



ZICONS:

Zawiyah International Conference on Sharia and Legal Studies

Vol. 1. (January–December 2025): h. 259-271

<https://jurnal.pematik.id/index.php/zicons>

Revitalizing Islamic Legal Values in Judges' Decisions Against Child Assault Perpetrators: Analysis of Decision Number 17/Pid.Sus-Anak/2024/PN Bks

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Article Info

Article history:

Received Nov 17, 2025

Accepted Des 29, 2025

Publish Des 30, 2025

Keywords:

Best Interests of the Child
Child Perpetrator of Assault
Islamic Law
Judge's Decision
Revitalization

ABSTRACT

The phenomenon of group assault committed by children, sometimes resulting in death during street fights, remains prevalent in Indonesia. This situation poses a significant challenge for the juvenile justice system, which must balance legal certainty, child protection, and substantive justice. This study aims to analyze the considerations of judges in imposing criminal sanctions on child perpetrators of group assault based on the Decision of the Bekasi District Court Number 17/Pid.Sus-Anak/2024/PN Bks, and to examine how the revitalization of Islamic legal values can serve as moral and philosophical guidance in the juvenile justice process in Indonesia. The research method employed is a normative legal approach with content analysis of court decisions No. 17/Pid.Sus-Anak/2024/PN Bks and relevant legislation like Law No. 11 of 2012, and linked to Islamic legal principles such as justice (al-'adl), public welfare (al-maslahah), and protection of life (hifz al-nafs). The results indicate that judges have considered the best interest of the child principle through educational and rehabilitative sentencing. However, the revitalization of Islamic legal values still needs to be strengthened to serve as an ethical foundation for judges in achieving a humane, balanced justice system aligned with child protection principles in the global era. This study also emphasizes the importance of integrating Sharia values into positive law as an effort to build a more dignified and socially just judicial system.

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INTRODUCTION

Assault is a form of crime committed by two or more people together against a person or property, and has the potential to cause serious physical and psychological harm to the victim. This collective act of violence not only causes pain, injury, or disability, but can also result in the death of the victim (Blaviando et al., 2024). From the perspective of Indonesian criminal law, assault has specific characteristics because it involves an element of concurrence meaning that criminal liability attaches to each perpetrator who participates in the violence. Provisions regarding criminal sanctions for assault are clearly regulated in Article 170 of the Criminal Code (KUHP). This article explains the subjective and objective elements, namely that anyone who commits violence together with others against a person or property can be punished in accordance with the level of fault and the consequences caused (Kurniawan, 2020). If the assault only causes minor injuries, the perpetrator may be subject to a relatively lighter prison sentence. However, if the assault causes serious injury or even death, the criminal penalty can be up to twelve years in prison. This regulation is basically intended for perpetrators who are adults, namely individuals who are legally considered capable of being held responsible and understanding the consequences of their actions. Thus, the law demands commensurate responsibility for adult perpetrators who consciously commit violence together (Hartono et al., 2023).

However, developments over time show that acts of collective violence (gang violence) are no longer only committed by adults. Phenomena in various large cities and regions show that acts of violence that harm others are now also often committed by children or adolescents who are still in the stages of psychological and social development (Alawiyah & Purba, 2024). One of the most common forms of violence among children and adolescents is gang fighting, which usually occurs in schools or educational institutions. Fighting between students is generally triggered by trivial conflicts such as teasing, group rivalry, differences in school identity, and even issues on social media. However, these minor issues often escalate into serious criminal acts that cause serious injury, property damage, and even loss of life (Hisyam et al., 2025). The increasing phenomenon of child abuse not only creates social unrest in the community, but also poses a major challenge to the legal system, particularly the juvenile justice system in Indonesia. Various reports show that violence involving children can no longer be considered an incidental event, but has become a structural problem that requires comprehensive handling (Paramaswasti & Mediatati, 2023).

The Indonesian Child Protection Commission (KPAI) commissioner, through its annual report, shows that there were 141 complaints related to violence involving children, accounting for about 35% of all complaints received. This figure indicates that acts of violence committed by children are becoming

more frequent and show an alarming trend (komisioner Komisi Perlindungan Anak Indonesia, 2024). This situation shows that crimes committed by children are a serious issue that requires special attention and intervention from various parties, including families, schools, communities, and the state. This problem not only affects public safety, but also creates complexity in the juvenile justice system. On the one hand, the state has an obligation to ensure that victims obtain justice and compensation for their losses (Hutagalung, 2023). On the other hand, the juvenile justice system must continue to prioritize the principles of protection, rehabilitation, and the best interests of the child, as stipulated in the Juvenile Criminal Justice System Law (SPPA) (Widowati, 2024).

LITERATURE REVIEW

Previous studies have shown that the application of punishment to children is not an issue that can be viewed solely from a legal perspective. When a child is faced with criminal punishment, there are many aspects of their lives that will be affected, ranging from their emotional state and social relationships to their educational future, as explained by Prashasti et al (2025) in their research. They emphasize that criminal punishment can have serious psychological consequences for children, such as causing mental disorders in the form of trauma, anxiety, and decreased self-confidence, which ultimately hinder their social development and educational process. Novita et al (2022) noted that the main causes of children falling into deviant behavior and committing unlawful acts are often due to a lack of attention, attitude guidance, and weak family control. Therefore, the punishment of children must take into account their psychological condition, family background, and needs so as not to cause long-term damage.

Other studies also discuss the juvenile justice system, which is designed to provide protection for children. Sari (2021) states that Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA) must view children as individuals who are not yet fully capable of considering the consequences of their actions. Therefore, legal proceedings against children must be based on the principle of the best interests of the child so that legal decisions do not damage their future. This regulation also gives judges the authority to seek alternative resolutions through diversion mechanisms with the aim of creating peace and minimizing conflict between perpetrators and victims. Krisnalita (2023) findings reinforce this legal regulation: if alternative resolutions cannot be pursued, the court must take a more guidance-oriented approach by prioritizing guidance, rehabilitation, and social reintegration over punishment alone. However, she also emphasizes that in serious cases such as abuse resulting in death, judges are often caught in a dilemma between justice for the victim and the future of the perpetrator. These studies show that juvenile justice is often positioned between the demands of justice and the need for guidance, thus requiring more careful consideration.

The study, which lies at the intersection of Islamic law and the restorative justice approach in the research by Allafi & S'aadh (2022) states that if we look at the context of Islamic law, the application of punishment in the judicial system is not only oriented towards formal and legalistic justice, but also considers moral and spiritual principles. This is based on the view that legal policy aims to achieve good and prevent harm (*jalb al-mashalih wa dar' al-mafasid*). In the context of justice for children, *maslahah* is a key pillar of Islamic law, whereby judges must consider the social and moral impact on children. One of the things that judges must pay attention to is the protection of children's lives or mental well-being (*hifz al-nafs*). Punishments that are too harsh for children can also cause moral and social harm.

Based on previous literature reviews, it appears that the criminalization of children still largely focuses on the implementation of the SPPA, the psychological impact of criminalization, and the effectiveness of diversion. However, there are still few studies that comprehensively integrate positive legal analysis with Islamic legal values, especially in cases involving children in conflict with the law. This shows that there has not been much research examining the extent to which judges' considerations in juvenile court decisions reflect Islamic ethical and moral values such as justice (*al-'adl*), benefit (*al-maslahah*), and protection of life (*hifz al-nafs*). In addition, there are still few studies that explore the revitalization of Islamic legal values in the context of modern court decisions, especially in criminal cases involving children, which legally require a balance between the interests of the victim and the future of the child as the perpetrator. This certainly requires an integrative analysis that not only evaluates formal legal aspects but also requires moral and spiritual dimensions in passing judgments on children.

This study offers an update that presents a legal-normative analysis of Decision No. 17/Pid.Sus-Anak/2024/PN Bks using an approach that revitalizes Islamic legal values. This approach also emphasizes that judges' decisions regarding children as perpetrators must be based on a spirit of rehabilitation and restoration, rather than merely retribution. These values, such as *al-adl*, *al-maslahah*, and *hifz al-nafs*, form an ethical framework for assessing whether the judge's considerations are in line with the principle of substantive justice that takes into account the future of the child without neglecting the rights of the victim. Thus, the results of this study are expected to contribute theoretically to strengthening the national legal system, which is not only based on legality but also on noble moral and spiritual values. In addition, this study can be a reference for academics, practitioners, and policymakers in formulating more humanistic laws oriented towards child protection.

METHOD

This study is a legal-normative study that focuses on the use of case analysis through a content analysis approach. This analysis is intended to examine Decision No. 17/Pid.Sus-Anak/2024/PN Bks relating to a case of assault committed by a child. This approach was chosen because this study is oriented towards the study of positive legal norms and Islamic legal values relevant to the application of sanctions for child offenders. This study also examines not only the formal aspects of the judge's decision but also optimizes efforts to revitalize Islamic law, such as justice (*al-'adl*), benefit (*al-maslahah*), and protection of life (*hifz al-nafs*) in the context of juvenile justice in Indonesia.

In depth, this study also uses a conceptual approach by examining the concept of rehabilitation as the principle of the best interests of the child and Islamic legal values that can be used as the basis for the formation and application of fair laws for children. The primary data sources in this study are District Court Decision No. 17/Pid.Sus-Anak/2024/PN Bks and Law 12/2011. Meanwhile, secondary data were obtained from books, journals, and various other references. The author used deductive analysis to test theories directly related to the research (Benuf & Azhar, 2020). This research method is expected to reveal how the revitalization of Islamic law can be integrated into the practice of the juvenile justice system in Indonesia.

RESULTS & DISCUSSION

Judicial Considerations in the Trial Process

Based on the facts presented in court, this incident took place on Jl. Dr. Ratna, Rt. 07/002, Jatikramat Village, Jatiasih District, Bekasi City, on Friday, June 28, 2024, around 3:30 AM, the Child, along with three of his friends witness RH (prosecuted in a separate case), Mr. AI (not yet apprehended), and Mr. BU (not yet apprehended) were proven to have committed a fatal assault by hiding in a trash dump to ambush the victim. When the child and his Tritis Gang friends saw the victim and witness FA, along with another Warjoe Gang group, approaching the intersection leading to the garbage dump on motorcycles, the Tritis Gang suddenly attacked the Warjoe Gang. As a result of the attack, the victim suffered abrasions on his face, neck, shoulders, and legs, and fell into a drain. These injuries were caused by the child swinging his corbek (a type of hammer) and hitting the victim on the right side of his back once, and AI swinging his corbek and hitting the victim on the right side of his back once. while FA suffered severe injuries to his back caused by RH swinging his cobek. BU remained on the motorcycle at the time to observe the situation (Direktori Putusan et al., 2024).

For acts committed by minors, the judge will consider alternative charges brought by the public prosecutor by examining the elements of the crime committed:

1. The element of “whoever”

The element of person refers to the subject or perpetrator, which indicates that every person or legal entity deemed legally competent can be subject to sanctions if they commit an act that violates legal provisions (Udjari et al., 2025). Children as legal subjects during trial are physically and mentally healthy and there are no elements of criminal exemption, either justifiable or excusable reasons. Based on a photocopy of the child's school certificate and family card, the child was born on July 26, 2007, so at the time of the incident, the child was under 18 years of age and was considered capable of being held responsible for his actions (Direktori Putusan et al., 2024).

2. The element of “openly and jointly committing violence against persons or property”

The element of overtness refers to the condition of an act that can be seen by the public or the general public, which may be in a closed room, but there is a possibility that other people (the general public) can see it. Meanwhile, an act committed jointly means that there is cooperation or unity of will between two or more people to commit an act of violence. Furthermore, committing violence against persons or property refers to acts of using physical force or coercion resulting in injury, damage, or even death. In this case, the judge ruled that this element was fulfilled because the perpetrators committed an act of assault together in a public place (the street) where it was potentially visible to the surrounding community (Sengkey, 2019).

The judge also emphasized that the act was not spontaneous but rather a premeditated act, as evidenced by communications between the perpetrators to gather at the scene of the crime with several weapons used to attack. Based on the element of participation in a criminal act (*deelneming*), acting together does not mean that everyone must have carried out physical actions; rather, simply being involved in the act fulfills this element, as was the case with BU, who only monitored the situation but was still considered to be involved (Direktori Putusan et al., 2024).

3. The element of “causing death”

An act resulting in death can be committed intentionally, unintentionally, or negligently (Kinontoa et al., 2022). The elimination of another person's biological functions is characterized by the loss of vital activities in the body, including the cessation of heartbeat, breathing, and brain function (Andiansyah et al., 2024). Based on the autopsy report No. Mayat: R/0051/Sk.B/VI/2024/IKF Bhayangkara Hospital Jakarta, the examination of the body of a 17-year-old male with blood type “B” revealed an open wound on the head accompanied by a fractured skull, the brain was severed, causing bleeding, and abrasions were found on the face, neck, shoulder, left upper limb, and both lower limbs. These factors caused the death of the victim due to violence with sharp and blunt objects (Direktori Putusan et al., 2024).

Judicial Decisions in Imposing Criminal Sanctions

Judges must prioritize the best interests of the child as paramount importance when children are in conflict with the law. This is to ensure that the needs and growth of the child are met, rather than simply imposing punishment (Nunsuhaini et al., 2024; Rasdi et al., 2022). In rendering their decision, the judges considered the recommendation made by the community counselor in the form of a sentence in an institution, namely the Griya Bina Karsa Social Service Center (PPSGBK), on the grounds that the act committed was not one that could be repeated and was in the best interests of the child. The judge disagreed with this recommendation considering that the victim had died, so the judge decided to impose a four-year criminal sanction at the LPKA (special child guidance institution) for the best interests of the child so that in the future the child could become a good person, and also for the interests and safety of the surrounding community. The judge considered that the child's actions had the potential to endanger the community, so it was necessary to impose a criminal restriction of freedom (Direktori Putusan et al., 2024).

Effectiveness in Imposing Criminal Sanctions on Children

The criminal justice system for children differs significantly from that for adults. It is specialized and governed by different regulations. Based on the SPPA law, a person can be categorized as a child if they are 12 years old but have not yet reached the age of 18. However, if they are over 18 but have not yet reached the age of 21, they will still be brought before a juvenile court (Pujiani et al., 2022). During the trial, the judge is required to seek diversion. If diversion is not possible, the trial will continue, taking into account the child's human rights and avoiding intimidation so that the child feels comfortable during the trial. This principle is used as a means of psychosocial and non-discriminatory support to help children cope with difficult situations (Karsudin & Cahyaningtyas, 2021).

Criminal sanctions of imprisonment for children shall only be imposed as a last resort (*Ultimum remedium*). The maximum sentence imposed on a child shall be half (1/2) of the maximum sentence imposed on an adult. If the offense carries a death penalty or life imprisonment, the maximum sentence imposed on a child shall be 10 years (Kusumawati et al., 2022). The punishment referred to is LPKA (special child guidance institution) if the act has the potential to endanger society (Undang-Undang Republik Indonesia Nomor 11 Tahun 2012 Tentang Sistem Peradilan Pidana Anak, n.d.).

The judge's decision is in the best interest of the child, considering that LPKA is designed as a shelter for children who have the potential to harm society. The existence of LPKA can provide educational services and supervision (A.S & Permatasari, 2023). Children detained in LPKA continue their education according to their level, considering that the factors behind children's conflict

with the law are caused by a permissive social environment, indifference to social norms, uncontrolled socializing, and lack of family supervision. Based on differential association, criminal behavior tends to be learned rather than inherited (Sartika & Supraja, 2019). Therefore, this program can help change the mindset of children in conflict with the law so that they are able to evaluate themselves and provide positive hope for children to live their lives after going through the punishment process. Thus, the imposition of a four-year criminal sanction at the LPKA is considered a proportional measure because it fulfills the principle of the best interests of the child while still respecting children's rights and the principle of punishment as a last resort (*ultimum remedium*) while ensuring public safety (D et al., 2024).

Revitalization of Islamic Law in Judicial Decisions as Criminal Sanctions Against Children Involved in Assault

Revitalizing Islamic legal values is an important step to be implemented in the juvenile justice system in Indonesia in order to reaffirm the essence of law as a means of moral guidance by reviving the basic values of Islamic law in legal practice so that it is not only oriented towards formal aspects, but also towards moral, spiritual, and social dimensions (Herman et al., 2024). The revitalization of Islamic law plays an important role in reviving the idea that the purpose of punishment is not only retaliation, but also education, guidance, and moral rehabilitation, in the context of criminal acts committed by children in the Bekasi District Court Decision Number 17/Pid.Sus -Anak/2024/PN Bks, the importance of this revitalization is further strengthened because children are not only seen as lawbreakers but as individuals who are in the process of growing up and have the right to the opportunity to improve themselves (Permana et al., 2025).

From the outset, Islamic law has emphasized the principles of justice (*al-adl*), benefit (*al-maslahah*), and protection of life (*hifz al-nafs*) as fundamental values in law enforcement, including in cases involving children as perpetrators. In Islam, murder or acts of violence resulting in death are considered *zulm* (injustice), as explained in Q.S. al-Ma'idah [5]: 32, which states that taking the life of another person or murder is a major sin against Allah SWT (Alotaibi, 2021). However, Islam also provides justice for perpetrators who are not yet able to distinguish between good and bad (*ghayr al-tamyiz*). One example is children in Islam. If a child commits a crime, they will not be subject to *had* or *qisas* punishment, but rather *ta'zir* punishment, which is educational in nature. This is because in Islam, criminal responsibility (*al mas'uliyah al-jinaiyyah*) requires that the act be committed willingly, the perpetrator knows the consequences of their actions, and if these conditions are met, they can be held responsible. However, if the person is insane, a minor, or was forced or coerced, they cannot be held responsible, as explained in the hadith narrated by Imam Ahmad and Abu Daud (Sarmadi et al., 2023). *Ta'zir* in Islamic criminal law is a form of punishment that is not specified in the text, but is given full authority to the ruler or judge (*taqdir al-hakim*) by considering the condition of the perpetrator and the purpose of

public interest. Basically, the concept of *ta'zir* has two main functions, namely reform or teaching (*al-islah wa al-tahdhib*) and prevention and deterrence (*ar-radd wa al-zajr*) by balancing the dimensions of rehabilitation and prevention, whereby the child must be guided to regret his actions (Syarbaini, 2023).

In Indonesia itself, the concept of *ta'zir* has begun to be used, which is substantively reflected in Qanun Jinayah Number 6 of 2014, referring to Article 67, which clearly regulates the age limit for children and the form of criminal responsibility. It stipulates that a child between the ages of 12 and 18 or who is unmarried, if a child commits a crime (*jarimah*), the punishment imposed shall be at most one-third of the punishment for an adult or the child shall be returned to their parents so that they can be rehabilitated in a place provided by the government (Qanun Aceh Hukum Jinayat Nomor 6 Tahun 2014 Tentang Hukum Jinayat, n.d.). The revitalization of Islamic legal values in this context is also closely related to an instrument of moral reform (*al-islah*) that emphasizes social responsibility in rehabilitating children who have committed crimes. Furthermore, based on the principle of *maqasid al-syari'ah*, the revitalization of Islamic law regarding children as perpetrators of crime must be directed towards protection in accordance with the principles of sharia, namely protection of life (*hifz al-nafs*), intellect (*hifz al-aql*), and justice (*al-adl*), which are the three main dimensions in imposing punishment by protecting children's lives from moral and social degradation and preserving their intellect so that they are always able to distinguish between good and bad deeds (Tahir & Hamid, 2024). If the juvenile justice system focuses solely on retribution without any guidance in the form of education, then the main objective of the Sharia principle will fail to be achieved. However, if the system combines the values of *ta'zir*, it will result in a more humane and restorative justice. In addition, this concept also provides flexibility to judges so that they can adjust the form of punishment to the conditions and potential for change of the perpetrator during the course of the punishment (Rizanzarli et al., 2023).

The revitalization of Islamic law in judges' decisions regarding children who commit assault is an effort to ground Sharia teachings in Indonesia's national legal system. The integration of Islamic law as stipulated in the Qanun Jinayah Aceh (Aceh Criminal Code) can serve as an example for other regions to develop legal policies oriented towards child protection. Ultimately, the revitalization of Islamic legal values is not only a normative effort, but also emphasizes morality and social values in order to revive the spirit of substantive justice in the juvenile justice system. Through Islamic legal values, it is hoped that a dignified legal system can be established that is socially just and oriented towards humanity (Fuad et al., 2022).

CONCLUSION

Based on the analysis of decision No. 17/Pid.Sus-Anak/2024/PN Bks, it can be concluded that in considering the case of a child who committed assault resulting in death, the judge sought to apply the principle of justice based on the best interests of the child. Referring to the positive legal framework, the verdict is in line with the provisions of Law No. 1/2012 on the juvenile justice system, which prioritizes the principles of justice, guidance, and protection for children who break the law. The judge imposed a criminal sanction in the form of imprisonment in a juvenile detention center as a form of guidance so that the child can improve his behavior and not repeat his mistakes. This certainly shows that positive legal procedures in Indonesia have prioritized a balance between law enforcement and the protection of children's rights.

However, based on Islamic law, the imposition of such sanctions certainly requires revitalization so that substantive values of justice can be derived from Sharia as the moral and ethical basis for judges to deliver verdicts. The application of the principle of *ta'zir* in the imposition of criminal penalties is not limited to retribution but also serves as a means of reform or education (*al-islāh wa al-tahdhi*) and prevention or deterrence (*ar-radd wa al-zajr*). Therefore, the purpose of the law is not only focused on punishment but also on moral and social guidance for children as perpetrators of crime.

Qanun Jinayah Number 6 of 2014 concerning Jinayah Law is a concrete example of applying Islamic legal values in line with the provisions of child protection principles in positive law. This proves the harmony between the spirit of positive law and Islamic legal values in achieving human justice. Thus, the revitalization of Islamic law in judicial decisions against children who break the law is a strategic step towards harmonizing positive law and Islamic law. The integration of these two systems not only focuses on procedural justice, but also revives the moral and spiritual dimensions in the judicial system.

REFERENCES

- A.S, T. C., & Permatasari, P. (2023). Implementasi Hak Pendidikan Anak Pada Lembaga Pembinaan Khusus Anak Kantor Wilayah II Jakarta. *Jurnal Suara Hukum*, 5(1), 102–126.
- Alawiyah, S., & Purba, N. (2024). Penegakan Hukum Terhadap Tawuran Antar Pelajar (Study pada SMK Al Washliyah 4 Medan). (*JIHHP*) *Jurnal Ilmu Hukum, Humaniora Dan Politik*, 4(5), 1738–1752. <https://doi.org/https://doi.org/10.38035/jihhp.v4i5.2403>
- Allafi, M. M., & S'aadh, A. A. (2022). Intentional Measures to Achieve a Child's Mental Health. *Dirasat: Human and Social Sciences*, 49(6), 578–589. <https://doi.org/https://doi.org/10.35516/hum.v49i6:.4055>
- Alotaibi, H. A. (2021). The challenges of execution of Islamic criminal law in developing Muslim Countries: An analysis based on Islamic principles and

- existing legal system. *Cogent Social Sciences*, 7(1), 1–13. <https://doi.org/https://doi.org/10.1080/23311886.2021.1925413>
- Andiansyah, L., Fitria Nurul, F., Mamesah, H., & Yusuf, H. (2024). Tinjauan Terhadap Cara, Sebab, dan Mekanisme Kematian: Perspektif dalam Konteks Kesehatan dan Ilmu Kedokteran. *JICN: Jurnal Intelek Dan Cendekiawan Nusantara*, 1(2), 2211–2218. <https://jicnusantara.com/index.php/jicn%0D>
- Benuf, K., & Azhar, M. (2020). Metodologi Penelitian Hukum sebagai Instrumen Mengurai Permasalahan Hukum Kontemporer. *Gema Keadilan*, 7(1), 20–33. <https://doi.org/10.14710/gk.2020.7504>
- Blaviando, E., Christianto, H., & Siwu, S. C. (2024). Criminal Act of Severe Assault by PS Towards M Reviewed Under Law Number 13 of 2006 jo Law Number 31 of 2014 Concerning the Protection of Witnesses and Victims. *UNES Law Review*, 6(3), 8252–8261. <https://doi.org/10.31933/unesrev.v6i3.1663>
- D, C. V. D., Sj, M. S. J. A. J., & S, T. M. (2024). Exploring the Juvenile Justice Act : Legal Framework and Psychosocial Interventions for Children in Conflict with the Law. *Children and Youth Services Review*, XXV, 861–869.
- Direktori Putusan, Mahkamah Agung, & Republik Indonesia. (2024). Putusan PN Bogor Nomor 17/Pid.Sus/2024/PN Bks. Bekasi. <https://putusan3.mahkamahagung.go.id/direktori/index/pengadilan/pn-bekasi/kategori/peradilan-anak-abh-1.html>
- Fuad, Z., Darma, S., & Muhibbuthabry, M. (2022). Wither Qanun Jinayat? The legal and social developments of Islamic criminal law in Indonesia. *Cogent Social Sciences*, 8(1), 1–17. <https://doi.org/https://doi.org/10.1080/23311886.2022.2053269>
- Hartono, B., Ansori, & Junisda, M. (2023). Pertanggungjawaban Pelaku Tindak Pidana Pengeroyokan Berakibat Kematian Dalam Putusan Banding (Judex Factie). *Yustitiabelen*, 9(2), 133–147. <https://doi.org/https://doi.org/10.36563/yustitiabelen.v9i2.708>
- Herman, H., Ilham, M., Pratama, F. A., Kartini, K., & Iqbal, M. (2024). Imposing Sanctions on School Students in East Kolaka, Indonesia: Perspectives of Islamic Law and Islamic Education. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8(2), 1121–114. <https://doi.org/https://doi.org/10.22373/sjhc.v8i2.21898>
- Hisyam, C. J., Seruni, M. P., Hadi, A. F., Lestari, D., Az-Zahra, F., Safier, G. M., & Salsabila, N. (2025). Tawuran Antar Basis sebagai Bentuk Penyimpangan Sosial di Kalangan Remaja Perkotaan dalam Perspektif Differential Association Theory. *Aktivisme: Jurnal Ilmu Pendidikan, Politik Dan Sosial Indonesia*, 2(2), 115–132. <https://doi.org/https://doi.org/10.62383/aktivisme.v2i2.1140>
- Hutagalung, T. S. (2023). The Effectiveness of Restorative Justice Implementation in the Juvenile Criminal Justice System in Indonesia. *Jurnal Smart Hukum (JSH)*, 2(1), 37–46. <https://doi.org/10.55299/jsh.v2i1.1353>
- Karsudin, & Cahyaningtyas, I. (2021). Government Policy On Child Crime Through The Concept Of Diversion As A Solution Amid The Spread Of Covid-19.

- Review, Lex Scientia Law*, 5(2), 1–18.
<https://journal.unnes.ac.id/sju/lslr/article/download/49914/20392/>
- Kinontoa, D. W., Sepang, M., & Lembong, R. R. (2022). Kealpaan Yang Mengakibatkan Kematian Orang Lain Menurut Pasal 359 Kitab Undang Undang Hukum Pidana (Kuhp). *Lex Crimen*, 11(1), 35–44.
- komisioner Komisi Perlindungan Anak Indonesia. (2024). *KPAI Terima 141 Aduan Kekerasan Anak Sepanjang Awal 2024, 35 Persen Terjadi di Sekolah*. Tempo.Co. <https://www.tempo.co/arsip/kpai-terima-141-aduan-kekerasan-anak-sepanjang-awal-2024-35-persen-terjadi-di-sekolah-78415>
- Krisnalita, L. Y. (2023). Diversi Pada Tindak Pidana yang Dilakukan Oleh Anak. *Binamulia Hukum*, 8(1), 93–106.
<https://doi.org/https://doi.org/10.37893/jbh.v8i1.342>
- Kurniawan, S. A. (2020). Implementasi Pasal 170 Kuhp Tentang Tindak Pidana Dengan Tenaga Bersama Melakukan Kekerasan Terhadap Orang. *Dinamika: Jurnal Ilmiah Ilmu Hukum*, 26(17), 1981–1988.
<http://www.riset.unisma.ac.id/index.php/jdh/article/view/8428>
<http://www.riset.unisma.ac.id/index.php/jdh/article/download/8428/7004>
- Kusumawati, A. R. I., Dewi, A. A. S. L., & Suryani, L. P. (2022). Pertanggungjawaban Pidana terhadap Pengeroyokan oleh Anak di Bawah Umur Mengakibatkan Kematian. *Jurnal Interpretasi Hukum*, 3(1), 199–203.
<https://doi.org/10.22225/juinhum.3.1.4744.199-203>
- Novita, L., Chandra, T. Y., & Sanrawan, P. (2022). Application of Criminal Sanctions Against Children as a Perpetrators of Abuse That Cause Death From The Juvenile Criminal Justice Systemperspective. *Policy, Law, Notary And Regulatory Issues (POLRI)*, 1(3), 3–16.
- Nunsuhaini, Wibowo, B. R., Christiawan, R., & Widyaningrum, T. (2024). Ratio Decidendi to Impose Sanctions in the Best Interests of The Child. *International Journal of Religion*, 5(11), 3912–3918.
- Paramaswasti, B. Y., & Mediatati, N. (2023). Upaya Preventif dan Represif Pihak Kepolisian dan Sekolah dalam Mengatasi Tawuran Antar Pelajar. *Jurnal Ilmiah Ilmu Pendidikan*, 6(7), 5291–5300.
<https://doi.org/10.54371/jiip.v6i7.2525>
- Permana, Y., Marpaung, W., & Harahap, A. M. (2025). The Role of Restorative Justice in Juvenile Criminal Law Islamic Law Analysis. *Jurnal Akta*, 12(1), 85–94.
- Prashasti, J., Arpit, T., Paridhi, J., Suprithy, P., Geeta, S., & Monika, S. (2025). The Psychosocial and Developmental Impact of Maternal Incarceration on Children: Legal and Ethical Implications. *Journal of Pharmacy and Bioallied Sciences*, 17(2), 1089–1091. https://doi.org/10.4103/jpbs.jpbs_372_25
- Pujiani, R. S., Aksan, M. A., & Sinta, M. (2022). Seeking Justice for Indonesian Children: The Juvenile Criminal Justice System in Indonesia in the Context of Criminal Justice Reform. *Ndonesian Journal of Advocacy and Legal Services*, 4(2), 259–274. <https://doi.org/https://doi.org/10.15294/ijals.v4i2.60033>
- Qanun Aceh Hukum Jinayat Nomor 6 Tahun 2014 Tentang Hukum Jinayat, Pub. L.

- No. Nomor 6 Tahun 2014.
https://dsi.acehprov.go.id/media/2023.07/qanun_aceh_nomor_6_tahun_2014_tentang_hukum_jinayat1.pdf
- Rasdi, R., Pujiyono, P., Rochaeti, N., & Rehulina, R. (2022). Reformulation of the Criminal Justice System for Children in Conflict Based on Pancasila Justice. *Lex Scientia Law Review*, 6(2), 479–518.
- Rizanizarli, R., Mahfud, M., Pratama, R. C., & Fikri, F. (2023). The Application of Restorative Justice for Children as Criminal Offenders in the Perspective of National Law and Qanun Jināyat. *SAMARAH Jurnal Hukum Keluarga Dan Hukum Islam*, 7(1), 21–39. <https://doi.org/10.22373/sjkh.v7i1.15633>
- Sari, D. P. (2021). Deteksi Dini Good Character yang Belum Terbentuk pada Anak Usia 7-12 Tahun dan Faktor-Faktor Penyebabnya (Studi Fenomenologi di SDIT Rabbi Radhiyya Curup Bengkulu). *Edukasi Islami: Jurnal Pendidikan Islam*, 10(2), 839–859. <https://doi.org/https://doi.org/10.30868/ei.v10i02.1269>
- Sarmadi, A. S., Huzaimah, A., Jalaluddin, Lahmudinur, Nugraha, A. B., & Lawang, A. K. (2023). CRIMINAL LIABILITY OF CHILDREN FROM THE PERSPECTIVE OF ISLAMIC LAW AND POSITIVE LAW IN INDONESIA. *At-Turas: Jurnal Studi Keislaman*, 10(1), 110–127. <https://doi.org/http://doi.org/10.33650/at-turas.v10i1.6099>
- Sartika, D. D., & Supraja, M. (2019). Learning About Crime (A Study on Children in Conflict with the Law at LPKA of Palembang ,South Sumatera, Indonesia). *International Journal of Engineering and Advanced Technology (IJEAT)*, 8(5), 306–313. <https://doi.org/10.35940/ijeat.E1043.0585C19>
- Sengkey, C. G. (2019). Tindakan Kekerasan Dengan Tenaga Bersama Terhadap Orang Atau Barang Menurut Pasal 170 Kuhp Sebagai Tindak Pidana Menghadapi Pengunjuk Rasa Yang Rusuh. *Lex Crimen*, 8(7), 32–41.
- Syarbaini, A. (2023). Konsep Ta'zir Menurut Perspektif Hukum Pidana Islam. *Tahqiqq*, 2.(17), 120–129.
- Tahir, T., & Hamid, S. H. A. (2024). Maqasid Al-Syari'ah Transformation in Law Implementation for Humanity. *International Journal Ihya' 'Ulum Al-Din*, 26(1), 119–131. <https://doi.org/https://doi.org/10.21580/ihya.26.1.20248>
- Udjari, H., Hardyansah, R., Darmawan, D., Mohamad, Y., & Osean, R. (2025). Child Protection in Criminal Offenses: An Analysis of Policies and Sanctions in the Indonesian Justice System. *Judge: Jurnal Hukum*, 6(1), 12–19. <https://doi.org/https://doi.org/10.54209/judge.v6i01.1092>
- Undang-Undang Republik Indonesia Nomor 11 Tahun 2012 Tentang Sistem Peradilan Pidana Anak, Pub. L. No. NOMOR 11 TAHUN 2012. <https://bphn.go.id/data/documents/12uu011.pdf>
- Widowati, W. (2024). Justice for Children : Exploring Juvenile Criminal Law in Indonesia. *West Science Law and Human Rights*, 2(04), 367–378. <https://wsj.westscience-press.com/index.php/wslh>