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Research Article

Prostitution, Crime, and Law Enforcement: Criminology Studies in the Argorejo Resocialization and Rehabilitation of Semarang City

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Abstract: Prostitution is a complex social problem, remembering prostitution is the oldest civilization that still exists in our society. Often prostitution is classified by our society for commercial purposes solely with women who are immoral, cannot stand the faith and various antipathy attitudes towards prostitutes who for various reasons enter the dark world regardless of the relation to various aspects of people's lives with prostitution. The factor in prostitution is that most of the problems lie in economic and social factors. The main factor is the lack of physical well-being, including the sense of security and peace that can be achieved if public awareness of the obligation to respect the rights of others has been understood and internalized so that the enforcement of law and justice is based on truth which is the needs of others, all members of society. The difficulty to meet the needs of a handful of women (skill), taking shortcuts by peddling themselves in certain places, seems to be a disheartening view. Even though they know the consequences of their actions, they do not deter them or think further about the consequences of the prostitution problem. In connection with prostitution, the Criminal Code regulates it in two articles, namely Article 296 and Article 506. The Criminal Code makes intentions causing or facilitating acts of violating decency with third people as livelihoods or as a custom regulated in Article 296 of the Criminal Code. Article 506 of the Criminal Code is regulated as a criminal act as a pimp.

Keywords: Prostitution; Criminology; Argorejo; Crimes

Introduction

Since ancient times humans have been born as social beings who cannot live without other people. In everyday life, humans need help from other social creatures in meeting their needs, including clothing, food and shelter. In addition, humans are inseparable from inner

fulfillment, which involves self-pleasure. Meeting needs on earth, of course, varies in each individual, both materially and formally. Humans are required to work hard to survive at least to meet their daily food needs. If the fulfillment of one's clothing, food, and shelter cannot be fulfilled, it is not impossible that someone will take shortcuts outside the common sense of other human beings or even use a path that is against the

law and violates the human rights of others. Like stealing, robbing, or even selling his pride for the sake of economic life or even for the pleasure of the individual's soul. Usually these negative things are done by people who are desperate for what they are doing and prefer shortcuts to make ends meet.

Humans are also inseparable from the need of biology, namely to reproduce and preserve their offspring by forming families. If in family life inner goals are not fulfilled, and there is a problem that does not find a solution in the family, it does not become something that is impossible there will be a split that will end in divorce. Divorce is a shortcut for the family and a person's last choice to solve daily problems in his family. Whereas in a divorce it will cause new problems that will arise in the future. Like children who are victims of divorce will be affected mentally and psychologically. Children will feel that there is no father figure who looks after and protects them. There is no sense of security and comfort from losing a father figure. For a mother, she will lose a husband who provides for her. Therefore, women who have lost their husbands in their family life as a result of divorce will find ways of fulfilling the economy harder than usual. If he is not smart and impatient in finding a way to fulfill his economic life, he will fall into a black hole or a negative path.

In the research we conducted on a woman who experienced a divorce and fell into a negative life, namely prostitution because she wanted to instantly earn money for her life and her child. The woman said that the reason she became a Commercial Sex Worker was to make ends meet and seek inner pleasure because of the divorce that occurred in her family. Prostitution is a phenomenon that has existed for a long time

in the world, including in Indonesia. Prostitution in Indonesia began with the Javanese kingdom using women as commodities in the feudal system. Prostitution or prostitution is one of the complex social problems, considering that prostitution is the oldest civilization that still exists in our society (Anwar & Adang, 2010).

The factor of people doing prostitution mostly lies in their economic and social factors. The main factor is the lack of physical and mental well-being, which includes a sense of security and security that can be achieved if public awareness of the obligation to respect the rights of others has been understood and lived so that law enforcement and justice are based on truth, which are the needs of all members of the community (Marpaung, 2008). The difficulty in fulfilling the needs of a handful of women (skills), taking shortcuts by peddling himself in certain places, seems to be an unpleasant sight. Even though they know the consequences of their actions, this does not deter them or think further about the consequences of the prostitution problem. Not a few of them reasoned that they lacked the economy to meet their daily needs because they had to, because they had low education, or because they wanted to try it (Anwar & Adang, 2010). With regard to prostitution, the KUHP regulates it in two articles, namely Article 296 and Article 506. The Criminal Code makes criminal acts deliberately causing or facilitating the conduct of acts of violating decency with a third person as a means of livelihood or as a habit regulated in Article 296 of the Criminal Code. Article 506 of the Criminal Code regulates the criminal act of being a pimp or pimp who takes advantage of an act of violating decency by a woman or man.

Method

1. Types and Research Approaches

This type of research is juridical empirical or sociological law and can also be called field research, which examines the applicable legal provisions and what is happening in reality in society, or in other words, a research conducted on the actual situation or real conditions that occur in society. society with the intention of knowing and finding the facts and data needed, after that it leads to problem identification which in turn leads to problem solving (Bambang, 2001).

The approach method used by researchers is an empirical juridical approach. The sociological juridical approach is to identify and conceptualize law as a real and functional social institution in a real life system (Soekanto, 1986). So, the empirical juridical approach in this study means that in analyzing the problem, it is done by combining legal materials (which are secondary data) with primary data obtained in the field.

Related to the type of approach in this research, the researchers used a qualitative approach. A qualitative approach is used when the required data are in the form of information distributions that do not need to be quantified. This research can also use a sociological or empirical approach. According to Kartini Kartono, sociological research is a careful research conducted by going directly to the field.

This approach emphasizes research that aims to obtain empirical legal knowledge by going directly to the object, namely knowing how the pattern of work relations between prostitutes and pimps, as well as the distribution of work results and factors that affect CSWs still working until now in Argorejo Resocialization and

Rehabilitation (better known as *Sunan Kuning*).

2. Types and Sources of Data

According to Mukti Fajar, there are two sources of data in empirical legal research, namely primary data as the main data, then secondary data or literature.

1) *Primary Data*

The use of primary data in this study shows that this research must be built from social facts related to the operation of real laws. Direct observation with observation or through questionnaires.

2) *Secondary Data*

The use of secondary data is usually used as initial data or as a comparison in sociological legal research. Researchers depart from social facts from books, research results, and scientific journals.

3) *Tertiary Data*

Tertiary data is supporting data, namely materials that provide instructions and explanations for primary data sources and secondary data, including the Big Indonesian Dictionary and general insyclopedia, which helps researchers to solve or complete research well.

3. Data collection method

For the smooth running of research and data collection, researchers used two methods (interviews and observation), among others:

1) *Interview*

Interviewing is the process of obtaining information for research purposes with question and answer data face-to-face between the researcher and the respondent or respondent to obtain information. Meanwhile, the interview used in this study was a free guided interview, which is a combination of these interviews the interviewer carries a

guideline that is only an outline of the things to be asked. So that this research can get valid data, and it focuses on the subject matter being researched.

The interview is a data collection technique that is done by asking questions directly to the research subject. In the past, interviews were usually conducted face-to-face with the subject, but as technology develops, interviews are not only conducted face-to-face, but can also be done through communication media, such as telephone.

2) *Observation*

Observation is a data collection technique that is carried out by directly observing the situation or situation of the research subject. to ascertain whether the problem really exists and occurs, so that later the data can also be ascertained according to the discussion of the writing of this study. In this case, observation is conducted by observing for 1 week, regarding the understanding of the local community.

Theoretical Basis

1. Legal Basis

Legal view is a specific form to be mastered by law graduates, both for mastery and practice because in making a legal opinion requires reasoning and analytic power on the problems caused by the law itself which can lead to polemic and debate with a very wide impact on society.

In making a legal view, there is a need for litigation and some for non-litigation (business transaction purposes). A legal opinion for litigation is different from the preparation and flow of thought from a non-litigation legal opinion.

2. Prostitution

In the Big Indonesian Dictionary (1998), "Prostitution" contains the meaning of an agreement between men and women to have sexual relations in which men pay a sum of money to compensate for the biological needs provided by women, usually in brothels, hotels and other places according to the agreement. Etymologically, prostitution comes from English, namely "Prostitute / prostitution" which means prostitution, bitch, or living as a bitch. Whereas in today's reality, according to the eyes of the layman, prostitution is defined as an act of selling oneself by giving sexual pleasure to men.

Prostitution is a phenomenon that has existed for a long time in the world, including in Indonesia. Prostitution in Indonesia dates back to the days of the Javanese kingdoms which used women as part of the feudal system commodities. The phenomenon of prostitution is still an unsolved problem. Prostitution or prostitution is one of the most complex social problems, considering that prostitution is one of the oldest civilizations in the world and is still present in our society today.

The word "prostitution" or can be interpreted as the word "prostitution", has been discussed since ancient times. In Indonesia, in talks or in writing in newspapers or magazines and the like, to the best of the author's knowledge no one has discussed it broadly and objectively, even sometimes subjectively in the form of reproach or insult to the perpetrator of prostitution and often sensational for commercial purposes only. While certain groups view prostitutes as women who are immoral, cannot endure their faith and various anti-patience attitudes toward "prostitutes" who for various reasons enter

the dark world without paying attention to the various aspects of community life that have a relationship with prostitution (Anwar & Adang, 2010).

Judging from the factors above the cause of a person to commit a crime of prostitution, most of the problems lie in economic and social factors, economic factors are influenced by one's income or needs, while social factors are influenced by environmental conditions, environmental conditions and one's education. So prostitution occurs due to a lack of physical and mental well-being. "Physical and mental well-being" is inseparable from aspects of human life or livelihood, including a sense of security that can be achieved if public awareness of the obligation to respect the rights of others has been understood and lived so that law enforcement and justice are based on the truth that are the needs of others, the needs of all members. society². The difficulty in fulfilling the needs of the few women who do not have the skills (Skill), taking bypass actions by colonizing themselves in certain places (outside the prostitution brothel), seems to create an irrelevant sight. With regard to prostitution, the Criminal Code regulates it in two articles, namely Article 296 and Article 506. The Criminal Code makes criminal acts deliberately cause or facilitate the carrying out of acts of violating decency with a third person as a livelihood or as a habit.

3. Resocialization

One of the stages of social rehabilitation services, which aims to allow former clients to adjust to their social environment. In this resocialization, a series of activities are carried out to facilitate a person or group of people who have received psychosocial recovery services so that they

can return to their family and society as well as possible (Permensos 102 / HUK / 2007).

Resocialization is a process of learning new norms, values, attitudes and behaviors. Most resocialization is voluntary but some, as occurs with total institutional residents, is not voluntary. Irving Goffman defines a total institution as a place to live and work in which there are a number of individuals with the same situation, cut off from the wider society for a certain period of time, together leading a life that is confined and formally regulated.

Resocialization is divided into two: (1) voluntary resocialization which occurs when an individual voluntarily chooses to change his attitudes and habits, (2) coercive resocialization, namely resocialization that occurs against a person's free attitude and generally takes place in an institution. Based on the definition above, voluntary resocialization is based more on the awareness of the individual to make changes to himself. Forced resocialization is more based on coercion on individuals, for example changes that occur in prisons where individuals are forced to form a new pattern of habits. Resocialization as a new learning process about attitudes, values, and habits that are different from one's experiences and backgrounds is a process of how a person internalizes a new culture.

4. Rehabilitation

Rehabilitation is an activity or process to help sufferers who have serious illnesses or disabilities that require medical treatment to achieve maximum physical, psychological and social abilities. Another source explains that Rehabilitation is a program that is carried out which is useful to help recover people who have chronic diseases both physically and psychologically. Physical and psychiatric

disorders not only require special medical treatment, but also require a sympathetic attitude. Here the doctor must take an approach that will help the patient or patient to overcome their physical or psychiatric disorders and realize their maximum potential both physically, psychiatric and socially in the real world outside (Arnot, et.al., 2009). The time that will be carried out for rehabilitation also determines the difference in treatment between patients or sufferers, and outpatient treatment is a very useful program for patients at an early stage, especially for patients with addiction or addiction. Patients or patients who enter rehabilitation centers usually suffer from low self-esteem or a lack of positive outlook on life, and therefore psychology in this therapy plays a big role in the rehabilitation program.

Rehabilitation is divided into several types such as physical rehabilitation. Physical rehabilitation means training physically back to its initial condition or physical training to adapt to the present physical condition. For example, for people who have an accident and have to perform operations such as a cast or inserting a pen, rehabilitation of the operated limb is necessary so that it can return to its proper function. However, there are also examples of people who have an accident and then one of the limbs has to be amputated, then rehabilitation will be carried out to be able to adjust to the physical condition in which one of the limbs has been lost. In this case, clearly rehabilitation functions to help restore the physical condition back to normal. Mental rehabilitation which can be interpreted as an effort to improve the psychology of a person who may experience disorders due to a very serious problem and affects the work system of the human brain. The notion of mental rehabilitation itself can

be interpreted as the treatment of people whose brains are disturbed because of a very serious problem that affects the person's mentality. We often hear about mental rehabilitation in mental hospitals, because mental hospitals themselves aim to treat people who have mental disorders and whose brains are unable to work normally and as they should. The notion of mental rehabilitation itself can be interpreted as the treatment of people whose brains are disturbed because of a very serious problem that affects the person's mentality. We often hear about mental rehabilitation in mental hospitals, because mental hospitals themselves aim to treat people who have mental disorders and whose brains are unable to work normally and as they should. The notion of mental rehabilitation itself can be interpreted as the treatment of people whose brains are disturbed because of a very serious problem that affects the person's mentality. We often hear mental rehabilitation in mental hospitals, because the mental hospital itself aims to treat people who have mental disorders and their brains are unable to work normally and as they should.

5. Commercial Sex Employees (CSWs)

Sex workers are workers who are in charge of serving sexual activities with the aim of getting wages or compensation from those who have used their services. In some countries the term prostitution is considered to have a negative meaning. In Indonesia, the perpetrators are called Commercial Sex Workers (CSWs). This means that these women are immoral people because they do a job that is contrary to the moral values prevailing in society. Because of this viewpoint, sex workers are stigmatized as dirty, despicable and undignified. But the people who employ them and benefit greatly

from these activities do not get that stamp. When viewed from a wider view. We will find out that what sex workers actually do is an activity that involves not only the woman providing sexual services in exchange for money. But this is a trading activity that involves many parties. This trade network also spans a wide area, sometimes not only within one country but several countries.

It should be recognized that sexual exploitation, prostitution and human trafficking are all acts of violence against women and therefore a violation of women's dignity and a serious violation of human rights. The number of Commercial Sex Workers (CSWs) is increasing dramatically worldwide for a number of economic, social and cultural reasons. In certain cases the women involved had experienced pathological violence or sexual crimes from childhood. Others fall into prostitution to earn enough to support themselves or their families. Some are looking for a father figure or a love relationship with a man. Others tried to pay off unreasonable debts. Some leave poverty in their native countries, believing that the job on offer will change their lives. It is clear that the exploitation of women that permeates the whole world is a consequence of many unjust systems. Many prostitutes who act as prostitutes in the first world come from the second, third and fourth worlds. In Europe and elsewhere many of them are trafficked from other countries in order to serve the demand for an increasing number of customers. Human slavery is not new. The International Workers' Organization (ILO) estimates 12.3 million people are enslaved into forced labor and 2.4 million of them are victims of "industrial" trade, and their annual income is estimated at \$ 10 billion. In Europe and elsewhere many of them are trafficked from other countries in order to serve the demand

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In the world of prostitution there are things that cause these activities, because many people are oriented towards material life. Because of the high aspirations for material things, prostitutes who manage to collect a lot of material become models or examples. Modeling is one way of socializing prostitution that is easy and effective. Modeling usually starts from feeling proud of those who work as prostitutes. There are many prostitutes who have accumulated wealth in the communities that produce CSWs, so that those in the *lokalisasi* can easily find the model they want.

6. Pimp

Mucikari, pimps, or masher are people who act as caregivers, intermediaries and / or owners of commercial sex workers. CSWs may not live with pimps (for example in a brothel), but are always in contact with them. *Muncikari* can also play a role in providing protection to commercial sex workers from service users who act insolently or harm commercial sex workers.

In most prostitution, especially those of a mass nature, sex workers do not usually

have direct contact with service users. Muncikari acts as a liaison between the two parties and will receive a commission from the acceptance of commercial sex workers, the percentage of which is divided based on the agreement. Pimps are usually very dominant in managing these relationships, because many commercial sex workers "owe a debt" to them. Many commercial sex workers are lifted out of poverty by pimps, even though pimps can exploit the prostitutes they care for. In most countries the practice of pimping is illegal because of the high potential for abuse. Pimping law, Even though the victim's actions have received wages and the wages are given on the basis of profit sharing with the perpetrator and the act has become the perpetrator's livelihood, the perpetrator's actions are limited to acting as a pimp (pimp). A person who is suspected of having committed a criminal offense violates Article 506 of the Criminal Code because he has taken advantage of the sexual act of sexual immorality / sexual intercourse and makes it a livelihood. Meanwhile, Law No. 21 of 2007 on the criminal act of trafficking in persons (trafficking), which carries a maximum sentence of 15 years in prison, is a different matter. A person who is suspected of having committed a criminal offense violates Article 506 of the Criminal Code because he has taken advantage of the sexual act of sexual immorality / sexual intercourse and makes it a livelihood. Meanwhile, Law No. 21 of 2007 on the criminal act of trafficking in persons (trafficking), which carries a maximum sentence of 15 years in prison, is a different matter. A person who is suspected of having committed a criminal offense violates Article 506 of the Criminal Code because he has taken advantage of the sexual act of sexual immorality / sexual intercourse and

makes it a livelihood. Meanwhile, Law No. 21 of 2007 on the criminal act of trafficking in persons (trafficking), which carries a maximum sentence of 15 years in prison, is a different matter.

The difference in treatment for the application of this article lies in the presence or absence of an element of coercion when the perpetrator orders his victim to serve the masher men. If the perpetrator's actions were not committed by depriving the victim of freedom and not by forcefully ordering the victim to do so, the perpetrator's act cannot be said to have committed a criminal act of human trafficking (human trafficking). In this case, the relationship between the legal incident between the perpetrator and the victim can be perceived only as a managerial relationship.

7. Provider of Place for Sex

In the Criminal Code ("KUHP") itself, prostitution is regulated in Article 296 of the Criminal Code which reads: "Any person who deliberately causes or facilitates obscene acts by another person with another person, and makes it a pursuit or custom, shall be punished by a maximum imprisonment of one year and four months or a maximum fine of fifteen thousand rupiahs." sanctions for a house owner who uses his house as a place of prostitution for prostitution by making it a livelihood, then the owner may be subject to sanctions in accordance with Article 296 of the Criminal Code. Providers of places for sexual activities will also be subject to criminal sanctions as stated in Article 296 of the Criminal Code.

8. Argorejo Resocialization and Rehabilitation (better known as Sunan Kuning Localization)

Sunan Kuning in Semarang is known as one of the largest lokalisasi in Indonesia.

Hearing the name Sunan Kuning, some people's minds were focused on the localization in the western part of Semarang City. Previously, this localization was better known as Argorejo lokalisasi. The localization of Sunan Kuning, which is located in the Kalibanteng Kulon area, is an isolated group or separated from other population complexes which generally consist of small houses commonly known as "red area" shelters which are managed by pimps or pimps. The localization of Sunan Kuning is in Kalibanteng Kulon Village, including in the District of Semarang, West of Semarang City. The Kalibanteng Kulon area is bordered by Tambak Harjo sub-district to the north, with Krapyak village to the west.

Result and Discussion

1. Real Facts in Argorejo Resocialization

A. Argorejo Sunan Kuning (SK)

Resocialization

Resocialization generally consists of small houses with red lights, which are managed by pimps or pimps. Abroad, pimps are known as "madam" or "mamy". In the place provided all the equipment, beds, guest chairs, clothes and decorative tools. Also available are all kinds of girls with different character types and ethnicities. In places where resocialization is strictly enforced, for example, it is prohibited to steal subscription money, to take other people's subscriptions, not to make promises outside, and so on. The goals of resocialization are:

- 1) To keep the general public, especially pubescent children and adolescents, from the immoral influences of prostitution. Also avoid the interference of masher men against good women.

- 2) Facilitate supervision of prostitutes, especially regarding their health and safety. Facilitate preventive and curative action against venereal disease.
- 3) Preventing the extravagant extortion of prostitutes, who are generally always the weakest party.
- 4) Facilitate mental guidance for prostitutes, in rehabilitation and resocialization efforts. Sometimes they are also given vocational education and job training, in preparation for returning to ordinary society. In particular, religious lessons are given to strengthen faith, so that we can endure suffering.
- 5) If possible, try to make a life partner for prostitutes who are truly responsible and able to lead them to the right path.

The atmosphere in the resocialization complex for prostitutes is very competitive, especially in the form of competition over subscriptions. The names of sex workers have generally been changed, to maintain the authenticity of their identities, so that they are not recognized by their own families.

PSK places are also held behind the front of the organization, behind respectable businesses, namely at the back (in the middle, near or in collaboration) with bars, entertainment venues, hotels, night clubs, massage houses, beauty salons, bookstores, pharmacies, and so on.

a. Factors of prostitutes working at Argorejo Resocialization

Based on the information we got from the results of an interview with a prostitute who worked at one of the guest houses (barbie houses) in Argorejo's resocialization and rehabilitation or better known as SK, it was explained that the factor of sex workers being able to work there was based on economic factors, family factors, and other factors environment. These three factors

were said by the prostitute to underlie the average rate of her and her friends falling into or doing prostitution work in that place. The motives behind the growth of prostitution in women are varied. Below are mentioned some of the motives behind the emergence of CSW:

1. *Economic factors*

The main reason for plunging into the practice of prostitution is economic problems; Due to limited education and demoralizing behavior, they see prostitution as a job as well as a very promising profession to earn a lot of money. The factor that most determines a person's involvement in prostitution is economic pressure. In an era of rapid development towards industrialized countries, competition for a good living is very much determined by one's education level. The competitiveness of someone with higher education is certainly stronger than those with low education, in addition to the increasingly limited work space.

The monetary and economic crisis has had a systemic impact on people's lives, especially in the economic aspect. This of course results in an increasing number of unemployed and ultimately becomes a motivating factor for the workforce to do anything to get money even though it is against the law, morals and ethics such as stealing, and working as commercial sex workers, economic pressure, poverty factors, there are considerations. economic considerations to maintain their survival, especially in order to obtain a good social status.

2. *Family factor*

Family is another factor for prostitutes to work in Sunan Kuning. Namely, with the divorce in the prostitute's family, she was forced to find another source of life because

she no longer provided income from a husband. She has to support her child from her previous marriage plus the cost of her child's education, which still has to be fulfilled. There is a normal sexual need, but the husband cannot satisfy it. For example, because the husband is impotent, has been sick for a long time, there are many other wives, so the husband rarely visits the wife concerned, has long served in a remote place, and so on.

3. *Environmental factor*

Invite friends from the village / city who are already involved in prostitution. There is a tendency to prostitute themselves in many women to get away from life's difficulties, and get pleasure through short paths. Lack of understanding, lack of education, and illiteracy, thus legalizing prostitution. Feeling stingy and curiosity of young girls and pubescent children about sex, which is then plunged into the world of prostitution by the seduction of sex bandits.

b. Factors for the Development of Prostitution

1. Population conditions, which include: The population is large and the composition of the population is more women than men.
2. Technological developments, which include: Cosmetics industry technology including plastic surgery, devices and pregnancy prevention drugs.
3. Weak implementation with light positive legal sanctions applied to law violations. Violation of the law can be committed by the perpetrator (subject) of prostitution, pimps, managers of guest houses or inns, and others.
4. Environmental conditions, both social and natural (physical) environments that support, lack of

control in the residential environment by the surrounding community, as well as the natural environment such as: roadways, city parks, other quiet places and lack of lighting facilities in at night is very supportive for the practice of prostitution.

c. Work Outcome Sharing System

From the results of the interviews we conducted, we obtained data that the distribution of results between sex workers and room providers varied and varied. Each guest house has its own rules regarding the profit sharing system per transaction. He said that from the tariff of Rp. 200,000 he got Rp. 125,000 and the rest was given Rp. 75,000 to room or guesthouse providers. He works from day to night on weekdays and later when he is busy.

d. Role of caretaker or guesthouse owner

The informant we interviewed was a guest house owner named Mr Hardiyono, 53 years old, the owner of the arum guesthouse and he worked as a nanny or a pimp for prostitutes, he lives on Jl. Argorejo 6. Pak Hardiyono has been a caregiver since 2005, his relationship with foster children is going well, according to him they are considered like their own children, as long as he is a caregiver he does not find it difficult to get along with them so that there are no disputes between them.

The relationship they apply is like a child and their parents respect and respect each other. Regarding the profit sharing between Pak Hardiyono and his foster children, usually foster children pay 50,000 per week and that includes electricity, sleep, and 95 baths. As for the work procedures that she is working on, the minimum age is over 20 years, for example if she has a husband, she must have permission from the husband, but those who are cared for by Pak

Hardiyono are widows with an average age of 25-35 years. The form of competition that occurs between caregivers usually occurs in the recruitment of foster children because if the foster children are beautiful it will usually benefit the caregivers. At Pak Hardiyono's guesthouse there is also a separate code of conduct, it just so happens that his guesthouse is called wisma arum dalu, if there are foster children who violate one of the rules,

The joys and sorrows of being a caregiver according to Mr. Hardiyono, the joy when foster children are many customers and are good at singing, it will automatically generate money, while for the grief if the foster child gets sick or gets sick and has to leave the house, because there was an incident at the Jasmine guesthouse, Sir. Hardiyono, one of the prostitutes fell ill and he immediately took medication at the nearest health center.

Regarding the negative and positive impacts during his time as a caregiver, he said for the negative impact, we can minimize it, we give understanding to the children, let the bad be bad and the better you don't imitate the work that you do. For a positive impact, our family's needs are fulfilled, we can open small shops and food stalls.

According to Mr. Hardiyono, a carer is a person who is in charge of fostering and directing foster children to have a better life, their relationship with the surrounding community is going well, as well as those outside Resos, according to him we respect each other and respect each other's profession. each and synergize there is no collision. As for the way to avoid disputes with the community, according to Pak Hardiyono, we must respect them and they must also know who we are, because we live in this environment, not only do we take care

of foster children, but we also have to prioritize the social life around us.

e. Rules for Resocialization of Argorejo Sunan Kuning

Resocialization Sunan Kuning has rules that must be followed by resocialization administrators, foster children (PSK), and pimps or caregivers. These regulations are as follows:

1. Rules for the management of Argorejo Sunan Kuning Resocialization

- a. Support all forms of activities carried out by all STI, HIV and AIDS prevention programs.
- b. There are clear and firm rules for both the internal committee, foster mothers, operators and foster children.
- c. There are sanctions and rewards for foster parents.
- d. Provision of condoms.
- e. Distributing condoms to Mr / Mrs Foster.
- f. Record condom needs.
- g. Report condom use and demand to local condom manufacturers.
- h. Collaboration with competent puskesmas and clinics to monitor the results of their foster children's STIs, if necessary, ask for the results.

2. Rules for Foster Children (PSK)

- a. Must be registered with the board of resos and report where you live (house with foster father / mother or boarding house) and make a stamped statement letter.
- b. New foster children are required to have a health check (Urien and blood) at the appointed / competent agency.
- c. Health check is mandatory once a week.
- d. Mandatory Screening once a month and VCT every three months.

- e. Mandatory use of condoms when having risky sex.
- f. Must follow the policies issued by Resos.

3. Rules for Caregivers (Pimps)

- a. Report the latest number of foster children each month to the Resos committee.
- b. Also report who lives at home or is boarding,
- c. Ensure the availability of condoms for those who need it (Condom Outlet).
- d. Remind / appeal to the importance of using condoms in having risky sex.
- e. Give and remind foster children to use condoms every sex.
- f. Checking foster children who have not checked their health (tool sex, urine blood tests), VCT and condoms run out, Attending meetings held by social institutions and related agencies and cannot be represented unless there is information.
- h. Mrs. / Mr Foster is obliged to support the activities.

f. Analysis of Criminological Theory About Prostitution

Criminology is a science that studies crime from various aspects. The word criminology was first put forward by P. Topinard (1830-1911). a French anthropologist. Criminology consists of two syllables, namely the word "crime" which means crime and "logos" which means science, so criminology can mean the science of crime.

P. Topinard defines that (Santoso & Zulfa, 2001): "Criminology is a science that aims to investigate the broadest possible symptoms of crime (theoretical criminology or pure criminology). Theoretical criminology is a science based on experience which, like other similar

sciences, looks at phenomena which tries to investigate the causes of these phenomena in the ways that exist in them".

Edwin H. Sutherland defines criminology as (Sahetapy, 1992): "Criminology is the body of knowledge regarding delinquency and crime as social phenomena". "(Criminology is a collection of knowledge that discusses juvenile delinquency and crime as social symptoms)". The criminological theories that can be applied and connected with the problem of prostitution are:

1. *Anomie Theory*

Anomic theory is a situation, where in a society, there is no opportunity, there are differences in the structure of opportunities to achieve a goal (ideals). These two factors cause society to become frustrated, into conflict, and there is dissatisfaction among individuals, the closer it is to falling apart which is not based on the prevailing norms (Anwar & Adang, 2010).

Anomie theory places an imbalance of values and norms in society as a cause of deviation, where cultural goals are emphasized more than the available means to achieve those cultural goals. Individuals and groups in such a society have to conform and some form of adjustment from that can be a distortion. Most people hold to societal norms for a very long time, while other people or groups deviate. Groups that experience more tension due to this imbalance (eg marginalized groups) are more likely to adapt to deviations than other groups.

2. *Social Control Theory*

Social control theory causes crimes to weaken individual ties or social ties with society, or to breakdown in social integration. Humans in social control are seen as pure moral beings, therefore, humans have the freedom to do something.

Basically, social control theory seeks to find answers to why people commit crimes, in contrast to other criminological theories, social control theory no longer questions why people commit crimes but is oriented to the question of why not everyone breaks the law why there are people who obey the law.

Albert J. Reiss Jr. distinguishes two types of control, namely "Personal Control" and "Social Control". Personal Control is a person's ability to refrain from achieving his needs by violating the norms that exist in society. Meanwhile, Social Control is the ability of social groups or institutions in society to implement norms or regulations to be effective.

In social theory, there are four elements that must be considered.

a. *Attachments (Affection)*

Attachments is the human ability to involve himself in other people, if the attachment has been formed, then that person will be sensitive to the thoughts, feelings and desires of others. In contrast to a physical disability, a physical disability is caused by biological or social descent.

Attachments divided into two forms, namely:

1) *Attachment Total*

A situation where an individual releases the relief that is contained within him and is replaced by a sense of togetherness. This sense of community drives a person to obey the rules, because breaking the rules means hurting the feelings of others. The ultimate goal of this attachment is to prevent someone's desire to deviate.

2) *Partial Attachments*

A relationship between an individual and another individual, where the relationship is not based on

the fusion of other egons, but because the presence of another person is watching the individual actor in other words, partial attachment will only lead to obedience to the individual, if his behavior is being monitored by others.

b. *Commitment* (attachment of a person to a subsystem)

Commitment is a person's attachment to conventional subsystems such as school, work and organization. This is a rational aspect contained in social ties, all ties made by individuals will benefit that person, because of these benefits, all the rules will be obeyed by the individual.

c. *Involvement* (involvement)

Involvement is a person's activity in a conventional subsystem. If a person is active in an organization, there is little tendency to deviate, meaning: "If an individual is active in all activities, that individual will spend his time and energy in these activities, so that the individual will no longer have time to think about things that violate the law."

d. *Beliefs* (Trust)

Beliefs is a moral aspect contained in social ties, which is an element of one's belief in existing moral values.

g. Legislation concerning the Crime of Prostitution

1. With regard to prostitution, the Criminal Code regulates it in two articles, namely Article 296 and Article 506. The Criminal Code makes criminal acts deliberately causing or facilitating actions to violate decency with a third person as a means of livelihood or as a habit regulated in Article 296 of the Criminal Code which reads: "Anyone who deliberately causes or facilitates obscene acts by another person, and

makes it a means of living or habit, shall be punished by a maximum imprisonment of one year and four months or a maximum fine of fifteen thousand rupiahs".

Article 506 of the Criminal Code regulates the criminal act of being a pimp or pimp who takes advantage of an act of violating decency committed by a woman or man, which reads: "Anyone who takes advantage of a woman's obscene acts and makes her a prostitute, shall be punished by a maximum imprisonment of one year"

2. Law Number 35 of 2014 concerning Child Protection regulates criminal acts of commercial sexual exploitation of children in Article 15 and Article 59 paragraphs (1) and (2), Article 15 reads: "Every child has the right to receive protection from sexual crimes".

Article 59 paragraph (1) and (2) reads: (1) The government, regional governments and other state institutions are obliged and responsible for providing special protection to children. (2) Special protection for children as referred to in paragraph (1) is given to: Children who are exploited economically and / or sexually.

- a. Children who are victims of pornography
- b. Child victims of kidnapping, sale, and / or trafficking
- c. Child victims of sexual crimes
- d. Children with deviant social behavior

3. The prohibition on sexual exploitation is regulated in Law Number 21 of 2007 concerning the Eradication of the Crime of Trafficking in Persons in Article 1

paragraph (8) and Article 2 paragraph (1) and (2).

Article 1 paragraph (8) reads: "Sexual exploitation is any form of exploitation of the victim's sexual organs or other organs for profit, including but not limited to all activities of prostitution and sexual immorality".

Article 2 paragraph (1) reads: "Anyone who recruits, transports, holds, transports, transfers, or receives someone with threats of violence, use of force, kidnapping, confinement, forgery, fraud, abuse of power or vulnerable position, bondage or giving payment or benefits even though they have the consent of a person who has control over another person, for the purpose of exploiting that person in the territory of the Republic of Indonesia, shall be punished with imprisonment of at least 3 (three) years and a maximum of 15 (fifteen) years and a fine of at least Rp120,000,000.00 (one hundred and twenty million rupiah) and a maximum of Rp. 600,000,000.00 (six hundred million rupiah) ”.

Article 2 paragraph (2) reads: "If the act as intended in paragraph (1) results in exploitation of the person, then the perpetrator will be subject to the same punishment as referred to in paragraph (1)".

4. In Law Number 11 of 2008 concerning Electronic Information and Transactions, there are several articles regulating criminal acts of commercial sexual exploitation, namely Article 27 paragraph (1), Article 45 paragraph (1) and Article 52 paragraph (1) in conjunction with 27 paragraph (1).

Article 27 paragraph (1) reads: "Everyone knowingly and without right distributes and / or transmits and / or

makes accessible to Information and Electronic Transactions and / or Electronic Documents that have content that violates decency".

Article 45 paragraph (1) reads: "Everyone fulfills the elements referred to in Article 27 paragraph (1), paragraph (2). Paragraph (3) or paragraph (4) shall be punished with imprisonment for a maximum of 6 (six) years and / or a maximum fine of Rp. 1,000,000,000.00 (one billion rupiah) ”.

Article 52 paragraph (1) jo. Article 27 paragraph (1) reads: "In the case of a crime as referred to in Article 27 paragraph (1) concerning morality or sexual exploitation of a child, it is subject to a weighting of one third of the basic sentence".

5. Law Number 44 of 2008 concerning Pornography is regulated in Article 30 jo. Article 4 paragraph (2), Article 4 paragraph (2) Law Number 44 Year 2008 reads: "(2) Everyone is prohibited from providing pornographic services that: c. Exploiting or exhibiting sexual activity ”.

6. Article 30 of Law Number 44 Year 2008 reads: "Every person providing pornography services as referred to in Article 4 paragraph (2) shall be sentenced to imprisonment for a minimum of 6 (six) months and a maximum of 6 (six) years and / or a fine of at least Rp. 250,000,000.00 (two). hundred and fifty million rupiah) and a maximum of Rp. 3,000,000,000.00 (three billion rupiah) ”.

Conclusion

The factors that underlie CSWs make it a job based on economic factors, family factors, and environmental factors. These three factors were said by the prostitute to underlie the average rate of her and her friends falling into or doing prostitution work in that place. The motives behind the growth of prostitution in women are varied. Below are mentioned some of the motives behind the emergence of PSK according to. From the results of the interviews we conducted, we obtained data that the distribution of results between sex workers and room providers varied and varied. Each guest house has its own rules regarding the profit sharing system per transaction.

The main reasons for prostitution to do this work until now, namely, the economic factor being the main reason for the involvement and persistence of a person in the practice of prostitution is an economic problem; Due to limited education and demoralizing behavior, they see prostitution as a job as well as a very promising profession to earn a lot of money. The factor that most determines a person's involvement in prostitution is economic pressure. In an era of rapid development towards industrialized countries, competition for a good living is very much determined by one's education level. The competitiveness of someone with higher education is certainly stronger than those with low education, in addition to the increasingly limited work space.

The criminological theories that can be applied and connected with the problem of prostitution are: Anomic theory is a situation, where in a society, there is no opportunity, there are differences in the structure of opportunities to achieve a goal (ideals). These two factors cause society to

become frustrated, into conflict, and there is dissatisfaction among individuals, the closer it is to falling apart which is not based on the prevailing norms. Anomie theory places an imbalance of values and norms in society as a cause of deviation, where cultural goals are emphasized more than the available means to achieve those cultural goals. individuals and groups in such a society have to conform and some form of adaptation from that can be a distortion. Most people have held to society's norms for a very long time. Social control theory causes crimes to weaken individual ties or social ties with society, or to breakdown in social integration. Humans in social control are seen as pure moral beings, therefore, humans have the freedom to do something. Basically, social control theory seeks to find answers to why people commit crimes, in contrast to other criminological theories, social control theory no longer questions why people commit crimes but is oriented to the question of why not everyone breaks the law why there are people who obey the law.

Suggestion

Economic problems are the most basic reason for someone to commit an act that violates the law and violates the norms that exist in society, problems like this are certainly found in several developing countries, not only in Indonesia. Prostitution is no longer a taboo thing to talk about, this black business is widely used by people who just want to make profits in a short cut way without thinking about the effects or risks that will happen to them or the people involved in them. Indeed, connoisseurs and peddlers of prostitution cannot be convicted if there is no marriage bond that binds them, criminal law in Indonesia only ensnares prostitution providers and pimps.

Our suggestions for regulations regarding adultery are immediately revised to suit the existing conditions in Indonesia. For the government, it is better if the government is more aggressive in reducing prostitution places by making it more difficult or tightening the licensing, also pay attention to guarantees for the education of the children of CSWs, it is better if the government closes localization places and fosters sex workers by providing them with training or even jobs can meet their needs for the creation of a better community life and avoid diseases that exist in society.

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