

A Criminological Review of Illegal Collection Practices by Illegal Parking Perpetrators in the Perspective of Differential Association Theory

Jovita Lituhayu Maheswari 
Universitas Negeri Semarang, Indonesia
jovitalituhayu1234@students.unnes.ac.id

Abstract

This study examines the illegal levy practices carried out by illegal parking attendants from a criminological perspective through *the Differential Association Theory*. The research aims to analyze how illegal levy behavior is formed, studied, and maintained through social interaction between actors in public spaces. The method used is an empirical juridical approach with a descriptive-analytical nature that combines legal analysis with social realities in the field. Data was obtained through observation, interviews, and literature studies, then analyzed qualitatively. The results of the study show that the practice of illegal levies by illegal parking perpetrators is not just a spontaneous individual action, but is a pattern of deviant behavior learned in a certain social environment. This practice persists because of social tolerance, weak supervision and law enforcement, and the existence of informal power relations between perpetrators and the community. In practice, illegal levies are often accompanied by psychological pressure and non-verbal intimidation that encourages public compliance and normalizes illegal practices in daily life. From a criminological perspective, these behaviors are reproduced through repeated social interactions, collective justification, and learning techniques in the group of actors. This study concludes that illegal illegal parking levies are not only a violation of the law,



but also a social phenomenon formed through the learning process, so its countermeasures require an integrated legal and criminological approach.

KEYWORDS

Illegal levies, Illegal parking, Deviant behavior, *Differential Association Theory*

Introduction

Public space is an important part of people's lives because it is a place where various social, economic, and other individual interests meet. The existence of public space basically requires order so that it can be used fairly and safely by all levels of society. In this context, the law acts as a regulatory instrument that aims to create order and certainty, while maintaining a balance between individual interests and common interests. However, in social practice, the expected order does not always work as it should, especially when the rule of law is not fully understood or is not consistently enforced.

From a criminological perspective, these conditions can open up space for the emergence of various forms of behavior that deviate from the provisions of the law, although they are often seen as part of daily habits. When public spaces are not optimally managed and legal supervision is weak, some individuals or groups tend to develop their own ways to utilize the space for economic benefits. These practices can be repetitive and are often socially acceptable, even if they are normatively contrary to the prevailing rules. In such a situation, the law no longer serves as the main guideline of behavior, but only as a formal limit that can be negotiated in everyday life. In the practice of community life, the management of public spaces still often faces various problems related to order and compliance with the law. One of the problems that often arises is the practice of illegal levies, especially in public service sectors that are in direct contact with people's daily activities.

Illegal levies (pungli) are a term used to describe the act of soliciting, withdrawing, or receiving a certain amount of money or other benefits without a valid legal basis, either by force or by abusing certain positions. Although the term pungli is not explicitly formulated as a separate offense in laws and regulations, the practice of pungli is basically a form of unlawful act that can be charged through various criminal provisions, depending on the subject of the perpetrator and the mode of act.¹ In practice, pungli is often associated with the abuse of authority by officials or civil servants in public services. However, pungli can not only be carried out by state officials or apparatus, but also by ordinary people or private parties, including by illegal parking perpetrators or illegal parking attendants in public spaces. These differences have implications for the legal qualifications and the criminal basis used.

Pungli carried out by officials or civil servants occurs when a person who has a public position or authority requests or receives an invalid reward in the process of services that should be given free of charge or has been determined at an official rate. This act is qualified as a criminal act of corruption, because it contains elements of abuse of power and coercion. Provisions regarding this matter are regulated in Law Number 20 of 2001 concerning the Eradication of Corruption, especially Article 12 letter e, which emphasizes that a civil servant or state administrator who with the intention of benefiting himself or others unlawfully, forces someone to give something, can be convicted as a perpetrator of a criminal act of corruption.² Unlike officials or civil servants, if the act is committed by ordinary people or private parties, then the act cannot be qualified as a criminal act of corruption, but is included in the crime of extortion or other forms of conventional crime. The legal basis used is Article 368 of the Criminal Code (KUHP), which states that anyone who, with the intention of benefiting

¹ Andi Hamzah, *Eradication of Corruption through National and International Criminal Law* (RajaGrafindo Persada, 2008).

² Article 12 letter e of Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Corruption Crimes.

himself or others unlawfully, forces another person with violence or threat of violence to give something or money, is threatened with imprisonment for a maximum of nine years.³ In this context, the practice of pungli by illegal parking attendants can be categorized as extortion if it is carried out by coercion, intimidation, or causing fear, for example for reasons of vehicle safety, threat of damage, or psychological pressure to parking service users. Similar practices are also often found in the form of security levies by thugs or community organizations (CSOs) without a valid legal basis.

Thus, it can be concluded that the term pungli is sociological, while juridically its handling depends on the status of the perpetrator and the elements of his act. If committed by officials or civil servants, pungli is qualified as a criminal act of corruption and abuse of authority. On the other hand, if it is carried out by an ordinary person or a private party, pungli is qualified as extortion or a form of thuggery in general criminal law. As an effort to comprehensively counter the practice of pungli, the government established the Task Force to Clean Up Illegal Levies (Satgas Saber Pungli) through Presidential Regulation Number 87 of 2016, which is tasked with eradicating pungli in all sectors, both carried out by state apparatus and by civilians.⁴

Illegal levies not only show a violation of the provisions of the law, but also reflect the weak supervision and control of the use of public space in an orderly and fair manner. In many cases, this practice takes place openly and repeatedly, thus forming a pattern of behavior that is considered prevalent by some societies, although it is not legally justified. One of the forms of illegal levies that is closest to people's lives is illegal parking levies. This practice is carried out by individuals or groups who control certain public spaces and collect a certain amount of money from vehicle users without a valid legal basis.⁵ Although formally unauthorized, illegal parking

³ Article 368 of the Criminal Code (KUHP).

⁴ Presidential Regulation Number 87 of 2016 concerning the Task Force on Sweeping Illegal Levies.

⁵ RRI.co.id, "Recognize the Difference Between Illegal Parking and Official Parking," 2024, <https://rri.co.id/cek-fakta/841173/kenali-perbedaan-juru-parkir-liar-dan-parkir-resmi>.

offenders often have certain social positions in the surrounding environment, so their existence is accepted or at least tolerated. In practice, the levy is often accompanied by psychological pressure or indirect coercion, which makes people reluctant to refuse. This condition shows that the practice of illegal levies by illegal parking attendants is not only related to economic aspects, but also to social relations and power at the local level.

From a criminological point of view, the practice of illegal levies by illegal parking attendants cannot be understood as an incident that arises instantaneously. The practice shows the existence of a relatively fixed, continuous pattern of behavior, and is learned in a particular social environment. The perpetrators do not act individually, but are in a social network that allows the process of learning from each other about how to act, divide territory, and how to deal with law enforcement officials.⁶ This shows that illegal levies by illegal parking attendants are an informally structured social practice and survive because they are supported by the surrounding social conditions.

Juridically, the practice of illegal levies is an act that is contrary to the basic principle of the state of law which places the law as an instrument for regulating social life in a fair and orderly manner. In the state of law (*rechtsstaat*), every act of collecting against the community must have a clear basis of authority, either derived from laws and regulations or from legitimate administrative policies. When a levy is carried out without a legal basis, it not only violates normative provisions, but also undermines the principle of legal certainty and the protection of citizens' rights.

Illegal levies can basically be qualified as a form of misuse of public space for the benefit of a particular person or group. In the context of criminal law, the practice is closely related to unlawful acts that can cause harm to society, both materially and immaterially. Although not always done with physical violence, illegal levies are often accompanied by subtle

⁶ Probowo Yusgiantoro, "A Criminological Review of Illegal Parking Thugs (Pekanbaru City Study)," *The Other Side of Reality* 9, no. 2 (2024): 49–52.

social pressures, leaving people feeling they have no choice but to meet the demand. This kind of pattern shows that lawlessness is not always present in the form of visible crime, but can take place through social mechanisms that seem "natural" in the public sphere. In addition, regulations regarding parking as part of public services in general have been regulated in regional regulations and local government policies.⁷ The provision emphasizes that parking management must be carried out by a party that has a permit and is under the supervision of the competent authority. Thus, the existence of illegal parking perpetrators who carry out levies without a permit is clearly contrary to the applicable legal system. Indecisiveness in enforcing these rules has the potential to create a space for tolerance for illegal practices, which ultimately weakens the authority of the law and normalizes violations in daily life.

A number of previous studies have examined illegal parking practices and illegal levies as part of the social problems that develop in public spaces. These studies generally view the practice not only as a violation of administrative law, but as a form of deviant behavior rooted in certain social conditions, such as weak supervision, economic needs, and public tolerance for illegal practices. This approach places illegal parking offenders as part of a social structure that allows for repeated and relatively stable violations of the law in daily life.

Research by Probowo Yusgiantoro and Askarial entitled "*A Criminological Review of Illegal Parking Thuggerism (Pekanbaru City Study)*" places the practice of illegal parking in the framework of criminology as a form of street thuggery that develops due to weak formal social control and acceptance from the surrounding environment. This research shows that illegal parking perpetrators not only play the role of profit-seeking individuals, but also as social actors who utilize public spaces and social relations to sustain their illegal practices. Although this study is

⁷ I F A Samad and A Wahyudin, "Regional legal policy on parking management: Problems and solutions in big cities," *Innovative: Journal of Social Science Research* 9, no. 1 (2025): 33–48, <http://j-innovative.org/index.php/Innovative/article/download/20605/14233>.

strong in explaining the criminological dimensions of illegal parking, the study has not specifically outlined the social learning mechanisms that shape and reproduce such deviant behaviors.⁸

Another study by Muhimmatur Rohmah and Agus Machfud Fauzi in the study *"The Application of Legal Regulations to Illegal Collection Cases by Illegal Parking Organizers in the City of Surabaya"* highlights the practice of illegal parking levies from a social and regulatory perspective. This study reveals that illegal parking levies often take place openly and repeatedly due to the gap between the rule of law and practices on the ground. Although this study provides an empirical picture of the weak implementation of regulations, the focus of the analysis still rests on the aspect of law enforcement, and has not examined the social processes that cause perpetrators to continue to carry out illegal levies as a learned pattern of behavior.⁹

In addition, a study by Yopiza entitled *"Law Enforcement against Perpetrators of Illegal Parking Levy on Public Services in Medan City"* confirms that illegal parking levies have become a structural problem in public services. This study shows that this practice has an impact on community comfort and government image, but it still persists because of the social relationship between actors, service users, and officials at the local level. Nevertheless, this study still places perpetrators as objects of law enforcement, without examining in depth how the values, ways of acting, and rationalizing the behavior of perpetrators are formed through daily social interactions.¹⁰

In contrast to studies that place illegal parking perpetrators as a social and criminological phenomenon, a number of other studies focus

⁸ Probowo Yusgiantoro, "A Criminological Review of Illegal Parking Thugs (Pekanbaru City Study)," *The Other Side of Reality* 9, no. 2 (2024).

⁹ Muhimmatur Rohmah and Agus Machfud Fauzi, "The Application of Legal Regulations to Illegal Collection Cases by Illegal Parking Organizers in the City of Surabaya," *Indonesian Journal of Criminal Law and Criminology (IJCLC)* 5, no. 2 (2024): 78–85, <https://doi.org/10.18196/ijclc.v5i2.21957>.

¹⁰ Yopiza, "Law Enforcement Against Perpetrators of Illegal Parking Levy on Public Services in Medan City," *Journal of Ganesha Polytechnic Institute Medan Juripol* 8, no. 1 (2025).

their analysis on positive legal aspects and the implementation of law enforcement against illegal collection practices in the parking sector. The research in this cluster focuses on the existence of legal norms, the effectiveness of sanctions, and the role of officials and local governments in regulating illegal parking practices in public spaces. The empirical juridical approach is used to assess the extent to which the applicable legal provisions are able to be implemented effectively in the social reality of society.¹¹

Research by Irclesia Yesicha Mamuko which discusses illegal parking levies as a threat to consumer comfort and safety places the practice within the framework of Law Number 8 of 1999 concerning Consumer Protection. This study shows that illegal parking levies not only violate administrative provisions, but also have the potential to harm consumers' rights to a sense of security and certainty of service. However, this study emphasizes more on the normative aspect of consumer protection, and has not examined in depth the social factors that encourage illegal parking perpetrators to continue to carry out illegal levies.¹²

A study by Koko Anantyo Wicaksono and Bambang Arwanto on law enforcement in the implementation of parking revealed that weak consistency of enforcement and lack of optimal supervision are the main factors that cause the practice of illegal parking attendants to continue. This study highlights that the existence of legal regulations and sanctions is not always directly proportional to the level of compliance in the field. However, the analysis in this study still focuses on institutional and policy aspects, without examining the process of forming the behavior of illegal parking perpetrators as actions that are carried out repeatedly.¹³

¹¹ Soerjono Soekanto, *Factors Affecting Law Enforcement* (Jakarta: RajaGrafindo Persada, 2019).

¹² Irclesia Yesicha Mamuko, Mercy M. M Setlight, and Maya Karundeng, "PARKING FEES AS A THREAT TO CONSUMER COMFORT AND SAFETY ACCORDING TO LAW NO. 8 OF 1999," *Lex Privatum Journal of the Faculty of Law Unsrat* 15, no. 5 (2025), file:///C:/Users/user/OneDrive/Dokumen/BAHAN THESIS (SCRIPT, JOURNAL, ARTICLE)/Jurnal 6.pdf.

¹³ Koko Anantyo Wicaksono and Bambang Arwanto, "Law Enforcement in the Implementation of Parking in the City of Surabaya," *Indonesian Education Journal* 6, no. 4 (2025): 1818–23, <https://doi.org/10.59141/japendi.v6i4.7696>.

In addition, empirical juridical research by I Made Agus Widiarta et al. Regarding law enforcement against illegal levy perpetrators under the guise of parking motor vehicles, it shows that the main obstacles to law enforcement do not only come from regulatory aspects, but also from internal factors of the apparatus and the resistance of perpetrators in the field. This study emphasizes that the approach of law enforcement alone is not effective enough in eradicating the practice of illegal levies if it is not accompanied by an understanding of the behavior patterns and social relations of the perpetrators. These findings show the limitations of legal approaches that have not been integrated with criminological analysis.¹⁴

Based on the mapping of previous studies, it can be seen that studies on illegal parking practices and illegal levies have been carried out from various perspectives, both social, criminological, and empirical juridical. However, these studies still show limitations in explaining the process of forming illegal parking attendant behavior comprehensively. Criminological and social studies tend to place the practice of illegal levies as a result of environmental conditions and weak social controls, without elaborating on how these patterns of behavior are learned, justified, and reproduced repeatedly by perpetrators. On the other hand, research with an empirical juridical approach focuses more on the analysis of the existence of regulations, the effectiveness of sanctions, and the role of law enforcement officials in tackling illegal parking. This approach provides a strong picture of the gap between legal norms and practice on the ground, but it does not touch on the criminological dimension that explains why perpetrators continue to carry out illegal levies despite knowing the existence of legal prohibitions. Thus, the law is positioned primarily as an instrument of control, rather than as part of a social process that interacts with the behavior of the perpetrator. Another limitation that appears in

¹⁴ Putu Angga Pratama Sukma I Made Agus Widiarta, Yogi Yasa Wedha, "LAW ENFORCEMENT AGAINST ILLEGAL LEVY PERPETRATORS UNDER THE GUISE OF PARKING MOTORIZED VEHICLES IN DENPASAR CITY," *FRIDAY : Vol.05 No. 02* (2025), <https://doi.org/https://doi.org/10.36733/jhm.v5i2>.

previous research is the lack of integration of legal and criminological analysis in a single complete conceptual framework. Most studies separate normative and behavioral aspects, thus not providing an adequate explanation of the relationship between the rule of law, the social environment, and the formation of deviant behavior. In fact, the practice of illegal levies by illegal parking attendants shows a relatively stable pattern, takes place continuously, and involves a process of social interaction between perpetrators and between perpetrators and their environment. Therefore, a criminological approach is needed that is able to explain how illegal levy behavior by illegal parking attendants is studied and maintained through daily social interactions.

This emptiness of analysis is what makes room for the use of the *Differential Association Theory*, which views crime as the result of the learning process in a certain social environment.¹⁵ By using this theory, the research is expected to provide a deeper understanding of the mechanism of shaping the behavior of illegal parking perpetrators, as well as complement legal studies that have so far focused more on normative and law enforcement aspects.

To explain the process of forming illegal levy behavior by illegal parking perpetrators, this study uses the *Differential Association Theory* introduced by Edwin H. Sutherland and has been widely used in criminology studies in Indonesia. This theory holds that criminal behavior is not innate from birth, but is learned through social interaction. A person is more likely to commit a violation of the law when he or she accepts more definitions, values, and justifications that support the offense than the definitions that oppose it. In this context, crime is understood as the result of a social learning process that takes place repeatedly in a given environment.¹⁶

¹⁵ Charlotte Nickerson, "Differential Association Theory" (simplypsychology, n.d.), <https://www.simplypsychology.org/differential-association-theory.html>.

¹⁶ Topo Santoso & Eva Achjani Zulfa, *Criminology*, 12th ed. (RajaGrafindo Persada, 2012).

In the study of Indonesian criminology, *the Differential Association Theory* is often used to explain deviant behavior that develops in a relatively closed and repetitive social environment. The learning process includes how to do actions, rationalize actions, and adjust to group norms. When such deviant behavior is accepted in a social group, individuals tend to consider it a normal action. This pattern is relevant to explain the practice of illegal levies by illegal parking attendants that are carried out in groups and continuously in public spaces. This theory also emphasizes that criminal behavior is formed through intense, close, and persistent social relationships. In the practice of illegal parking, the perpetrators are often in social relations that allow the process of learning from each other, both related to the division of territory, the amount of levies, and how to deal with the community and the authorities. This shows that illegal levies are not simply individual violations of laws, but rather social practices that are studied and reproduced in a particular social environment.

Using the *Differential Association Theory*, this study seeks to provide a deeper understanding of the formation of illegal parking behavior, which has not been comprehensively explained in previous studies. This approach allows for a more complete analysis of social, criminological, and legal aspects, so that it can explain the practice of illegal levies carried out by illegal parking perpetrators as events formed through the process of social interaction in public spaces.

In the study of criminology and empirical law, public spaces in urban areas are an arena for complex social interactions between society, the authorities, and various informal actors. The high intensity of economic activity and community mobility encourages the increased use of public facilities, including parking facilities, which in practice are not always balanced with optimal management. This condition opens up opportunities for the emergence of illegal practices that develop in people's daily lives, one of which is in the form of illegal levies by illegal parking perpetrators. In this context, Purwodadi City is seen as an area that has relevant social

characteristics to be studied. The city of Purwodadi has experienced a significant increase in economic activity and community mobility,¹⁷ so that the need for parking space is getting bigger. At the same time, the limitations of parking management at several points of public space open up space for illegal parking practices that take place repeatedly. This condition makes the city of Purwodadi an empirical context that allows researchers to observe the practice of illegal levies carried out by illegal parking attendants as part of urban social dynamics. In addition, illegal parking practices in Purwodadi City show a relatively stable and recurring pattern in certain locations such as shopping centers, markets, and restaurants. This pattern indicates that the practice of illegal levies does not occur by chance, but is formed through continuous social interaction between perpetrators, service users, and the surrounding environment. This characteristic is in line with the criminological approach that views crime as a behavior that is learned in a certain social environment, so that the city of Purwodadi is a relevant location to examine the process of forming and maintaining illegal levy behavior by illegal parking perpetrators.

From a legal point of view, the City of Purwodadi also provides a space for analysis of the relationship between legal norms and practice in the field. The existence of regional regulations and policies related to parking management shows the existence of a normative framework that regulates the use of public space. However, the ongoing illegal parking practices reflect challenges in law enforcement and implementation. Therefore, research in Purwodadi City is expected to provide an empirical picture of the workings of law in social reality and contribute to the development of legal and criminological studies more broadly.

Based on the results of the analysis of several previous studies, studies on illegal parking practices are generally still placed within the framework of normative law enforcement or a purely administrative

¹⁷ Central Statistics Agency of Grobogan Regency, *Grobogan Regency in 2025 Figures* (Purwodadi: BPS Grobogan, 2025).

approach, focusing on the effectiveness of regulations and the performance of law enforcement officials. Some of the research emphasizes the aspects of compliance with local regulations and structural obstacles in the implementation of parking policies, without in-depth examining the social processes that shape the behavior of illegal parking perpetrators themselves. As a result, the practice of illegal levies is often understood as an individual violation of the law, rather than as a behavior formed through repeated social interactions in public spaces.

This research offers novelty by placing the practice of illegal levies carried out by illegal parking attendants as a criminological phenomenon that is studied and reproduced in a certain social environment, especially in the city of Purwodadi. Using the perspective of *the Differential Association Theory*, this study not only views violations of the law normatively, but also examines how the values, behavior patterns, and justifications of illegal levies are studied through interactions between parking perpetrators, as well as their relationship with the community that uses parking services. This approach allows for a more comprehensive analysis of the social factors that contribute to the sustainability of illegal parking practices.

In addition, the novelty of this research also lies in the integration of empirical juridical approaches with criminological analysis. This research does not stop only at the identification of legal norms that govern parking, but relates it to the social realities on the ground, including the gap between written rules and ongoing practice. Thus, this research is expected to be able to provide a scientific contribution in the form of a more complete understanding of the relationship between law, deviant behavior, and urban social dynamics, especially in the context of illegal parking practices in Purwodadi City.

Departing from the description of the social, criminological, and legal context that has been previously explained, this study aims to analyze the practice of illegal levies by illegal parking perpetrators in Purwodadi City through the perspective of *the Differential Association Theory*. In

particular, this research is directed to understand how the behavior of illegal levies is formed, studied, and maintained through social interaction between parking perpetrators, as well as their relationship with the community and law enforcement officials. With an empirical juridical approach, this study not only examines the legal norms that govern parking and public order, but also examines the gap between written law and social practices that take place in public spaces. The practice of illegal levies that take place repeatedly in public spaces not only has an impact on social order, but also affects public trust in law enforcement and the functioning of legal institutions. This condition is related to efforts to support the ***Sustainable Development Goals (SDGs)*** which are included in point 16, namely *Peace, Justice, and Strong Institutions* which emphasize the importance of community protection, fair law enforcement, and strengthening legal institutions to be able to maintain order and security in the public space.

The significance of this research lies in its contribution to the development of criminological and legal studies, especially in understanding illegal parking practices not only as a violation of administrative law, but as deviant behavior that has a complex social dimension. This research is expected to be able to enrich the academic perspective by showing that the effectiveness of law enforcement is not only determined by the existence of regulations, but also by the understanding of the social processes that shape compliance and lawlessness. In this context, law functions not only as a means of control, but also as an instrument for the formation of social behavior in society.¹⁸ In addition to academic significance, this research also has practical and normative value. The findings of the research are expected to be considered for local governments and law enforcement officials in formulating parking arrangements policies that are more responsive to social conditions in the field. This is in line with the purpose of establishing laws and regulations in the field of public order

¹⁸ Satjipto Rahardjo, *Legal Sciences*, (Law as a Means of Social Engineering, pp. 173-174) ed. by Awaludin Marwan, 2021.

and protection of public interests, as stipulated in Law Number 22 of 2009 concerning Road Traffic and Transportation as well as provisions regarding public order in regional regulations.¹⁹ Thus, this research is expected to be able to make a real contribution to efforts to prevent illegal collection practices and realize law and order and social justice in Purwodadi City.

Methods

This research uses an empirical juridical approach, which is a legal research method that not only examines written legal norms (*law in the books*), but also examines how the law works and is applied in social reality (*law in action*). This approach was chosen because the practice of illegal levies by illegal parking perpetrators cannot be fully understood only through normative studies, but needs to be analyzed based on social interactions, behavioral patterns, and factual conditions in the field that affect the occurrence of law violations.²⁰

Types and Properties of Research

This type of research is an empirical legal research with a descriptive-analytical nature. The descriptive research aims to systematically and factually describe the illegal levy practices carried out by illegal parking attendants in Purwodadi City, while the analytical nature is used to examine the phenomenon through the perspective of *the Differential Association Theory*. Thus, this study not only exposes the facts, but also analyzes the process of forming deviant behavior and its relation to applicable legal norms.

Research Approach

The approaches used in this study include:

1. The statute *approach* is by examining laws and regulations related

¹⁹Law Number 22 of 2009 concerning Road Traffic and Transportation; see also Regional Regulations on Public Order and Parking as the basis for regulating parking in the regions. <https://peraturan.bpk.go.id>

²⁰ Soerjono Soekanto, *Introduction to Legal Research*, cet. 3 (UI PRESS 2020, 2020).

to parking, public order, and the prohibition of illegal levies, such as Law Number 22 of 2009 concerning Road Traffic and Transportation and related regional regulations that regulate public order and parking.

2. The sociological approach of the law is to examine how the legal provisions are understood and implemented in social practice, especially in the context of interaction between illegal parking perpetrators and the community in Purwodadi City.²¹

This approach allows researchers to look at the relationship between legal norms and social reality more comprehensively.

Research Location

This research was carried out in the city of Purwodadi, which was chosen as the location of the study considering that this city has quite intense parking activities in public spaces, such as shopping areas, markets, and other public facilities. This condition makes Purwodadi City a relevant location to study illegal parking practices and illegal levies, as well as allowing researchers to obtain an empirical picture of the interaction between parking perpetrators, parking service users, and law enforcement officials at the local level. The selection of this location is also based on academic considerations that empirical legal research requires the proximity of the researcher to the object being studied in order to obtain accurate and contextual data.

Data Sources and Types

The data sources in this study consist of primary data and secondary data.

1. Primary data was obtained through interviews with people who have experienced or been directly affected by the practice of illegal parking

²¹ Soetandyo Wignjosoebroto, "Studying and Researching Law in Its Concept as a Social Reality" (wordpress.com, n.d.), <https://soetandyo.wordpress.com/2010/08/19/mengkaji-dan-meneliti-hukum-dalam-konsepnya-sebagai-realitas-sosial/>.

attendants in Purwodadi City, as well as through direct observations conducted by researchers at the research site. Observations were carried out to obtain an empirical picture of the levy pattern, the form of interaction between parking actors and the community, and the social situation surrounding illegal parking practices. The observation data is used as supporting data to strengthen the findings of interviews and legal analysis.

2. Secondary data were obtained from primary legal materials in the form of relevant laws and regulations, as well as secondary legal materials in the form of books, scientific journals, and academic articles related to criminology, criminal law, and *Differential Association Theory*.²²

Data Collection Techniques

The data collection techniques in this study were carried out through:

1. Interviews, which are aimed at the public as users of parking services or parties directly affected by illegal collection practices, with the technique of determining the source material in a *purposive manner*²³ based on the relevance of the experience to the research object.
2. Direct observation, which is carried out by researchers to directly observe the situation and interaction patterns that occur in the practice of illegal parking in public spaces.
3. Literature study, namely by examining relevant laws and regulations, legal literature, and previous research results to strengthen the theoretical framework and research analysis.

²² Peter Mahmud Marzuki, *Legal Research* (Jakarta: Kencana, 2017).

²³ Purposive sampling is a non-probability sampling technique in which researchers deliberately select population members based on specific characteristics, criteria, or considerations relevant to the research objectives.

Data Analysis Techniques

The data obtained is analyzed qualitatively, by classifying, interpreting, and connecting empirical data with applicable legal provisions and criminological theories used. The analysis was carried out systematically to explain how the practice of illegal levies by illegal parking perpetrators is formed and maintained through the process of social interaction, as well as how the law responds to this phenomenon in the context of Purwodadi City.

Result and Discussion

1. The Practice of Illegal Levy by Illegal Parking Perpetrators as a Form of Deviant Behavior

This discussion is focused on the analysis of illegal levy practices carried out by illegal parking attendants as a form of deviant behavior that takes place in the social life of the community. This practice is not only related to violations of the legal provisions that govern the implementation of parking, but also reflects the existence of a pattern of actions that are repeated and socially accepted in certain contexts. In many cases, illegal parking levies take place in public spaces that have a high intensity of activity, so their existence is often perceived as part of everyday reality, although it is normatively not justified. Therefore, the practice of illegal levies by illegal parking attendants needs to be understood not solely as a violation of administrative law, but as a social phenomenon that has criminological and structural dimensions.

The practice of illegal levies by illegal parking perpetrators can be understood as a form of deviant behavior that arises and persists in the context of public space management that has not been fully organized effectively. In various urban locations, especially in commercial centers and public facilities, spaces that are supposed to function as community service areas are instead used by certain individuals or groups to collect money

without a legitimate legal basis, which then develops into a repetitive practice and over time the action is socially accepted by the surrounding community. This condition shows that violations of the law do not always occur in secret, but can take place openly when legal norms are not accompanied by effective control.²⁴

The pattern of actions of illegal parking offenders reflects the reality of deviant behavior that develops structurally in a given social context. Perpetrators take advantage of the community's need for parking space in crowded areas such as markets, shopping centers, or other public facilities. In its implementation, perpetrators often occupy the same location for a long period of time so as to build a relatively stable social existence even though there is no legal basis. This action is not just a unilateral taking of money, but is the result of the perpetrator's adaptation to social and economic conditions in his environment.

Empirical analysis of illegal parking practices also shows that people often feel they have no choice but to meet the levy request. This does not arise solely from ignorance of the law, but because of the pattern of social interaction that allows the perpetrator to impose his will without effective sanctions. When people pay levies without open refusal, the practice tends to be perceived as part of the normality of public services, even though it is formally contrary to the provisions of the applicable laws and regulations. Although the nominal amount of illegal parking levies is often small, this practice is not always voluntary on the part of the user community. In many situations, such levies are accompanied by effective forms of psychological pressure and non-verbal intimidation to encourage user compliance. This intimidation technique can be in the form of aggressive attitudes, coercive gestures, light physical contact such as standing very close to the vehicle, or implicit threats to the user's belongings. This kind of pressure makes users

²⁴ Khairunnisa Khairunnisa, "Lack of Public Awareness of Traffic Laws in Indonesia," *De Cive : Journal of Pancasila Education and Citizenship Research* 2, no. 7 (2022): 257–64, <https://doi.org/10.56393/decive.v2i7.1592>.

choose to pay to avoid potential personal conflicts, public discomfort, or lost time if they refuse.

From a criminological perspective, this kind of action is not just spontaneous individual behavior, but reflects a pattern that is learned and normalized in the group of perpetrators. Illegal parking perpetrators who are part of certain social networks tend to imitate and maintain these coercive techniques because they have proven to be effective in obtaining levies. This subtle intimidation makes it clear that illegal parking practices not only violate administrative regulations, but also contain elements of social pressure that reinforce the perpetrator's dominance over public spaces and user communities.²⁵ In addition, this form of non-physical threats and pressure has implications for public trust in the enforcement of the law in public spaces. When the intimidation that accompanies illegal parking levies seems normal in everyday life, the law is perceived as a written norm that does not play a role in people's daily lives. This opens up space for other deviant behavior practices that can be more detrimental to society, and emphasizes the need for a criminological and legal approach in comprehensively addressing the problem of illegal parking.²⁶

The existence of threats and intimidation in the practice of illegal parking levies has significant criminological implications, especially in explaining why such behavior can persist and be reproduced repeatedly. From a criminological point of view, actions accompanied by psychological distress cannot be understood solely as individual reactions to economic needs, but rather as part of a pattern of behavior that is learned and normalized in a particular social environment. When non-physical threats prove effective in gaining community compliance, the pattern tends to be

²⁵ V. Gomathi et al., "Traffic congestion control by monitor illegal parking and enabling intimation," *Journal of Physics: Conference Series* 2484, no. 1 (2023), <https://doi.org/10.1088/1742-6596/2484/1/012047>.

²⁶ Baharuddin Badaru, "The Criminal Law Enforcement Based on Socio-Legal Approach Against Illegal Parking Officers in Achieving Justice," *IUS Journal of Law and Justice Studies* 12, no. 2 (2024): 330–44, <https://doi.org/10.29303/ius.v12i2.1420>.

maintained and passed on to other perpetrators through daily social interactions.²⁷ The practice of threats in illegal parking levies also shows how informal power can work outside of formal legal mechanisms. Illegal parking perpetrators take advantage of their social position in public spaces, both because of their control of territory, proximity to the surrounding environment, and the absence of the apparatus to build a latent fear among the community. This condition creates an unequal relationship between perpetrators and parking service users, where compliance arises not because of legal awareness, but because of the desire to avoid the risk of conflict. In this context, threats serve as an effective but problematic informal social control tool from a legal and justice perspective. Furthermore, the sustainability of this practice indicates a social tolerance for certain deviant behavior as long as it is considered "less detrimental" or "commonplace". This kind of view contributes to the weakening of the law's deterrence, because the law is no longer perceived as an instrument to regulate behavior that is present in everyday life. Criminologically, this situation opens the door for the development of other, more serious forms of deviance, as perpetrators learn that minor threats and covert intimidation rarely lead to firm legal consequences.²⁸

In addition to being understood as a criminological phenomenon, the practice of illegal parking levies accompanied by threats and intimidation also needs to be analyzed from a criminal law perspective. Although in practice these acts are often seen as minor violations or public order problems, the elements of the acts committed by the perpetrator have the potential to meet the qualifications of certain criminal acts as stipulated in the Criminal Code (KUHP). One of the relevant articles is Article 368 of the Criminal Code which regulates extortion, which is the act of forcing

²⁷ Topo Santoso & Eva Achjani Zulfa, *Criminology* (Bandung: RajaGrafindo Persada, 2012).

²⁸ Marselinus Goa and Hudi Yusuf, "The Practice of Illegal Levy (Pungli) in the Community Environment," *Media Legal Indonesia (MHI)* 3, no. 3 (2025): 963–71, <https://doi.org/10.5281/zenodo.16778160>.

someone with the threat of violence to give something.²⁹ In the context of illegal parking, the threats used are not always in the form of direct physical violence, but can be in the form of psychological pressure that makes the victim feel that they have no other choice but to hand over money. Indonesian criminal law doctrine emphasizes that the element of "threat" does not have to be manifested in the form of real violence, but rather is sufficient with acts that cause reasonable fear or concern in the victim. Thus, the practice of collecting parking fees accompanied by non-verbal intimidation can qualify as an act that is close to an element of extortion, depending on the context and intensity of the threats used.³⁰

In addition to Article 368 of the Criminal Code, this practice can also be associated with Article 335 of the Criminal Code regarding unpleasant acts, especially if the perpetrator deliberately forces others to do something with threats or acts that cause insecurity.³¹ Although this article is often debated in law enforcement practice, its existence remains relevant to assess the subtle but repetitive act of illegal parking accompanied by coercion. This analysis shows that illegal parking levies are not solely in the realm of administrative violations, but have the potential to enter the criminal jurisdiction when accompanied by elements of threats and intimidation that are detrimental to the community. The existence of illegal illegal parking levies accompanied by pressure and intimidation shows the importance of the role of law in providing real protection for the community in public spaces. Consistent handling of these practices also contributes to the creation of social order, a sense of security, and strengthening public trust in the functioning of the law. These efforts reflect the importance of peaceful community development, justice enforcement, and legal institutions that

²⁹ Article 368 of the Criminal Code (KUHP).

³⁰ Andi Hamzah, *Indonesian Criminal Law* (Jakarta: Sinar Grafika, 2020).

³¹ Article 335 of the Criminal Code (KUHP).

are able to protect people from coercive practices in public spaces in accordance with the ***Sustainable Development Goals (SDGs)***

2. Criminological Factors of Illegal Parking Illegal Levy Practices in the Perspective of Differential Association Theory

The practice of illegal levies by illegal parking perpetrators cannot be understood solely as a stand-alone violation of the law, but as behavior that is formed through repeated social processes. In a criminology perspective, deviant behavior develops through intense social interactions, especially when individuals are in an environment that tolerates or even supports the practice. This condition explains why the practice of illegal levies carried out by illegal parking attendants tends to be persistent and difficult to eliminate, because the perpetrators obtain social justification from their immediate environment

The Differential Association theory put forward by Edwin H. Sutherland explains that criminal behavior is studied through the process of communication in social groups.³² Individuals learn the techniques of committing offenses, justification reasons, and attitudes that support the action through repeated interactions. In the context of illegal parking, perpetrators not only learn how to collect money illegally, but also learn strategies to deal with community rejection, how to avoid regulation, and the division of operating areas. This shows that the practice of illegal levies is the result of a social learning process, not just a spontaneous or incidental action.

In the context of illegal collection practices by illegal parking perpetrators, this theory shows that the act of collecting without a legal basis, including the use of pressure, threats, and intimidation, is a behavior

³² Zulfa, Topo Santoso & Eva Achjani. *Criminology*. 12th ed. RajaGrafindo Persada, 2012.

that is learned through interactions between perpetrators in a certain social environment. Action patterns such as the determination of unofficial tariffs, the division of territories, and ways of dealing with community rejection do not arise by chance, but are formed through a social learning process that takes place in a repetitive and structured manner.³³

Criminologically, there are several main factors that influence the emergence and survival of this illegal parking levy practice. First, the social environment factor, namely the existence of intense interaction with groups of perpetrators who have previously carried out similar practices so that it allows the process of knowledge transfer and justification of deviant actions. Second, economic factors, where limited access to work and the encouragement to earn income quickly encourage individuals to choose illegal levy practices as a source of livelihood. Third, the factor of social power at the local level, namely the existence of certain positions held by the perpetrators in the community so that the practice of levy continues because it is tolerated or does not receive strong rejection.

In addition, *the theory of the Differential Association* emphasizes that the frequency, duration, and closeness of relationships in the group greatly influence the learning process of deviant behavior. The more often an individual interacts with a group that supports lawlessness, the more likely it is that individual will adopt the same behavior pattern. In the practice of illegal parking, this condition can be seen from the existence of a social network between perpetrators that allows learning about collection techniques, territorial control, and how to deal with law enforcement officials.³⁴

³³ Ciek Julyati Hisyam, Aisyah Aisyah, Defano Tanur, Diah Lestari, Marsya Nisa Razita, and Nadia Dwi Nur Aufa. 2023. "Social Learning Theory as a Framework for Analyzing the Motives of Narcotics Use". *JISPENDIORA Journal of Social Sciences Education and Humanities* 3 (1):01-15. <https://doi.org/10.56910/jispendiora.v3i1.1107>.

³⁴ Jemmi, Baso Madiung, and Siti Zubaidah, "Analysis of the Application of Differential Association Theory to Sexual Violence Crimes in Mamasa Regecy," *Journal of Law* 22, no. 3 (2024): 397–404.

Other factors are weak social control and inconsistency in law enforcement. When the practice of illegal levies takes place without strict enforcement, the behavior can potentially be considered something normal in a particular environment. From a criminological perspective, this condition creates space for the reproduction of deviant behavior repeatedly, so that the practice of illegal levies persists even though it is legally prohibited.³⁵ In fact, in some cases, the practice of illegal levies accompanied by threats or intimidation is used as a means of maintaining control over parking spaces, indicating an element of informal power in the practice.

In a broader framework, efforts to understand the criminological factors of illegal illegal parking collection practices have relevance to the need to create an orderly social life, protect the community from coercive acts, and strengthen the legal function in maintaining justice. These efforts are in line with the ***Sustainable Development Goals (SDGs)*** which are included in point 16, namely *Peace, Justice, and Strong Institutions* which emphasize the importance of creating a safe community environment, upholding justice, and institutions that are able to provide effective legal protection to the community.

Conclusion

Based on the results of research and criminological analysis, the practice of illegal levies by illegal parking perpetrators is a form of deviant behavior that takes place repeatedly, systematically, and informally structured in people's lives. This practice is not only related to violations of legal norms, but also reflects weak supervision of the use of public spaces and the existence of social relations that allow the practice to persist. In its implementation, illegal parking levies are often accompanied by psychological pressure, implicit threats, and intimidation that put people in

³⁵ Nida Fauziah Hasanah and Oci Senjaya, "Criminology's Theoretical Approach to Patterns Behavior and Factors Causing Corruption," *Asas Wa Tandhim: Journal of Religious Law, Education & Social* 5 (2026): 359–70.

a vulnerable position and are reluctant to refuse, so that the practice gains indirect social tolerance. From the perspective of the *Differential Association Theory*, illegal levy behavior is understood as the result of a social learning process through group interaction, where the perpetrator learns techniques, patterns of action, justification, and how to maintain the practice of illegal levy from his social environment. This condition shows that the practice of illegal levies is not just an individual act, but a social phenomenon that is learned, inherited, and reproduced collectively in a given environment.

Furthermore, the practice of illegal levies accompanied by threats and intimidation has legal implications because it fulfills the elements of unlawful acts as stipulated in the provisions of criminal law related to coercion, threats, and control of public space without authority. Permissive social environmental factors, economic pressure, weak supervision, and the existence of informal networks are important elements that strengthen the sustainability of these practices. Therefore, it is not enough to counter the practice of illegal levies through a repressive approach alone, but also requires preventive and structural measures, such as strengthening supervision, increasing public legal awareness, orderly arrangement of public spaces, and consistency of law enforcement. These efforts are expected to be able to create safer, orderly, and just social conditions and also support the ***Sustainable Development Goals (SDGs)*** which are included in point 16, namely *Peace, Justice, and Strong Institutions* through strengthening legal and institutional functions in providing effective protection for the community from coercive practices and deviations in public spaces.

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