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Differential Association Theory Overview Against Children of Criminal Acts of Terrorism

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ABSTRACT

This paper examines children as perpetrators of criminal acts of terrorism and efforts to protect children's rights through a criminological policy approach with focus on the principles and norms of criminal law on the rights of children who are perpetrators of terrorism crimes. This normative juridical research uses a statutory, conceptual, philosophical and case approach. The analysis technique uses prescriptive analysis with logic and legal reasoning. The results of the study show that the involvement of children as perpetrators in criminal acts of terrorism is in line with the Differential Association Theory which states that criminal behavior is a learned behavior. In addition, the cause of children becoming perpetrators of acts of terrorism can also be explained through Motivation Theory. There are 2 (two) kinds of motivation, namely intrinsic motivation (internal) and extrinsic motivation (external). Efforts to protect children's human rights as perpetrators of criminal acts of terrorism through the Criminal Policy approach can be carried out with 2 (two) approaches, namely the Penal Policy or efforts to overcome crimes with criminal law and Non-Penal Policies or efforts to overcome crimes outside the criminal law.

Keywords : *Children's Rights, Child Terrorism, Criminal Policy.*

ABSTRAK

Tulisan ini mengkaji anak sebagai pelaku tindak pidana terorisme dan upaya perlindungan hak anak melalui pendekatan kebijakan kriminologi dengan fokus pada prinsip dan norma hukum pidana tentang hak anak pelaku tindak pidana terorisme. Penelitian yuridis normatif ini menggunakan pendekatan perundang-undangan, konseptual, filosofis dan kasus. Teknik analisis menggunakan analisis preskriptif dengan logika dan penalaran hukum. Hasil penelitian menunjukkan bahwa keterlibatan anak sebagai pelaku tindak pidana terorisme sejalan dengan Differential Association Theory yang menyatakan bahwa perilaku kriminal adalah perilaku yang dipelajari. Selain itu, penyebab anak menjadi pelaku aksi terorisme juga dapat dijelaskan melalui Teori Motivasi. Ada 2 (dua) macam motivasi, yaitu motivasi intrinsik (internal) dan motivasi ekstrinsik (eksternal). Upaya perlindungan hak asasi anak

sebagai pelaku tindak pidana terorisme melalui pendekatan Criminal Policy dapat dilakukan dengan 2 (dua) pendekatan yaitu Penal Policy atau upaya penanggulangan kejahatan dengan hukum pidana dan Non-Penal Policies atau upaya penanggulangannya. kejahatan di luar hukum pidana.

Kata kunci: Hak Anak, Kebijakan Pidana, Terorisme Anak.

Introduction

Indonesia's national legal politics refers to the vision of the State as formulated in the Preamble to the 1945 Constitution of the Republic of Indonesia. In the Preamble to the 1945 Constitution of the Republic of Indonesia it is stated that the purpose of the State of Indonesia is to protect the entire Indonesian nation, promote public welfare, educate life of the nation and implement world peace in order to realize social justice for all Indonesian people.

To realize these ideals, everyone is given the right, both basic rights and the right to life. This is stated in Article 28A of the Body of the 1945 Constitution of the Republic of Indonesia which states that "Everyone has the right to live and has the right to defend his life and life". It is the state's obligation to provide protection for the implementation and fulfillment of the human rights of its citizens, including protection from terrorist crimes.

The word terrorism comes from the Latin "terrere" which means trembling and "deterre" which means fear. The term terrorism was originally used to designate an enemy of a territorial or cultural dispute against an ideology or religion that commits acts of violence against the public. The Big Indonesian Dictionary defines terror as an attempt to create fear, horror, cruelty by a certain person or group.

In the tradition of political thought, terrorism is divided into 2 (two). The first is an act of State terror that spreads fear, and divides its people for the purpose of total domination. This is often found in countries that implement totalitarian governments. The second is terrorism from below which is carried out by a certain group of people, either with the support or against the interests of the government.

According to Muladi (Muladi, 2015, p.13), terrorism is an extraordinary crime that requires handling using extraordinary methods or extraordinary measures for various reasons, including:

1. Terrorism is an act that creates the greatest danger or the greatest danger to human rights, in this case the human right to live and the human right to be free from fear.
2. The target of terrorism is random or indiscriminate which tends to sacrifice innocent people.
3. Possibility of using weapons of mass destruction by utilizing modern technology.
4. The tendency for negative synergies between national terrorism organizations and international organizations to occur.

International law has provided regulation against acts of terrorism by regulated it in several UN Security Council conventions and resolutions. International conventions governing terrorism include (Taufiq, 2016, p.1):

1. *International Convention for These Prevention, and Punishment of Terrorism 1937* (International Convention on the Prevention and Punishment of Terrorism).
2. *1997 International Convention for the Suppression of Terrorist Bombing* (International Convention Against Bombardment by Terrorists)
3. *International Convention for the Suppression of the Financing Terrorism 1999* (International Convention Against Funding for Terrorists)
4. United Nations Security Council resolutions regarding the eradication of terrorism, namely Resolution No. 1368 of 2001 concerning the statement of the United Nations' sympathy for the victims of the September 11, 2001 tragedy, the tragedy at the WTC building.

In Indonesia, the formulation of laws and regulations related to terrorism began with the existence of Government Regulation in Lieu of Law Number 1 of 2002 concerning Eradication of Criminal Acts of Terrorism, which was later strengthened by Law Number 15 of 2003 concerning Stipulation of Government Regulations in Lieu of Law Number 1 2002 concerning Eradication of Criminal Acts of Terrorism Becomes Law,

and Law Number 9 of 2013 concerning Prevention and Eradication of Criminal Acts of Terrorism Financing.

The crime of terrorism is not only committed by adults. The involvement of children in acts of terrorism is a fact that must be faced by Indonesia. One of the terror acts that has been in the spotlight is the suicide bombing at 3 (three) churches in Surabaya on May 13, 2018. The bomb explosion killed 18 (eighteen) people. The public was shocked by the fact that the perpetrators of the bomb attack were one family, headed by Dita Oepriarto (47). Dita's wife, Puji Kuswanti (43) also became perpetrators, including their children, YF (18), FH (16), FS (12), and FR (9). (Andrew, 2018, p.15)

In that case, Puji Kuswanti brought her 2 (two) daughters aged 12 (twelve) and 9 (nine) years old to detonate a bomb at the Indonesian Christian Church. Bombs were attached to the bodies of the two children and then detonated. Followed by his 2 (two) sons aged 16 (sixteen) and 18 (eighteen) years carrying bombs on their laps and riding motorbikes, then detonated them at the Church of Santa Maria. Furthermore, Dita Oepriarto, who is reported to be the leader of the Surabaya cell, the extremist group Jemaah Ansharut Daulah (JAD) drove his car and blew himself up at the Pentecostal Church.

Talking about the involvement of children as perpetrators in criminal acts of terrorism, it cannot be separated from the driving factors or background of children committing these crimes. Finding the background of children committing crimes is one of the scopes of Criminology. It is important to reveal the background of children committing terrorism crimes to determine what needs are needed in responding to terrorism crimes committed by children, including its relation to efforts to protect children's rights so that they are not shackled by the invitation to understand terrorism so that terrorism crimes do not recur. Therefore, the authors are interested in studying mWhy do children commit criminal acts of terrorism in terms of the theory of differential association and how are the efforts to protect children's rights as perpetrators of criminal acts of terrorism through a criminological policy approach?

Research methods

This normative juridical research uses a statutory, conceptual, philosophical and case approach. The data is based on primary legal materials in the form of various laws and regulations related to research and secondary legal materials in the form of complementary books and journals. Data collection techniques with the inventory, classifying and systematizing primary and secondary legal materials that are relevant to this legal research. The analysis technique uses prescriptive analysis with logic and legal reasoning.

Factors Encouraging Children to Commit Terrorism Crimes From the Criminological Aspect

Criminology is the science that studies crime. Criminology comes from the Latin "*crimen*" which means crime or criminals and the Greek "*logos*" which means knowledge. That is, criminology can mean the science of crime or criminals.

WA Bonger provides a definition of criminology as a science that aims to investigate the symptoms of crime as widely as possible. (Jufri, 2018,p.78) While Wood provides a definition that criminology includes all knowledge obtained based on theory or experience related to evil deeds or criminals, including the reaction of society to evil deeds and criminals (Santoso and Zulfa, 2011, p.12).

Furthermore, related to the definition of crime, R. Soesilo distinguishes the juridical understanding of crime and the sociological understanding of crime. From a juridical point of view, the definition of crime is an act of behavior that is contrary to the law. Meanwhile, from a sociological perspective, the definition of crime is an act or behavior that in addition to harming the sufferer, is also detrimental to society, namely in the form of loss of balance, peace and order (Syahrudin, 2003, p.1).

With regard to terrorism crimes, Law Number 15 of 2003 concerning the Stipulation of Government Regulations in Lieu of Law Number 1 of 2002 concerning Eradication of Criminal Acts of Terrorism into Law provides the definition of terrorism as the use of violence or threats of violence that creates an atmosphere of terror or

fear of terrorism. people widely or cause mass casualties, by depriving the liberty or loss of life and property of others or causing damage or destruction to strategic vital objects or the environment or public facilities or international facilities.

Discussing the problem of children committing crimes, which in this case is a crime of terrorism, the first step that must be taken is to dig up information related to the background of the child committing a crime, considering that their cognitive abilities are not perfect so that their sense of responsibility and ability to distinguish between good and bad things bad yet looked. In addition, at the age of a child, an individual is still looking for identity so that the influence of the environment will be very large.

In criminology there are several theories that discuss the factors that cause a person to commit a crime. In this paper, the author uses the Differential Association Theory approach proposed by Edwin H. Sutherland, an American sociologist.

Edwin H. Sutherland coined the term Differential Association Theory to explain the process of learning criminal behavior through social interaction. This theory is divided into two versions. The first version was put forward in 1939 in the book *Principle of Criminology* which emphasized the following aspects (Mulyadi, 2011, p.4) *first, any person can be trained to adopt and follow any pattern of behavior which he is able to escute* (First, everyone will accept and follow workable patterns of behavior), *second, failure to follow a prescribed pattern of behavior is due to the inconsistencies and lack of harmony in the influences which direct the individual* (Second, failure to follow patterns of behavior leads to inconsistency and disharmony), and *third, the conflict of cultures is therefore the fundamental principle in the explanation of crime* (Third, cultural conflict is a basic principle in explaining crime).

Furthermore, Edwin H. Sutherland defines Differential Association as "the contents of the patterns presented in association". This does not mean that only association with criminals will lead to criminal behavior, but what is important is the content of the communication process from other people. Then in 1947 Edwin H. Sutherland presented a second version of the Differential Association theory which

emphasized that all behavior is learned, nothing is inherited based on parental inheritance. Strictly speaking, the pattern of evil behavior is not inherited but learned through a close association. To that end, Edwin H. Sutherland then explained the process of crime through 9 (nine) propositions as follows *criminal behavior is learned. Negatively, this means that criminal behavior is not inherited*(Evil behavior is learned behavior. Negatively means it is not genetically inherited). *Criminal behavior is learned in interaction with other persons in a process of communication. This communication is verbal in many respects but includes also "the communication of gesture"* (Criminal behavior is learned in interaction with other people in a communication process. The communication can mainly be verbal or use body language). The principle part of the learning of criminal behavior occurs within intimate personal groups. Negatively, this means that the interpersonal agencies of communication, such as movies, and newspaper, plays a relatively unimportant part in the genesis of criminal behavior (The most important part in the process of studying criminal behavior occurs in intimate personal groups. Negatively this means that interpersonal communication, such as through the cinema, newspapers, has relatively no important role in the occurrence of crime). When criminal behavior is learned, the learning includes: (a) techniques of committing the crime, which are sometimes very complicated sometimes very simple; (b) the specific direction of motives, drives, rationalization and attitudes(When criminal behavior is studied, what is learned includes: (a) techniques for committing crimes; (b) certain motives, drives, justifications and attitudes). The specific direction of motives and drives is learned from definitions of the legal codes as favorable on unfavorable. In some societies and individual is surrounded by persons who invariably define the legal codes as rules to be observed while in other he is surrounded by person whose definitions are favorable to the violation of legal codes(The direction and motive of the impulse is learned through the definitions of the rule of law. In a society, sometimes a person is surrounded by people who simultaneously see what is regulated in the rule of law as something that needs to be considered and obeyed, but

sometimes he is surrounded by people who see the rule of law as something that provides opportunities for crime to be committed).

A person becomes delinquent because of an excess of definition favorable to violation of law over definitions unfavorable to violation of law (A person becomes delinquent because of the excess of mindsets that see the rule of law more as an opportunity to commit a crime rather than seeing the law as something that must be considered and obeyed). Differentiation Association may vary in frequency, duration, priority and intensity (Differential associations vary in their frequency, duration, priority and intensity). The process of learning criminal behavior by association with criminal and anticriminal patterns includes all of the mechanisms that are involved in any other learning (The process of learning evil behavior is obtained through association with criminal patterns and mechanisms that commonly occur in every learning process in general). While criminal is an expressions of general need and values, it is not explained by those general needs and values (While evil behavior is an expression of general value needs, it does not make clear that non-malicious behavior is also an expression of the same general needs and values.)

Regarding the involvement of children in acts of terrorism, it can be said that both parents have an influence and are a contributing factor to the formation of crimes committed by children. Children's behavior can actually be said as a product produced by families, especially parents. This is because the family is the party that has the greatest intensity of togetherness with children. In addition, the family environment is the first party that provides the basic values for children.

Families, especially parents, are children's learning channels. Intensive interaction, continuous relationships or systematic indoctrination can change a child's values. The involvement of children in acts of terrorism is the result of systematic indoctrination of wrong values, ideologies, or beliefs. The mental condition of a child who is still unstable is easily indoctrinated with things that are radical so that in the end the child chooses to follow the ideology of his parents. (Surbakti, 2009, p. 19)

The involvement of children in acts of terrorism is in line with the Differential Association Theory which states that criminal behavior is a learned behavior. The acts of terrorism committed by the child are studied in interaction through a communication process, and the most important part in the process of studying this criminal behavior occurs in the core personal group, which in this case is the parents.

In addition, the cause of children becoming perpetrators of acts of terrorism can also be explained through Motivation Theory. According to the Big Indonesian Dictionary, what is meant by motivation is an impulse that arises in a person consciously or unconsciously to do an act with a specific purpose. Motivation is often interpreted as efforts that cause a certain person or group to be moved to do an act because they want to achieve the goals they want or get satisfaction with their actions. (CLDD, 1995, p.14)

According to Romli Atmasasmita, (Atmasasmita, 1983, p. 46) there are 2 (two) kinds of motivation, namely intrinsic motivation (internal) and extrinsic motivation (external). Intrinsic motivation is an impulse or desire in a person that does not need to be accompanied by external stimuli, such as intelligence factors, age, gender, and the position of children in the family. While extrinsic motivation is encouragement that comes from outside, such as family, school, media, and social factors. In this case, the involvement of children in acts of terrorism is closely related to extrinsic motivation that comes from the family.

Departing from the understanding that children's cognitive abilities are not perfect and the influence of the environment will be very large, it can be said that children who commit crimes of terrorism are victims of their environment, which in this case is a victim of wrong parenting in the family environment. This is what later became one of the reasons for the punishment for children.

Article 19 of Law Number 15 of 2003 concerning Stipulation of Government Regulations in Lieu of Law Number 1 of 2002 concerning Eradication of Criminal Acts of Terrorism into Law states that:

Article 19

Provisions regarding the imposition of special minimum penalties as referred to in Article 6, Article 8, Article 9, Article 10, Article 11, Article 12, Article 13, Article 15, Article 16 and provisions concerning the imposition of capital punishment or life imprisonment as referred to in Article 14, does not apply to perpetrators of criminal acts of terrorism who are under 18 (eighteen) years of age.

Legal protection for children who commit criminal acts is also regulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (UU SPPA). The Juvenile Criminal Justice System in the SPPA Law is implemented based on the principles of protection, justice, non-discrimination, the best interests of the child, respect for the opinion of the child, the survival and development of the child, the development and guidance of the child, proportionally, deprivation of liberty and punishment as a last resort, and avoidance of retaliation.

Efforts to Protect Children's Rights as Actors of Terrorism Through Criminology Policy Approach

Muladi and Barda Nawawi Arief argue that there are two models of protection, as follows (Muladi and Arief, 1992, pp.79-80):

The Procedural Rights Model, victims can play an active role during the criminal justice process, namely in assisting prosecutors, being involved at every level of case examination, their opinions must also be heard if the convict is released on condition and so on. Victims in this model are positioned as subjects who must be given broad juridical rights to claim and pursue their interests. This model also has the advantage that it can fulfill the feelings of retaliation for the victims and the community. Another advantage is the opportunity for the victim to regain self-confidence and self-esteem, the quality of the flow of information to the judge can be maintained considering that the information is dominated by the defendant who through his legal counsel can persuade the victim to become a witness and/or victim in court.

This model has a weakness, namely it creates a conflict of interest between public interest and private interest. This means that the participation of victims in the

administration of justice can place the public interest under personal interests, while in the justice system it must be based on the public interest. In addition, the rights of the victim can cause a mental burden for the person concerned and become the target of oppressive actions from the perpetrator.

Service Model (The Service Model), this model emphasizes compensation in the form of compensation, restitution and efforts to restore the victim's condition for the trauma, fear, and stress caused by the crime, so that a standard standard is needed for victim training that can be used by the police. There is also the integrity of the system of institutionalized trust which is used as a target for restoring the victim's condition. The reassurance of interests in a just and cost-effective social order because there are standard assistance guidelines and taking into account the losses suffered by the victims is the focus of this model. The name of this model also has a weakness, namely that the obligations imposed on the police, prosecutors and courts to take certain actions against victims can burden law enforcers, because all of them are based on existing facilities and infrastructure.

This law further stipulates that local governments are obliged and responsible for implementing and supporting national policies in the implementation of child protection in the regions which can be realized through regional efforts to build child-friendly districts/cities, as well as providing support for facilities, infrastructure, and availability of resources. human resources in the implementation of child protection. State obligations related to protection are divided into three things, namely:

The obligation to respect (obligation to respect); The 1945 Constitution of the Republic of Indonesia regulates the rights of citizens in CHAPTER X and CHAPTER XA. Children are citizens who must be protected and their rights fulfilled so that child protection is included in the regulation of the 1945 Constitution of the Republic of Indonesia, from Article 26 to Article 28J.

The obligation to protect (obligation to protect); Regulations on child protection are regulated in laws, for example: Law Number 4 of 1979 concerning Child Welfare, Law Number 3 of 1997 concerning Juvenile Justice, Law Number 35 of 2014

concerning Amendments to Law Number 23 of 2002 concerning Child Protection, Law Number 13 of 2006 concerning Protection of Witnesses and Victims, and others.

The obligation to fulfill (obligation to fulfill); As an implementation of the obligation, child protection has been described in the National Action Plan, Presidential Decree No. 88/2002.

The family is the smallest community unit consisting of a father and/or mother and child. Children who do not have parents are children who no longer have a biological father and mother. Incapable children are children who for some reason cannot meet their needs, both spiritually, physically and socially properly.

Children's rights consist of children have the right to welfare, care, care and guidance based on affection both in their families and in special care to grow and develop properly; Children have the right to services to develop their abilities and social life, in accordance with the culture and personality of the nation, to become good and useful citizens; Children have the right to care and protection, both during the womb and after birth; Children have the right to protection of the environment that can harm or hinder growth. Fulfillment of children's rights without distinction of ethnicity, religion, race, class, gender, ethnicity, culture and language, legal status, birth order, and physical and/or mental condition, as well as protecting and respecting children's rights and is responsible for formulating and implementing policies in the field of child protection. This law further stipulates that local governments are obliged and responsible for implementing and supporting national policies in the implementation of child protection in the regions which can be realized through regional efforts to build child-friendly districts/cities, as well as providing support for facilities, infrastructure, and availability of resources. human resources in the implementation of child protection.

Pancasila as an ideology is a whole view and ideals, as well as values and beliefs that want to be realized in the reality of life. This is in accordance with the spirit contained in the Preamble to the 1945 Constitution of the Republic of Indonesia, which underlies and animates the contents contained in the Batang Tubung of the 1945

Constitution of the Republic of Indonesia. Responding to acts of terrorism involving children, an effective effort to protect children's rights, one of which is to use regulations. As the purpose of Criminal Policy or Criminal Policy as a form of regulation or rational arrangement of crime prevention efforts by the community (Muladi and Arief, 2010, p.157). Criminal Policy is a form of Community Protection (Social Defense). In addition to aiming to provide protection for the community, Criminal Policy must also support the goals of Social Policy, namely for Social Welfare. Based on the scheme above, it can be seen that Criminal Policy can be carried out in 2 (two) approaches, namely Penal and Non-Penal Policies. Marc Ancel's definition of penal policy can be briefly stated as a science as well as an art that has a practical purpose to enable positive legal regulations to be formulated better. It can be concluded that the term Penal Policy according to Marc Ancel is the same as the term policy or politics of criminal law (Arief, 2002, P.8).

In a broad sense, criminal law policies can cover the scope of policies in the field of material criminal law, in the field of formal criminal law and in the field of criminal law enforcement. Wisnubroto stated that the Criminal Law Policy (Penal Policy) is an action related to (Mulyadi, 2017, p.29) how the government's efforts to tackle crime with criminal law, how to formulate criminal law to suit the conditions of society, how is government policy to regulate society with criminal law, how to use criminal law to regulate society in order to achieve a larger goal.

Furthermore, the Non-Penal Policy is a policy using other means outside of criminal law. The main purpose of non-penal efforts is to improve certain social conditions. However, it indirectly has a preventive effect on the prevention or control of crime. Forms of a non-penal approach include (Revena, and Kristian, 2017, p.92): Prevention without punishment, including the application of administrative sanctions. Influencing public views on crime and fostering through mass media (influencing views of society on crime and punishment)

Meanwhile, Muladi and Barda Nawawi Arief explained that non-penal businesses can cover very broad fields in all sectors of social policy, for example social

education in the context of developing community social responsibility; cultivating psychological health through moral education, religion, and so on; Increasing efforts related to the welfare of children and adolescents; or patrol and other monitoring activities are carried out continuously by the police and security forces.

In relation to children who commit crimes of terrorism, the following are Penal and Non-Penal Policies in preventing the involvement of children as perpetrators in criminal acts of terrorism is about Penal Policy in Preventing the Involvement of Children as Perpetrators in Criminal Acts of Terrorism, efforts to involve children in acts of terrorism are contrary to the provisions stipulated in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection (Child Protection Law). Child protection in this law is defined as 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 violence and discrimination.

Furthermore, the prohibition of involving children in acts of terrorism is emphasized in Article 15 letter d of the Child Protection Law which states that:

Article 15

Every child has the right to protection from:

- a. abuse in political activities;
- b. involvement in armed conflicts;
- c. involvement in social unrest;
- d. involvement in events that contain elements of violence;
- e. involvement in war; and
- f. sexual crimes

In the explanation of Article 15 of the Child Protection Law, it is stated that the protection in the provisions of Article 15 includes activities that are direct and indirect, from actions that harm children physically and psychologically. The prohibition of involving children in criminal acts of terrorism is also contained in Article 76C which

emphasizes that everyone is prohibited from placing, allowing, committing, ordering to do, or participating in committing violence against children.

The sanctions for anyone involving children as perpetrators of criminal acts of terrorism are contained in Article 80 of the Child Protection Law which states that:

Article 80

- (1) Anyone who violates the provisions as referred to in Article 76C, shall be sentenced to a maximum imprisonment of 3 (three) years and 6 (six) months and/or a maximum fine of Rp. 72,000,000.,00 (seventy two million rupiah)
- (2) In the event that the Child as referred to in paragraph (1) is seriously injured, the perpetrator shall be sentenced to a maximum imprisonment of 5 (five) years and/or a maximum fine of Rp. 100,000,000.,00 (one hundred million rupiah).
- (3) In the event that the Child as referred to in paragraph (2) dies, the perpetrator shall be sentenced to a maximum imprisonment of 15 (fifteen) years and/or a maximum fine of Rp. 3,000,000,000.,00 (three billion rupiah)
- (4) The penalty is added one third of the provisions as referred to in paragraph (1), paragraph (2), and paragraph (3) if it is the parents who perpetrate the abuse.

Non-Penal Policy in Preventing the Involvement of Children in Criminal Acts of Terrorism. Rational efforts to control or overcome crime are not only by using penal means or criminal law, but can also use non-penal means. Departing from the findings in the answer to the first problem formulation, where the author finds that the involvement of children as perpetrators in criminal acts of terrorism is caused by systematic indoctrination of values, ideologies, or beliefs that children learn in their interactions with parents, then efforts to prevent children's involvement in criminal acts of terrorism can be carried out through: parenting education innovation for prospective brides and all groups of couples through the Family Hope Program (PKH). This education aims for young and old couples to develop positive, loving and free parenting without radicalism. This includes providing an understanding of child protection; Instilling religious insight that is integrated with national insight. This effort can be carried out by religious leaders and teachers in schools continuously and sustainably to prevent the community from falling into acts of terrorism that will undermine the order of the nation and state; creating a role model that can be used as a reference and role model in the religious life of young people. In addition, it is necessary to design materials and methods of deradicalization that are relevant to the

psychological characteristics of young people. Expanding the reach of the deradicalization program to areas that have been considered private, such as families.

Conclusion

The involvement of children as perpetrators in criminal acts of terrorism is in line with the Differential Association Theory which states that criminal behavior is a learned behavior. The acts of terrorism committed by the child are studied in interaction through a communication process, and the most important part in the process of studying this criminal behavior occurs in the core personal group, which in this case is the parents. In addition, the cause of children becoming perpetrators of acts of terrorism can also be explained through Motivation Theory. There are 2 (two) kinds of motivation, namely intrinsic motivation (internal) and extrinsic motivation (external). Intrinsic motivation is an impulse or desire in a person that does not need to be accompanied by external stimuli, such as intelligence factors, age, gender, and the position of children in the family. While extrinsic motivation is encouragement that comes from outside, such as family, school, media, and social factors. In this case, the involvement of children in acts of terrorism is closely related to extrinsic motivation that comes from the family.

Efforts to protect children's rights as perpetrators of criminal acts of terrorism through the Criminal Policy approach can be carried out with 2 (two) approaches, namely the Penal Policy or efforts to overcome crimes with criminal law and Non-Penal Policies or efforts to overcome crimes outside the criminal law. The Penal Policy in preventing the involvement of children in criminal acts of terrorism is contained in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. While the Non-Penal Policy in preventing the involvement of children in criminal acts of terrorism is carried out through eradicating the factors that cause children to commit criminal acts of terrorism, namely through the prevention of indoctrination in the family.

This education aims for young and old couples to develop positive, loving and free parenting without radicalism. This includes providing an understanding of child protection. Instilling religious insight that is integrated with national insight. This effort can be carried out by religious leaders and teachers in schools continuously and sustainably to prevent the community from falling into acts of terrorism that will undermine the order of the nation and state. Creating a role model that can be used as a reference and role model in the religious life of young people. In addition, it is necessary to design materials and methods of deradicalization that are relevant to the psychological characteristics of young people. Expanding the reach of the deradicalization program to areas that have been considered private, such as families.

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