

Law Enforcement Against Children Involved in Anarchic Demonstrations (Case Study of Surakarta Police)

I Made Wirta

Faculty of Law, Universitas Islam Sultan Agung (UNISSULA) Semarang, Indonesia,
E-mail: imadewirta.std@unissula.ac.id

Abstract. *This study aims to determine and analyze law enforcement against children involved in anarchic demonstrations. To determine and analyze the weaknesses of law enforcement against children involved in anarchic demonstrations. To determine and formulate law enforcement against children involved in anarchic demonstrations in the future. This study uses a sociological juridical approach, the research specifications are descriptive analysis, data sources consist of primary data and secondary data taken from primary legal materials, secondary legal materials, tertiary legal materials, data collection methods through library and field studies and analysis techniques using qualitative. The results of the study show that law enforcement against children involved in anarchic demonstrations uses the legal basis of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, Standard Operating Procedures for handling Children in Conflict with the Law at the Surakarta Police prioritizing the approach of protecting children's rights and restorative justice. The process is carried out by special investigators in a child-friendly room without violence, involving companions (Bapas/psychologists), and guaranteeing the confidentiality of the child's identity. The weaknesses in law enforcement against children involved in anarchic demonstrations consist of firstly weaknesses in the legal structure, including a lack of human resources, a lack of professionalism of law enforcement, and a lack of facilities and infrastructure. Secondly, weaknesses in the legal substance, namely the lack of regulation of criminal liability for people who use minors or someone who is not yet an adult in political interests or actions or demonstrations or similar activities, making children used as political tools by some individuals. Thirdly, weaknesses in the legal culture, including low legal awareness, a culture of children's fear of joining demonstrations, and the weak role of the family. Law enforcement against children involved in anarchic demonstrations in the future, namely through the regulation of criminal sanctions against people who use minors or someone who is not yet an adult in political interests or actions or demonstrations or similar*

activities, making children used as political tools by some individuals. Reformulation was carried out on Article 76H of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection so that it becomes: Everyone is prohibited from recruiting or exploiting Children for military, political and/or other interests and leaving Children without life protection.

Keywords: Anarchic demonstrations; Children; Law enforcement.

1. Introduction

Indonesia is a state of law, based on Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which states that the Republic of Indonesia is a state in the form of law based on Pancasila and the 1945 Constitution of the Republic of Indonesia.¹

As a Pancasila is nation that upholds national and humanitarian values, Indonesia has numerous regulations that explicitly provide for child protection. Children have the full right to develop physically, emotionally, and socially. Therefore, child protection is necessary for the continuity and guarantee of children's rights to prevent discrimination. The current situation of children in Indonesia is quite concerning, with numerous cases of child exploitation during demonstrations. Many children are involved in vandalism during demonstrations.²

The Indonesian National Police (POLRI), tasked with maintaining public order and security, tend to find themselves in a difficult position. As security officers, they are expected to maintain public safety during demonstrations and to protect and maintain order for others.

On Friday, August 29, 2025, the Surakarta City Police Resort (Polresta) secured approximately 100 minors who were demonstrating. This security was carried out by the ranks of the Surakarta City Police Resort (Polresta), because the children were suspected of carrying out anarchic actions such as throwing, hitting, kicking officers, preparing glass bottles to make melotov bombs.³For the actions of these children, various articles were imposed, including Article 187 in conjunction with Article 53 of the Criminal Code, Article 170 of the Criminal Code and/or 214 and/or 212 of the Criminal Code (Old Criminal Code).

¹Andri Winjaya Laksana, [Restorative justice in resolving cases of children in conflict with the law in the juvenile criminal justice system](#), Journal of Legal Reform, Vol. 4, 2017, p. 57

²Febryan Arda Ayu Lukitosarie, Andri Winjaya Laksana, [Legal Review of the Implementation of Investigations into Premeditated Murders Committed by Children](#), Proceedings of the UNISSULA Student Scientific Constellation, vol. 7, 2022, p. 19

³Data obtained from the PPA Unit of the Surakarta Police

In relation to law enforcement for children participating in demonstrations, the Surakarta City Police (Polresta) conducted diversion, guided by the Republic of Indonesia Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

The diversion process, which is the transfer of the resolution of demonstration cases involving children as perpetrators (children in conflict with the law), essentially has the same goal as the discretionary authority of the Police. Discretion, which was once the legal basis for the police to resolve criminal cases involving children outside the criminal justice process, has been accommodated in diversion. Diversion is simply implemented in accordance with the specific legal provisions of diversion in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, without the need to refer to the legal provisions of discretionary authority in the Police. Therefore, law enforcement against demonstrations by children that are anarchic in nature must be carried out in accordance with applicable procedural laws that protect the growth and development of children.

Another issue is the lack of regulations in the Child Protection Law regarding the recruitment or exploitation of children for political gain through demonstrations. Based on the author's research, the mobilization of children in demonstrations is due to weaknesses in Article 87 of the Child Protection Law, which states:

Any person who violates the provisions as referred to in Article 76H shall be punished with imprisonment of up to 5 (five) years and/or a maximum fine of IDR 100,000,000.00 (one hundred million rupiah).

The provisions in Article 76H of the Child Protection Law state that:

Every person is prohibited from recruiting or exploiting children for military and/or other purposes and leaving children without life protection.

Based on these facts, it is clear that Article 87 of the Child Protection Law, in the author's opinion, does not have any real implementation or legal regulations in the legal system regarding the protection of children from abuse in political activities in the Child Protection Law, so that the Child Protection Law has not been able to provide full benefits, especially in this case regarding acts of abuse of children in political activities.

Based on the description above, the author will explain the problem formulation as follows: First, how is the law enforced against children involved in anarchic demonstrations? Second, what are the weaknesses in law enforcement against children involved in anarchic demonstrations? Third, how will the law be enforced against children involved in anarchic demonstrations in the future?

2. Research Methods

This research uses a sociological juridical approach method, the research specifications are descriptive analysis, data sources consist of primary data and secondary data taken from primary legal materials, secondary legal materials, tertiary legal materials, data collection methods through library and field studies and analysis techniques using qualitative.

3. Results and Discussion

3.1. Law Enforcement Against Children Involved in Anarchic Demonstrations

The Indonesian National Police (POLRI), tasked with maintaining public order and security, often find themselves in a difficult position. On the one hand, as security officers, they are expected to maintain public safety during demonstrations, protecting and maintaining order for others. On the other hand, they must confront groups of demonstrators who act anarchically while maintaining human rights in all their actions. It is not uncommon for POLRI officers carrying out security duties to become targets of anarchic actions by demonstrators.⁴

On Friday, August 29, 2025, the Surakarta City Police Resort (Polresta) secured approximately 100 minors who were demonstrating. This security was carried out by the ranks of the Surakarta City Police Resort (Polresta), because the children were suspected of doing the following:

1. Throwing at officers who were demonstrating around the Brimob headquarters building (Brimob personnel);
2. Step on the officer twice
3. Hitting and kicking an officer holding a shield (member of the Surakarta Police Dalmas) using a long bamboo stick approximately 3 (three) meters long.
4. Throwing a mineral water bottle at the officer
5. Climbing the Brimob Yon C office
6. Preparing glass bottles to make Melotov bombs.⁵

For the actions of these children, various articles were imposed, including Article 187 in conjunction with Article 53 of the Criminal Code, Article 170 of the Criminal Code and/or 214 and/or 212 of the Criminal Code (Old Criminal Code).

⁴Delpi Yasmine Andini a, Ikhwanul Muslim a, Sunariyo, Juvenile Criminal Justice System: A Comparative Study of Indonesia and Scotland, *Journal of Legal Research* Vol. 5 No. 1 Year 2025

⁵Data obtained from the PPA Unit of the Surakarta Police

In enforcing the law against children who carried out anarchic demonstrations, the Surakarta City Police (Polresta) carried out diversion, guided by the Republic of Indonesia Law Number 11 of 2012 concerning the Child Criminal Justice System.⁶

Diversion, as stipulated in Article 6 of Law of the Republic of Indonesia Number 11 of 2012 concerning the Juvenile Criminal Justice System, aims to prevent children from being deprived of their liberty and facilitate the resolution of cases outside the judicial process. This approach places greater emphasis on restorative justice, with the goal of restoring the child's condition and social reintegration into society.⁷

In accordance with the Republic of Indonesia Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, the Surakarta Police PPA Investigators carried out diversion for ABH involving parents, Bapas, TOGA, TOMAS, teachers, and from the Surakarta City PPA UPTD Service.

The diversion resulted in an agreement signed by all parties present, which will later be submitted for a ruling to the Surakarta District Court. The joint agreement is as follows:

- a. The child regrets his actions and promises not to repeat them;
- b. The child agrees to resolve it amicably;
- c. Parents are considered to still be able to guide and educate their children in a better direction;
- d. The child is returned to the parents.

The diversion process, which is the transfer of the resolution of demonstration cases involving children as perpetrators (children in conflict with the law), basically has the same objectives as the discretionary authority of the Police.⁸ Discretion, once the legal basis for police to resolve criminal cases involving children outside the criminal justice process, has been accommodated in diversion. Diversion can be implemented in accordance with the specific legal provisions for diversion in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, without needing to refer to the legal provisions on police discretionary authority. Therefore, law enforcement against anarchic

⁶Dian Putri, Eficandra, Demonstration in the Review of Maqashid Al Syari'ah, Journal of Integration of Sharia Sciences, Vol. 2, No. 2, May-August 2021

⁷Yayan Agus Siswanto, "Preventive Efforts as a Form of Legal Protection from Sexual Violence Against Children," Collaborative Journal of Science, Vol. 7 No. 5, 2024, pp. 1651-1667.

⁸Fandy Lucky Septiyandi, Fikrotul Jadidah, Legal Responsibility of Demonstrators Who Are Anarchic and Cause Damage, Citizenship Journal, Vol. 6 No. 3 October 2022

demonstrations by children must be carried out in accordance with applicable procedural laws that protect children's development.

3.2. Weaknesses in Law Enforcement Against Children Involved in Anarchic Demonstrations

Lawrance M Friedman, explains that the determining factors regarding the effectiveness and success of law enforcement include three components, namely the legal structure, legal substance and legal culture.⁹

The weaknesses in law enforcement against children involved in anarchic demonstrations are as follows:

a. weaknesses of the legal structure

When demonstrations escalated into anarchy in Surakarta, the police, as law enforcement officers, faced numerous obstacles and challenges in carrying out their duties. Demonstrations, which are understood to involve expressing opinions in public, have now become unsettled due to the protesters' failure to create a conducive atmosphere. These obstacles include:

- 1) Internal challenges faced by police include understaffing. Officers can sometimes become provoked, making them less able to control their emotions in the face of heated protests that escalate into violent crimes.
- 2) There is a lack of professionalism on the part of the police in handling demonstrations and it can be said that the police have low knowledge, so that during demonstrations they are unable to provide security properly.
- 3) There was a shift in aid within the region, due to a lack of prior notification and arguably suboptimal response. Consequently, when law enforcement officers lacked personnel to control the crowd, it became difficult to take action.
- 4) The lack of facilities and infrastructure to support law enforcement officers in minimizing the potential for violent crime among protesters. Due to the lack of facilities and infrastructure, security measures on the ground are less than optimal.
- 5) When law enforcement officers want to carry out a crime, they often still prioritize customs or family ties if there are participants.rally

b. Weaknesses of legal substance

Based on the results of research conducted by the Author, regarding the mobilization of children in demonstrations due to the degradation of the

⁹Jimly Asshiddiqie in, *Dialectics of Renewal of the Indonesian Legal System*, Secretary General of the Judicial Commission of the Republic of Indonesia, Jakarta, 2012, p. 19.

provisions of the norms in Article 87 of the Child Protection Law which states that:

Any person who violates the provisions as referred to in Article 76H shall be punished with imprisonment of up to 5 (five) years and/or a maximum fine of IDR 100,000,000.00 (one hundred million rupiah).

The provisions in Article 76H of the Child Protection Law state that:

Every person is prohibited from recruiting or exploiting children for military and/or other purposes and leaving children without life protection.

Based on these facts, it is clear that Article 87 of the Child Protection Law, in the author's opinion, does not regulate it, there is no real implementation or legal regulation in the legal system regarding the protection of children from abuse in political activities in the Child Protection Law.

c. Weaknesses of legal culture

Legal culture is the attitude of individuals (including law enforcement officials) toward the law and the legal system. No matter how well the legal structure is structured to enforce established legal rules and how good the quality of the legal substance created, without the support of a legal culture among those involved in the system and society, law enforcement will not be effective.

Laws used as a tool to change society or to carry out social engineering are nothing more than ideas or concepts that the law itself aims to realize. To ensure that the function of law as social engineering towards a better life is achieved, not only is the availability of law in the sense of rules or regulations required, but also the guarantee of the realization of these legal rules in legal practice, or in other words, the guarantee of good law enforcement.¹⁰

The weaknesses of the legal culture of law enforcement against children involved in anarchic demonstrations are as follows:

1) Low legal awareness

Low legal awareness and human resources affect the process of handling cases, so that this can allow massive cases of sexual harassment to occur in community life, even with the same perpetrators, because it does not provide a deterrent effect on the perpetrators.

2) Children's fomo culture to join demonstrations

Generation Z has distinctive characteristics. They are quick to absorb information, critical, and courageous, but also vulnerable to hoaxes, impulsive,

¹⁰Munir Fuadi, *Critical Legal School*, Citra Aditya Bakti, Bandung, 2003, p. 40.

and hungry for social recognition. Validation is often measured by the number of likes, comments, or views on social media. Unsurprisingly, many decisions are made not based on rational considerations, but rather by the drive for recognition from their peer group or community. This is where the fear of missing out (FOMO) phenomenon plays a significant role. Generation Z is highly sensitive to trends and crowds. The problem is, this FOMO phenomenon among Gen Zers extends to various activities. It's not just about hanging out, music concerts, or community events, but also about taking to the streets in demonstrations. Worse, it's not just about joining in on the street protests, but also about involvement in anarchic actions.

3) Weak role of the family

The weak role of families in children's demonstrations is often the key to children becoming anarchists. Common causes include a lack of communication and supervision, parents failing to provide an understanding of the rights and boundaries of demonstrations, families failing to set an example, and a lack of emotional support.

3.3. Law Enforcement Against Children Involved in Anarchic Demonstrations in the Future

The author quotes the doctrine put forward by Hans Kelsen, regarding the theory of legal formation, studying the validity of law from a juridical, sociological and philosophical perspective, which must be a part that is considered by law makers as a reference.¹¹. According to this teaching, the basic focus of the teaching on methods in legal formation is on Legislative Techniques. Within this Legislative Techniques framework, several relevant issues in the field of legal formation theory can be studied, including: determining the definitions of the concepts in the law itself; the logical construction of statutory regulations; and the rationality of legislation.

In the author's opinion, the regulatory agency must understand the meaning of the principles or foundations for the formation of good legislation as stipulated in Article 5 of the Law on the Formation of Legislation, which includes: clarity of purpose, which means that every formation of legislation must have a clear purpose to be achieved; the appropriate institution or organ that forms it means that every type of legislation must be made by an authorized institution or official that forms legislation.

Regarding the legislation, it can be canceled or nullified by law, if it is made by an unauthorized institution/official; suitability between the type and content of the material means that in the formation of legislation, it must really pay attention to the content of the material that is appropriate to the type of legislation; can

¹¹Satjipto Rahardjo, Loc. Cit.

be implemented means that every formation of legislation must take into account the effectiveness and implementation of the legislation in society, both philosophically, juridically, and sociologically; usefulness and effectiveness means that every legislation is made because it is truly needed and useful in regulating the life of society, nation, and state; clarity of formulation means that every legislation must meet the technical requirements for the preparation of legislation, systematics, and choice of words or terminology, and the legal language is clear and easy to understand, so that it does not give rise to various interpretations in its implementation; and openness means that the process of forming legislation starting from planning, preparation, preparation, and discussion is transparent and open.

So, based on the results of research conducted by the author in the field through literature studies linked to the results of interviews with sources, regarding the concept of law enforcement against children involved in anarchic demonstrations in the future in realizing the benefits of the law.

The absence of a prohibition regarding the abuse of minors or individuals who are not yet adults in political interests or demonstrations or similar activities, makes children used as political tools by certain individuals so that it is necessary to reformulate Article 76H of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.

Table 3.1

Reformulation of Article 76H of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection

Before Reconstruction	After Reconstruction
Every person is prohibited from recruiting or exploiting children for military and/or other purposes and leaving children without life protection.	Every person is prohibited from recruiting or exploiting children for military, political and/or other purposes and leaving children without life protection.

4. Conclusion

Law enforcement against children involved in anarchic demonstrations uses the legal basis of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, the Standard Operating Procedure for handling Children in Conflict with the Law at the Surakarta Police Department prioritizes the approach of protecting children's rights and restorative justice. The process is carried out by special investigators in a child-friendly room without violence, involving

companions (Bapas/psychologists), and guaranteeing the confidentiality of children's identities. There are weaknesses in the legal structure, including a lack of human resources, a lack of professionalism of law enforcement, a lack of facilities and infrastructure. Secondly, the weakness of the legal substance, namely the lack of regulation of criminal liability for people who use minors or someone who is not yet an adult in political interests or actions or demonstrations or similar activities, makes children used as political tools by some individuals. Thirdly, weaknesses in the legal culture, including low legal awareness, a culture of children's fear of joining demonstrations, and a weak role of the family. To protect children involved in anarchic demonstrations in the future, namely by regulating criminal sanctions against people who use minors or someone who is not yet an adult in political interests or actions or demonstrations or similar activities, making children used as political tools by some individuals. Reformulation was carried out on Article 76H of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection so that it becomes Everyone is prohibited from recruiting or exploiting Children for military interests, political interests and/or others and leaving Children without life protection.

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Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

Law Number 20 of 2025 concerning the Criminal Procedure Code;

Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002
concerning Child Protection;

The 1945 Constitution of the Republic of Indonesia;