

Optimization of Social Legal Study on Sexual Crimes in Teenagers

ABSTRACT

This research examines the factors that influence the frequent occurrence of violence against children and how to overcome the negative impacts experienced by victims. Criminology is closely related to the sciences that study the conception of criminal cases related to crime, which is associated law and violations of norms. The cause of violence viewed criminologically is due to the increasing number of influences that contaminate the psychology of the perpetrator. This is caused by economic problems and environmental culture which is slightly distorted in the process of raising children. The consequences of violence can be overcome through rehabilitation and psychological support for victims. Criminology studies are needed to evaluate various aspects outside the law, especially social legal study. This research is empirical descriptive legal research and used qualitative method.

Keyword: *Juvenile delinquency, crime, sexual deviation, laws and regulations*

INTRODUCTION

Teenager is a transition phase that everyone goes through during the transition from child to adult. Teenagers are the main perpetrators of juvenile delinquency. Currently, juvenile delinquency is much more disturbing society. This is because cases of juvenile delinquency continue to increase and develop every day. Apart from that, juvenile delinquency has caused anxiety in society because it is considered to disrupt public order and security. Incidents like this are no longer known in cities and rural areas. This is clearly the result of rapid social change.

Teenager requires attention like no other period of growth. because teenagers experience many very complex physical and mental changes. In addition, social changes in society may be felt by teenagers. Once you become an

adult, you will usually assume different roles. Juvenile delinquency can be considered a social problem or even a social deviation that is contrary to the habits and norms of society. High school and equivalent students, even junior high school students, are now becoming wider targets for juvenile delinquency. There are many reasons that support juvenile delinquency. It cannot be denied that age changes, which make teenagers very flexible and influenced by the surrounding environment in the process of searching for identity, have both positive and negative effects. However, the negative aspects impacting teenagers are changing rapidly.

Increasing curiosity makes teenagers dominant in trying new things without thinking about the consequences. Nowadays, many teenagers do not have critical thinking and do everything just because of their own desires. Brawls, illegal racing, drinking, stealing, free sex and drug use are some of the most common types of juvenile delinquency. This is definitely caused by supporting components such as family, environment, and the flow of globalization, which includes communication, very rapid advances in technology and science, and acculturated lifestyles. According to several studies, a lack of family guidance causes juvenile delinquency to occur more frequently, making teenagers more easily influenced by various negative things related to delinquency.

One type of juvenile offense that is directly related to society is promiscuity. In this context, various forms of behavior, ranging from dating without commitment to sexual relations outside marriage, are considered promiscuity. In some cultures, promiscuity is considered inappropriate and a natural social development, but in other cultures, advances in communications technology and cultural developments allow people to interact more freely. Promiscuity, on the other hand, has complex psychological, social, and moral consequences. The younger generation has free association.

The younger generation plays an important role in realizing the nation's ideals, and it is hoped that the younger generation can change the nation's situation for the better. However, the current younger generation is a concern because they tend to be more careless and rarely pay attention to religious and moral values in their actions, and they tend to have unstable emotions. Many

factors influence the moral decay of the younger generation, but social factors are the most dominant in influencing moral change in the younger generation. As we know, promiscuity has a very negative effect and can destroy the future of teenagers who fall into it. Free association has begun to develop in the school environment and most students are already doing it.

According to Harnoko, "Violence against women is an act committed against someone because she is a woman, which results in physical, psychological or sexual suffering, including threats, coercion and arbitrary deprivation of rights whether carried out in the private or private sphere. in public. In a feminist perspective, violence against women is equated with gender-based violence."

Violence against gender is still an ongoing problem in Indonesia and continues to increase. Komnas Perempuan's annual records show an increase in cases of gender-based violence in Indonesia in 2021. Throughout 2021, there were 338,496 cases of violence against gender, 50% of 226,062 cases in 2020. This figure has increased drastically from BADILAG data, namely Komnas Perempuan, Service Report, and Data from the Religious Courts Agency (BADILAG), which recorded an increase of 80% from 2,134 cases in 2020 to 3,838 cases in 2021. The increasing number of cases of gender-based violence is a challenge and obstacle faced by the Indonesian state in achieving gender equality as planned in goal 5 of the development agenda.

According to the background description, the author attempts to collect information from various literature and research related to criminal acts committed by teenagers. After studying literature from various references, this article combines the data to provide an overview of the current condition of juvenile delinquency. The aim is to find out more about teenagers and their psychology, the factors that cause juvenile delinquency to occur, and changes in the quality of juvenile delinquency.

RESEARCH METHODS

This research adopts qualitative methods. Data for this research comes from primary and secondary sources. The author examines sources through books, journals, news and reports. Through these written sources, the author interprets juvenile sexual crimes through a formal legal criminological concept approach. The data collection methods used in this research include observation and interpretation of legal documents.

RESULT AND DISCUSSION

Juvenile delinquency

People in their teens who are experiencing the transition from children to adults are called teenagers. At this stage, children experience cognitive development which influences their social development. Moving away from family and turning to peers are two types of movement that can be observed in adolescent social life. This movement is a reaction to the interim status experienced by teenagers and signals an attempt by teenagers to enter a wider social sphere. Teenager (teenager), according to research by Yanottama (2023) is defined as a transitional developmental period between childhood and adulthood which involves biological, cognitive and social-emotional changes.

Evil behavior (*dursila*), or youth crime/delinquency, is a symptom of social illness (pathology) in children and adolescents caused by a form of social neglect that encourages them to develop deviant behavior. A child's delinquency can be seen as a social symptom or a sign of a problem or defect in the child's social or family system. Several factors can influence adolescent delinquency behavior, including dysfunctional families, abuse or violence in the family, lack of parental supervision, mental disorders, low levels of education, and unhealthy groups.

Teenager begins with rapid body changes, significant increases in weight and height, changes in body shape, and the development of sexual characteristics such as enlargement of the breasts, development of the waist and mustache, and development of the voice within. His thinking becomes more logical, abstract, and idealistic, and he spends more and more time outside the family, achieving independence and identity. Maulana (2022) said that delinquent teenagers are usually rebellious, ambivalent towards authority, vengeful, suspicious, impulsive, and show a lack of inner control. The development of a negative self-concept is driven by these traits.

The concept of legal sociology in cases of sexual deviation

Sociology of law is a field that investigates the relationship between society and the law. The main focus of legal sociology is to understand how law affects and influences the cultural, social structure and values of society, as well as how law is applied in everyday life. In addition, the main goal of legal sociology is to analyze how law is applied in everyday life, as well as how social norms and cultural values shape the legal system.

In practice, legal sociology uses sociological theory and methodology to understand social dynamics in a legal context. This includes empirical research on how law is applied in people's everyday lives, analysis of power structures in legal systems, and an understanding of how law affects the distribution of inequality and social justice. In general, legal sociology seeks to bridge the gap between law as a formal rule and the society in which it is applied. It helps us understand how law and society interact with each other and impact each other.

Criminology of Sexual Crimes

Crime or delinquency committed by teenagers is called juvenile delinquency. This is a symptom of social illness (pathology) caused by social neglect which causes deviant behavior. Many recent incidents are caused by juvenile delinquency. After committing various kinds of deviant acts, they do not

feel guilty and may feel proud. They consider their actions to be brave, but adults' views of such behavior take into account the development of today's youth.

Legal experts and sociologists who study the sociology of criminal law pay great attention to the legal aspects of crime in criminology because it can provide a good basis for studying association theory and explaining the relationship between the main motives of perpetrators for committing crimes. such as its biological, psychological, and sociological impact. From a biological perspective, this shows a disregard for the physical talents of the physical attacker. From a psychological perspective, this indicates instinct, or the superego. Rather, from a sociological point of view, it is related to the impact of the social environment that deems the action reasonable. Therefore, being human involves many important aspects, such as physical, mental and spiritual. Having someone at the top is very important. Because his role shows his personality, he does not consider criminal behavior to be normal.

Children are often perceived as weak or helpless and highly dependent on the adults around them, which increases their chances of becoming victims of adult violence. When children are threatened not to tell what happened, this makes them helpless. In most of the cases that were revealed, the perpetrators were people closest to the victim, such as parents or teachers. The victim's own neighbors are an example. On the other hand, it can be analyzed that the child may not be able to resist the behavior due to fear of the threat, based on the existing relationship. Physical violence is an example of a physical threat. Additionally, verbal aggression includes the use of harsh words, such as stupid.

The perpetrator committed sexual violence against children because of pornography. Although children encounter sexual content by accident, the abundance of it appearing in advertising, on social networks, in games, in films or on the Internet will initially interest them. It is curiosity that drives children to watch pornography. Due to pornography addiction and lack of self-control, the perpetrator has a high sexual desire and uses children to satisfy his sexual desires.

The perpetrators also committed sexual violence against children because of the influence of their social friends. A person can experience the negative

impact of a bad social environment. Individual behavior, including sexual harassment, is greatly influenced by their environment. This often happens in teenagers because this is the period where a person begins to develop and shows his first sexual signs. Teenagers are characterized by curiosity, a desire for adventure, and a desire to face challenges, which drives them to make decisions without sufficient consideration.

The final factor that encourages perpetrators to commit sexual violence against children is family relationships. Factors related to divorce can cause problems in the family, such as problems related to expressing love, support, and child custody. The consequences of divorce will also be felt by children, especially when their parents remarry and the children have to live with stepparents. Stepparents often abuse their children. These factors are the same as the influence of a person's self-control on their environment, as well as factors that can have an impact on the individual's economic, social, psychological and spirituality.

Efforts to Prevent Sexual Violence Crimes among Teenagers

According to AL Tamara & W Budyatmojo (2019), efforts to prevent criminal acts of Sexual Violence against Children can be carried out through preemptive, preventive and repressive efforts, which include preventative efforts to prevent criminal acts. Crime prevention efforts instill good values or standards in society. There will be no criminal offense even if there is a possibility of committing an offense or committing a criminal act but there is no intention to do so.

Prevention of sexual violence crimes can be done to prevent crimes from occurring in the first place. According to A. Qirom Samsudin M., taking preventive action is better than teaching criminals to become good again. This is because preventive actions not only reduce costs, but also make it easier to achieve positive results or achieve goals.

Other efforts that can be taken are repressive law enforcement efforts or active actions taken by law enforcers to prevent crimes from occurring. Actions like this are carried out as reparations to the criminal justice system to eradicate crime and prevent perpetrators of sexual harassment from reoffending. To provide a deterrent effect to perpetrators of sexual abuse of children, law enforcement makes efforts to socialize or reintegrate similar perpetrators.

Optimizing the law in juvenile delinquency

Law enforcement is very important because Indonesian law enforcement still has many shortcomings. Law enforcement in Indonesia still has many shortcomings, which cause law enforcement problems. The law enforcement process carried out against child perpetrators of sexual abuse is similar to the law enforcement process carried out against adults, namely inquiry and investigation. However, the investigation process for child offenders is different because restorative justice is always the top priority. The Youth Social Protection and Rehabilitation Center (BPRS) accommodates child perpetrators.

Based on Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, it guarantees that children in conflict with the law receive short detention. However, this short detention cannot enable juvenile offenders to learn because perpetrators who receive short detention still have a tendency to remain detained.

Basically, law enforcement is a process of realizing justice, legal stability and social benefits in people's lives. Normal usually exists in social life. Norms are a set of rules that regulate the way someone acts or behaves. In essence, every society wants the norms that apply in society to be obeyed, but some members of society are unable to do so. To ensure that norms can be obeyed in social life, normality must be supported by firm and negative sanctions for those who behave not in accordance with the norms and positive sanctions for those who follow the norms.

Basically, punishment is only carried out to provide sanctions to criminal perpetrators without doing anything to prevent the same criminal act from happening again. The penalties given to criminals are usually contradictory and have a negative impact on their actions. Therefore, it is not surprising that the use of criminal law currently still receives attention and criticism. The purpose of this punishment is much more dangerous if the perpetrator is a child or teenager with different characteristics and motivations from adults.

Based on Law number 11 of 1997, juvenile justice considers the reasons for punishment, even though it is not stated explicitly. The goal to be achieved is to maintain and ensure the growth and development of mental, physical and social life. Apart from that, the law regarding juvenile justice was created to protect and help children have a better future. In addition, another aim of the law is to give children the opportunity to find their own identity and become independent, responsible and courageous individuals.

Punishment is not used as a means of revenge; what is more important is to provide guidance and support. Protection is not only for criminals but also for society as a whole to help them become better people and better members of society. This is a new concept of thinking which views punishment not only as a means of providing a deterrent effect for criminals but, as an effort in social integration and rehabilitation.

The child was transferred from BPRS to LPKA after the court decision. At LPKA, or Special Children's Development Institution, children serve their criminal term. LPKA is a Technical Implementation Unit that is responsible to the Director General of Corrections. Since Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA), which replaced Law Number 3 of 1997 concerning Juvenile Courts, all juvenile prisons have been asked to be converted into LPKA. This is because it is considered that juvenile prisons no longer meet the needs and progress of the juvenile criminal justice system.

CONCLUSION

In connection with the above, in terms of crime criminology, cases of sexual violence against children are part of criminology, which consists of two words: criminology, which means crime, and logos, which means science, which means the science of crime. An important step that must be taken to safeguard children's rights to life and happiness as well as to maintain the quality of the country's successors, who will lead the country in the future, is child protection. as the next generation who plays an important role in the country's development. In connection with the above, in terms of crime criminology, cases of sexual violence against children are part of criminology, which consists of two words: criminology, which means crime, and logos, which means science, which means the science of crime. An important step that must be taken to safeguard children's rights to life and happiness as well as to maintain the quality of the country's successors, who will lead the country in the future, is child protection. as the next generation who plays an important role in the country's development.

However, the fact is that many children in Indonesia still face various problems, including neglect, commercial exploitation of children, discrimination against children, and violence against children. Parents, society and the government must play a role in preventing sexual violence against children. It is very important for parents, society and the government to combat crimes of sexual violence against children by having an in-depth understanding of the factors behind sexual violence crimes. Legal experts and sociologists who study the sociology of criminal law pay great attention to the legal aspects of crime in criminology because it can provide a good basis for studying association theory and explaining the relationship between the main motives of perpetrators for committing crimes.

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