



Criminological Review On The Impact Of The Abuse Of Alcoholic Beverages That Trigger Criminal Actions In The City Of Gorontalo

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Abstract: The purpose of this research is to discuss the impact of alcohol abuse that triggers criminal acts in the city of Gorontalo . The objectives of this research are: to find out what are the factors and impacts of alcohol abuse in Gorontalo City. This study uses empirical legal research methods. Empirical legal study itself is a study that views law as a reality, including social reality, cultural reality, and empirical studies of the world. This research took place at the Gorontalo City Police. The results obtained from this study are that the prevalence of alcohol abuse in Gorontalo City occurs due to internal factors such as age, gender, individual norms (personality), education, psychology and others, as well as external factors such as the environment and friendships. The influence of alcoholic beverages can lead to a crime.

Keywords : Criminology Review ; Alcoholic Drinks ; Criminal Acts ;

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1. Introduction

Indonesia is a country based on law, so that every community activity which is an activity in the life of the community must be based on existing regulations and norms that apply in society.¹ Law cannot be separated from human life, because law is a rule to regulate human behavior. The legal norms that apply in today's society are often not complied with, so that many violations of the law are committed. Along with the progress of the times towards culture and science, patterns of human behavior in social and state life are increasingly complex. When viewed from the perspective of legal regulations, there must be behavior that is in accordance with the regulations and there is also behavior that is not in accordance with the applicable regulations. Behavior that is not in accordance with applicable regulations is often referred to as a form of deviation from the regulations or legal norms that have been in force. So this certainly can lead to disruption of order in public life.²

The 2013 research by the Center for Criminological Studies at the University of Indonesia regarding murder cases provides data or information that can further explain the effects of consuming alcoholic beverages on violent crimes. This research was conducted on 43 respondents who were detained in prisons in Tangerang, Palembang prisons, Bandung prisons and Tomohon prisons. This study found that out of 43 respondents, 34.9 % (15 people) consumed alcohol when they committed the murder.³ This study concludes that access to alcoholic beverages that is too easy is the main reason for the high influence of alcoholic beverages at the time of committing a crime, in this case murder. This is supported by data from the Indonesian National Police Research and Development Service (Dislitbang Polri) in 2012.

The National Police Research and Development Agency found that junior high school (SMP), high school (SMA) and college students occupied the highest number of drug and alcoholic drink users, namely 70% of users. Adolescent alcoholic drink users ranging from 14–16 years of age are 47.7 %, 17–20 years are 51.1% and 21–24 years are 31%. The state is obliged to regulate society through statutory regulations, especially the distribution and use of alcoholic beverages. Various laws and regulations related to the circulation of alcoholic beverages were made to accommodate the objectives of Article 28H paragraph (1) of the 1945 Constitution.

The Gorontalo Province itself has regional regulations with sharia nuances that regulate the prohibition of alcoholic beverages, one of which is the Regional Regulation of the Gorontalo Province Number 10 of 2003 concerning the Prevention of Immorality. Prohibitions in regional regulations related to the prevention of alcoholic beverages are contained in Article 9 of the Gorontalo Province Regional Regulation Number 10 of 2003 concerning the Prevention of Immorality which reads that:

¹ Santoso Topo dan Achjani Zulfa Eva, "Kriminologi," Jakarta: PT. Raja Grafindo Persada, 2001.

² Bambang Waluyo, "Pidana dan ppidanaan," 2004.

³ FX Joko Priyono, "Urgensi Pengaturan Peredaran Minuman Beralkohol Melalui Peraturan Daerah di Kota Salatiga," *Masalah-Masalah Hukum* 43, no. 2 (2014): 255–62.

1. Everyone is prohibited from drinking alcoholic beverages, except in places that have been determined according to city/regency regional regulations.
2. Everyone who has drunk and/or is intoxicated by alcoholic beverages is prohibited from hanging out in public places.⁴

2. Research Method

The type of research used by researchers is Empirical Legal research. Empirical legal study itself is a study that views law as a reality, including social reality, cultural reality, and empirical studies of the world *das sin* (what is reality)⁵

3. Analysis and Discussion

3.1. Factors and Impacts of Abuse of Alcoholic Beverages in Gorontalo City

In this study, researchers used the concept of criminology, which according to some experts, such as according to Kanter and Sianturi, provides a definition of criminology (as a science) studying the causes and effects of a crime and the circumstances that generally influence it, as well as studying ways to eradicate this crime. Furthermore, WA Bongger, argued that criminology as a social science discipline examines the symptoms and behavior of community members from a certain angle, namely in terms of patterns, motivations, and efforts to overcome crime. According to Bongger, Criminology is a science that aims to investigate the widest possible range of crime phenomena (theoretical criminology or pure). Wolfgang, quoted by Wahju Muljono, dividing criminology as an act known as a crime, the perpetrator of the crime, and the reaction shown both to the act and to the perpetrator. While criminal etiology (*criminal etiology*) is the science that investigates or discusses the origins or causes of crime (causes of crime).

3.2. Factors Causing the Rampant Abuse of Alcoholic Beverages in the City of Gorontalo

Initially the researcher conducted an interview with a teenager who was one of Aldi's sources (18 years). When asked about his reasons for becoming an alcoholic drinker, he gave the answer;

"At first I was only invited by friends to try, and because of curiosity I also didn't want to be thought of as someone who is not sociable, so I dared to drink alcoholic beverages and finally continued until now"⁶

⁴ "Pasal 9 Perda Provinsi Gorontalo Nomor 10 Tahun 2003 tentang Pencegahan Maksiat," t.t., 9.

⁵ S. H. I. Jonaedi Efendi, S. H. Johnny Ibrahim, dan M. M. Se, *Metode Penelitian Hukum: Normatif dan Empiris* (Prenada Media, 2018).

⁶ "Wawancara bersama Aldi (18), Masyarakat Gorontalo, 27 Februari 2023," t.t.

Based on an interview with a teenage informant, the researcher found that in the abuse of alcoholic beverages, especially in adolescents, there is an element of wrong association and negative motivation from curiosity. From this it can be seen that the age factor can be one of the factors that causes the rise of alcohol abuse.

The researcher then conducted interviews with a source, namely Mr. Kamarudin (40 years) who is active as an alcoholic drink addict. The researcher asked the same question about the reasons for being an alcoholic drinker. He gave the answer;

“Drinking is now commonplace. Usually we adult men drink alcoholic beverages because we feel tired after work or when we are stressed because of The burdens of life such as living expenses or debts that have accumulated”⁷

After conducting interviews with the community, the researcher then conducted interviews with the police, namely Head of Criminal Investigation Unit of the Gorontalo City Police, Mr. Leonardo Widharta, and SIK. The researcher asked about the findings from the police regarding the factors behind the rampant abuse of alcoholic beverages in Gorontalo City. The Head of Criminal Investigation Unit of the Gorontalo City Police gave a statement:

The current abuse of alcoholic beverages is generally due to their young age which causes teenagers to like to try various things, the environment and the erosion of existing norms so that they regard alcoholic beverages as commonplace. This is also exacerbated by the level of education and understanding of the community.⁸

Based on these interviews, it was found that the factors of age, erosion of norms, environment and education are the causes of the rampant abuse of alcoholic beverages. In addition to the interviews, there is case data to strengthen the identification of some of the factors described above.

Table 1. Number of Criminal Cases Due to Alcoholic Beverages in 2020-2022 in Gorontalo City

No.	Year	Number of Cases	Information
1	2020	13	8 Crime cases committed by teenagers
2	2021	20	13 Crime cases committed by teenagers
3	2022	45	25 Crime cases committed by teenagers
Total		78	46 Crime cases were committed by teenagers

(Source: Gorontalo City Police Criminal Investigation Unit)

Based on the explanation from the Criminal Investigation Unit of the Gorontalo City Police, out of a total of 78 criminal cases caused by alcoholic beverages in the 2020-

⁷ “Wawancara bersama Kamarudin (40), Masyarakat Gorontalo, 27 Februari 2023,” t.t.

⁸ Tri Rini Puji Lestari, “Menyoal pengaturan konsumsi minuman beralkohol di Indonesia,” *Aspirasi: Jurnal Masalah-masalah Sosial* 7, no. 2 (2019): 127-41.

2022 period in Gorontalo City, all were committed by male perpetrators, and 46 of them were committed by teenagers aged 17 -19 years old. Based on the results of observations and interviews related to the criminological theory above, the researcher then juxtaposed it with several criminological theories which explained several elements that contributed to the occurrence of crime or discussed the dimensions of crime, by Abintoro Prakoso divided them into two groups, namely as follows:

1) Conventional Criminological Theory

1. Bonger's theory, explained that there are seven types of causes of crime, namely abandoned children, misery, lust for possessions, sexual demoralization, alcoholism, low morals, and war.
2. The theory of hedonistic psychology, explains that humans regulate their behavior on the basis of considerations for the sake of pleasure and suffering so that the cause of crime lies in the rational considerations of the perpetrator.
3. Soedjono Dirdjosisworo's theory, chronologically links criminal acts with several factors as causes.
4. Cesare Lombroso's theory states that crime is caused by the talent factor that exists in the perpetrator (*a born criminal*).⁹

2) Modern Criminological Theory

1. Social control theory (social control theory), refers to every perspective that discusses the control of human behavior, namely delinquency and crime related to variables that are sociological, namely family structure, education, and dominant groups. Meanwhile, Travis Hirschi provides an overview of the concept of social bond, that is, if a person is detached or disconnected from social ties with society, then he is free to behave deviantly.
2. The opportunity theory by Richard A. Cloward and Lloyd E. Ohlin, states that the emergence of crime and its forms of behavior depend on opportunity, both the opportunity to comply with norms, and the opportunity to deviate from norms.¹⁰

Based on the results of observations and interviews related to the criminological theory above, the researcher concludes that what causes the rise of alcohol abuse in Gorontalo City consists of the following factors:¹¹

1) Internal factors :

1. Factor: Naturally humans from childhood to adulthood experience changes, both physical and spiritual (psychological) of a person. Someone who is at a

⁹ Raynald A. Issakh, Ronald Ottay, dan Dina V. Rombot, "Gambaran Perilaku Remaja Terhadap Kebiasaan Mengonsumsi Minuman Beralkohol Di Desa Sapa Kecamatan Tenga Kabupaten Minahasa Selatan Tahun 2012," *eBiomedik* 4, no. 1 (2016).

¹⁰ Amirul Amalia, "Peran Orang Tua Terhadap Konsumsi Alkohol Pada Remaja Putra Di Desa Sidorejo Kecamatan Sugio Kabupaten Lamongan Tahun 2015," *Jurnal Kebidanan Dan Keperawatan* 11, no. 2 (2015): 126-34.

¹¹ Amiroel Oemara Syarief, Merina Pratiwi, dan Gellysa Urva, "Edukasi Dampak Minuman Keras di Kalangan Remaja," *Literasi: Jurnal Pengabdian Masyarakat dan Inovasi* 2, no. 1 (2022): 48-54.

certain age level, namely approaching adulthood (adolescents) can commit certain acts such as juvenile delinquency. This form of juvenile delinquency is only known to teenagers who are approaching adulthood.¹² Whereas in adults, the motive is usually due to economic demands, work and burdens thought. This factor is proven through *statements* in interviews as well as data by the Criminal Investigation Unit of the Gorontalo City Police regarding criminal cases involving alcoholic beverages which explain that in the 2020-2022 range, as many as 58.97% of cases were committed by perpetrators aged 17-19 years (age late teens)

2. Gender factor: Male or female gender also has something to do with crime. Generally, men are the main users of alcoholic beverages compared to women. Because of this, men tend to commit crimes because they are triggered by being drunk after drinking alcohol, for example fighting, killing, stealing by burning and so on. This is in line with the fact that the data from the Criminal Investigation Unit of the Gorontalo City Police regarding criminal acts due to alcoholic beverages in the 2020-2022 range show that all cases were committed by men.¹³
3. Educational factors (personal): This can affect the mental state and behavior of the individual, especially intelligence or thinking.
4. Erosion: This factor is a basic element in human life which is the same spiritual needs. Norms has a high value in human life because these norms are everything that guides humans to the right and good path. These norms indicate things that are prohibited and required, which are good and which are bad, so that if humans really study and understand the contents of religion, they will surely obey these orders and prohibitions. Individual factors that are specific, namely the psychological state of a person who commits a crime.

2) External Factors:

1. Influence of Friends and Environment: When a person is going through the maturing process, his personality is generally still weak or unstable and sometimes he feels insecure. This situation coupled with a lack of self-control can make a person easily influenced and try to do things that would make him acceptable to his circle of friends so that in this situation he is easily persuaded and carried away by friends who have the opportunity to invite him to do negative things like get along with users in the community.¹⁴

¹² Titik Nurbiyati, "Sosialisasi Bahaya Minuman Keras Bagi Remaja," *Asian Journal of Innovation and Entrepreneurship (AJIE)* 3, no. 03 (2014): 186-91.

¹³ Yudisa Diaz Lutfi Sandi, Lina Nurul Hidayati, dan Esti Andarini, "Motivasi sosial konsumsi alkohol pada remaja," *Jurnal Penelitian Keperawatan* 6, no. 2 (2020): 81-85.

¹⁴ Rino Ajeng Kusumaningrum, "Perilaku Mengonsumsi Minuman Beralkohol Pada Mahasiswa Fakultas Ilmu Keolahragaan Universitas Negeri Surabaya" (State University of Surabaya, 2017).

3.3. The Impact of the Abuse of Alcoholic Beverages in the City of Gorontalo

Two things that are disturbing and unwanted and experienced by all human beings wherever they are, are crime and violence. The Indonesian people have recently been saddened by a number of youths in the country who have committed crimes and violence, of course this raises a question mark in our minds what is actually lacking in this country's efforts to address this.¹⁵

The emergence of a crime that is influenced by alcoholic beverages where initially a person does not want to commit a crime, because there is influence of alcohol, he commits the act, then a person already has the intention to commit a crime but lacks the courage, then drinks alcoholic beverages which in the end can lead to courage in him. This is in line with what was conveyed by the police, namely Head of Criminal Investigation Unit of the Gorontalo City Police, Mr. Leonardo Widharta, SIK, when he was interviewed regarding the impact caused by the abuse of alcoholic beverages. He says:

“The most significant impact of the abuse of alcoholic beverages is the increase in crime rates caused by alcoholic beverages. The effect of being drunk sometimes makes a person feel brave so that a desire to show oneself arises which ends in a crime.¹⁶

Alcoholic beverages are the mainstay of criminal acts which have an extraordinary destructive impact, many of our youth are victims where the perpetrators are under the influence of alcoholic beverages and some even die from being hit by a drunk.

Someone who is under the influence of alcohol will certainly find it very difficult to use common sense and thoughts in controlling the desires and actions they want. If what is done is a crime that is defined in a criminal act then it can be said that the person is committing a crime under the influence of alcoholic beverages. In this case the position of alcoholic beverages in relation to crimes committed by a person is active, which means that a person who does not have the intention or desire to commit a crime, but due to the influence of Aethanol through the alcoholic beverage he drinks, causes that person to commit a crime.¹⁷

In addition to this, it is not uncommon to find someone who wants to do certain actions, whether they are against the law or not but lacks courage/confidence, then to build up courage or self-confidence he drinks alcohol. In these circumstances it can be seen that alcoholic beverages have a tremendous influence on growing courage in a

¹⁵ Dadang Abdullah dan Mulyani Zulaeha, “Penyalahgunaan minuman oplosan dan penggunaan zat adiktif lainnya di kawasan lahan basah,” dalam *PROSIDING SEMINAR NASIONAL LINGKUNGAN LAHAN BASAH*, vol. 3, 2018.

¹⁶ Fatma Rizkia Wardah dan R. Surjaningrum Endang, “Pengaruh ekspektansi pada minuman beralkohol terhadap konsumsi minuman beralkohol,” *Jurnal Psikologi Klinis dan Kesehatan Mental* 2, no. 02 (2013).

¹⁷ Nuvazria Achir dan Sri Nanang Meiske Kamba, “The function of sharia-based Regional Regulations on Education and Social Services in the Regions,” *Jambura Law Review* 3 (2021): 1-17.

person to do an act even though the courage does not arise from a healthy mind so that he is unable to control or consider the actions he is doing. Thus it can be seen that the influence of alcoholic beverages can lead to a crime. The ethanol substance contained in if you drink alcoholic beverages, it will give a reaction and influence on the nerves of the brain in the form of stimulation that causes cells to work fast and tense.

From the operation of the nerves of the brain, it will give rise to feelings of excessive enthusiasm in a person, and he cannot think healthily so that he cannot control himself in the actions he takes. In addition to that, drinking alcoholic beverages can also grow courage in someone to do something, even though that courage is only a pseudo-courage that arises from an unhealthy mind as a result of the influence of a substance ethanol or alcohol.¹⁸

Currently, there is no provision that prohibits someone from drinking alcoholic beverages. Even if there is a provision in Article 492 of the Criminal Code, it is normal that the article prohibits a person who is drunk from blocking traffic, disturbing order or threatening other people. Deep norm the article that is prohibited is a person becomes intoxicated and commits the aforementioned action. Whereas in Article 536 of the Criminal Code, it is prohibited for someone who is clearly on a public road in a drunken state. So it is clear that the article does not prohibit drinking alcoholic beverages. What is prohibited in the two articles are conditions or consequences arising from drinking alcoholic beverages such as drunkenness.¹⁹

A series of rules have been applied to suppress all forms of crime and irregularities, including the abuse of alcoholic beverages. In the City of Gorontalo itself , Regional Regulation Number 10 of 2003 concerning the Prevention of Immorality in the City of Gorontalo has been established , the aim is the government's efforts to preserve cultural values that are orderly and dynamic and in order to prevent immoral practices in the city of Gorontalo including buying and selling and consumption practices. Alcoholic beverages. Nevertheless, the number of consumption of alcoholic beverages and even criminal cases triggered by the abuse of alcoholic beverages is still increasing as can be seen in Table 1. The Number of Criminal Cases Resulting in Alcoholic Beverages in 2020-2022 in Gorontalo City, which the researchers previously described²⁰

From the table it can be seen that there is an increase in the number of criminal cases that have occurred because they were triggered by the misuse of alcoholic beverages. Apart from Gorontalo City, in Indonesia itself, teenagers who consume alcoholic beverages continue to experience an increase. The 2007 Basic Health Research

¹⁸ Nuvazria Achir, "Anotasi Normatif Terhadap Peraturan Daerah Tentang Transparansi," *Jambura Law Review* 2, no. 1 (2020): 83-100.

¹⁹ Peggy Lusita Patria Rori, "Pengaruh penggunaan minuman keras pada kehidupan remaja di desa Kali kecamatan Pineleng kabupaten Minahasa," *HOLISTIK, Journal of Social and Culture*, 2016.

²⁰ Salit Ngurah Bagus Adi Putra, Ni Putu Rai Yuliantini, dan Dewa Gede Sudika Mangku, "Tinjauan Kriminologis Terhadap Penyalahgunaan Minuman Beralkohol Oleh Anak Di Kabupaten Buleleng," *Jurnal Komunitas Yustisia* 4, no. 1 (2021): 107-18.

(Risksedas) of the Ministry of Health noted that the consumption of alcoholic beverages by teenagers in Indonesia was still at 4.9 %. And in 2021 this number has increased significantly to 43 % of the total number of teenagers, around 14.4 million people, the data was obtained from the observations of the National Movement Anti Alcohol (GeNAM).²¹

4. Conclusion

Abuse of alcoholic beverages in the city of Gorontalo occurs due to 2 factors, namely internal factors and external factors. Internal factors are age, gender, individual norms, education, and psychology. Meanwhile, external factors are influenced by environmental factors and friendships. In addition, according to the current legal regulations, there is no provision that prohibits someone from drinking alcoholic beverages. Even if there is a provision in Article 492 of the Criminal Code, it is normal that the article prohibits a person who is drunk from blocking traffic, disturbing order or threatening other people. Deep norm the article that is prohibited is a person becomes intoxicated and commits the aforementioned action.

Whereas in Article 536 of the Criminal Code, it is prohibited for someone who is clearly on a public road in a drunken state. So it is clear that the article does not prohibit drinking alcoholic beverages. What is prohibited in the two articles are conditions or consequences arising from drinking alcoholic beverages such as drunkenness. Thus, we can see that alcoholic beverages are one of the main driving factors for crime in society. Because of this, there is currently a lot of discussion about how to control the distribution of alcoholic beverages to the public. Moreover, in fact there are also people who cannot see the emergency condition of these alcoholic drinks and even allow them to circulate among the public for various reasons.

Effective law enforcement should be able to guarantee compliance with the law and provide adequate protection for the public from violations of the law. Some of the features of effective law enforcement include clear regulation and upholding the principles of justice and giving equal treatment to all people without discrimination, regardless of whether the person is rich or poor, powerful or powerless. It is carried out with transparency and encourages people to comply with the law, whether through legal education, social campaigns, or strict and fair punishment for violators.

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²¹ Fadli Alam Dwi Saputro, Yuni Dwi Hastuti, dan Triana Arisdiani, "Pengaruh peran teman sebaya terhadap perilaku konsumsi alkohol pada remaja putra," *Jurnal Ilmiah Permas: Jurnal Ilmiah STIKES Kendal* 4, no. 2 (2014): 70-81.

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