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Adolescent Delinquency and the Crime of Robbery in the Study of Criminal Theory

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ABSTRACT

No one wants a crime to occur in their community, because the existence of this crime will be disturbing and detrimental to people's lives. Therefore, crime must be tackled and stopped. This article discusses cases of adolescent delinquency, burglary crimes and labeling practices in the study of criminological theories. It is important to understand cases of adolescent delinquency, crime of robbery and labeling practices in terms of the characteristics of crime and criminals. The research method used is a normative juridical research method with secondary data sources. The results showed that there were 5 (five) theories that could be used to analyze adolescent delinquency cases, namely the French sect, differential association, anomie, social control, and learning theory. While the crime of robbery is analyzed in 4 (four) theories, namely classical criminology theory, positive criminology, differential association, and opportunity theory. Meanwhile, the case of labeling in society was studied using labeling theory. The above theories can be used as a strategy to prevent and prosecute juvenile crimes, in this

International Development. Some of his works have been published on several journal such as Use and Abuse of Social Media in Myanmar between 2010 and 2022 (*Athens Journal of Law*, 2022), Fake News and the Pandemic in Southeast Asia (*Australian Journal of Asian Law*, 2022), 'Fake News' in Asean: Legislative Responses (*Journal of ASEAN Studies*, 2021), and Cybercrime in ASEAN – Anti-child Pornography Legislation (*Journal of Indonesian Legal Studies*, 2020).

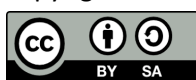
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case juvenile brawls as a special crime, burglary crimes, and community labeling practices. It can be concluded that increasing family participation as the first medium of learning for children by increasing control, so that brawls between teenagers can be anticipated, as well as increasing community participation and social control as well as preventive, curative, and repressive actions to prevent actions that violate social norms and legal norms.

KEYWORDS

Adolescent Delinquency, Robbery, Criminology Theory

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1 INTRODUCTION

Crime in the current era of globalization is not something new to hear. Crime is all kinds of actions and actions that are economically and psychologically harmful that violate the laws in force in Indonesia as well as social and religious norms. Thus, it can be said that criminal acts are anything that violates the law and violates social norms, so that society opposes it.¹ Therefore, a critical study is needed to find out the

¹ David Zembroski, "Sociological theories of crime and delinquency." *Journal of Human Behavior in the Social Environment* 21, No. 3 (2011): 240-254. <https://doi.org/10.1080/10911359.2011.564553>. In various criminological literature, there are three main perspectives used in analyzing crime, namely: First, a perspective that seeks the causes of crime in individual perpetrators of crime, by analyzing biological and psychological aspects. This perspective develops basic assumptions about the difference between criminals and non-criminals and seeks to identify the specific characteristics of criminals in a "correctional" perspective on crime. Second, a broader perspective on the causes of crime in the conditions that "produce" criminals. The basic assumption is that crime is a product of the social system so that theories are developed that focus on different opportunity structures (differential opportunity structures), poverty, fascism, and others. and the local environment, with the assumption that pathological environmental conditions are seen as situational factors for crime. Third, a perspective that looks at the political nature of crime, in the sense that crime is a symptom in society that cannot be separated from conflicts, powers and interests, which includes violations of values and norms of humanity and justice. See also Saleh Muliadi, "Aspek kriminologis dalam penanggulangan kejahatan." *Fiat Justisia: Jurnal Ilmu Hukum* 6, No. 1 (2012); Suparman Marzuki, "Masalah Kejahatan di Perkotaan." *Unisia* 9, No. 1 (1991): 58-65; Martin Innes, and Nigel Fielding. "From community to communicative policing: 'Signal crimes' and the problem of public reassurance." *Sociological Research Online* 7, No. 2 (2002): 56-67; Yazid Bustomi, "The Relevance of

cause of someone committing a crime using criminological theories. Although abstract, this theory is needed to examine why there are humans who are able to implement social norms and legal norms, but there are also humans who actually violate them. These theories are not only important for academic and research activities, but also important for providing education to society.²

Crime can arise due to causal factors, both internal factors and external factors. Each crime has a different causal factor.³ Therefore, the way of dealing with it will be different. The method of overcoming a crime must be adjusted to the factors that drive the crime to arise so that a crime can be overcome.⁴ The science that studies crime is criminology, through this knowledge can later be learned about the factors that cause crime so that later the best way to overcome it will be known.

Theory is an instrument that can help humans to understand and explain social phenomena. In criminology, theory will help humans understand the working mechanism of the criminal justice system and the role holder in the system.⁵ Criminology is a science that aims to investigate the symptoms of crime as widely as

Behavior of Law Theory to Law Enforcement in Indonesia." *Jurnal Hukum Prasada* 9, No. 1 (2022): 53-64.

² Rohmat Rohmat, and Prasasti Dyah Nugraheni. "Kajian Hukum Pidana Indonesia atas Penyalahgunaan Alat Bukti Visum Et Repertum sebagai Sarana untuk Melakukan Tindak Pidana Pemerasan." *Mimbar Keadilan* 13, No. 1 (2020): 1-11. It is further explained, according to Soerjono Soekanto, social control is a process, whether planned or unplanned, which aims to invite, guide or even force members of the community to comply with applicable values and rules. Meanwhile, according to Joseph S. Roucek, the real meaning of social control is much broader, because that understanding also includes all processes, whether planned or not that are educating, inviting or even forcing community members to comply with social rules and values. applicable. *Please also see* Soerjono Soekanto, *Sosiologi Suatu Pengantar*. (Jakarta: Rajawali Press, 1990); Joseph S. Roucek, "Sociological elements of a theory of terror and violence." *The American Journal of Economics and Sociology* 21, No. 2 (1962): 165-172; Morris Janowitz, "Sociological theory and social control." *American Journal of Sociology* 81, No. 1 (1975): 82-108; Barbara J Costello, and John H. Laub. "Social control theory: The legacy of Travis Hirschi's causes of delinquency." *Annual Review of Criminology* 3, No. 1 (2020): 21-41; Charles R. Tittle, "The theoretical bases for inequality in formal social control." In *Inequality, Crime, and Social Control*. (London: Routledge, 2018), pp. 21-52.

³ Indah Rufiatun, "Juvenile Delinquency Criminogenic Factor". *Indonesian Journal of Criminal Law Studies* 6, No. 2 (2021): 191-208. <https://doi.org/10.15294/ijcls.v6i2.33919>

⁴ Ronald L. Akers, and Christine S. Sellers. *Criminological Theories: Introduction, Evaluation, Application*. (Oxford: Oxford University Press, 2013). <https://doi.org/10.1515/9783110800487.39>

⁵ Willem Adriaan Bongers, *An Introduction to Criminology*. (London: Routledge, 2015). *See also* Bruce DiCristina, "Criminology and the "essence" of crime: The views of Garofalo, Durkheim, and Bongers." *International Criminal Justice Review* 26, No. 4 (2016): 297-315. Bongers put forward the notion of criminology, namely the science that aims to investigate the symptoms of crime as broadly as possible. What is meant by the broadest symptoms of crime in this case include symptoms of social pathologies such as poverty, illegitimate children, prostitution, alcoholism, and suicide, which are related to each other, and mostly have the same or related causes, including criminal etiology.

possible. Knowledge of crime is needed to know how a crime can occur and also to know about how a crime can be overcome.

Criminological theories can be used to enforce criminal law because they offer answers to the question of how or why certain people and behaviors are considered evil by society.⁶ Why can non-juridical factors affect behavior and the formation of laws? How can state and community resources address crime? Criminological theory tries to answer these questions through understanding sociological, political, and economic variables that can also affect law.

Based on the description above, the authors are interested in studying cases of adolescent delinquency, crime of robbery, and labeling practices in the study of criminological theories. One of the crimes that are currently happening is adolescent delinquency which has recently occurred, namely brawls between teenagers. The adolescent phase begins at the age of 14 to 21 years, which is called adolescence, in the true sense of the pubertal phase, where there is a connecting period and a period of transition from children to adults. Brawls that occur between teenagers are very worrying because this will have a negative impact on the perpetrators themselves and for the victims. An example of the impact of a brawl between teenagers in the Senen area, Central Jakarta is the death of one teenager. This happened as a result of a sharp weapon stabbed by the perpetrator.⁷ Based on data from the Indonesian Child Protection Commission noted that cases of juvenile brawls in Indonesia increased by 1.1 percent throughout 2018.⁸

Another form of crime that is currently on the rise is the crime of robbery. The crime of robbery itself is an act carried out by humans with the aim of seizing goods from other people by getting the benefits they want. In real life, robbery is a form of theft that develops in society. Where acts of robbery can be said to be acts of theft accompanied by violence. In the study of criminology there is a labeling theory. Labeling is a theory of nicknames or can also be referred to as social reaction theory. In his explanation, the labeling theory also uses an interactionism approach which is interested in the consequences of the interaction between the deviant and ordinary people. The practice of labeling is still happening in the community. Labeling is made

⁶ Sandra Walklate, *Criminology: The Basics*. (London: Routledge, 2016).

⁷ Samsuduha Wildansyah, "Janjian Tawuran Via Medsos, Seorang Remaja di Jakpus Tewas Dibacok". *Detik News*, 6 May (2019). Retrieved from https://news.detik.com/berita/d-4537818/janjian-tawuran-via-medsos-seorang-remaja-di-jakpus-tewas-dibacok?_ga=2.66711661.255309952.1561176044-2138438604.1556459951

⁸ Ali Anwar, "KPAI: Tawuran Pelajar 2018 Lebih Tinggi Dibanding Tahun Lalu". *TEMPO*, 12 September (2018). Retrieved from <https://metro.tempo.co/read/1125876/kpai-tawuran-pelajar-2018-lebih-tinggi-dibanding-tahun-lalu>

by people who have power. In this case, only people who commit crimes are often labeled as criminals or criminals, for example for those who commit the crime of theft. The existence of this labeling by the community sometimes makes a person or ex-convict who previously had the desire to change for the better sometimes find it difficult to adapt and sometimes it is not accepted by the community.⁹

The cases of adolescent delinquency have been highlighted by several related studies, where in general this type of crime is influenced by various factors, ranging from environmental¹⁰, social¹¹, educational¹², economic¹³, family factors¹⁴, to ideological and belief factors¹⁵. However, no one of those studies highlighted and focused on robbery crimes as adolescent delinquency in criminological and criminal law aspects. There are many criminological theories that can be used to understand and analyze how crime occurs and the prevention that can be drawn from the problem. The author believes that theoretical considerations and the suitability of practice in the community for cases of adolescent delinquency, robbery crimes, and labeling practices can be balanced between the characteristics of the crime, the characteristics of the perpetrators of the crime, and the community's response to the cases above. Based on the above background, this article examines how criminological theories analyze adolescent delinquency and crime in finding the formula for preventing the crimes above.

⁹ Muyassaroh Muyassaroh. "Dampak Labelling Pada Mantan Napi: Pengangguran atau Pencuri". *Paradigma 2*, No. 3 (2014): 1-6.

¹⁰ M. M. Matherne, and A. Thomas. "Family Environment as a Predictor of Adolescent Delinquency." *Adolescence 36*, No. 144 (2001): 655-664.

¹¹ Richard B. Felson, and Dana L. Haynie. "Pubertal development, social factors, and delinquency among adolescent boys." *Criminology 40*, No. 4 (2002): 967-988.

¹² Shofwatal Qolbiyyah, "Kenakalan Remaja (Analisis Tentang Faktor Penyebab Dan Solusinya Dalam Perspektif Pendidikan Agama Islam)." *Sumbula: Jurnal Studi Keagamaan, Sosial Dan Budaya 2*, No. 1 (2017): 493-512; I. Gede Agung Jaya Suryawan, "Cegah Kenakalan Remaja Melalui Pendidikan Karakter." *Jurnal Penjaminan Mutu 2*, No. 1 (2016): 64-70.

¹³ Cristedi Permana Barus, "Sosial Ekonomi Keluarga dan Hubungannya dengan Kenakalan Remaja di Desa Lantasan Baru Kecamatan Patumbak Kabupaten Deli Serdang." *Welfare State 2*, No. 1 (2013): 222004; Suzanna Suzanna. "Hubungan Kontrol Diri Dan Status Sosial Ekonomi Keluarga Dengan Perilaku Kenakalan Remaja Di SMK Gajah Mada Palembang Tahun 2014." *Masker Medika 3*, No. 2 (2015): 12-21.

¹⁴ Raymond AT De Kemp, et al. "Early adolescent delinquency: The role of parents and best friends." *Criminal Justice and Behavior 33*, No. 4 (2006): 488-510; Loes Keijsers, et al. "Reciprocal effects between parental solicitation, parental control, adolescent disclosure, and adolescent delinquency." *Journal of Research on Adolescence 20*, No. 1 (2010): 88-113.

¹⁵ Brent B. Benda, "The effect of religion on adolescent delinquency revisited." *Journal of Research in Crime and Delinquency 32*, No. 4 (1995): 446-466; Lisa D. Pearce, and Dana L. Haynie. "Intergenerational religious dynamics and adolescent delinquency." *Social Forces 82*, No. 4 (2004): 1553-1572.

2 METHOD

The type of research used in this research is normative juridical research. The normative juridical approach is an approach that is based on the main legal material by examining theories, concepts, legal principles and laws and regulations related to this research.¹⁶ Legal materials in this study were obtained from secondary data with primary legal materials and secondary legal materials. Primary legal materials are legal norms in the form of statutory regulations, international legal norms, customary law norms, Islamic legal norms. In this study, the legal materials used are various laws and regulations that regulate criminological theory. Secondary legal material is legal material whose contents provide an explanation of the primary material. In addition to primary and secondary legal materials, tertiary legal materials are also used, in the form of materials that provide instructions or explanations for secondary legal materials, such as Indonesian language dictionaries and legal dictionaries. The data that has been obtained will then be analyzed descriptively to get answers to the problems studied in this study.

3 RESULT AND DISCUSSION

A. Adolescent Delinquency Case

Jakarta - A brawl occurred in the Senen area, Central Jakarta, resulting in the death of one teenager. After the incident, the police arrested 21 people. "The brawl incident occurred on Sunday morning at around 01.30 WIB. (6/5/2019). The aftermath of the brawl killed 1 person with the initials R (18) who suffered a stab wound to the stomach. Police said R was also involved in the brawl. "Well, for the RW 4 1C who invited, it was precisely the victim, R. He who invited his friends, he said he had business, there was a problem, so keep making an appointment on social media to meet, 'COD' is their term. Meet on Jalan Kramat 2 with Y's group from RW 8 Kebon Sayur," said Syafe'i. Syafe'i said the brawl only lasted about 5 minutes. At that time, the police were conducting patrols to anticipate illegal racing and immediately arrested the brawlers in the area. Regarding the motive for the brawl, the police do not yet know. This case is still being investigated by the police. "From the results of the examination of the friends who were invited, he only said that he had an appointment to settle, but brought a machete," said Syafe'i. The perpetrator of the stabbing, Syafe'i said, had been detained by his party. However, the police are still

¹⁶ Zainuddin Ali, *Metode Penelitian Hukum*. (Jakarta: Sinar Grafika, 2013).

looking for other brawlers.¹⁷

A brawl between students is a violent crime against another person. Kadish in Romli Atmasasmita categorizes violence as "all types of illegal behavior, whether threatening or resulting in property damage or destruction or the death of the individual".¹⁸ Crime of violence consists of individual violent crimes, for example: murder, rape, aggravated assault, armed robbery, kidnapping, and collective violence crimes, for example: fights between juvenile gangs that cause property damage or serious injury or death.¹⁹ Based on the types of violence mentioned above, the phenomenon of brawls between students is a form of collective violence, with different specifications from other violence related to the subject and the motive. In the case of brawls between students, it is possible that personality traits in the form of violence originate from the habits of members involved in brawls that contribute to the occurrence of brawls.

B. Adolescent Delinquency in Various Criminological Theories

From a criminological perspective, adolescent delinquency, in this case a juvenile brawl, is a special form of violence, which relates to the subject being a teenager and the motive being a confession.²⁰ In criminology, there are a number of theories that are used to analyze problems related to crime or the causes of crime. Based on the cases mentioned above, it can be explained cases of juvenile brawls in the study of criminological theories as follows.

¹⁷ Wildansyah, 2019.

¹⁸ Indah Sri Utari, *Aliran dan Teori dalam Kriminologi*. (Yogyakarta: Thafa Media, 2012).

¹⁹ Warih Anjari, "Tawuran Pelajar dalam Perspektif Kriminologis, Hukum Pidana, Dan Pendidikan". *Majalah Ilmiah Widya* 29, No. 324 (2012): 34–40. See also Muhammad Miftahul Umam, Ridwan Arifin. "Perlindungan Hukum bagi Saksi dan Korban dari Tindak Pidana Terorisme". *Indonesian Journal of Criminal Law and Criminology (IJCLC)* 3, No. 2 (2022): 56-67. <https://doi.org/10.18196/ijclc.v3i2.13732>; Nurul Izzah Millennia, Yuni Anan, Indah Lestari, Ridwan Arifin, and Ashbar Hidayat. "Punk Community in Criminology Study (Study in Ngaliyan District, Semarang City)". *Law Research Review Quarterly* 6, No. 1 (2020): 37-52. <https://doi.org/10.15294/lrrq.v6i1.31232>; Andri Aditya Wicaksono, Yusuf Rizky Saefudin, Hafiz Ramadhan, Rico Alfian Pangestu, and Ridwan Arifin. "Criminological Aspect on Case of Prostitution Around Poncol Station Semarang". *Law Research Review Quarterly* 6, No. 1 (2020): 19-36. <https://doi.org/10.15294/lrrq.v6i1.31099>.

²⁰ Dessi Nindi Khadijah, "Tindak Pidana Tawuran oleh Kelompok Remaja Terhadap Petugas Kepolisian dalam Upaya Pengamanan unjuk Rasa." *Journal of Law (Jurnal Ilmu Hukum)* 6, No. 1 (2021): 174-188.

1) The French School (to determine the factors causing the crime)

This school is a reaction to the flow of Criminal Anthropology. Refuse about the existence of bad people because of their nature or criminals from birth. The theory which states that everyone is evil was put forward by Lombroso. According to Lombroso, that person became a criminal, because he was born a criminal (*geboren misdadiger*).²¹ Lombroso's opinion received public attention but was also strongly criticized. Not everyone who meets the criminal requirements of Lombroso becomes a criminal. Lombroso's deviant traits, for example, occur because of heredity (that person is born a criminal). People who have these characteristics (fulfill these conditions) are likely and are feared to be criminals and it is said that that person has the *Lombroso Type*. However, this flow was opposed by the French school.²² The French sect rejects the existence of evil people by nature or criminals from birth. This sect believes that the criminal is actually innocent.

This school based on the economic environment began to develop in the mid-19th century. This theory says that economic factors in society from a dynamic point of view are primary and from a static point of view they are the basis.²³ F. Turati as one of the first figures in the sect said that not only lack and misery, but also the desire to possess, which is closely related to the current economic system, encourages economic crime. Regarding crimes against people, Turati points out the influence of material circumstances on the human psyche. For example, misery makes the mind dull, ignorance and immorality are its adherents, and these are the dominant factors in the emergence of evil, and bad living conditions lead to the evil of morals.

N. Colajanni (1847–1921) in his book *Sociologis Criminale* also opposed the flow of anthropology. He points to the relationship between the crisis and the increase in economic crime, between crime and social-pathological phenomena such as prostitution, which also stems from economic conditions. Colajanni also emphasized the relationship between the economic system and the general factors in crime. Some aetiology results from criminal sociology that cause crime include neglect of children, misery, lust for possession, love of liquor, and lack of civilization.²⁴

²¹ Hardianto Djanggih, and Nurul Qamar. "Penerapan Teori-Teori Kriminologi dalam Penanggulangan Kejahatan Siber (Cyber Crime)." *Pandecta Research Law Journal* 13, No. 1 (2018): 10-23. <https://doi.org/10.15294/pandecta.v13i1.14020>

²² Gde Made Swardhana, and I. Ketut Rai Setiabudhi. *Buku Ajar Kriminologi dan Viktimologi*. (Denpasar: Universitas Udayana, 2016).

²³ Andini L. Tamara, and Winarno Budyatmojo. "Kajian Kriminologi Terhadap Pelaku Pelecehan Seksual Yang Dilakukan Oleh Wanita Terhadap Pria." *Jurnal Hukum Pidana dan penanggulangan Kejahatan* 5, No. 3 (2019): 311-330.

²⁴ Anjari, 2013.

In this flow it is explained that a person commits a crime because it is influenced by environmental factors around him as well as new technological discoveries. Therefore, based on the chronology of the juvenile brawl case above, it can be seen that the cause of the juvenile brawl was driven by environmental factors, namely the social environment and the presence of their peers who encouraged them to participate in the brawl who had previously made an agreement in the media. social. Thus, according to the French sect or the environmental sect, to prevent the occurrence or cause of crime to occur can be done through environmental improvement. This becomes important if you want to reduce or eradicate the incidence of crime in society.

2) Differential Association Theory

The figure of this theory is Sutherland. Sutherland stated that criminal behavior is learned through associations made with individuals who violate societal norms, including legal norms. In this theory, it is also explained that the learning process is not only in the form of actual crime techniques, but there are motives, encouragement, attitudes and comfortable rationalizations in carrying out anti-social acts. In 1939, Sutherland put forward the theory of systematic criminal behavior, and culture conflict, social disorganization, and differential association. Romli Atmasasmita stated that systematic understanding is career crime or organized practices of crime.²⁵ In addition, this theory wants to find and discover how values and norms are communicated or transferred from community groups to other community groups. This theory can be applied to the case of children and Christians. This can be seen in the following explanation: *"strength explains the onset of criminality. Explains the presence of crime in all elements of social structure. Explains why some people in high crime areas refrain from criminality. Can apply to adults and juveniles"*.

In detail, Sutherland revealed that bad behavior is learned from other people through the process of interaction and communication, not an element that is inherited and carried from birth. The evil behavior studied is the technique of committing a crime and the motivation or justification, including the definitions of laws and regulations so that legal provisions are often considered as giving opportunities to commit crimes, rather than seeing the law as something that must be considered and obeyed. The behavior is varied, which depends on the frequency, duration, priority and intensity in the social environment. In line with this theory, the case of student brawls, which has explained the chronology of the cases as above,

²⁵ Khadijah, 2019.

shows that the actions carried out by two groups of teenagers from RW 4 Gang 1C and RW 8 Kebon Sayur were crimes that were learned and not the result of derivatives. The criminal behavior that they learn in a process of interaction with other people in an intimate relationship, namely their peers. In addition, the juvenile brawl crime has a unanimous motive and urge to do a brawl against a group of teenagers.

Differential Association Theory also asserts that criminal behavior is learned through interaction with other people through a communication process. In this case, an important part of the learning of criminal behavior takes place in intimate personal groups. In other words, the pattern of evil behavior is not inherited, but is learned through a close association.

3) Anomie Theory

Durkheim in his book entitled the *Duvisuon of Labor in Society* (1893), used the term anomie to describe the state of deregulation in society. The state of deregulation by Durkheim is defined as disobedience to the rules contained in society and people. The term anomie comes from the French sociologist, Emile Dukheim, which means a state without norms. This concept was then formulated by Merton in order to explain the relationship between social classes and adaptation tendencies in group attitudes and behavior.²⁶

In every society there is always a social structure. The social structure in the form of classes causes differences in opportunities to achieve goals. These conditions (unequal means and differences in opportunity structures) will cause frustration among people who do not have the opportunity to achieve goals. Thus dissatisfaction, conflict, frustration, and deviation arise because there is no opportunity for them to achieve their goals. This situation will lead to a situation where the community no longer has a strong bond with the goals and the means or opportunities that exist in society.

Every community group always associates goals or interests with moral or institutional rules and ways to achieve goals. Emphasis on certain goals may reduce the meaning and attention to the ways that have been institutionalized, so that the tendency of the two groups of teenagers in the above case to cause extreme forms of the group in the form of juvenile brawls.

²⁶ Saleh Muliadi, "Aspek Kriminologis dalam Penanggulangan Kejahatan". *FIAT JUSTISIA: Jurnal Ilmu Hukum* 6, No. 1 (2012): 1-11. <https://doi.org/10.25041/flatjustisia.v6no1.346>

4) Social Control Theory

This theory refers to the discussion of delinquency and crime associated with sociological variables, including family structure, education and dominant groups. Social control is divided into 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 apply in society.²⁷ While social control is the ability of social groups or institutions in society to implement norms or regulations to be more effective. Crime or delinquency is carried out by the family, because the family is a place for personality formation, internalization, people learn good and bad from the family.

Social control theory departs from the assumption that individuals in society have the same tendency to be good or bad, depending on the society. According to Reiss, there are three components of social control in explaining adolescent delinquency, namely the lack of adequate internal control during childhood, loss of internal control, and the absence of social norms or conflicts between these norms in the family, close environment, and sect.²⁸

In the case of adolescent delinquency, namely brawls between groups of teenagers as above, in fact, they have the same tendency to become a good person when society makes it so. However, if the social ties are weak or broken with the community, it will not support the role of social control properly. Thus, it can be said that the occurrence of adolescent delinquency indicates a weak or declining function of social institutions both formally and non-formally in society and in turn will provide opportunities for these youth groups to behave deviantly.

5) Learning Theory

This theory explains that a person's behavior is influenced by learning experiences, social experiences accompanied by values and expectations in social life. This learning theory was developed by Ronald Akkers²⁹, the theory argues that children will demonstrate behavior on the basis of:

- a) The reaction received by the other party is either positive or negative;
- b) The behavior of adults who have close relationships with them, especially parents; and

²⁷ James Byrne, and Don Hummer. "An examination of the impact of criminological theory on community corrections practice." *Federal Probation* 80 (2016): 15–25.

²⁸ Linda Ikawati, "Fenomena Kejahatan Kriminologi Berdasarkan Ciri Psikis & Psikologis Manusia." *Jurnal Hukum Responsif* 7, No. 2 (2019): 123-136.

²⁹ Akers & Sellers, 2013.

c) The behavior they see on television and cinema.

If the child sees that aggressive behavior is allowed or brings praise, there will be a tendency for the child to react violently as long as he experiences a similar incident. Thus, it can be seen that the impact of a teenager who grows and develops in a home environment where violence becomes a habit, then the child will learn to believe that such behavior is accepted and brings praise.

C. The Study of Criminology Theory Against the Crime of Robbery Case

1) Chronology

Pekanbaru - Police arrested two robbers who also raped a female victim. The victim's motorbike was also taken away. "The victim is still a minor with the same status as a student who is dating. The female victim was raped by two men they didn't know," said Rohul Police Public Relations Officer Ipda Ferry to reporters, Thursday (13/6/2019). The incident began when the victim, who was dating, was traveling on a motorcycle at around 23.00 WIB, Saturday (8/6). Because it was raining, the two teenagers took shelter in a motorcycle repair shop that was closed. "Suddenly they were approached by two men on motorbikes. The two perpetrators were wearing masks and jackets and helmets," said Ferry. The robbers and rapists pretended to be police officers and pulled out gun-like objects. The two suspects searched the victims for their cellphones. "Then they were forced to follow the two perpetrators into the bushes," said Ferry. The perpetrator tied the male victim with a jacket and beat him. The perpetrator then raped the teenage girl. "After raping, the two perpetrators left with the victim's motorbike," said Ferry. After receiving a report, the police arrested the perpetrators with the initials ES (39) and MS (46). Both are residents of Pematang Tebih Village, Rohul. "Initially we arrested the two perpetrators in a robbery case. From the results of the interrogation, both of them admitted that they had previously committed robbery while raping their victims," said Ferry.³⁰

2) Robbery Crime Analysis

The crime of robbery is a criminal act regulated in Article 365 Paragraph (1) of

³⁰ Chaidir Anawar Tanjung, "Polisi Tangkap Pelaku Begal yang juga Perkosa Remaja di Rohul". *Detik News*, 13 June (2019). Retrieved from https://news.detik.com/berita/d-4585032/polisi-tangkap-pelaku-begal-yang-juga-perkosa-remaja-di-rohul?_ga=2.196760431.255309952.1561176044-2138438604.1556459951

the Criminal Code (KUHP) with a maximum penalty of nine years in prison for theft which is preceded, accompanied or followed by violence or threats of violence against people, with the intention of to provide or facilitate the theft or if caught red-handed, so that there is an opportunity for himself or for those who participated in the crime to escape or so that the stolen property remains in its place. Perpetrators of burglary can be charged with Article 365 Paragraph (1) of the Criminal Code because before taking someone else's vehicle and being a thief, they threaten to commit violence to their victims.³¹

Even if the robbery resulted in the death of the victim, he could be threatened with a maximum imprisonment of fifteen years to death or life imprisonment. The form of crime refers to consist of individual violent crimes, for example: murder, rape, aggravated assault, armed robbery, kidnapping, and collective violent crimes.³² Based on this classification, it can be ascertained that the robbery can be categorized as an individual crime, if the crime is carried out independently. As well as collective crimes if the crime of robbery is carried out in groups. The following is a study of the crime of robbery against criminological theories:

a) *Classical Criminology*

This sect of thought is based on the view that intelligence and rationality are fundamental human characteristics and become the basis for the explanation of human behavior, both individually and in groups. Cesare Beccaria and Jeremy Betham³³, both have the same idea, that criminal behavior stems from human nature as a hedonistic being as well as a rational being. Thus, this sect is known as the classical criminology sect that developed in England and America. The basis of this sect is Hedonistic-Psycology which uses the armchair method (writing). The psychology on which this sect is based is individualistic, intellectualistic and voluntaristic.³⁴ The key to progress according to this thinking is the ability of intelligence or reason which can be improved through practice and education.

³¹ Hary Abryanto Gunawan, "Tinjauan Kriminologis Terhadap Kejahatan Begal (Studi Kasus di Wilayah Hukum Kepolisian Daerah Jawa Timur)." *Dinamika: Jurnal Ilmiah Ilmu Hukum* 27, No. 14 (2021): 2059-2079. See also Seno Arya Chandra, "Satsabhara Night Patrol in Preventing Theft During the Covid-19 Pandemic." *Advances in Police Science Research Journal* 5, No. 5 (2021); Reza Rahmat Mulya, "Optimization of Early Detection of Motor Vehicle Theft Crimes by Bandarlampung Police Intelligence Unit." *Indonesian Journal of Police Studies* 5, No. 10 (2021); Muhammad Holid Azhari, "The Role of the Sabhara Patrol Unit in Preventing the Crime of Theft in the Legal Territory of the Kerinci Police." *Indonesian Journal of Police Studies* 5, No. 6 (2021).

³² Walklate, 2016.

³³ Swardhana & Setiabudhi, 2016.

³⁴ Ikawati, 2019.

Within this framework of thought, crimes and criminals are usually seen solely from the boundaries of the law. Hedonistic because humans tend to act for their own sake, and rational because they are able to calculate the advantages and disadvantages of these actions for themselves.

The foundation of this classical criminology is that individuals are born free with free will. To make their own choices, individuals have human rights including the right to life, the freedom to own property, the state government is formed to protect these rights and appears as a social agreement between the governed and the governed, every citizen only surrenders part of his rights to the government. The state as long as it is required by the state to regulate society in the interests of the majority of the community, crime is a violation of the social agreement and therefore is called a moral crime.³⁵

Robbery behavior is a social problem that originates from the mental attitude of people who are not ready to accept the developments that occur, so that when viewed from the perspective of classical criminology, it can be said that robbery is considered as a statement of the free will of each individual accompanied by the desire of a happy life. Therefore, this classical criminology sect understands indeterminism regarding the freedom of human will which emphasizes the actions of criminals. Considering that social life is bound by a social contract, any act that violates applicable social norms is seen as an act of betraying the social contract itself. The consequence of this sect of thought is that every offender is recommended to receive a retributive and repressive punishment.

b) *Positive Criminology*

Positive flow arises as a result of dissatisfaction with the answers of the classical sect, the flow that tries to explain why someone can act evil. This flow is based on the view that human behavior is determined by factors beyond its control, both biological and cultural factors. This means that humans are not creatures who are free to act according to their desires but are limited by their biological devices and cultural situations.³⁶

In short, this sect adheres to the belief that a person's life is governed by the law of cause and effect (causa-effect relationship). For the positive flow, all factors are the main elements that affect a person. Therefore, looking at the cases of the robbery

³⁵ Nunuk Sulisrudatin, "Kasus Begal Motor Sebagai Bentuk Kriminalitas". *Jurnal Mitra Manajemen* 7, No. 2 (2015): 57–67.

³⁶ Frank S. Pearson, and Neil Alan Weiner. Toward an Integration of Criminological Theories. *Journal of Criminal Law and Criminology* 76, No. 1 (1985): 116–150. <https://doi.org/10.2307/1143355>

phenomenon as above, it can be said that they carry out these actions cannot be separated from the external factors that influence them. These factors include poverty, low levels of education, moral illness and others.

Based on the flow of positive criminology, the phenomenon of robbery cannot be separated from influencing factors outside the perpetrators of robbery. These factors include economic factors. Cases of robbery can occur as the theory of Robert Merton which links the problem of crime with anomie. In a class-oriented society, opportunities for the top are not evenly distributed. For example, someone who was born from a poor and economically deprived group, this will encourage someone if he is in a depressed state to need money which will cause frustration and have no other opportunity and eventually commit fraud.

c) *Differential Association Theory*

Based on the opinion of Akers and Seller, it is known that the differential association has two dimensions, namely the interactional dimension of behavior and the dimension based on norms. The interactional dimension of behavior is the interaction and association that is carried out directly with other people in certain behaviors, as well as the identification and indirect association with reference groupings. Dimensions based on norms are exemplary patterns of different norms and values that guide individuals in associations.³⁷

Based on the description above, it can be seen that in Differential Association theory it is recognized that the nature and effects of environmental influences on a person's behavior are recognized. This theory is sociological because the study focuses on social relations which include frequency, intensity, and the role of associations. This theory does not start on the qualities or characteristics of individuals or on the properties of the scientific world that are concrete and visible. According to Sutherland, the fundamental fact used is the existence of a differential social organization in the surrounding community, namely that differential associations lead to criminality in individuals, and is a logical consequence of the principle of learning with these associations (social learning).³⁸ So, the differential association applies to groups that are criminal or anti-criminal.

In this theory it is explained that patterns of crime are learned in a similar way through imitation or imitation and association or social environment with each other.

³⁷ Peter B. Kraska, "Criminal justice theory: Toward legitimacy and an infrastructure." *Justice Quarterly* 23, No. 02 (2006): 167-185. <https://doi.org/10.1080/07418820600688735>.

³⁸ Zembroski, 2011.

It can be said that the beheading behavior carried out by the two men based on the above case is a crime committed by imitating or imitating crimes that exist in society that are currently still taking place.

d) Chance Theory

According to Richard A. Cloward and Lioyd E. Ohlin in their book *Delinquency and Opportunity*, they argue that the emergence of crime and other forms of behavior depend on opportunity, both the opportunity to comply with the norm and the opportunity to deviate from the norm.

Based on the robbery case above, the cause of the crime was due to opportunity, namely when it was raining, and the victims were taking shelter in a closed workshop. The two perpetrators took this opportunity to deviate from norms in the form of beheading and raping female victims. This theory also asserts that there is a strong relationship between the environment, economic structure and the choices of actors they make.

D. Criminology Theory Study of Labelling Case

1) Case Chronology

Jambi Regional Police arrested a husband-and-wife couple, Ari Gunandi and Ragil Riyanti, for allegedly being the perpetrators of theft of a motorbike at the mosque. According to the police, the two men are suspected of being the perpetrators of theft of motorbikes parked at 30 mosques in Jambi. Before taking action, Edi said that the two men first snoop on a motorbike parked at the mosque. Ari and Ragil are said to have their respective roles in carrying out their actions. "Their modus operandi is to pretend that they are going to participate in congregational prayers. Then after seeing that the conditions in the mosque were safe, the husband immediately went to the motorbike parking lot to carry out his actions, where the wife played a role in spying on the situation in the mosque, sometimes just accompanying her husband when stealing," said Edi. From their confession to the police, the stolen motorbike was sold to fulfill their daily needs. In addition to arresting the 3 people, the police also secured various evidence in the form of motorbike keys, cellphones, T keys, and 4 motorbikes allegedly stolen which they had not sold. The three people have been named as suspects and have been detained. They are suspected of having violated Article 363 of the Criminal Code regarding theft with a threat of 7 years in prison.³⁹

³⁹ Ferdi Almunanda, "Polda Jambi Tangkap Suami Istri Pencuri Motor di 30 Masjid". *Detik News*, 27

2) Labeling Practice Case Analysis

Labeling is a theory of stamping in individual behavior deviations. In his explanation, the labeling theory also uses an interactionist approach which is interested in the consequences between the deviant and ordinary people. This analysis of branding is centered on the reactions of others, meaning that there are people who define, label, or label individuals when they are associated with crime. The labeling theory explains that the main cause of crime can be found in the labeling by society to identify certain members of the community.⁴⁰

There is agreement among adherents of label theory that the labeling process is the cause of a person to be evil. According to Indah Sri, there are two important concepts in this theory, namely, Primary Deviance which is addressed to the initial behavior deviation and Secondary Deviance which is related to the psychological reorganization of one's experience as a result of being arrested and labeled as a criminal. Once this stamp or status is attached to a person, it is very difficult for the person concerned to further escape from the stamp in question and then identify himself with the stamp that has been given to him by society.⁴¹

The case study in this labeling theory is the crime of theft. The theft case above shows a husband and wife who work together to commit theft. The labeling or labeling of evil as a result of these actions comes from the government and society. The labeling given by the government is the existence of a Police Record Certificate to the husband and wife when they get out of prison as ex-convicts. The labeling given by the government to former convicts or criminals will have an impact on the tendency of the perpetrators to not be able to return to society and become good citizens. In this case, the government indirectly considers that people who come from the lower middle class who have a history of criminal records are not worthy to be in government. This tendency makes the perpetrators, which is a husband and wife, to do the same thing.

Labeling is also given by the community to former theft convicts. The public tends to ostracize and alienate people who have been involved in crimes or have even been imprisoned. Even though the ex-convict is no longer committing the crime of theft, the public is still suspicious and wary of the presence of the husband and wife in the future. Based on the case above, when a husband and wife are released from

June (2019). Retrieved from <https://news.detik.com/berita/d-4601942/polda-jambi-tangkap-suami-istri-pencuri-motor-di-30-masjid>

⁴⁰ Swardhana & Setiabudhi, 2016.

⁴¹ Utari, 2012.

prison, society will always think of themselves as a thief.

Thus, ex-theft convicts must try to convince when they get out of prison that they have changed and want to be good citizens. Rulers are able to influence the public about stereotypes in the implementation of the law where people from lower classes who do not have power will be labeled as criminals. So that the process of labeling criminals or being labeled as evil will actually increase the possibility of helpless people committing crimes.

4 CONCLUSION

This study concluded and highlighted that in the perspective of criminology, adolescent delinquency in the form of brawls between teenagers is a special form of violence, which is related to the subject is teenagers and the motive is in the form of confession. Based on criminological studies, the cause of brawls between teenagers can come from environmental influences and weak social control from the surrounding community which is then imitated. Robbery behavior is a social problem that originates from the mental attitude of people who are not ready to accept the developments that occur, so that when viewed from the perspective of classical criminology, it can be said that robbery is considered a statement of free will. However, in the positive stream, it is said that the crime of robbery is an act that violates the social contract which indirectly violates the social contract that is not in accordance with social norms and legal norms. The bad stamp or labeling given to ex-convicts of theft is not only given by the community, but indirectly the government has also carried out an evil stamp on ex-convicts. The existence of a criminal labeling process or a bad label will actually increase the possibility of people who are helpless or who already have a bad label to commit crimes.

5 DECLARATION OF CONFLICTION INTERESTS

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