



## THE UNDERSTANDING CHILDREN AS BULLIES FROM A CRIMINOLOGICAL PERSPECTIVE

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### ABSTRACT

*The phenomenon of violence in Indonesia does not only occur among high school and middle school teenage students; even at the elementary school level, the phenomenon of bullying occurs. This research is aimed at finding out the causes of child bullying from a criminological perspective and overcoming bullying crimes committed by children at school. In fulfilling the research objectives, this research uses normative juridical methods. The research results show that the causes of child bullying from a criminological perspective consist of internal factors, namely children's egocentrism, revenge, parents who often punish their children excessively, stressful home situations, aggression, and hostility. Apart from that, external factors include discriminatory behavior among both teachers and students, a lack of supervision and ethical guidance from teachers, a large gap between rich and poor students, and very rigid discipline patterns. Dealing with bullying crimes committed by children at school must be given special treatment aimed at forming good attitudes and behavior in a penal manner by paying attention to the best interests of the child and a non-penal approach.*

### A. INTRODUCTION

The community was shocked by violence among junior high school students in Cilacap, Central Java. The bullying case went viral via video on social media.<sup>1</sup> Not only in Cilacap, dozens of high school students in the Tebet area, South Jakarta, are suspected of being victims of *bullying* from their classmates.<sup>2</sup> What is no less disturbing is that the Sukabumi City Police stated that cases of violence against children or alleged bullying experienced by third grade students at private elementary schools in Cikole District, Sukabumi City, had moved to the investigation stage.

The above phenomenon shows that violence does not only occur among teenage students at both high school and middle school levels; even at the elementary school level, the phenomenon of bullying *still* occurs.

1 Detik Jateng Team, "Motif of Bullying in Cilacap until 2 Perpetrators Become Suspects," Accessed on January 9, 2024. <https://news.detik.com>

2 Dzaky Nurcahyo and Irfan Maullana, "Dozens of High School Students in Tebet Become Victims of Senior "Bullying", Their Chests and Private Parts Are Beaten", Screened on January 9, 2024. <https://megapolitan.kompas.com>

School should be a comfortable place for children to gain knowledge. However, sometimes school is a scary place for children because of the many crimes children consider *trivial*, such as *bullying*. The big question is: why do children have the heart to carry out bullying? Is there really a degradation of student morals? Or is violent behavior now part of the student lifestyle?

Violence is very close to children's lives; from a very early age, children are introduced to forms of violence ranging from verbal to physical to sexual. Children's experiences of dealing with violence are very diverse, both in terms of the forms of violence experienced, the perpetrators of the violence, the location of the incident, and the causes of the violence. Therefore, Koesparmono Irsan states that:

Efforts need to be made to protect against crime and to realize the welfare of children by providing guarantees for the fulfillment of their rights.<sup>3</sup>

*Bullying* is aggressive behavior that is carried out repeatedly between groups or individuals where there is a difference in strength or power. *Bullying at school* is violent behavior that occurs at school, carried out by students or groups of students, teachers, and even the school institution itself. This aggressive behavior, whether verbal or physical, can involve the destruction of personal property, individual relationships, or insults. Progress in technology brings up types of *bullying* with the use of world virtual/internet like SMS, voice mail, email, etc. for social networking sites. Perpetrator *bullying* chooses the victim based on their perception of difference or weakness, which can cover appearance, physique, like height, weight, race, disability, physical, or even sexuality.<sup>4</sup>

In China, Huang Gui stated that bullying of students is considered a serious social problem. This is because, firstly, cases of bullying against students have occurred frequently in recent years, and have raised concerns among many parents about the safety and health of their children. On the one hand, schools and the government are unable to take effective action to prevent bullying against students.<sup>5</sup> In Japan, the number of *bullying* cases that occurred in public schools in Tokyo from April to July reached 6,637 cases, an increase of 40 percent from last year at the same time.<sup>6</sup> Violence (bullying) in the school environment is actually not only a national phenomenon but also an international phenomenon.

Ofelia Gracia Hunter, a journalist and researcher in America, stated that, as many as 160,000 children miss school every day because they are afraid of attacks or intimidation by other students, in American schools near harbors bullies, around 2.1 million students are bullies and 2, 7 million are their victims, 1 in 7 Class K-12 (SMP) students is either a bully or a victim of bullying, 56 percent of students have personally witnessed some type of

3 Koesparmono Irsan, *Child Protection Law*, (Jakarta: UPN Press, 2007), 1-3

4 NN. *Stop Bullying at School*. Screened on January 9, 2024. [www.Konselorschool.com](http://www.Konselorschool.com)

5 Huang Gui, "A Paradox of Student Bullying Prevention in China: Between Social Anxiety and the Reaction to it," *Hasanuddin Law Review* 8, No. 3 (December 2022): 258

6 Fembrian, "Survey: Cases of *Bullying* in Tokyo Schools Increase." Reviewed on January 9, 2024. <http://www.beritasatu.com> .

bullying at school, 15 percent of all school absences are directly related to concerns about being bullied at school, 71 percent of students reported bullying incidents as a problem at their school.<sup>7</sup> Thus, the problem of bullying is not only a problem that occurs in Indonesia. The problem of bullying is a serious problem that must be resolved.

The number of bullying cases per year is added to the facts of imitation of acts of violence, so the author predicts that violence perpetrated by fellow children at school will continue to increase, only this phenomenon is like an iceberg phenomenon, which looks small on the surface but is big and is not revealed. On the criminological side, this phenomenon also raises big questions, whether the phenomenon of bullying is so big, but why is it still considered normal, is there something wrong with teachers' teaching methods in schools, do social conditions influence bullying in schools, and how to overcome it?

In a country that is allied to Indonesia, the results of research conducted by Muhammad Lokman Md Isa and friends in Malaysia showed that the majority of respondents were involved in bullying during school as consistently reported by the Malaysian Ministry of Education. Bullying peaks at ages 12–15 and continues to decline at the end of high school. Other research estimates that approximately 20–25% of young people typically are involved in bullying as victims, perpetrators, or both. Bullying not only has a negative impact on the health of both the perpetrator and the victim, but also harms the children who see it. Thus, bullying is a serious phenomenon that must be addressed.<sup>8</sup>

The phenomenon of violence in Indonesia does not only occur among high school and middle school teenage students, even at the elementary school level, the phenomenon of bullying occurs. The problem of bullying is not only a problem that occurs in Indonesia, but also a problem that occurs in various countries. Therefore, the problem of bullying is a serious problem that must be resolved. This research is aimed at finding out the causes of children bullying from a criminological perspective and overcoming bullying crimes committed by children at school. In fulfilling the research objectives, this research uses normative juridical methods. The author tries to theoretically explore the cases that occurred and examine them through a descriptive analysis approach.

## B. RESEARCH METHODS

This research is aimed at finding out the causes of child bullying from a criminological perspective and overcoming bullying crimes committed by children at school. In fulfilling the research objectives, this research uses normative juridical methods.

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7 Ofelia Gracia Hunter, "National Statistics On Bullying In Schools," Reviewed January 9, 2024. <http://www.alicetx.com> .

8 Muhammad Lokman Md Isa, etc. "A Cross-Sectional Study on Bullying and Psychological Disturbances among Malaysian School Children," *Makara Journal of Health Research* 25, No. 1, (April 2021): 51

## C. RESULT AND DISCUSSION

### 1. The Causes of Children Doing Bullying from a Criminological Perspective

*Juvenile delinquency* is an action or deed *committed* by a child; if the action or deed were carried out by an adult, it would be a crime. There are two forms of *delinquency*: *criminal delinquency* and status delinquency. *Criminal delinquency offense* or *juvenile crime*, for example, murder, robbery, ambush, burglary, and theft. *Delinquency offense* status, such as truancy, leaving home, habitually defying lawful and appropriate orders from a parent, guardian, or guardian; non-compliance, uncontrollable, or uncontrollable behavior; and liquor law violations. In several countries, perpetrators of status *delinquency offenses* are handed over to child welfare agencies, but others are handed over to face the juvenile criminal justice system.<sup>9</sup>

*Delinquency* also means *doing wrong, neglecting or neglecting*, which is then expanded to mean evil, a-social, criminal, rule violator, troublemaker, terrorizer, irreparable, wicked, ungodly, and so on. Thus, etimologically, JD is a child crime, and judging from the perpetrator, JD means child criminal or evil child.

Adler stated that behavior that leads to Juvenile Delinquency problems include the following: Speeding on the streets, reckless behavior, disturbing the peace of the surrounding environment, fights between gangs, between schools, brawls, skipping school, child/adolescent crime, partying while drunkenness, Sexual aggressiveness, Addiction and addiction to narcotics, Gambling, gaming, A-social behavior due to mental disorders.<sup>10</sup> Bullying is part of Juvenile Delinquency because it is related to violence such as fights between gangs, between schools, brawls, the use of violence against weak students and others.

*Juvenile delinquency* is an act or act of violating norms, both legal norms and social norms, committed by young children." This definition tends to be juvenile delinquency rather than juvenile crime, because it feels too extreme if a child who commits a criminal act is said to be a criminal. . Children's delinquency arises as a result of the natural process of every human being, who has to experience shocks as they approach maturity. Understanding JD as a crime against children can be interpreted as having a negative psychological impact on the children who are the perpetrators. The etymological understanding has undergone a shift, namely that the term crime has become delinquency. That's why B. Simanjuntak uses the term juvenile delinquency to define JD.

Singgih D. Gunarsa stated that the term juvenile delinquency refers to behavior that causes problems for other people, and in juvenile delinquency, there can be two types of delinquency problems: mild or

9 Setya Wahyudi, *Implementation of Diversion Ideas in Renewing the Juvenile Criminal Justice System in Indonesia*, (Yogyakarta: Genta Publishing, 2011), 29

10 Wigati Soetodjo, *Hukum Pidana Anak*, (Bandung: Refika Aditama, 2006), 13

severe consequences. Therefore, there are two types of child delinquency: pseudo-delinquency and actual delinquency. Pseudo-delinquency is delinquency that is not mischief for other parties, even though the behavior is somewhat excessive but is still within normal limits and in accordance with moral values. Pseudo-delinquency in everyday language is called "delinquency" and is stated to be outrageous, but actually still lies within normal limits. Only this pseudo-mischief often causes parents' annoyance and impatience. An example of pseudo-delinquency is that a child likes to break his toys. Delinquency is actually the behavior or actions of children that harm themselves or others and violate moral and social values. For example, children often lie, like to steal, and so on.<sup>11</sup>

As per the results of research by experts, bullying which is often carried out in schools generally according to Rigby in Astuti has three integrated characteristics, namely there is aggressive behavior which pleases the perpetrator to hurt the victim, the action is carried out in an unbalanced way so that it causes the victim to feel depressed and the behavior is carried out repeatedly.<sup>12</sup> This happens to the phenomenon of bullying in Indonesia. The violence among junior high school students in Cilacap in the video seems to be fun for the perpetrator to hurt the victim. Likewise, cases of violence against children or alleged bullying experienced by third grade students of private elementary schools (SD) in Sukabumi City were carried out in an unequal manner, causing the victim to feel depressed and this behavior was carried out repeatedly.

Bullying can occur anywhere and anytime there is social interaction, such as in schools (School Bullying), workplaces (Workplace Bullying), political environments (Political Bullying), military environments (Military Bullying), and various other social environments where there are imbalance of power, hierarchy of power, or authority. In this research, the focus is on bullying at school (School Bullying). Astuti described that schools that are vulnerable to bullying cases generally have characteristics such as discriminatory behavior between teachers and students, lack of supervision and ethical guidance from school staff, large gaps between students from different economic backgrounds, application of discipline that is too rigid or too loose, and inconsistent policies. Apart from that, there are factors that can make a child become a bully, and one of them is the influence of the family.<sup>13</sup>

The Federation of Indonesian Teachers' Unions (FSGI) recorded 23 cases of bullying in educational units for the January–September 2023 period. Chair of the FSGI Expert Council, Retno Listyarti, said that of the 23 cases, two of the victims died after being bullied.<sup>14</sup> Of the 23

11 Singgih D Gunarsa, *Psychology of Problematic Children*, (Jakarta: PT. BPK Gunung Mulia, 1984), 29

12 *Ibid.*, 8

13 *Ibid.*, 9

14 Singgih Wiryono and Novianti Setuningsih, "FSGI Releases 23 Cases of Bullying in Schools Throughout 2023, 2 Victims Died", Checked on January 9, 2024. <https://nasional.kompas.com>

cases, 50 percent occurred at the junior high school level, 23 percent occurred at the elementary school level, 13.5 percent at the high school level, and 13.5 percent at the vocational school level. The Indonesian Child Protection Commission (KPAI) recorded that there were 2,355 violations of child protection submitted to KPAI until August 2023. Of this number, the details are: 87 cases of children being victims of *bullying*; 27 cases of children being victims of inadequate educational facilities; 24 cases of children being victims of educational policies; 236 cases of children being victims of physical and/or psychological violence; 487 cases of children being victims of sexual violence; and still, there are many other cases that are not reported to KPAI.<sup>15</sup>

Based on several cases of *bullying* in schools that occurred in 2023, the following data can be presented:

No	Perpetrator	Age	Reason
1.	Cilacap Middle School students	13 years old	The MK perpetrators did not accept that the victim with the initials FF (14) claimed to be part of the Barisan Siswa (Basis) group.
2.	MAN 1 Medan students	14 years	The persecution was motivated by differences in understanding between the group of victims and perpetrators. Victim MH joined Wardi's group. Meanwhile, the perpetrators joined Parman's group.
3.	Middle school students in Balikpapan	13 years old	The perpetrator asked the victim for a photo, but was refused
4.	Elementary school students in Malang	7 years	because the perpetrator often receives disrespectful treatment from the victim
5.	Elementary school students in Lampung	11 years old	because the victim did not want to play with the perpetrators
6.	High school students in Kuningan	17 years	The perpetrator is said to have received harsh words from the victim, which were delivered in a high tone.
7.	Elementary school student in Gresik	7 years	The victim was forced to give his pocket money. However, SAH refused, which made the perpetrator allegedly angry and stabbed the victim in the right eye

15 Idealisa Masyrafina, *KPAI Records 2,355 Cases of Child Protection Violations in 2023*, Checked on January 9, 2024. <https://news.republika.co.id>

The background to *bullying* is basically based on simple reasons. However, the impact that occurs is very detrimental to the victim. For example, a 2nd grade elementary school student in Gresik ended up blind. Likewise, elementary school students in Sukabumi suffered broken bones, and some even lost their lives. This certainly cannot be considered trivial, so *bullying* or harassment at school must be anticipated.

Children will learn *bullying behavior* by observing the conflicts that occur with their parents and then imitating it with their friends. If there are no strict consequences from the environment for his experimental behavior, he will learn that "those with power are allowed to behave aggressively, and behaving aggressively can increase one's status and power." From here, children not only develop *bullying* behavior but also deeper attitudes and beliefs.

*Bullying* is a common experience experienced by many children and teenagers at school. *Bullying* behavior can take the form of physical or verbal threats. *Bullying* consists of direct behavior such as teasing, threatening, criticizing, hitting, and grabbing carried out by one or more students towards the victim or another child. Apart from that, *bullying* can also take the form of indirect behavior, for example, by isolating or deliberately distancing someone who is considered different. Both direct and indirect *bullying is basically a form of* physical or psychological intimidation that occurs repeatedly and continuously as a pattern of violence.

One of the factors causing maladaptive social interactions in adolescents is *bullying*. Bullying behavior is violent behavior that abuses power continuously against someone who is felt to be weak and physically powerless.<sup>16</sup> Erina Agisyaputri et al. stated that *bullying behavior* is mostly carried out by teenagers aged 12–14 years. The phenomenon of *bullying* behavior is part of juvenile delinquency and is known to occur most often during adolescence, because during adolescence there is high egocentrism.<sup>17</sup> In reality, bullying does not only happen to teenagers aged 12–14, but even to children aged 7 years.

Children are great imitators. Children always imitate because they are great imitators, whether through the example of their parents or teachers or even the surrounding environment. Negative influences from the environment cause children to imitate<sup>18</sup> *bullying* scenes, so children imitate what they learn around them. *Bullying* can occur in various

16 Erina Agisyaputri, et al, "Identification of the Phenomenon of Bullying Behavior in Adolescents," *JUBIKOPS: Journal of Guidance Counseling and Psychology* 3, No. 1 (March 2023): 19

17 *Ibid.*, 20

18 Nadifa Qathrunnada Zahra and Kuswanto, "Building Character from Early Childhood Through Instilling Religious Values," *Education: Journal of Educational Sciences* 16, No. 1 (July 2021): 50

formats and in different forms of behavior. Among these formats and forms are unwelcome nicknames, alienation, spreading false rumors, exclusion, physical violence, attacks (pushing, hitting, and kicking), intimidation, theft of money or other items, etc., which can be based on ethnicity, religion, gender, etc. Several forms of *bullying* can be categorized into two types: direct actions such as hitting, attacking, kicking, pushing, and stealing, which are carried out by students individually or in groups against victims who are usually their own friends.

*Bullying* can also be done indirectly through acts of exclusion from social interactions. Typical *bullying* of male students is usually carried out directly, while female students more often carry out indirect *bullying*, for example, by spreading unpleasant rumors and exclusion.<sup>19</sup> However, both direct and indirect *bullying* have the same characteristics, namely continuous physical and psychological violence and intimidation.<sup>20</sup>

The existence of *bullying* seems to be underestimated, so perhaps only a few are aware of the dangers of *bullying*.<sup>21</sup> However, the dangers of *bullying* can even result in the loss of life. Now is the time to raise awareness among various parties to overcome the problem of *bullying*. The existence of parties in power and control in cases of *bullying* must be immediately eliminated.

*Bullying* seems to have become a tradition that occurs routinely, giving rise to patterns among people. *Bullying* can be said to be a very natural thing. Every problem always has a background cause, so that we as researchers can find out why *bullying* always occurs and has even become a tradition. *Bullying* can not only occur because of traditions that must be preserved, but it can also occur because of the unawareness of the perpetrator, victim, and witness, which leads to acts of *bullying*.

Ponny Retno Astuti<sup>22</sup> stated that:

Bullies often come from troubled families: parents who often punish their children excessively or a home situation full of stress, aggression, and hostility. Children will learn *bullying behavior* by observing the conflicts that occur with their parents and then imitating it with their friends. If there are no strict consequences from the environment for his experimental behavior, he will learn that "those with power are allowed to behave aggressively, and behaving aggressively can increase one's status and power." From

19 Ridlwan Nashir, Looking for the *Ideal Education Format*, (Yogyakarta: Student Library, 2005), 15 .

20 Olweus, D, *Stability of Aggressive Reaction Patterns in Males: A Review. Psychological Bulletin*, (1979), 86, 852-75

21 Nur Dina Izzati, *Differences in the Forms of Bullying Behavior Seen from Authoritarian and Permissive Parenting Patterns in Adolescents*. (Faculty of Psychology, University of Muhammadiyah Malang), 17

22 Ponny Retno Astuti, *Reducing Bullying : 3 Effective Ways to Overcome Violence in Children*, (Jakarta: PT Grasindo, 2008): 9



here, children not only develop *bullying* behavior but also deeper attitudes and beliefs.

Delinquency in a child or teenager is a common problem. There is no one who does not go through this negative stage or phase or does not commit delinquent acts at all. This problem does not only affect certain groups of children or teenagers in certain areas. In other words, this situation occurs in every place, layer, and area of society.

Bullies often come from troubled families: parents who often punish their children excessively or a home situation full of stress, aggression, and hostility. Children will learn *bullying behavior* by observing conflicts that occur with their parents and then imitating it with their friends. Or there are often acts of violence committed by parents against their children. When children do not dare to fight their parents, this "resistance" is directed at their friends. Low parental involvement and attention to children can also cause children to like to seek attention and praise from other people. One praises their strength and popularity outside the home.

School environmental factors also play a role in the occurrence of *bullying*. Because schools often ignore the existence of *bullying*, especially in cases of verbal and relational violence, children as perpetrators of *bullying* will receive reinforcement for their behavior to bully other children. *Bullying* develops rapidly in a school environment where there is discriminatory behavior, a lack of supervision and ethical guidance, a large gap between rich and poor students, very rigid or too weak disciplinary patterns, inadequate guidance, and inconsistent rules.

This reflects the views of Ponny Retno Astuti who states that schools that are vulnerable to cases of bullying usually have characteristics such as discriminatory behavior among teaching staff and students, as well as a lack of supervision and ethical guidance from teachers and school officials.<sup>23</sup> Schools often ignore the existence of bullying, especially in cases of verbal and relational violence. Children who are bullies tend to be reinforced in their behavior to intimidate other children, while supervision and ethical guidance is lacking. This also happens in several cases such as at junior high school in Cilacap, MAN 1 Medan, junior high school in Balikpapan, elementary school in Malang, elementary school in Lampung, high school in Kuningan, and elementary school in Gresik.

When children interact at school and with friends around the house, they are sometimes encouraged to *bully* to prove that they can belong to a certain group, to gain respect from friends, or to show in front of their friends that they have strength, that they are the bravest and that they are the most powerful person in their group. The school environment has a very big influence on *bullying* behavior. For example, if children live in an environment where people often fight or are hostile and behave in ways that are not in accordance with existing norms, they

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<sup>23</sup> *Ibid.*, 9

will easily imitate the behavior of that environment and feel innocent, or they will consider it a normal thing that is not acceptable violate norms.

The revenge factor is a behavior that is passed down from generation to generation and contributes to perpetuating *bullying*. Sutherland stated that:

*Criminal behavior is learned. Negatively, this means that criminal behavior is not inherited. Criminal behavior is a learned behavior. Negatively means the behavior is not inherited. 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 newspapers, play a relatively unimportant part in the genesis of criminal behavior. The most important part of the process of studying criminal behavior occurs in intimate personal groups. Negatively, this means that interpersonal communication, such as through cinema or newspapers, does not play an important role in the occurrence of crime.*<sup>24</sup>

In general, children *bully* because they feel pressured, threatened, insulted, hurt, revenged, and so on. So actually, the perpetrator of *bullying* is also a victim of *bullying* that other people do to him. So this behavior can be said to be a cycle, in the sense that the current perpetrator is most likely a victim of a previous *bullying perpetrator*. The perpetrator learns how to subdue the enemy, bluff, and even how to threaten or fight. Usually, children who have experienced violence, especially from their parents, are more likely to 'take revenge' on their friends outside the home.

Adolescents who are involved in violence are usually less able to adapt to complex environmental situations. Complex here means the diversity of views, cultures, economic levels, and all stimuli from the environment, which are increasingly diverse and numerous. This situation usually causes pressure on everyone. However, for teenagers who are involved in fights, they are less able to overcome, let alone take advantage of the situation for their own development. They usually give up easily, quickly run away from problems, blame other people or parties for every problem, and choose to use the shortest way to solve problems. In teenagers who often fight, it is found that they experience inner conflict, are easily frustrated, have unstable emotions, are insensitive to other people's feelings, and have strong feelings of inferiority. They usually really need recognition or a better-known self-existence.

In the context of cases of bullying in children at school, the two instinct theories put forward by Freud can be related to manifestations of human aggression. First, Freud's<sup>25</sup> theory of the self-preservative drive or ego drive highlights the individual's instinct for self-preservation.

24 Topo Santoso and Eva Achjani, *Criminology*, (Jakarta: Rajawali Pers, 2011), 77

25 M. Magfur, *Anatomy of Human Violence Between the Entities of Love and Death, in Revolutionary Thought*, (Malang: Qaverroes Press, 2003), 230

When a child feels threatened or unsafe in the school environment due to bullying or harassment by fellow students, these urges can arise as a natural response to protect themselves. In situations like this, the child may feel the need to show strength or dominance in response to a perceived threat. Second, Freud's theory about sexual drives or sexual urges also has relevance in the context of children's aggression at school. Although the aggression that occurs in cases of bullying is not always directly related to sexual urges, the concept of libido, which Freud described as energy that can be stored and then channeled into various forms, can reflect how children may channel their negative energy or frustration through aggressive behavior towards others classmates.

Self-preservative drives and sexual drives, when not channeled appropriately or restrained excessively, can cause various psychological disorders, including aggressive behavior such as bullying. Thus, Freud's instinct theories provide an interesting basis for understanding the origins of human aggression, which can help us look more deeply into the factors that drive children to engage in bullying behavior at school.

Basically, for students and teenagers, self-existence is important. Self-existence is a manifestation of self-quality; a person's existence will not be recognized if he does not have qualities that are markedly different or superior to other people. A teenager or student will usually look for expressions to show that he is no longer a child. They want to be recognized for their existence as adult children with sometimes strange expressions. *Bullying* is one of the ego drives that Freud talked about. This ego boost can also provide sexual existence; for example, by bullying, *he* is considered strong by the opposite sex, admired, has lots of girlfriends, and so on.

Freud's<sup>26</sup> two instinct theories, both 'Life instinct' or *eros* and Death instincts' or *thanatos* can provide a deep understanding of the dynamics of aggressive behavior. First, *eros* or life instinct refers to the instinct that drives humans to maintain life and seek pleasure. In the context of bullying, this instinct can be reflected in children's need to confirm their dominance, power or status in the school environment. Children who engage in bullying behavior may use aggression as a means to achieve gratification or control, as well as to assert their existence and position among classmates. Second, *thanatos* or death instinct refers to the instinct that directs humans to harm themselves if the direction is internal, or towards aggressive behavior if the direction is external.

In the case of bullying, children who display aggressive behavior may be expressing internal tension or conflict that they feel. They may use aggressive behavior as an outlet mechanism to deal with the frustration, insecurity, or emotional tension they are experiencing. Thus, Freud's two instinct theories provide useful insights in understanding the complexity of bullying behavior in children at school. Eros highlights the

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26 *Ibid*, 230

drive to seek satisfaction and existence, while *thanatos* highlights internal tension and aggressive venting in response to emotional conflict

The context of self-defense is a factor of revenge and showing one's existence. For example, a student admits that he did *bullying* so he wouldn't be kicked out of his group, so he wouldn't be *bullied* again, and so on. A person's transition from adolescence to adulthood is an important phase in human life. Sometimes teenagers choose violence to gain identity and existence in the school environment.

Television, *video games*, and films show many scenes of violence or war. Even though parents should provide assistance when watching or playing *video games* for minors, in fact, many have not done this. Media exposure to violent scenes often inspires children to try it in the real world. "It's best to accompany and give understanding to children when watching films with violent scenes or playing fighting *video games*. 80 percent of the influence of media can make children's behavior negative and inspire them to do so."<sup>27</sup>

## 2. The Combating *Bullying Crimes* Perpetrated by Children at School

Based on a criminal law policy perspective, strategies for dealing with crime can be carried out through various approaches, including the Penal (Criminal Law) approach. This refers to the use of criminal law or the application of Criminal Law, which means that when a child commits a criminal act, handling steps will be taken up to the application of sanctions in the form of criminal and/or other actions. This approach emphasizes the repressive character, which includes acts of suppression, eradication and suppression after a crime occurs. Apart from that, there is also a non-penal (non-criminal law) approach, which involves efforts such as coaching and other non-formal education.

When a child commits a criminal act (either an offense or a crime), then the criminal law that regulates this applies, with the child perpetrator being held accountable for his actions before the law and processed in accordance with applicable legal provisions. These violations and crimes are threatened with punishment, which constitutes suffering or torture for those concerned.<sup>28</sup>

Children who commit legal violations and crimes must actually be given special treatment aimed at forming good attitudes and behaviors. Another way to punish children who break the law is to be sentenced to social work with guarantees from their families. This concept is an effort to deter a child from existing, while still prioritizing providing a more dominant moral education. Child criminals must be viewed comprehensively, both sociologically, psychologically, and formally. If done carefully, we will achieve comprehensive protection of children's

27 Christina Andhika Setyanti, "6 Reasons Why Children Like to Bully," Accessed on 11 April 2014 <http://female.kompas.com>.

28 Bambang Waluyo, *Crime and Punishment*, (Jakarta: Sinar Graphics, 2004), 105

rights and human rights.<sup>29</sup> Protection of human rights is one of the main foundations in modern legal concepts that regulate social order.<sup>30</sup>

The problem of child crime and how to overcome it is a complicated effort because the criminal perpetrators in this case are children or teenagers. Where they must be treated well, not punished but protected, this is in accordance with the principle of "Parents *Patriae*," which means that the authorities must act if children commit crimes, and instead of being punished, they must be protected and given assistance.<sup>31</sup>

Stefan Johansson and others, state that, based on a global perspective, schools vary in many aspects, for example regarding individual characteristics of teachers and students, principles of governance, rules, regulations, material resources, location and so on. In addition, factors at different levels, from the individual to the societal level, are likely to interact. Therefore, it is not surprising that research has not established what school features are most important in efforts to prevent and reduce bullying. Thus the prevention of bullying crimes in children is very dependent on the individual characteristics of teachers and students, government principles, rules, regulations, material resources, location and so on in a country.<sup>32</sup>

In China, serious cases of student bullying occurred in March 2019 and May 2020 respectively, and then China immediately responded to the social unrest by adding provisions to amend Article 17 of the Criminal Code, lowering the minimum age of criminal responsibility from 14 to 12 years in the Second Draft 11th Amendment to the Chinese Criminal Law in October 2020.<sup>33</sup> A softer approach was taken in South Africa, although considering bullying as a serious problem which has increased in recent years in schools. To guarantee the protection of all students in schools since 1996, Africa has had Law no. 84 of 1996. Based on this law, every school develops a safety policy that includes bullying as one of its sub-sections. Schools can include anti-bullying clauses as part of their school code of conduct which schools can use when they develop safety policies to reduce bullying behavior in schools.<sup>34</sup>

Tackling crimes or criminal acts that occur requires good cooperation between competent law enforcement officials as well as

29 Y. Farida Wismayanti, "Problems and Needs of Children in Conflict with the Law in Blitar Children's Prison," *Journal of Social Welfare Research and Development* 12, No. 1 (2007): 64.

30 Andri Winjaya Laksana, The Protection of Human Rights in the Case of Non-Criminal Narcotics Users, *SASI* 29, No. 4 (December 2023), 790-801

31 Barda Nawawi Arief, *Anthology of Criminal Law Policy*, (Bandung: Citra Aditya Bakti, 1996), 62

32 Stefan Johansson, Eva Myrberg, and Anna Toropova, "School bullying: Prevalence and variation in and between school systems in TIMSS 2015," *Studies in Educational Evaluation* 74, (2022): 3

33 Huang Gui, *Op cit.*, 259

34 Dawn Alice Johnson, "Primary School Learners' Understanding and Experiences of Bullying," *International Journal for Innovation Education and Research* 1 No. 2 (2023): 27

support and encouragement from parents and the community, who are considered quite influential. In overcoming the problem of child crime as a legal effort to protect children, it is not only the task of law enforcement officials but also the responsibility of parents and the community.<sup>35</sup>

Daniela and Felicia state that, a synthesis of curriculum-based approaches to combat bullying (e.g. bullying and physical education); inventory of anti-bullying programs in schools or other educational settings; systematic evaluation of research results on bullying and cyberbullying at the national level; synthesize effective strategies to prevent and overcome bullying to provide information to target categories (teachers or prospective teachers, parents, principals, students, educational counselors, and community stakeholders).<sup>36</sup> This means that overcoming bullying crimes committed by children at school does not only talk about the issue of punishment, but also other broader aspects, namely the curriculum to combat bullying, anti-bullying programs in schools and effective strategies to prevent and overcome bullying.

*Bullying* is a common problem that occurs in various environments, including school. Generally, teachers and parents consider *bullying* to be an incident of ordinary children's mischief without causing serious victims, so the first and still considered proportional punishment is a reprimand. A warning is usually given by a person or group of people to someone or a group of people who are deemed to have violated ethics and/or disturbed the comfort of members of the community. A reprimand is a social criticism that is carried out directly and openly so that the person concerned immediately realizes the mistake that has been made.

In the traditions of our society, reprimand is something that is no longer strange. For example, a reprimand for a group of youths who stay up late at night while making noise that disturbs the peace of the sleeping residents, a reprimand given by teachers to students who often leave lessons, and so on. In this case, the child is usually called to the teacher's room, either by the guidance counselor or the principal, to confirm the truth of his actions. After the truth is obtained, then, as an educator, giving advice to students is very necessary.

Cases of *bullying* that are revealed may not be known to teachers and parents. This can be seen from the data available from guidance and counseling (BK) teachers in schools; only a few cases are recorded and handled by BK teachers. This means that these cases occurred among students but were not reported or detected by guidance and counseling teachers.

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35 Jacob Hattu, *Op cit .*, 50

36 Daniela Maria Cretu & Felicia Morandau, "Bullying And Cyberbullying: A Bibliometric Analysis Of Three Decades Of Research In Education," *Educational Review* 76, No. 2, (2024): 397-398

So far, the BK, as an extension of the school, has only been waiting for reports from students about whether there are cases of *bullying or not*, even though schools should be proactive in looking at the conditions of students in the field. The assumption that students who have contact with guidance and counseling teachers are problematic students causes many students to be afraid and embarrassed if they have to report it. One thing that is considered to distance guidance and counseling teachers from students is that there is no face-to-face time between guidance and counseling teachers and students in class, making it difficult for guidance and counseling teachers to monitor and observe students' daily behavior.

As explained in the discussion of the first problem formulation, a bully *basically* also has personal problems that make the perpetrator aggressive. Children who *bully* usually have family problems, have been victims of *bullying*, want to show their existence, and the like. This is what needs to be found as a solution. Through counseling, the child can provide more information so that the school can provide effective policies for reducing *bullying behavior* at school.

In this case, schools are very vigilant in taking action against perpetrators of *bullying*, lest such action not achieve the desired goal, namely educational punishment. *Bullying* is a cycle; that is, *bullying behavior* begins with the victim of *bullying*. This is actually considered ironic because, of course, the perpetrator of *bullying* is now feeling the negative effects of being a victim of *bullying*. However, because a cycle has formed, the perpetrators end up forming the wrong perception that *bullying* can be justified and pass on the *bullying* to their juniors. A counselor at school must, of course, correct this perception so that *bullying* no longer forms an endless cycle.

*Bullying* cannot simply be eliminated in education, but to a greater or lesser extent, *bullying can be minimized* so that students can study in peace at school without any psychological pressure they feel. For this reason, educating children in an atmosphere full of love so that they have pride and respect for themselves is something that must be prioritized.

The reality nowadays is that parents are too busy working so that these children lose their parental figures. No matter how busy they are, parents must try to make time to socialize with their teenagers. Take time on the weekend to gather and hear their complaints. Position yourself as a friend to your child in providing *feedback*. He will feel relieved to be able to express his concerns in a positive way without having to deviate into destructive behavior.

The emotions of teenage children are very unstable. For this reason, you have to be very clever at maintaining your child's emotions. Try not to dictate or restrain your child, as long as what he does is still positive. Also, try not to commit acts of violence at home or engage in physical altercations in front of your child. They will imitate what their parents do. Therefore, establishing cooperation between schools and

parents is a good way to overcome *bullying behavior* at school. Religious education in the family also plays an important role in providing a strong foundation for shaping a person's personality. The foundation of true religion does not lie in the religious rituals that are carried out, but rather leads to the application of moral values and solidarity with others man.

The author found that parents and teachers must be able to manage children's emotions wisely because teenagers' emotions tend to fluctuate. Avoid controlling or limiting your child if his behavior is still positive. In addition, try not to use domestic violence and avoid physical conflict in the presence of children, because they tend to imitate their parents' behavior. Collaboration between schools and parents is very necessary to overcome the problem of bullying in the school environment. Religious education in the family also has a key role in shaping a person's character.

A strong religious foundation does not only focus on religious practices, but also on implementing moral values and solidarity with fellow humans. Handling the crime of bullying by children at school requires a special approach aimed at developing positive attitudes and behavior. Although criminal punishment may be an option for child offenders, their best interests must be considered. Apart from that, dealing with bullying cases must also involve non-penal actions, such as providing warnings, counselling, guidance, and involving the perpetrator's parents in the process of handling bullying cases.

#### **D. CONCLUSION**

Based on a criminological perspective, the causes of children bullying can be classified into internal and external factors. Internal factors include children's egocentrism, revenge, and experiences of stress and conflict in the home environment. Children learn bullying behavior from observing conflicts that occur with their parents and copying them to their friends. External factors include discriminatory behavior, lack of supervision and ethical guidance in schools, social inequality, and inconsistent discipline patterns. Tackling bullying crimes must pay attention to the best interests of children by providing special treatment to form positive attitudes and behavior. Apart from criminal punishment, non-penal approaches such as warnings, counseling, and involving the perpetrator's parents are also needed. Good cooperation between law enforcement officers, parents and the community is key in dealing with crimes or criminal acts, so support and encouragement from various parties is very important.



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