, but have become a form of habit or habit in the group.

Furthermore, the fact that the crime was committed in the early hours of the morning, using a motorcycle, and carrying a sharp weapon of the clurit type shows that there is an element of planning and calculation of the situation, so that this act can also be explained through rational choice theory and routine activity theory. In this context, the perpetrator chooses a quiet time and location with minimal supervision to increase the chances of success, while the victim is chosen because it is considered easy to target. On the other hand, the violence committed was very serious, namely swinging clurit repeatedly towards the victim's head, back, and neck, even alternating between the child and Witness Abdee. This fact shows a high level of aggressiveness and low self-control, which is relevant to self-control theory, where individuals with low self-control tend to be impulsive, risk-taking, and lack empathy for victims. Thus, criminologically, the child's actions do not stand alone, but are the result of a combination of economic pressure, the criminal learning process in a social environment, supportive situational opportunities, and adolescent psychological factors that are still unstable, thus encouraging children to be involved in the crime of theft with violence.

---

<sup>25</sup> Fitriah, Ria, and Hudi Yusuf. "Penerapan Teori-Teori Kriminologi Dalam Sistem Peradilan Pidana Indonesia: Sebuah Analisis." *Jurnal Intelek Dan Cendekiawan Nusantara* 1, no. 2 (2024): 1498-1507.

## Conclusion

Criminology is a social science that studies crime comprehensively, not only from the legal aspect, but also from the side of the perpetrators, causative factors, and reactions of society and the state. Criminology is divided into pure criminology that focuses on understanding crime through biological, social, and psychological approaches, as well as applied criminology that emphasizes crime prevention and prevention efforts. In the context of children, the increasing involvement of children as perpetrators of criminal acts shows that child delinquency is a serious problem influenced by various factors such as family, economy, education, age, psychological, and social environment. The state has sought to provide protection through the Child Criminal Justice System Law, although the application of diversion has certain limitations. Based on Decision Number 6/Pid.Sus-Anak/2025/PN Kbm, the crime of theft with violence committed by children can be understood as a combined result of economic pressure, the influence of the social environment, situational opportunities, and the immature psychological condition of adolescents. Therefore, the handling of child crimes must be carried out comprehensively with legal, social, and criminological approaches so that child protection and crime prevention can be achieved effectively.

## References

- Abintoro Prakoso, *Kriminologi dan Hukum Pidana Pengertian, Aliran, Teori dan Perkembangannya*, Yogyakarta, LaksBang Pressindo, 2017, Hlm. 17-18.
- Agnew, R. (1992). Foundation for a General Strain Theory of Crime and Delinquency. *Criminology*, 30(1), 47-87.
- Akers, R. L., & Sellers, C. S. (2004). *Criminological Theories: Introduction, Evaluation, and Application*. Roxbury Publishing Company.
- Apriyanda, A., & Hadi, A. (2021). Tinjauan Kriminologis Terhadap Tindak Pidana Penipuan Jual Beli Sepeda Motor. *Jurnal Ilmiah Mahasiswa Bidang Hukum Pidana*, 3(2), Hlm. 306-307.

- B. Bosu, *Sendi-sendi Kriminologi*, Surabaya: Usaha Nasional, 1982, Hlm. 11.
- Balla, H. (2022). Diversi: Anak yang Berhadapan Dengan Hukum. *JULIA: Jurnal Litigasi Amsir*, 10(3), 202-206.
- Felisia, Kusnul. "KAJIAN KRIMINOLOGI TERHADAP ANAK BERHADAPAN DENGAN HUKUM (ABH) DALAM TINDAK PIDANA PENGANIAYAAN PADA PERKARA NOMOR BP/9/II/RES. 1.6./2021/RESKRIM (Studi Kasus di Unit Pelayanan Perempuan dan Anak Satreskrim Polres Blitar Kota)." PhD diss., Universitas Islam Balitar Blitar, 2025.
- Fitriah, Ria, and Hudi Yusuf. "Penerapan Teori-Teori Kriminologi Dalam Sistem Peradilan Pidana Indonesia: Sebuah Analisis." *Jurnal Intelek Dan Cendekiawan Nusantara* 1, no. 2 (2024): 1498-1507.
- Hamdani, Fachmi, Adhi Setyawan, Zaldy Kurniawan, Temmy Toni, RA Gismadiningrat Sahid Wisnuhidayat, and Andis Anshori. "Analisis fenomena tawuran antar pelajar dengan teori differential association." *IKRA-ITH Humaniora: Jurnal Sosial dan Humaniora* 8, no. 2 (2024): 235-245.
- Hari, P. Y. D. P. M., & Rahma, N. I. *Tinjauan Kriminologis Terhadap Kejahatan*. Hlm. 27.
- Harsono, Raka Ardyana, Yenni Muliani, and Dudung Mulyadi. "KAJIAN KRIMINOLOGIS TERHADAP PELAKU RESIDIVIS OLEH ANAK DI WILAYAH HUKUM KABUPATEN CIAMIS: Studi Kasus Putusan Putusan Nomor: 3/Pid. Sus. Anak/2022/PN. Cms." *Pustaka Galuh Justisi* 2, no. 1 (2023): 168-181.
- Hura, Martha Sarah Valentina, and Edi Yunara. "Kajian Hukum Pidana Terhadap Anak Sebagai Pelaku Tindak Pidana Perjudian dalam Perspektif Kriminologi." *UNES Law Review* 6, no. 4 (2024): 11582-11600.

- Kurniaty, Y. (2020). Pengaruh Lingkungan Pergaulan Terhadap Peningkatan Kejahatan Yang Dilakukan Anak. *Proceeding of The URECOL*, Hlm. 418.
- Maidi Maidin Gultom. 2010. *Perlindungan Hukum Terhadap Anak*. PT Refika Aditama. Bandung. Hlm. 56.
- Manullang, Clara Jennifer. "Analisis Teori Kriminologi Strain Dalam Kasus Balap Liar." *UNES Law Review* 5, no. 4 (2023): 3708-3723.
- Negara, AA Gd Prawira, Ni Putu Rai Yuliantini, and Dewa Gede Sudika Mangku. "Tinjauan Kriminologis Terhadap Tindak Pidana Pembunuhan Oleh Anak Di Kota Denpasar." *Jurnal Komunitas Yustisia* 5, no. 1 (2022): 49-59.
- Rozak, Abdur. "Analisis Faktor-Faktor Penyebab Anak Berhadapan dengan Hukum (ABH) Ditinjau Dari Sisi Kriminologi." *Studi Hak Anak Nasional Dan Perempuan* 1, no. 2 (2025): 112-122.
- Sahat Maruli T. Situmeang, *Buku Ajar Kriminologi*, Depok, PT Rajawali Buana Pusaka, 2021, Hlm. 3.
- Samosir, A. (2020). Penegakan Hukum Tindak Pidana Narkotika ditinjau dari Perspektif Kriminologi. *Logika: Jurnal Penelitian Universitas Kuningan*, 11(02), Hlm. 90.
- Sinaga, Marco Duran. "Kajian Kriminologi terhadap Anak sebagai Pelaku Tindak Pidana Kekerasan yang Mengakibatkan Kematian (Studi Putusan Nomor: 55/Pid. Sus-Anak/2022/Pn Mdn)." (2024).
- Soekanto, Soerjono. "Penelitian hukum normatif: Suatu tinjauan singkat." (2007).
- Syahbana, Ikrima Salsa, and Margo Hadi Pura. "Kasus Anak Sebagai Pelaku Tindak Pidana Pencurian Berdasarkan Kajian Kriminologi." *Jurnal Ilmiah Wahana Pendidikan* 10, no. 13 (2024): 210-218.
- Topo Santoso dan Eva Achjani Zulfa, *Kriminologi*, Jakarta: Raja Grafindo Persada, 2015, Hlm. 9.
- Totok Sugiarto, S. H. (2017). *Pengantar Kriminologi*. Jakad Media Publishing. Hlm. 12-14.

Wiraguna, Sidi Ahyar. "Metode normatif dan empiris dalam penelitian hukum: Studi eksploratif di Indonesia." *Public Sphere: Jurnal Sosial Politik, Pemerintahan dan Hukum* 3, no. 3 (2024).

\*\*\*