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# Juvenile Delinquency Criminogenic Factor

Indah Rufiatun

Universitas Negeri Semarang, Indonesia

✉ Corresponding Email: [indahrufiatun@gmail.com](mailto:indahrufiatun@gmail.com)

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## ABSTRACT

Children often commit unlawful acts. The causative factors of juvenile delinquency need to be known to prevent the occurrence of juvenile delinquency in the future. The purpose of this study was to explain the criminal forms of juvenile delinquency and explain the criminogenic factor juvenile delinquency. The type of research used is criminology research. Data sources are obtained from interviews, questionnaire deployments, and literature studies. The results showed that juvenile delinquency in Jepara Regency, in 2019 and 2020, in terms of crime decreased, but in terms of the severity of crimes committed by children increased. Encouragement from within the child and the surrounding environment that is less harmonious causes the child to do juvenile delinquency.

## KEYWORDS

*Juvenile Delinquency, Factor*

## 1 INTRODUCTION

Law and society are a bond that cannot be separated in other words, where there is also a law (*ubi socitas ibi ius*) because one with the other has a reciprocal relationship. According to Soerjono Soekanto, legal processes take place in a network or social system called society, meaning that the law can only be understood by understanding the social system first and that the law is a process (Soekanto, 2002).

Criminology, in relation to the dogmatic criminal law, plays a role in determining the scope of a crime or punishable behavior. Thus, criminal law is not a preventive syllogism, but is the answer to a crime. Therefore, a criminological approach is needed to find out the factors that affect or cause crime to be a reference for the formation of laws and legal processes.

Criminal cases, in Indonesia every year, continue to experience a dynamic of increasing and decreasing the number of cases that occur. Based on criminal data from the National Police, the crime rate recorded from 2014 to 2016 continues to increase every year and decreases from 2017 to 2019.

Criminal acts are also not only committed by adults, but those who are still in the category of children also commit criminal acts. Child delinquency at this time, has experienced a shift in the quantitative meaning of criminal acts such as stealing other people's belongings, sexual abuse, committing fraud, drugs, free sex, abortion and even violence to cause death, the act is also called juvenile delinquency which means an act of violating norms, or laws that exist in society committed by teenagers.

Based on Article 1 of Law No. 23 of 2002 on Child Protection, criminal acts committed by children under the age of 18 are called juvenile delinquency. Norms that live in society have a control of values and values of sanctions against the behavior of its members. Thus, juvenile delinquency behavior is considered incompatible with the norm or not integrated with the general behavior of society is considered a social problem. Kartini Kartono provides an explanation of juvenile delinquency which is a symptom of social

(pathological) diseases in children whose main cause is neglect from family and society which ultimately causes children to behave deviantly (Asri, 2018). In addition to social neglect, juvenile delinquency can also be caused by family environmental factors and a less harmonious social environment.

The transition from childhood to adolescence is a vulnerable phase of growth, accompanied by various upheavals and bumps. These clashes occur between the child and his family and social environment. Hurlock explained the main cause is the children's strong desire to find themselves. During the search process, the child tends to defy the prevailing norms, does not want to be the same as his environment, and wants to present himself as a different individual with characteristics that other individuals do not have, called adolescent originality (Ja'fin, 2012).

The relationship between children and their peers has a strong bond. This is because peers become a source of emotional support during the transition from children to adolescents. But peers can also be a source of pressure for children. Robinson added that teens should choose peers who can guide them to positive things, but not a few teens are affected by negative things (Diane; Wendkos Old; Feldman Papalia, 2008).

The rise of child delinquency has attracted the attention of various parties who lately are very thick among children and adolescents, especially in Jepara Regency. This is important and it is the duty of various parties to protect the younger generation and carry out the handling and prevention of child delinquency in Jepara Regency. The high number of special delinquency committed by children in Jepara Regency and the need for attention from the government, law enforcement and the public to get proper prevention and handling. From the description above, research is needed related to juvenile delinquency criminogen factors in Jepara Regency, Central Java with the aim to find out the forms of juvenile delinquency crimes in Jepara Regency in 2019 and 2020, to explain the delinquency juvenile criminogen factor in Jepara Regency in 2019 and 2020 and to explain law enforcement and juvenile delinquency countermeasures by the Jepara Resort Police.

## 2 METHOD

This research uses a qualitative approach. The type of research used is criminology research. Sedjono Dirdjosisworo provides an explanation of criminology as a means of knowing the causes of a crime and its consequences and studying ways to prevent the possibility of a crime (Utari, 2012). Data sources are obtained from interviews and dissemination of questionnaires and literature studies that aim as supporting data in the preparation of this study. The validity of research data uses triangulation techniques with interactive data analysis techniques.

## 3 RESULT AND DISCUSSION

### A. Juvenile Delinquency Case Data in Jepara

TABEL 1 Juvenile Delinquency Completed in Jepara District Court Class IB (2019-2020)

No.	Tahun	Number of Cases	Number of Perpetrators
1.	2019	11	17
2.	2020	8	11
Total		19	28

Source: Jepara District Court Class IB, February 2021

From the description of the table above, it can be known that every case seen from the number of children who do juvenile delinquency, not all juvenile delinquency is done by the child alone. However, in some cases juvenile delinquency recorded in the jepara District Court Class IB juvenile criminal register there are also those that are done together or in criminal law called inclusion.

Inclusion (*deelneming*) in positive law is that there are two or more persons who commit a criminal offence or in other words there are two or more people who participate to realize a criminal act and it can be stated that the person participated in a criminal offence relating to another person stipulated in articles 55 and 56 of the Penal Code of Indonesia (Effendi, 2011).

TABLE 2 Juvenile Delinquency Forms Examined in Jepara District Court Class IB (2019-2020)

No	Form of Juvenile Delinquency	2019		2020	
		Case	Perpetrator	Case	Perpetrator
1.	Theft	2	2	2	3
2.	Promiscuity	6	11	2	2
3.	Violence against children that causes death	2	3	1	1
4.	Distributing Pharmaceutical Drugs Without Edar's Permission	0	0	1	1
5.	Class I Drugs Are Not Plants		0	2	4
6.	Criminal Acts of Firearms or Sharp Objects	1	1		0
Total		11	17	8	11

Source: Jepara District Court Class IB, February 2021

From the description of the table above, it can be known that juvenile delinquency cases settled in jepara District Court Class IB most occurred in 2019 is Promiscuity with the number of 6 cases committed by 11 children. While in 2020, juvenile delinquency cases settled in Jepara District Court Class IB is a case of theft with the number of 2 cases committed by 3 children. Jepara District Court Judge Class IB sentenced the child in the form of:

1. sentences are:

a. supervision under the public prosecutor for criminal cases:

1) theft by force;

2) distribute pharmaceutical copies without a marketing license.

b. imprisonment in a special development institution for children for criminal cases:

1) theft by force;

2) persuade the child to perform intercourse;

- 3) violence against children leads to death;
  - 4) malicious association without rights and unlawfully possessing, controlling class I narcotics instead of plants;
  - 5) intermediaries buying and selling narcotics group I not plants.
- c. job training in lieu of fines for criminal cases:
- 1) persuade the child to perform intercourse;
  - 2) violence against children leads to death;
  - 3) distribute pharmaceutical copies without a marketing license;
  - 4) malicious association without rights and against the law of possessing, controlling narcotics group I not plants;
  - 5) intermediaries buying and selling narcotics group I not plants;
  - 6) construction in prison institutions on criminal cases of participating in child abuse causing death.
2. Treatment imposed by the judge of Jepara District Court Class IB to the child's case above are in the form of: Treatment in social welfare organizing institutions in criminal cases:
- a. persuade the child to perform intercourse;
  - b. theft by force.

## **B. Potential Relationships Between Family Communication, Family Economy and Friendship Environment that Can Lead to Juvenile Sustainable Delinquency**

Sample data was obtained from the spread of questionnaires with purposive sample techniques to 82 children domiciled in 5 (five) sub-districts in Jepara Regency, namely Kalinyamatan District, Pecangaan District, Welahan District, Mayong Subdistrict and Bangsri District with an age limit of 12 to over 18 years old.

The results showed that the average age of children who do juvenile delinquency is at the age of 15 years to the age of over 17 years but less than 18 years. The age of 15-year-olds with a percentage of 7.31% or with a real number is 9 children in Jepara Regency doing a form of juvenile delinquency that is pornography with the number of 1 child and 5 children ditching school and 3 children consuming liquor.

The results of the spread of questionnaires with respondents aged 16 years obtained a percentage of 21.95% or with a real number of children in Jepara Regency with findings at the highest point juvenile delinquency carried out by children of that age is ditching school with the number of 11 children, 5 children doing physical fights with physical fights with violence with friends and 2 children watching adult films / pornography.

Juvenile delinquency conducted by respondents aged 17 years or with a real number is 12 children in Jepara Regency is 1 child watching porn videos, 2 children commit money fraud, 2 children do gambling, liquor with the number of 5 children and fighting with the number of 2 children.

Children who do juvenile delinquency with real numbers are 43 children in Jepara Regency at the age of over 17 years but less than 18 years which is the age of transition from children to adolescence, juvenile delinquency is done is 1 child pornography and 42 children ditching school.

Juvenile delinquency performed by children is initially a form of delinquency that is still relatively mild. But under certain circumstances such delinquency will be an act that can unsettle the community. Seeing these circumstances, if juvenile delinquency acts committed by children are considered as a reasonable condition carried out by the child or left unchecked and overcome or supported by the environment that can be said to be a reflection of the child's deviant actions, then this will trigger the emergence of various acts of violence. Further negative actions that may worsen the child's condition.

### **C. Criminogen Juvenile Delinquency Factors in Jepara Regency in 2019 and 2020**

The following will outline some of the factors that cause and/ or affect children doing juvenile delinquency in Jepara Regency:

#### **1. Strong Urges from Within The Child**

The main factor causing juvenile delinquency in Jepara Regency is the main internal factor or factor that comes from within the child. Factors that exist in children themselves are caused by the transition from children to adolescence that causes an identity crisis in the child.

Identity crisis occurs in children because in this transition children have problems controlling emotions, have obstacles with peer relationships, cannot love themselves physically, and have not found the right figure to be used as an example in obtaining a good self-identity.

Another factor that comes from within the child is the weak self-control of the child, resulting in weak self-defense of the child against negative environmental influences, both the environment of residence and the environment of association / friendship of children, which often cannot be avoided by children.

Ali and Asrori stated that the factors that influence juvenile delinquency are rational choices. Rational choice theory explains that children do juvenile delinquency for their own interests, choices and wills. In there are also children who are affected by family factors and friendship environment because the child wants to feel something from what has been done by family and friends (Mohammad & Asrori, 2012).

## 2. Child's Relationship with Family

The family is the first place for the development and growth of the child mentally and physically. Parenting applied in the family is a reflection of behavior between family members that is actualized by children into society. Parental parenting towards family members will give a picture of the child behaving and acting. Parents act as figures in providing examples of good behavior so that children do not commit deviant actions in their growth and development.

Children with poor family relationships result in impaired child mental development. Families who pay less attention to emotional needs and attention to children lead to a lack of supervision and control over the child's actions and wrong association. From the results of interviews on children who have committed juvenile delinquency, it is known that some of the parenting applied by parents to children who form the pattern of the child's family relationships and their effect on the child, namely as follows:

### a. Authoritarian Parenting

This authoritarian parenting is a reflection of the attitude of parents who act harshly and tend to be discriminatory in their parenting. Parents in



educating their children with this authoritarian parenting system is to determine all policies, steps and tasks that must be carried out by children.

b. Permissive Parenting

This permissive pattern allows the child to act as he wishes and gives freedom to the child to behave according to his own wishes, parents never give rules and directions to the child, so sometimes the child behaves contrary to the norms that exist in society and legal norms..

Dysfunctional role of parents in the family is to be a good figure for children by paying attention to the needs of children both in terms of financial needs and affection, in meeting the needs of children, especially for the benefit of children, parents must involve their children's opinions in every decision that impacts them. Parents should also be aware of the rights of children in the family, namely the right to argue and choose to do activities that children like as long as they do not conflict with legal norms and social norms in the environment where they live. On the other hand, children should respect the position of their parents as a person who has a higher position of honor in the family. Family disarmoni, financial problems, authoritarian and permissive parenting, dysfunction of the role of parents and children can be said to be a form of family disorganization.

Family disorganization can be a social problem because it is very likely that family members who experience the negative impact of family disorganization will affect other members of society. If you go out and interact with other members of the community. More and more families are experiencing family disorganization in the same environment will cause a shift in social institutions. This is likely the worst result of family disorganization in public relations. If communities are affected by family disorganization, they will most likely also experience social disorganization. If a society has experienced social disorganization, it will have a broad impact on other members of society who have not experienced social disorganization.

The most affected members of society are children. This is because children imitate or imitate the environment in which they live. This is in line with the theory of social disorganization put forward by Ali and Asrori who mentions

that the cause of juvenile delinquency is the reduction orization of community institutions that maintain harmony in society or in other terms social disorganization (Mohammad & Asrori, 2012).

### 3. Influence of Friendship Environment and Place of Residence

The friendship and home environment are the most important factors in a child's mental growth because they are both the second place where the child learns or gets stimulants against him to produce a response to a certain phenomenon.

The age of transition, the environment is very influential for children, especially peers and residential environments. Positive support from people in the environment around the child plays a role in the personal formation of the child. Children are more easily affected by environmental adverse effects because during the transition from children to adolescence experiencing an identity crisis.

The phenomenon of wrong child association is also explained by Ali and Asrori with differential association theory which is a result of wrong association, naughty children because they associate with naughty children as well (Sarwirini, 2011).

### 4. The Effect of Parents' Economic Conditions

Family insecurity in terms of finances is one of the factors that cause children to do juvenile delinquency because children easily experience stress when their life needs are not met. With the reason for making ends meet, many children perform acts prohibited by legal norms.

Basically the underprivileged economy is only a trigger for children who do juvenile delinquency, there are many other factors that are more basic such as mental children, self-control, parental parenting and the influence of the social environment. However, it should be noted that material disabilities and social inequalities will greatly affect children. When the child has tried to overcome it and still can not find a way out, not a few children who decide to commit criminal acts with economic motives.

This is in accordance with the theory of strains put forward by Merton who said that the great pressure in society is the state of the economy. Poverty causes some members of the public to choose the path of rebellion,

committing crimes or juvenile delinquency (Raihana, 2016).

#### **D. Law Enforcement Against Juvenile Delinquency and Juvenile Delinquency Countermeasures by Jepara Resort Police**

The issue of juvenile delinquency related to criminal acts committed by children has received serious attention from the Indonesian government. Where the rights of the child and the rules regarding the handling of children have been promulgated in the form of formal legal rules. The protection of children's rights is regulated in Law No. 35 of 2014 on Child Protection.

Child protection is an activity carried out to ensure and protect children and their rights in order to live, grow, develop, and participate optimally in accordance with the dignity and dignity of humanity, and get protection from violence and discrimination (Article 1 of Law No. 35 of 2014). The law also regulates how the state, government, society, family, and parents are obliged and responsible for the implementation of child protection.

The handling of criminal cases committed by children has been accommodated in Law No. 11 of 2012 concerning the Children's Criminal Justice System. The law regulates the age of children who can be subject to criminal sanctions, namely children who are at least 8 years old and a maximum of under 18 years old and have never been married. In the criminal justice system in Indonesia, in case the child has not reached the age of 8 years, the police as investigators can hand the child back to his parents, guardians, or foster parents if the investigator believes that the child can still be fostered. There is a maximum exemption of criminal sanctions that can be imposed on children who commit crimes that are half as mild as adults.

Juvenile delinquency cases that occur in the Jepara Regency area are examples of juvenile delinquency that has been widely done by children. In general, juvenile delinquency carried out by children is caused by social, cultural and environmental pressures that consider it as natural.

Based on the results of the study, it can be known some social factors that influence actions that lead to juvenile delinquency, these factors can be in the form of encouragement from within the child, family factors, social environmental factors / friendships and family economic factors.

Basically juvenile delinquency is formed because of social factors that

affect it, not because of the attitude of children in general. According to Bandura's theory, that attitude can be formed according to the will that shapes it, the formation of that attitude through quality education or communication processes.

Regarding the enforcement of the law against unlawful acts, it actually lies in the factors that can affect it. These factors have a neutral meaning, so the positive or negative impact lies in those factors. These factors are as follows:

1. The legal factor itself, in this case limited to the law only.
2. Law enforcement factors, namely the parties who form and apply the law.
3. Factors of facilities or facilities that support law enforcement.
4. Community factors, i.e. the environment in which the law applies or is applied.
5. Cultural factors, namely as a result of work, copyright, and taste based on human initiative in community life.

Several factors that play a role in law enforcement against juvenile delinquency in Jepara Regency are:

1. Law

Law is a product of rules made by higher authorities to be a reference in sanctioning unlawful acts (in this case relating to juvenile delinquency that leads to unlawful acts), so in this case there needs to be regulations or laws. Which can be used as a reference in the law against juvenile delinquency.

2. Law Enforcement

Law enforcement must be able to communicate and gain understanding of the target group, in this case adolescents and parents, in addition to being able to carry out or carry out a role that is acceptable to the community.

3. Facilities

Without certain facilities or facilities it is impossible for law enforcement to run smoothly.

In community life, an active participation from various parties is needed in tackling the problem of juvenile delinquency in Jepara Regency with one of them being the Jepara Resort Police as the vanguard of law enforcement and juvenile delinquency countermeasures.

The Jepara Resort Police, in tackling juvenile delinquency, took preventive

and repressive measures. Prevention efforts carried out by the Jepara Resort Police are:

1. Keeping in certain places to prevent juvenile delinquency, carried out by Samapta Unit Bhayangkara.
2. Patrol, which is an activity carried out by 2 or more patrol officers in an effort to prevent the meeting of intent and opportunity, by coming, exploring, observing, supervising, paying attention to situations and conditions that are expected to cause any form of violation or crime. Preventive measures in the form of patrols there are 5 types of methods, including walking methods, cycling methods, motorcycle methods, car methods and dog methods. This patrol was carried out by samapta bhayangkara unit.
3. Guidance, conducted in schools, both at the junior high and high school level, youth organizations, and the community, this effort is carried out by the Environmental Development Unit.
4. Sending kamtibmas (Public Security and Order) messages to the community, this effort is carried out by samapta Bhayangkara Unit.
5. Arrangements on the road, this is done in the area of the highway that needs to be regulated so that the flow of traffic becomes regular and at the same time prevents traffic violations crossing. This effort was made by the Traffic Unit.
6. Safety Driving Training, conducted in the motorcycle community in order to ride properly and correctly. This effort was made by the Traffic Unit.

Repressive efforts carried out by the Jepara Police are: diversion, supervision, coaching, making statements, delivery to the Department of Social Affairs, ticketing, and rehabilitation. Diversion, supervision, coaching, carried out by the Women's and Children's Service Unit of Jepara Police. The creation of an affidavit, delivery to social services is carried out by the Social Security Unit Samapta Bhayangkara Polres Jepara. Rehabilitation is carried out by the Jepara Police Drug Reserse Unit.

Diversion is the transfer of the settlement of a child's case from the criminal proceedings to a process outside the criminal justice system. Diversion is done by reuniting the victim's family with the victim's family. After two families face each other, then seek peace efforts. If this diversion is successful,

juvenile delinquency does not need to be done. However, if it fails, juvenile delinquency will be tried.

This arrangement on diversion is regulated in Chapter II of Law No. 11 of 2012 on the Juvenile Criminal Justice System. This effort is only carried out by juvenile delinquency offenders who are not yet 18 years old, his actions are not threatened with imprisonment of at least 7 years, his actions include minor crimes and are not recidivists.

Supervision efforts by the Jepara Police Women and Children's Service Unit are a condition for juvenile delinquency to carry out worship according to their respective religions in places of worship where children live for 3 months with supervision from the Corps Hall and the police.

Monitoring efforts are a continuation of the family's efforts. This means that if the family effort is successful, then this surveillance effort is applied to juvenile delinquency. However, if the family's efforts fail, then these surveillance efforts are not applied to juvenile delinquency offenders, but are immediately put on trial. This surveillance effort is also applied if juvenile delinquency is decided by a judge to get the action returned to the parents. This monitoring effort applies only to juvenile delinquency who is not yet 18 years old and his actions are not threatened with imprisonment of at least 7 years and do not constitute a minor crime and are not recidivist.

Coaching efforts are efforts made by leaving juvenile delinquency offenders problematic to Social Care forms of activities in the name of physical guidance, health guidance, mental guidance, psychological guidance, religious guidance, intelligence guidance, social guidance, work skills guidance, counseling and therapy. Treatment efforts in Social Care can be done with or without the determination of a judge. This effort is done if according to the Jepara Police Women and Children's Service Unit, naughty children need to be educated there. This training effort applies only to juvenile delinquency who are not yet 18 years old and the act is not threatened with a minimum prison sentence of 7 years and is not a misdemeanor and is not a recidivist.

The creation of an affidavit which is an effort by the Samapta Bhayangkara Unit of Jepara Police to overcome juvenile delinquency repressive. This effort was done by ordering delinquent children to make a statement in front of

parents and school teachers in the contents of his letter stating that he would not repeat his mischievous deeds again. and if after making a juvenile delinquency statement repeats its actions, then for the repetition of the act it will be immediately tried. However, if the police consider the delinquency done is dangerous and must be tried immediately, then the efforts to call parents and teachers are not made, but the perpetrator is immediately tried.

This affidavit-making effort is only done to petty criminals. Driving to social service is fostering juvenile delinquency in the manner of social service workers. Efforts led to social services being carried out on commercial sex workers and beggars when caught in raids. Crossing, which is an attempt made against road users who violate traffic regulations.

Rehabilitation, which is an effort made by the Integrated Companion Team. The head of the Jepara Police Drug Reserse Unit and the entire ranks of the Jepara Police Drug Reserse arrested drug users and dealers. After the perpetrator was caught, then the Drug Detective made a file to be submitted to the Jepara State Prosecutor's Office.

#### **4 CONCLUSION**

Child crimes in Jepara Regency, in 2019 and 2020, in terms of numbers decreased but in terms of the severity of criminal acts committed by children increased. The juvenile delinquency criminogen factor in Jepara Regency is an internal factor or factor that comes from within the child and external factors. Law enforcement against unlawful acts, actually lies in the factors that can affect it, namely legal factors, law enforcement factors and means or facilities factors. Efforts made by the police of Jepara resort there are 2, namely preventive consisting of guarding certain places, patrols, sending messages to the community, guidance, driving. Repressive efforts consist of diversion, supervision, coaching, making statements, delivery to the Department of Social Affairs and rehabilitation.

## 5 DECLARATION OF CONFLICTION INTERESTS

Authors declare that there is no conflicting interest in this research and publication.

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For there is but one essential justice which cements society, and one law which establishes this justice. This law is right reason, which is the true rule of all commandments and prohibitions. Whoever neglects this law, whether written or unwritten, is necessarily unjust and wicked.

**Marcus Tullius Cicero**