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Exploring Child Grooming Sexual Abuse through Differential Association Theory: A Criminological and Legal Examination with Constitutional Implications

Article	Abstract
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INTRODUCTION

The rapid and boundless advancement of internet technology resembles a two-sided coin, offering considerable advantages alongside potential drawbacks. While it facilitates seamless connections between individuals without the need for physical interaction, it also opens doors to various negative implications. One notable benefit is its ability to facilitate communication between individuals regardless of their geographical locations. However, this technological progress has

also led to the proliferation of crimes exploiting modern technological tools.¹ These crimes are not limited to adults but also target minors, given the widespread use of sophisticated gadgets among children in today's digital age. The allure of gadgets lies in their accessibility to cyberspace, where children can explore a plethora of online content. Social media platforms, in particular, are widely frequented by children as they provide avenues for personal expression, information sharing, and communication with others.²

According to the 2022 survey conducted by *We Are Social*, Indonesia had approximately 191.4 million active social media users in February 2022.³ When compared to the country's total population of 277.7 million, this indicates that over half of Indonesia's population actively engages with social media platforms. These platforms offer a diverse range of features tailored to users' interests, contributing to their widespread appeal. Among the various features available on social media platforms are options to follow other users, receive follow-backs, tag others in posts (mentions), exchange private messages, upload photos, and make video calls. These features are particularly enticing to young people and children, driving their active participation on social media platforms. However, it's important to note that every child connected to the internet is potentially vulnerable to cybercrime, as any information they share online can be accessed by anyone.⁴

One manifestation of criminal activity facilitated by technological advancements is grooming, a method employed by perpetrators to establish relationships, trust, and emotional bonds with their victims, ultimately aiming to manipulate, exploit, and abuse them. While grooming may seem like a contemporary form of crime, it is actually an evolution of practices such as pornography, sexual violence, and obscene acts, all of which have adapted and expanded with the rapid progress of technology. Grooming tactics can target individuals across all age groups, including both adults and children. However, discussions surrounding grooming often center on its occurrence in the context of children (referred to as *child grooming*). Child grooming entails the deliberate efforts of an individual to establish a connection, trust, and emotional rapport with a child, typically with the sinister intent of subjecting them to manipulation, exploitation, and abuse.⁵

Perpetrators employ manipulation tactics as part of the grooming process, initially approaching their victims with a facade of kindness and goodwill to gain their trust. These individuals often possess various skills to identify and select their targets, as well as to establish control over them. According to Gill & Harrison,⁶ perpetrators' skills include their ability to choose victims

¹ Dessy Lina Oktaviani Suendra and Kade Richa Mulyawati, "Kebijakan Hukum Terhadap Tindak Pidana Child Grooming," *Kertha Wicaksana* 14, no. 2 (2020): 118–23, <https://doi.org/10.22225/kw.14.2.1919.118-123>; Imara Pramesti Normalita Andaru, "Cyber Child Grooming Sebagai Bentuk Kekerasan Berbasis Gender Online Di Era Pandemi," *Jurnal Wanita dan Keluarga* 2, no. 1 (2021), <https://doi.org/10.22146/jwk.2242>; Zhetira Rizkika and Nandang Sambas, "Perlindungan Hukum Terhadap Anak Korban Pelecehan Seksual," *Bandung Conference Series: Law Studies* 2, no. 2 (2022), <https://doi.org/10.29313/bcsls.v2i2.2553>.

² Yuli Winiari w. and Firda Laily Mufid, "Techno Prevention Sebagai Upaya Pencegahan Terhadap Pelaku Child Grooming Melalui Media Sosial," *Jurnal Rechts* 11, no. 1 (2022), <https://doi.org/10.56013/rechts.v11i1.1385>.

³ We Are Social, "Hootsuite (We Are Social) Digital 2022: Indonesia," *Datareportal.Com*, 2022; Annur M. Cindy, "Jumlah Pengguna Instagram Indonesia Terbanyak Ke-4 Di Dunia," *Databoks.Katadata*, 2023.

⁴ K A P Haryanto and B Harefa, "The Urgency of Child Grooming Regulation in the Legal System in Indonesia," *Al Daulah: Jurnal Hukum* ... 11, no. 2 (2022): 75–91, <https://doi.org/10.24252/ad.vi.32250>.

⁵ Haryanto and Harefa.

⁶ Aisha K Gill and Karen Harrison, "Child Grooming and Sexual Exploitation: Are South Asian Men the UK Media's New Folk Devils?," *International Journal for Crime, Justice and Social Democracy* 4, no. 2 (2015), <https://doi.org/10.5204/ijcsd.v4i2.214>.

strategically and the timing of their approaches, with greater proficiency leading to higher success rates in grooming. The legal framework in addressing sexual harassment, particularly in cases of child grooming through social media, is stringent. Article 4 of Law No. 12 of 2022 concerning Crimes of Sexual Violence stipulates that all forms of electronic-based sexual violence, child sexual exploitation, and child pornography are categorized as Crimes of Sexual Violence. Furthermore, Article 14 of the same law outlines the penalties for perpetrators of electronic-based sexual violence, with imprisonment for up to four years or a fine of up to IDR 200,000,000.00.⁷

Grooming crimes in Indonesia became widespread in 2019. According to data from ECPAT Indonesia in the first quarter of 2019, cases of child sexual crimes that occurred online were quite large as evidenced by the 37 cases found, around 35% were child sexual crimes that occurred online.⁸ online which includes pornography cases and online child grooming cases. Apart from that, based on data held by the National Police Headquarters until August 2019, there were approximately 236 cases of sexual crimes that occurred using cyberspace. A case of child grooming occurred in South Tangerang on February 16 2023. This case occurred in a teenage girl (15 years old) in class 3 of junior high school, who was the victim of sexual harassment perpetrated by R (30 years old), a man she met through the social media Instagram. The perpetrator and victim met through the social media Instagram and then the perpetrator asked to meet in person on the pretext of celebrating Valentine's Day, aka 'Valentine's Day'. After meeting, the victim was forced to have sexual intercourse with the perpetrator several times.

Based on records from the Indonesian Child Protection Commission (KPAI), sexual harassment emerges as a pressing issue requiring immediate attention due to its classification as a crime against humanity. It not only violates the law but also contravenes the Convention on the Rights of the Child (CRC) and runs counter to the religious and cultural norms of a civilized society. The regulatory framework addressing sexual harassment in Indonesia is delineated across several laws, including Law No. 44 of 2008 on Pornography, Law No. 19 of 2016 amending Law No. 11 of 2008 on Electronic Information and Transactions, and Law No. 35 of 2014 on Child Protection. Among these, only Law No. 44 of 2008 on Pornography and Law No. 35 of 2014, which amends Law No. 23 of 2002 on Child Protection, specifically outline criminal sanctions against individuals who intentionally involve children in sexual activities or propagate immoral content involving minors.⁹

RESEARCH METHODS

The examination of child grooming within the framework of the Differential Association Theory not only sheds light on the social and psychological underpinnings of this criminal behavior but also underscores the legal and constitutional imperatives for its prevention and prosecution. In many jurisdictions, including Indonesia, the absence of specific legal statutes addressing child grooming poses significant challenges for law enforcement and judicial authorities. The dearth of legislative provisions tailored to combatting this form of exploitation reflects a gap in the legal framework that must be addressed to ensure effective protection of minors from online predators.

⁷ Jawade Hafidz Arsyad, "Perlindungan Hukum Korban Kekerasan Berbasis Gender Online (KBGO) Dalam Hukum Positif Indonesia," *Jurnal Cakrawala Informasi* 2, no. 2 (2022), <https://doi.org/10.54066/jci.v2i2.241>.

⁸ Ni Putu Ika Wijakusumariasih, "Legal Protection For Children Against Sexual Exploitation and Abuse of Children Online," *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 8, no. 1 (2019), <https://doi.org/10.24843/jmhu.2019.v08.i01.p01>.

⁹ Suendra and Mulyawati, "Kebijakan Hukum Terhadap Tindak Pidana Child Grooming."

Moreover, the fundamental rights enshrined within the constitution, such as the right to security, dignity, and protection from exploitation, necessitate a robust legal response to child grooming. By failing to enact laws that expressly criminalize and sanction child grooming, states risk undermining the constitutional rights of children to live free from harm and exploitation.

In light of these legal and constitutional considerations, there is a compelling need for legislative action to address the scourge of child grooming. Lawmakers must prioritize the enactment of comprehensive laws that define child grooming as a distinct criminal offense and prescribe appropriate penalties for its perpetration.¹⁰ Such legislation should also incorporate provisions for the protection of victims and the provision of support services to facilitate their recovery and rehabilitation.

Furthermore, legal reforms should be accompanied by measures to enhance law enforcement capacity and expertise in investigating and prosecuting child grooming cases. This may entail the establishment of specialized units within law enforcement agencies tasked with addressing online child exploitation and the provision of training programs to equip officers with the necessary skills and resources.¹¹ In the pursuit of understanding child grooming within the legal context, a robust methodology is indispensable. This methodology serves as the scaffold upon which the research is structured, delineating the systematic approach to uncovering legal rules, principles, and doctrines relevant to the subject matter. Transitioning from the broader exploration of child grooming to the specifics of legal research, the chosen methodology aligns with the objectives of the study. Legal research, as a methodological framework, offers a structured process for delving into the legal intricacies surrounding the phenomenon of child grooming.¹²

Within the realm of legal research, the methodologies employed—namely, the statutory regulations approach and the case approach—provide distinct avenues for interrogating legal principles and precedents. Through the statutory regulations approach, legislative enactments are scrutinized to discern the statutory framework governing child grooming. Meanwhile, the case approach offers insights gleaned from judicial decisions, shedding light on legal interpretations and applications in relevant contexts.

Building upon these methodological foundations, the research endeavors to gather and analyze legal materials pertinent to the study. Primary legal materials, including statutes and judicial decisions, are systematically collected and organized through inventory and categorization methods. Complementing these primary sources, secondary legal materials sourced from scholarly discourse and commentary contribute additional insights to the analysis. Transitioning from the

¹⁰ Seno Adhi Wibowo, "Child Sexual Violence and the Violation of Human Rights: The Darkest Side of Law Enforcement in Indonesia," *The Indonesian Journal of International Clinical Legal Education* 2, no. 4 (December 14, 2020): 421–34, <https://doi.org/10.15294/IJICLE.V2I4.43152>; Ema Mar'ati Sholecha et al., "Justice Collaborator's Position and Function on Witness Protection's Rights as a Suspect from the Perspective of Criminal Law in Indonesia," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, June 30, 2023, 131–43, <https://doi.org/10.24090/VOLKSgeist.V6I1.7246>.

¹¹ Umi Mujiarti, "Advocacy and Combating Sexual Crimes in the Perspective of Child Protection Law," *Journal of Law and Legal Reform* 2, no. 2 (April 30, 2021): 165–86, <https://doi.org/10.15294/JLLR.V2I2.46617>.

¹² Craven, Samantha, Sarah Brown, and Elizabeth Gilchrist. "Sexual grooming of children: Review of literature and theoretical considerations." *Journal of Sexual Aggression* 12, no. 3 (2006): 287–299; Latifiani, Dian. "The Darkest Phase for Family: Child Marriage Prevention and Its Complexity in Indonesia." *Journal of Indonesian Legal Studies* 4, no. 2 (2019): 241–258.

methodology to the practicalities of data collection, the systematic approaches employed ensure a comprehensive and structured examination of legal materials. By meticulously identifying, classifying, and systematizing legal sources, researchers establish a robust foundation for subsequent analysis. In conducting the analysis, deductive legal reasoning serves as the guiding principle, drawing upon established legal theories and principles. Through normative analysis, the study aims to derive reasoned conclusions and insights, informed by a synthesis of legal doctrines and scholarly perspectives.¹³

ANALYSIS AND DISCUSSION

Differential Association Theory: How Crimes Happened?

According to differential association theory, criminal acts of sexual harassment often occur in people's lives because they can be learned by their associates or other perpetrators. In this theory, a person becomes a criminal because he interacts too often with criminals.¹⁴ Because of the way this theory is presented and because of the popularity of the bad companions theory in crime in the eyes of society, mistakes are easier to commit. This theory focuses its attention on comparing an association with patterns of behavior, regardless of the character of the person involved in the association in question. Regarding this, it means that the perpetrator committed the crime because he imitated something that existed in his social environment, for example immoral or impolite behavior and the large amount of content about sex that was widely spread in the media,¹⁵ both electronic and print media, giving rise to an urge, motive, as well as attitudes in committing a crime of sexual harassment.¹⁶

The definition of social control theory according to Romli Atmasasmita refers to the discussion of delinquency and crime which is associated with sociological variables including family structure, education and dominant groups, thus this social control theory approach is different from other control theories. Apart from that, social control theory views humans as beings who have pure morals who give rise to the urge to have the freedom to do something. However, in reality, when humans are given the freedom to do something, what happens is that humans do things that exceed the limits of their own freedom. This problem of freedom occurs due to a lack of control from those closest to them or family who can influence a person's attitude. Apart from these two things, social

¹³ Soerjono Soekanto and Sri Madmuji, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Jakarta: PT Raja Grafindo Persada, 2009); Peter Mahmud Marzuki, *Penelitian Hukum (Edisi Revisi)*, 9th ed. (Jakarta: Kencana Prenada Media Group, 2016); Irwansyah Irwansyah, "Penelitian Hukum: Pilihan Metode & Praktik Penulisan Artikel," *Yogyakarta: Mirra Buana Media*, 2020.

¹⁴ Ahmet Maloku, "Theory of Differential Association," *Academic Journal of Interdisciplinary Studies* 9, no. 1 (2020), <https://doi.org/10.36941/ajis-2020-0015>; Thomas E. Dearden and Katalin Parti, "Cybercrime, Differential Association, and Self-Control: Knowledge Transmission Through Online Social Learning," *American Journal of Criminal Justice* 46, no. 6 (2021), <https://doi.org/10.1007/s12103-021-09655-4>; Munirah Abdullah Alduraywish, "Juvenile Delinquency and Differential Association Theory," *Advances in Applied Sociology* 11, no. 08 (2021), <https://doi.org/10.4236/aasoci.2021.118031>.

¹⁵ Andini L Tamara and Winarno Budyatmojo, "Kajian Kriminologi Terhadap Pelaku Pelecehan Seksual Yang Dilakukan Oleh Wanita Terhadap Pria," *Recidive* 5, no. 3 (2019): 311–30. See also Sutherland, Edwin H. "The theory of differential association." *Readings in Criminology and Penology*. Columbia University Press, 1972, pp. 365-371.

¹⁶ Agus Riwanto et al., "Addressing Campus Sexual Violence: A Collaborative Governance Approach to Legal Policy," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 6, no. 2 (December 30, 2023): 225–44, <https://doi.org/10.24090/VOLKSGEIST.V6I2.9523>.

environmental factors are very susceptible to influencing a person's attitudes or behavior so that they are encouraged to commit a crime.¹⁷

The prevalence of sexual harassment crimes reflects a systemic challenge rooted in societal oversight gaps, necessitating a comprehensive approach to prevention spanning various societal domains. Within this context, the Criminal Policy Theory emerges as a pivotal framework advocating for the utilization of penal measures to address criminal behavior. This theoretical approach prompts critical reflection on the efficacy and suitability of punitive sanctions in deterring and controlling crime. At the heart of this discourse lies a fundamental question: do punitive measures effectively curb criminal behavior, or are alternative strategies more conducive to long-term prevention and rehabilitation? This inquiry underscores the nuanced interplay between punitive measures, societal norms, and institutional responses in shaping crime prevention policies.

Central to the discussion surrounding the Criminal Policy Theory is the recognition of criminal law as a potent instrument for societal regulation and governance.¹⁸ The operationalization of criminal law policies entails a structured and multifaceted process, encompassing three distinct stages. Firstly, the Formulation Stage, or Legislative Policy, involves the meticulous crafting of statutory regulations aimed at delineating and addressing specific criminal behaviors. This stage requires careful consideration of legal principles, societal values, and empirical evidence to inform the development of effective and equitable legal frameworks tailored to the complexities of modern society.

Following the formulation of legislative policies, the Application Stage, or Judicial Policy, comes into play, wherein these statutory regulations are interpreted, adjudicated, and enforced within the judicial system. This stage involves a dynamic interplay between legal interpretation, case precedent, and judicial discretion in applying the law to specific cases. The judiciary plays a crucial role in upholding the rule of law, safeguarding individual rights, and ensuring equitable access to justice for all members of society.

Finally, the Execution Stage, or Executive/Administrative Policy, entails the implementation and enforcement of criminal law policies by executive authorities. This stage involves the translation of legislative mandates into practical measures aimed at ensuring societal compliance with legal norms and fostering a culture of lawfulness and accountability. Executive agencies are tasked with the execution of legal mandates, enforcement of court orders, and administration of justice, thereby serving as frontline actors in the ongoing effort to combat crime and uphold the principles of justice and fairness within society.

According to Wisnubroto, criminal law policy, or penal efforts, encompasses various actions aimed at addressing crime, including governmental strategies for crime reduction, formulation of criminal laws tailored to societal needs, governmental policies for societal regulation through criminal law, and utilization of criminal law to achieve broader societal objectives.¹⁹ In contrast,

¹⁷ Atmasasmita, Romli. *Teori dan Kapita Selekt Kriminologi*. Bandung: Refika Aditama, 2007. See also Reid, Sue Titus. *Crime and Criminology*. Aspen Publishing, 2017; Tierney, John, and Maggie O'Neill. *Criminology: Theory and Context*. Routledge, 201

¹⁸ See Victoria A., Greenfield, and Letizia Paoli, *Assessing the Harms of Crime: A New Framework for Criminal Policy* (Oxford: Oxford University Press, 2022); Gregg. Barak, *Criminology: An Integrated Approach* (New York: Rowman & Littlefield, 2009).

¹⁹ Wisnubroto, Al. "Problematisan dan Prospek Perlindungan Saksi dan Korban di Indonesia." *Jurnal Hukum Pro Justitia* 25, no. 1 (2007).

the Non-Penal Policy theory posits that crime prevention efforts should primarily focus on preventive, deterrent, and control measures implemented before the occurrence of a crime. This approach expands the scope of crime prevention beyond the criminal justice system, encouraging involvement from institutions and individuals in the community. Community engagement in crime prevention may involve informal tribunals, wherein community members resolve disputes within school, workplace, or neighborhood settings through normative processes. Non-penal prevention strategies target social, economic, and public policy domains to prevent crime, with a particular emphasis on intervening in social and economic factors known to contribute to criminal behavior. Essentially, non-penal criminal policy prioritizes proactive measures aimed at preventing crime, alongside broader social policies aimed at enhancing welfare, protecting individuals, and mitigating criminogenic influences.²⁰

Child Grooming in Criminological Studies

Child grooming can occur in various forms and can be done by anyone. Starting from teachers, sports coaches, to unknown people. Apart from manipulating for sexual purposes, perpetrators of this act also generally deliberately play with children's emotions or commit psychological violence. This can ultimately make the child worse off mentally. Child grooming is an act of inviting or persuading a child with the aim of sexually exploiting the child.²¹

In most cases, the grooming process is carried out gradually, starting with the selection of potential victims. Perpetrators choose their victims considering several factors, including: (i) the appeal or attractiveness of the victim, determined by the perpetrator's own desires, (ii) the ease of access to the victim's social media (for instance, if privacy settings on the site, platform, or application used by the victim are not activated or disabled), and/or (iii) the vulnerability of the victim (for example, if the victim posts about living alone at home or feeling psychologically unhappy). After identifying the target victim, the perpetrator will attempt various methods to contact them. If successful, they will seek to build a friendly relationship with the victim and create a comfortable atmosphere. Eventually, the victim may feel emotionally attached to the perpetrator and may even engage in a romantic relationship with them. It is at this point that the perpetrator is ready to commit their crime, namely, sexually exploiting the victim.

When considering the two types of sexual offenses recognized in criminal law, it can be argued that child grooming falls under the category of sexual abuse offenses with a developed *modus operandi*. Child grooming is seen as an advancement in sexual abuse offenses because traditional forms of sexual abuse involve direct and tangible actions, with perpetrators seeking immediate

²⁰ See also Cahya Wulandari, "Kebijakan Kriminal Non Penal Dengan Techno Prevention (Analisis Pencegahan Konten Negatif Melalui Internet)," *Pandecta Research Law Journal* 15, no. 2 (December 4, 2020): 228–41, <https://doi.org/10.15294/PANDECTA.V15I2.23650>; Febriyanti Silaen, Dan Syawal, and Amry Siregar, "HUBUNGAN KEBIJAKAN KRIMINAL DENGAN KEBIJAKAN HUKUM PIDANA," *Jurnal Darma Agung* 28, no. 1 (May 20, 2020): 8–16, <https://doi.org/10.46930/OJSUDA.V28I1.455>.

²¹ Craven, Samantha, Sarah Brown, and Elizabeth Gilchrist. "Sexual grooming of children: Review of literature and theoretical considerations." *Journal of Sexual Aggression* 12, no. 3 (2006): 287–299. See also Cano, Amparo Elizabeth, Miriam Fernandez, and Harith Alani. "Detecting child grooming behaviour patterns on social media." *Social Informatics: 6th International Conference, SocInfo 2014, Barcelona, Spain, November 11–13, 2014. Proceedings* 6. Springer International Publishing, 2014; Ringenberg, Tatiana R., et al. "A scoping review of child grooming strategies: Pre-and post-internet." *Child Abuse & Neglect* 123 (2022): 105392.

gratification. In contrast, child grooming offenses often occur virtually through social media platforms or messaging applications such as WhatsApp, Line, or Telegram.

The ultimate goal of the perpetrator in child grooming is not solely to engage in sexual activity with the child victim, but rather to establish a relationship with the child in order to later exert psychological pressure on them to comply with the perpetrator's demands. According to the analysis conducted by The International Centre for Missing and Exploited Children (ICMEC), child grooming is defined as follows:

*“Online grooming refers to the use of the Internet or other digital technologies to establish or build a relationship with a child under the age of 18 in order to facilitate either non-contact (online) or contact (offline) sexual interaction with that child. Grooming involves “psychological manipulation that is usually very subtle, drawn out, calculated, controlling, and premeditated,” with the goal of establishing an emotional connection with a child in order to lower the child’s inhibitions. Through the grooming process, an offender seeks to gain the child’s compliance to maintain secrecy, and to avoid detection and punishment”.*²²

Within the framework of child grooming, as delineated by scholarly discourse, a predominant reliance on digital technology, notably the internet, is discernible. The overarching objective of this nefarious practice is to establish a rapport with a child, with the explicit aim of fostering non-contact sexual interactions within online spaces. Such interactions are facilitated through a myriad of psychological manipulation tactics strategically employed by the perpetrator, with the ultimate goal of coercing or intimidating the child into acquiescence with their illicit demands.

Furthermore, in the study of criminology, factors contributing to child grooming can be examined through the lens of the theory of differential association, first proposed by Edwin H. Sutherland in 1934 in his book *Principles of Criminology*. Sutherland’s theory suggests that criminal behavior is learned within social environments. This implies that all behaviors, including criminal ones, can be acquired through various means of socialization. Therefore, the distinction between law-abiding behavior and criminal behavior lies in what and how individuals learn within their social contexts.²³

Sutherland referred to the persistent nature of criminal offenders as “*habitual criminals*.” The criminal actions they engage in become ingrained characteristics of their personality. A persistent behavior implies that it has become a defining trait of the individual and represents a recurring pattern or preferred choice of behavior. This persistent nature needs to be distinguished from situational or non-persistent behavior. Situational behavior indicates that the behavior only arises in specific circumstances, and the likelihood of its repetition is minimal.

Therefore, if someone commits a criminal offense but their criminal behavior is not part of a pattern, that individual cannot be categorized as a criminal because their behavior is situational or non-persistent. This distinction is crucial in understanding the nature and classification of criminal behavior according to Sutherland’s theory. This concept also applies to serious criminal offenses such as murder and rape, as long as the actions are not part of a persistent behavioral pattern. In situations where serious criminal acts are not perceived as crimes by the cultural and social setting

²² Girouard, Cathy. *The National Center for missing and exploited children*. US Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 2001.

²³ Sutherland, Edwin H., Donald R. Cressey, and David F. Luckenbill. *Principles of Criminology*. Altamira Press, 1992. See also Bongers, Willem Adriaan. *An Introduction to Criminology*. Routledge, 2015; Jones, Stephen. *Criminology*. Oxford University Press, 2021.

of the perpetrator, the perpetrator may not be categorized as a criminal. For instance, in cases of rape within certain indigenous communities in Irian Jaya, resolving the issue through criminal prosecution may not address the root cause of the problem.

In this context, researchers must distinguish between private troubles and public issues regarding the occurrence of criminal violations, as proposed by W. Mills (1959). In criminal behavior, offenses occur due to the presence of one or more perpetrators. Within the perpetrator's psyche lie various factors that drive them to commit the crime.²⁴ These causative factors can be examined from several perspectives, including:

1. Internal Factors within the Perpetrator:

a. The Perpetrator Feels Not Guilty of Their Actions:

Despite the legal presumption that everyone understands the law, not all individuals are aware of legal regulations. It is the duty of the state to provide legal education as part of legal literacy efforts. Government authorities are obligated to inform the public about specific laws. In many cases of legal violations, perpetrators do not feel guilty about their actions due to a lack of awareness of the laws or regulations governing sexual harassment offenses. In such cases, perpetrators may not perceive their actions as criminal because they do not understand the boundaries of sexual harassment, especially when perpetrated by women against men.

b. Existence of Personal Interests

Criminal perpetrators usually have personal interests or motives behind their actions. In this scenario, perpetrators have interests directed towards themselves. To fulfill their interests, perpetrators resort to various means and feel no burden in committing sexual harassment.

c. Unmet Satisfaction and Age Factor

The age factor of the partners can also contribute to an individual's sexual dissatisfaction, as the age-related limitations experienced by one or both partners may hinder desired sexual activities.

d. Previous Experience as a Victim of Sexual Harassment

Weber and Smith highlight the long-term effects of childhood sexual abuse, suggesting that children who are victims of sexual violence may develop a potential for becoming sexual offenders in the future.²⁵ The powerlessness experienced by victims of sexual abuse during childhood can subconsciously generalize their perception, leading them to believe that sexual behavior or acts can be exerted upon weaker or vulnerable individuals. Therefore, victims of sexual harassment may potentially become perpetrators of sexual harassment in the future.

2. External Factors outside the Perpetrator:

a. Factors within the Victim

The commission of an act can lead to reciprocal interactions, implying mutual relationships between the perpetrator and the victim of sexual harassment. Victims of sexual harassment

²⁴ See Frauley, Jon. "C. Wright Mills and the Criminological Imagination: Introductory Remarks." *C. Wright Mills and the Criminological Imagination*. Routledge, 2016. 1-18.

²⁵ Marla Reese-Weber and Dana M. Smith, "Outcomes of Child Sexual Abuse as Predictors of Later Sexual Victimization," *Journal of Interpersonal Violence* 26, no. 9 (June 2011): 1884–1905, <https://doi.org/10.1177/0886260510372935>.

may exhibit mental weakness or may not even recognize themselves as victims of sexual harassment. Consequently, perpetrators feel more empowered to commit the offense and perceive themselves as stronger than the victim.

b. Technological Advancements

The advancement of technology has led to the widespread availability of pornographic videos that can be accessed freely by individuals of all ages, genders, and backgrounds. This accessibility facilitates fantasies about desired sexual activities, leading individuals to engage in behaviors to fulfill their desires.

c. Modernization Factors

Advancements in technology have also influenced cultural developments in society. Modernization across various sectors has propelled society towards more progressive and individualistic thinking. As society becomes more modern, new forms of criminality emerge due to increased access to information, mass media, social media, and evolving cultural norms.

d. Peer Groups

Research on female-perpetrated sexual harassment utilizes theories from biological and psychological perspectives, such as Garofalo's theory, which traces criminal behavior back to psychological anomalies termed "moral anomalies." According to this theory, natural crimes exist in all societies, regardless of legal regulations, and no civilized society can ignore them.

e. Lack of Understanding of Religion

The occurrence of crime is determined by issues of harmony, religion, or the relationship between humans and a higher power. According to this theory, the further an individual's relationship with their religion via the intermediary of their practiced religion, the closer their intentions are to committing crimes. If an individual lacks a thorough understanding of their religion, their faith may weaken, making it easier for them to engage in wrongful behavior. Soemitro identifies four characteristics of crime: the criminal career of the offender, the extent to which behavior receives group support, reciprocal relationships between crime and valid behavioral patterns, and social reactions to crime. Individual crimes involving violence, including criminal acts such as murder and rape, are perpetrated by individuals who do not perceive themselves as criminals and may not have committed such crimes previously. Instead, they are compelled by certain circumstances to commit these acts.

In the realm of social responses to criminal behavior, delineations often emerge between formal and informal reactions. While informal reactions are commonly perceived as antithetical to formal responses, a nuanced understanding reveals an intrinsic interdependence between the two. Informal reactions manifest as actions undertaken by formal institutions in an unofficial capacity, diverging from prescribed procedural norms. In essence, they represent an auxiliary facet of formal social reactions, characterized by a departure from established protocols.

The spectrum of social reactions to crime and criminality embodies multifaceted endeavors aimed at mitigating criminal conduct and safeguarding societal welfare. The overarching objective is the cultivation of a community immune to the scourge of criminal activity. Formal social reactions,

in this context, epitomize organized responses orchestrated by societal structures and institutions. Central to these responses is the establishment of codified regulations—commonly referred to as laws—that delineate acceptable conduct within the societal framework.

Within the ambit of formal social reactions, lie the pivotal roles assumed by various entities within the criminal justice apparatus. These institutions, including law enforcement agencies, prosecutorial bodies, judicial tribunals, and correctional facilities, serve as bastions of societal order and uphold the tenets of justice. Their formation and operational ethos are predicated upon the codified statutes that underpin the legal fabric of the community. Through a symbiotic relationship with existing legal frameworks, these institutions are tasked with the dual mandate of law enforcement and crime mitigation.

Non-formal social reactions provided by society. The occurrence of a crime inevitably leads to various impacts generated by the crime. One of the impacts of the crime is the reaction created by society or social reactions. The existence of societal reactions serves as a form of social control regarding the existence of a certain type of crime. In criminological studies, these societal reactions encompass two forms: reactions to the crime itself and reactions to the perpetrators of the crime.

Similar to reactions to the crime, reactions to perpetrators of sexual harassment crimes also tend to be indifferent and apathetic. This is because perpetrators are often unknown to the public, and the community does not directly feel the impacts caused by the perpetrators of sexual harassment crimes. On the other hand, societal labeling occurs, where perpetrators who undergo criminal punishment are inevitably stigmatized by the community surrounding the perpetrator's residence and workplace. This stigma essentially labels the perpetrator as a bad person. However, in this case, it also demonstrates different societal reactions, namely, communities that show concern for the perpetrators.

In this study of societal reactions, the researcher employs theories from Cooley, Thomas, and Mead (*social interactionists*). They perceive that human personalities are formed through social interaction processes. Labeling separates what is good from what is bad, what is considered normal from what is deviant. Mead's focus is not on the consequences of actions but on the social interaction through which someone becomes deviant. Social behavior is constructed in an ongoing process of action and reaction.²⁶ In researching societal reactions, the researcher examines the social behaviors generated by society, which then lead to actions and reactions. The actions regarding criminal acts involve several segments of society: some reject the crime, while others defend the perpetrator and their actions due to their alignment with a certain group. Meanwhile, societal reactions from those aligned with the perpetrator may consider the act unworthy of prosecution, while many others may be indifferent, regarding the act as trivial and thus not worth prosecuting. Some may not care at all about the act.

Legal Policy Against Child Grooming Crimes

The advent of digital technology has transformed the landscape of child grooming crimes, posing unprecedented challenges for legal policymakers. In response to this evolving threat, legislative bodies have endeavored to enact and amend laws aimed at curbing the proliferation

²⁶ Mead, George H. "Cooley's contribution to American social thought." *American Journal of Sociology* 35, no. 5 (1930): 693-706.

of online sexual exploitation. These legal measures often encompass a wide range of provisions, including criminalizing specific grooming behaviors, enhancing penalties for offenders, and empowering law enforcement agencies to investigate and prosecute such crimes. However, despite these legislative efforts, gaps and inconsistencies may persist, necessitating a critical examination of the effectiveness and adequacy of existing legal frameworks.

Furthermore, judicial responses to child grooming crimes play a pivotal role in shaping legal policy outcomes. Courts are tasked with interpreting and applying relevant statutes, adjudicating cases involving alleged grooming offenses, and imposing sanctions on perpetrators. Judicial decisions not only reflect societal attitudes towards child grooming but also influence the development and interpretation of legal norms. As such, the judiciary's approach to child grooming cases, including sentencing practices and precedential rulings, holds significant implications for legal policy formulation and implementation.

In addition to legislative and judicial measures, administrative strategies are indispensable in the fight against child grooming crimes. Administrative agencies, such as law enforcement bodies and regulatory authorities, play a central role in enforcing legal provisions, investigating allegations of grooming offenses, and coordinating efforts to protect vulnerable children. Moreover, administrative policies aimed at enhancing public awareness, providing support services to victims, and collaborating with non-governmental organizations further augment the effectiveness of legal frameworks in combating child grooming. Thus, a comprehensive approach to legal policy against child grooming crimes necessitates coordination and cooperation among legislative, judicial, and administrative entities.

Despite ongoing efforts to address child grooming crimes through legal policy, challenges and complexities persist. These may include jurisdictional issues in the digital realm, technological advancements that outpace regulatory frameworks, and barriers to accessing justice for victims. Moreover, cultural attitudes towards online interactions and societal perceptions of child grooming may influence the effectiveness of legal interventions. In light of these challenges, ongoing evaluation, adaptation, and enhancement of legal policy responses are imperative to effectively safeguard children from the perils of online exploitation and ensure justice for victims of grooming crimes.

The theoretical lens of differential association, as expounded by Edwin H. Sutherland, provides valuable insights into the roots of child grooming behaviors. Sutherland²⁷ posits that criminal conduct is acquired through social interactions within one's environment. Within this framework, individuals may assimilate both lawful and unlawful behaviors based on their social learning

²⁷ Principles of Criminology is a seminal work in the field, emphasizing the social aspect of criminal behavior. Sutherland introduced the concept of "*differential association*," suggesting that criminal behavior is learned through interactions with others. This theory posits that individuals learn deviant behavior through association with deviant peers, particularly in intimate personal groups. In the context of a child grooming case, Sutherland's principles are highly relevant. Child grooming involves a process by which an adult builds a relationship with a child to gain their trust, with the ultimate aim of exploiting them sexually or otherwise. Sutherland's theory would suggest that individuals who engage in grooming behavior have likely learned these strategies through their social interactions, possibly from peers or from exposure to deviant subcultures where such behavior is normalized or encouraged. Furthermore, Sutherland's theory emphasizes the role of socialization in the development of criminal behavior. In the case of child grooming, societal factors such as the normalization of certain power dynamics or the lack of education and awareness about grooming behaviors can contribute to their occurrence. This highlights the importance of addressing not only individual behavior but also the broader social context in which it occurs in preventing and addressing such crimes.

experiences. Hence, the manifestation of child grooming actions can be understood as a product of the individual's social environment, which shapes their perceptions of acceptable and unacceptable conduct, including the manipulation and exploitation of children.

Moreover, Sutherland distinguishes between persistent and non-persistent criminal behaviors, emphasizing the enduring nature of habitual criminal conduct. Such behaviors become ingrained traits of an individual's personality, manifesting as recurrent patterns of criminal activity. Conversely, situational or non-persistent behavior occurs sporadically and lacks the enduring characteristic of habitual criminality. This distinction is paramount in understanding the classification and nature of criminal behavior within Sutherland's theoretical framework, providing valuable insights into the complexities of criminal conduct, including child grooming.

This concept also applies to serious criminal offenses such as murder and rape, as long as the actions are not part of a persistent behavioral pattern. In situations where serious criminal acts are not perceived as crimes by the cultural and social setting of the perpetrator, the perpetrator may not be categorized as a criminal. For instance, in cases of rape within certain indigenous communities in Irian Jaya, resolving the issue through criminal prosecution may not address the root cause of the problem.

At the core of this exploration lies an examination of the internal motivations and predispositions of perpetrators. Within the intricate landscape of the perpetrator's psyche, a myriad of influences intersect to shape their actions. One such influence is the lack of legal awareness—a phenomenon wherein individuals may unknowingly transgress legal boundaries due to a dearth of understanding of statutory regulations. This ignorance often stems from a failure of the state to adequately disseminate legal education, leaving individuals ill-equipped to navigate the complexities of legal norms. Consequently, perpetrators may exhibit a lack of remorse for their actions, particularly in cases where societal perceptions of sexual harassment are skewed, such as when the offense is perpetrated by women against men.

Furthermore, personal motivations play a pivotal role in driving criminal behavior. Perpetrators are often propelled by self-serving agendas or personal interests, prompting them to engage in illicit activities regardless of ethical or legal constraints. These motivations can range from financial gain to the assertion of power and control over others, underscoring the diverse array of incentives that underlie criminal conduct.²⁸

Moreover, age-related dissatisfaction can emerge as a contributing factor to criminal behavior. Discrepancies in age between partners can lead to sexual dissatisfaction, with age-related limitations hindering the fulfillment of desired intimate activities. This frustration may fuel feelings of resentment or inadequacy, prompting individuals to seek alternative means of gratification, often through coercive or exploitative behavior. Finally, previous experiences of trauma, particularly childhood sexual abuse, can exert a profound influence on later offending behavior. Victims of such abuse may internalize feelings of powerlessness and vulnerability, leading to distorted perceptions of sexual behavior and interpersonal relationships. This cycle of victimization can perpetuate harmful patterns of conduct, with victims-turned-perpetrators replicating the abuse they once endured.

²⁸ see D. Wayne Osgood et al., "Routine Activities and Individual Deviant Behavior," *American Sociological Review* 61, no. 4 (1996): 635–55, <https://doi.org/10.2307/2096397>; Daniel S. Nagin and Raymond Paternoster, "Enduring Individual Differences and Rational Choice Theories of Crime," *Social Control and Self-Control Theories of Crime and Deviance*, July 5, 2017, 451–80, <https://doi.org/10.2307/3054102>.

In the realm of criminological analysis, the exploration of factors beyond the perpetrator's immediate influence offers crucial insights into the genesis of criminal behavior. These external factors encompass a spectrum of societal, technological, and cultural dynamics that intersect with individual actions to shape the occurrence of criminal violations.

Victims of criminal acts often find themselves entangled in complex webs of power dynamics and vulnerabilities. Within this context, victims of sexual harassment may exhibit various forms of mental or emotional weakness, rendering them susceptible to exploitation. Moreover, a lack of recognition of their victimization can further empower perpetrators, fostering a skewed perception of dominance and control over the victim. The proliferation of technological advancements has fundamentally reshaped the landscape of criminality. With the advent of the internet and digital media, the accessibility of pornographic material has reached unprecedented levels. Individuals from diverse backgrounds and demographics can now readily access explicit content, fostering fantasies and desires that may manifest in criminal behavior.

Furthermore, the process of modernization has ushered in profound cultural shifts, propelling societies towards greater individualism and progressivism. As societal norms evolve, so too do the avenues for criminality. The widespread dissemination of information through mass media and social platforms has created fertile ground for the emergence of new forms of criminal behavior, challenging traditional notions of societal order. Peer influence also plays a pivotal role in shaping criminal behavior. Insights from psychological theories highlight the normalization of deviant behaviors within peer groups, blurring the lines between acceptable and unlawful conduct. The perpetuation of certain behaviors within these social circles can exert a significant influence on individual actions, further entrenching patterns of criminality.

Moreover, the intersection between religious understanding and criminal behavior underscores the nuanced relationship between faith and ethical conduct. Individuals who lack a thorough comprehension of their religious beliefs may find themselves susceptible to engaging in wrongful actions. This vulnerability is compounded by societal factors, including the extent of group support for deviant behavior and prevailing social reactions to crime.

Generally, social reactions can be classified into two groups: formal reactions and non-formal social reactions. Often, people consider informal social reactions as the opposite of formal social reactions. However, in essence, informal social reactions cannot be separated from formal social reactions. Informal reactions are actions performed by formal institutions in an informal manner, not following formal rules. Social reactions to crime and criminals encompass various actions taken to address crime and prevent criminals from repeating their offenses, aiming to create a society free from crime. Formal social reactions refer to actions taken by society through the establishment of formal institutions to address crime, including the creation of formal rules (laws) governing the behavior of members of society. Formal social institutions include various entities within the criminal justice system, such as the police, prosecution, courts, and correctional facilities (prisons). These institutions are established based on existing laws and aim to enforce the law and address crime within society.

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In the further context, referring to the act of child grooming, which is a form of sexual offense where the perpetrator targets minors, the legal protection for children in Indonesia is clearly regulated in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection (hereinafter referred to as the Child Protection Law). Specifically regarding the act of child grooming, it is undoubtedly contrary to the objectives of the Child Protection Law. In this law, there is one article that regulates sexual offenses, namely Article 76E, which states: *“Everyone is prohibited from committing violence or threats of violence, coercing, committing deception, committing a series of lies, or persuading a child to commit or allow obscene acts to be committed”*

In that article, it still regulates in general terms, meaning it is limited to lewd acts, which according to legal dictionaries, refer to immoral acts and/or intercourse with someone considered to be damaging to decency. According to the Penal Code, lewd acts encompass any actions that violate morality related to the physical aspect. However, when linked to the act of child grooming, it does not fulfill the elements found in Article 76E, and the element of misuse of social media is also not present in that article.

Therefore, based on the description of that article, it can be concluded that the provisions in the Child Protection Law are considered incapable of ensnaring perpetrators who engage in child grooming, because the crime of child grooming does not meet the elements of Article 76E of the Child Protection Law. This, in turn, affects the ineffectiveness of the Child Protection Law in combating the crime of child grooming that is occurring today. The enactment of the Child Protection Law should ideally address various issues of sexual harassment, especially those that victimize children, as children are legal subjects whose existence must be specially protected.

Efforts to overcome Child Grooming

In the case of online gender-based violence, Indonesia has enacted Law Number 12 of 2022 concerning Sexual Violence Crimes. The enactment of this law provides a legal basis for repressive protection measures for the community. Although the implementation of these repressive efforts is influenced by factors other than the existence of the law, the presence of such legislation is an important step.²⁹ However, the main challenge at present is how to minimize the number of victims of online gender-based violence. Discussions on this issue lead to the preventive measures needed by the community.

Preventive efforts or crime prevention measures do not arise spontaneously; they have their sources. The emergence of preventive measures against a crime (crime prevention) stems from the community's reaction or social response to the crime. According to Muhammad Mustofa, the community's reaction or social response to crime is a pattern of actions carried out collectively by community members in dealing with or responding to crime. Social reactions in criminology can then be divided into three types: formal, informal, and non-formal reactions from the community to crime.³⁰

Firstly, the formal reaction of society to crime involves the structured actions taken by formal institutions established by the state to address the crime. This includes the formulation of criminal laws and criminal justice systems. The formal reaction provided by society through legislative bodies results in legal provisions that bind the entire community to address the crime, such as the enactment of Law Number 12 of 2022 concerning Sexual Violence Crimes.

Secondly, the informal reaction of society to crime involves actions taken by official institutions within the criminal justice system against the perpetrators of the crime, but these actions do not adhere to formal legal procedures. Informal reactions are often carried out by law enforcement agencies for practical and pragmatic reasons. For example, when a minor commits a crime, the police may warn the parents to supervise and take care of their child better, and the child may be returned to their parents without undergoing formal legal proceedings. However, informal reactions are not applicable in addressing online gender-based violence crimes. This is because such crimes cannot be addressed through Restorative Justice measures.

Thirdly, the non-formal reaction of society to crime involves various actions taken directly by community members against the perpetrators of the crime or against the signs of crime without involving the criminal justice system. This can include acts such as public shaming, hurling insults, forcibly expelling, throwing objects, burning, or mobbing the perpetrator. In non-formal societal reactions, there is often social sanctioning in the form of verbal abuse and condemnation directed at the perpetrator. Especially in cases of online gender-based violence, societal labeling is particularly strong compared to labeling for crimes like theft and others. This is because society perceives that perpetrators of such crimes commit acts that are morally reprehensible and of a higher degree of criminality compared to relatively minor offenses like theft.

²⁹ Endrianto Bayu Setiawan et al., "The Indonesian Criminal Law System's Progression in Sexual Assaults Regulation," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 5, no. 2 (December 17, 2022): 161–77, <https://doi.org/10.24090/VOLKSGEIST.V5I2.6690>.

³⁰ Muhammad. Mustofa, *Kriminologi: Kajian Sosiologi Terhadap Kriminalitas, Perilaku Menyimpang, Dan Pelanggaran Hukum* (Jakarta: Prenada Media, 2021).

According to Mustofa, these social reactions historically gave rise to two preventive systems: the moralistic system and the abolitionist system. Prevention through the moralistic system involves disseminating religious teachings, moral values, good laws, and other means to restrain the urge to commit wrongdoing.³¹ Preventive actions need to be taken by various elements of society, starting from the smallest unit, which is the family. The family, being the closest entity to both perpetrators and victims, can provide understanding and attention to ensure that its members do not become victims or perpetrators of online gender-based violence. The family serves as the primary societal unit capable of offering protection to those vulnerable to becoming victims.

The cases highlighted above underscore the pivotal role of familial support in preventing incidents of gender-based online violence. Families serve as the primary source of guidance and counsel for their members, offering crucial insights and advice to mitigate the risk of unintentional perpetration or victimization. By fostering open dialogue and awareness within familial settings, individuals are better equipped to navigate the complexities of online interactions and recognize potential risks. Beyond the family unit, broader societal efforts are indispensable in combating gender-based online violence. Community-based initiatives, including seminars, workshops, and educational activities, play a crucial role in raising awareness and fostering collective action. By engaging diverse stakeholders and fostering a culture of active participation, these initiatives empower communities to proactively address the underlying drivers of online violence and create safer digital environments for all.³²

Furthermore, religious teachings can also serve as a solution for preventing this crime. Prevention efforts to curb gender-based online violence lie within each individual. As previously explained, the elements within each person must be balanced to prevent deviant behavior that can harm the surrounding community or oneself. The understanding and social sensitivity imparted by society, as well as the religious teachings given to each individual, should not only be seen as advice but also need to be applied. Many incidents of gender-based online violence occur due to opportunities for deviant behavior resulting from societal negligence or potential victims. In such cases, it is ultimately up to the individual to restrain themselves from engaging in deviant acts.³³

Prevention efforts through an abolitionist system involve attempting to eradicate crime by addressing its root causes. One way to achieve this is by avoiding forms of pornography found on the internet or social media.³⁴ Efforts to mitigate gender-based online violence also serve to address broader societal issues concerning deviant behavior. As previously highlighted, consumption of pornographic material can intensify innate sexual desires, potentially leading to uncontrollable

³¹ Mustofa.

³² See Crooks, Claire V., et al. "Preventing gender-based violence among adolescents and young adults: Lessons from 25 years of program development and evaluation." *Violence Against Women* 25, no. 1 (2019): 29-55; Rodrigues, Vanda Palmarella, et al. "Family relationships in the context of gender-based violence." *Texto & Contexto-Enfermagem* 25, no. 3 (2016): e2530015; Debowska, Agata, et al. "Gender-based violence-supportive cognitions in adolescent girls and boys: The function of violence exposure and victimization." *Journal of Interpersonal Violence* 36, no. 3-4 (2021): 1233-1255.

³³ See Walsh, Thomas G. "Justice, Faith, and Interfaith: The Relevance of Faith and Interfaith Relations to Crime Prevention." In *Women and Children as Victims and Offenders: Background, Prevention, Reintegration: Suggestions for Succeeding Generations (Volume 2)* (2016): 369-393; Salvatore, Christopher, and Gabriel Rubin. "The influence of religion on the criminal behavior of emerging adults." *Religions* 9, no. 5 (2018): 141.

³⁴ Iris Yen, "Of Vice and Men: A New Approach to Eradicating Sex Trafficking by Reducing Male Demand through Educational Programs and Abolitionist Legislation," *The Journal of Criminal Law and Criminology* 98, no. 2 (2008): 653-686., <https://www.jstor.org/stable/40042872>.

urges.³⁵ Pornography is often likened to a potent stimulant, exerting effects on par with substance abuse, if not more damaging. Consequently, redirecting technological advancements towards more constructive ends becomes imperative. This necessitates initiatives aimed at enhancing digital literacy among the populace. Moreover, governmental intervention to regulate the dissemination of pornographic content and restrict its ubiquitous accessibility, particularly via smartphones and internet platforms, emerges as a crucial step in promoting a safer online environment.

CONCLUSION

In conclusion, child grooming, recognized as a burgeoning form of online sexual exploitation, encompasses manipulative actions leveraging digital platforms to establish illicit relationships with minors. Despite its prevalence, the current legal framework, notably Article 76E of the Child Protection Law, inadequately addresses the nuanced dynamics of online child grooming. By solely focusing on physical decency violations, this legislation fails to encompass the full spectrum of offenses perpetrated through social media platforms. Consequently, law enforcement authorities are confronted with challenges in prosecuting perpetrators and ensuring accountability for their actions. To circumvent these limitations, alternative measures, such as utilizing legislation pertaining to pornography, may be employed. However, the efficacy of such approaches in curbing the pervasive phenomenon of child grooming warrants further scrutiny. Moving forward, it is imperative for policymakers to undertake comprehensive reforms to bolster legal protections against online sexual exploitation of children. This necessitates the enactment of specific provisions targeting child grooming within the digital realm, thereby enhancing the capacity of law enforcement agencies to combat this insidious crime and safeguard the welfare of minors in Indonesia.

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³⁵ See Andry Setiawan et al., "Gender Based Violence in Higher Education: A Model of Protection and Law Enforcement," *Indonesian Journal of Advocacy and Legal Services* 5, no. 1 (May 31, 2023): 65–80, <https://doi.org/10.15294/IJALS.V5I1.74131>; Maria Yuniana Restuningtyas, "Gender-Based Violence: How Children and Women Are Protected?," *Law Research Review Quarterly* 7, no. 3 (August 3, 2021): 269–84, <https://doi.org/10.15294/LRRQ.V7I3.48160>; Anis Widyawati, Pujiyono Pujiyono, and Nur Rochaeti, "Elimination of Sexual Violence in Feminist Legal Theory," *Journal of Indonesian Legal Studies* 6, no. 2 (November 30, 2021): 333–52, <https://doi.org/10.15294/JILS.V6I2.48346>.

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