

## **A POLICY OF ECONOMIC STRAIN ADAPTATION IN SOLVING CRIMES IN THE PANDEMIC INDONESIA**

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### **ABSTRACT**

This article examines the relationship between the national economic strain and crimes in Indonesia during the COVID-19 pandemic. This is doctrinal legal research with conceptual and case approaches. The data are obtained through a literature study which was analyzed descriptively and qualitatively. The research shows that firstly there is a significant relationship between the economic crisis and the high crime rate during the pandemic. The condition illustrates the strain theory, where the strain that occurs in society due to the non-fulfillment of economic needs triggers some of them to commit crimes to achieve their economic goals finally. Secondly, the economic strain adaptation policy can solve the crimes due to economic strain. The adaptation is to implement preventive measures by strengthening coordination and supervision between institutions providing economic stability and repressive efforts through optimizing strict law enforcement against crime during the pandemic.

Keywords: economic strain; crime; COVID-19 pandemic; Indonesia.

### **INTRODUCTION**

The COVID-19 pandemic has had various impacts on human life, health, the economy, and crime. The decline in the community's economic condition has become a problem faced by most countries due to the pandemic. Some of them could overcome it quickly, but many also had difficulty solving the problem, causing a prolonged domino effect. One of the most worrying effects of the community's economic problems is the emergence of various potential law violations, including crimes triggered by the economic crisis. Economic needs are one of

the fundamental needs that support human life in order to live. With the economy, humans can fulfill their desires in life in various fundamental aspects such as health, social needs, and many others (He & Li, 2020).

Economic factors take into account during the pandemic, and not all countries can meet the needs of their people. As a result, many people cannot fulfill their economic needs, which eventually leads to the urge to use various methods, including ways that violate the provisions of the criminal law. Global estimates of the economic impact of the COVID-19 pandemic suggest that most countries could lose at least 4.5% of their gross domestic product (GDP) during 2020 (Statista Research Department, 2022). Even though it had improved in line with the recovery efforts in several countries, with global GDP levels in 2021 estimated at 3.2% below pre-pandemic projections, this would not change the severe impact on the economies of developing countries which expect to remain below the pre-covid-19 peak for a long time (The World Bank, 2021).

The issuance of Presidential Decree Number 11 of 2020 concerning the Determination of the COVID-19 Public Health Emergency dated March 31, 2020, and Presidential Decree Number 12 of 2020 concerning the Determination of Non-Natural Disasters Spreading COVID-19 as a National Disaster issued on April 13, 2020, by the Government of Indonesia brought significant impact on all aspects of people's lives. COVID-19, which is qualified as a type of disease with a severe health emergency level in the community, demands effective countermeasures in accordance with the legislation. One of the most influential aspects of the policy to control the spread of the disease is the implementation of restrictions on social activities on a national scale, including, in this case, the economy. The two legal rules made it focus more on the public health aspect of preventing the transmission of COVID-19 so that the abandonment of other fundamental aspects in society is an unavoidable consequence.

The policy of "large-scale social restrictions" or "lockdown" is indeed not only carried out in Indonesia but also by most countries in the world. As a result, all activities in the economic sector (transportation, tourism, trade, etcetera) are hampered and put pressure on world economic growth for now and the future (Susilawati, *et al.*, 2020 ). As a developing country, Indonesia's economic decline on almost all fronts has resulted in prolonged stagnation,

even though they lost per capita income in 2020 will not fully recover in 2022. Even at the end of this year, the impact estimates that this ongoing pandemic will result in around 100 million people falling into the category of extreme poverty, especially for those who are the most vulnerable groups, such as women, children, and unskilled and informal workers (Susilawati, *et al.*, 2020).

This article will review the relationship between people's economic needs as a source of strain that results in increased crime rates during the COVID-19 pandemic. This study will look more contextually at the relationship between these conditions through the perspective of strain theory about the factors that encourage a person to commit a crime, especially those caused by the motive for fulfilling economic needs in Indonesia, after reviewing the sources of strain that lead to the increased crime during the pandemic COVID-19 in Indonesia will be formulated as an alternative solution to reduce crime growth.

## RESEARCH METHOD

This study is doctrinal legal research, which uses legal concepts and principles from all aspects as the basis of analysis to reveal the synthesis, guidelines, and values of specific interpretations of law (Hutchinson & Duncan, 2012). This research also refers to pure legal research, which questions the nature of law from various aspects. The research intends to explain the synthesis, principles, rules, norms, guidelines, and values of specific interpretations of law (Yaqin, 2007). The study uses secondary data such as books, journal articles, seminar papers, legal encyclopedias, newspapers, and official websites. The data are analyzed descriptively and qualitatively through literature study (Yaqin, 2007).

The research used a conceptual approach and a case approach. The conceptual approach is a type of approach that studies the views and doctrines of experts in legal science, so this research is also basically based on a theoretical framework. This study uses the strain theory and adaptation concept to examine the relationship between economic conditions and crime during the COVID-19 pandemic and solve the economic strain. In addition, a case approach is also described in this paper to see the actual conditions of the problems of economic strain that trigger crime and some examples of adaptation in several countries during the pandemic.

## RESEARCH OUTCOME AND DISCUSSION

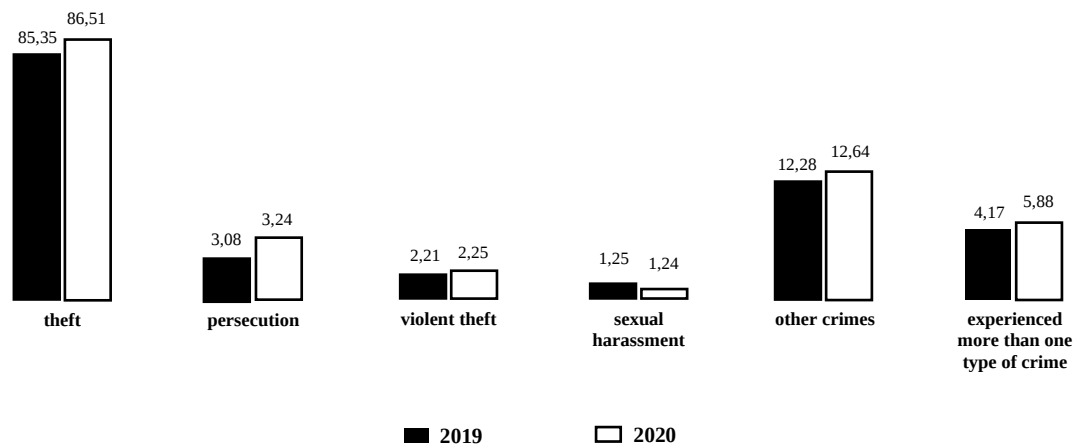
### 1) The Relevance of Poor Economic Conditions to the Rising Crime Rate in Indonesia

One of the main factors behind the emergence of crime lies in the unstable economic aspect of society. Historically, socioeconomic reasons have made many people intentionally or forced to commit crimes to meet their respective economic availability (Fleetwood, 2016). Especially during the pandemic, when the urge to commit crimes is higher because of the economic urgency of the community to fulfill their lives. In Mexico, for example, the soaring price of fuel and transportation at the beginning of the pandemic prompted some people to plunder in several places (Sandberg & Fondevila, 2022). Looting was carried out en masse and continuously in several shops and supermarkets (Animal Politico, 2020).

Apart from Mexico, a similar incident also occurred in African countries where the pandemic crisis brought a major catastrophe in the people's economy. Counting about 20 million people eventually lost their jobs, so the unemployment rate in some countries increased rapidly. In addition to triggering social unrest, this condition has also led to increased crime rates that have been very high throughout history (Lone & Ahmad, 2020). In Indonesia, the unemployment rate due to massive layoffs increased drastically at the beginning of the pandemic, causing a crisis in almost all sectors of the national economy (Iswara, 2020). The Central Statistics Agency noted that during the Indonesian pandemic, the poverty rate increased by more than 2.7 million people, showing how sad the economic condition of the people in the country is (Wijaya, 2021). The condition is becoming sadder, coupled with the increasing number of crimes. However, it is slightly different from some sample cases in several previous countries, where crimes are more dominantly committed by not "face to face" due to the influence of social restriction policies (Hasan, *et al.*, 2020). Undeniably, crimes seeking economic profit are also unavoidable, such as the theft of necessities in shopping centers or mini-markets (Hasan, *et al.*, 2020).

The 2021 Criminal Statistics (Badan Pusat Statistik, 2021) released that the population percentage who became victims of crime in the 2019-2020 period (when Indonesia experienced the economic crisis due to the COVID-19 pandemic) tended to soar, especially in cases of theft

crime compared to with other forms of crime. The data not only shows that the problem of theft in the early days of the COVID-19 pandemic became a major legal problem in Indonesia, but it also illustrates the increase in perpetrators of theft crimes. The number of victims also increased to 86.51 % in 2020 compared to the previous year, which amounted to 85.35%. More details about the data are in the following scheme (Badan Pusat Statistik, 2021):



**Percentage of victims by type of crime (2019-2020)**

As previously mentioned, theft during the pandemic is often related to the pressure to fulfill economic needs, which are very difficult to obtain during the COVID-19 pandemic. In addition, the nature of theft itself is always about the economic motives and social status of the perpetrators (Hedayati, 2012), so in the end, those who are in an economic downturn and social status take an illegal way out by stealing to fulfill their desires.

There is a close relationship between the economic downturn and the increase in crime. There is one “scary” formula that people keep in mind that draws the connection between the deteriorating economic situation of society and the growth of crime. According to the formula, even though it is not directly proportional, there is a positive relationship between the worsening economic condition of a society and the increasing number of crimes that occur in it. The logic is simple, rising unemployment and prices of necessities usually mark the deterioration of the community’s economy. Suppose the cost of meeting the necessities of life is increasing while the source of income is no longer there (at least shrinking). In that case, there are usually certain groups of desperate unemployed people. They will be willing to do anything, including theft,

robbery, kidnapping, murder, etcetera, for a mouthful of rice to survive with their families the next day (Martha, 2020).

As part of a social phenomenon, human crimes often relate to strain theory, crime as learning theory, and control theory (Encyclopedia of Crime and Justice, 2002). Among the three theories mentioned, the only strain theory has the most vital link to explaining the economic relationship with evil human acts, as proposed by Merton (1957). The theory explains that crime arises based on social strains to make perpetrators of ongoing stress so that they commit criminal acts as an option (Debnath & Das, 2017). The gap between desires and one's status makes him depressed because there is no lawful way to achieve this goal, so crime is the wrong way to achieve it. In this context, low economic status and inability to meet their economic needs trigger emotional strain that motivates them to commit crimes (Debnath & Das, 2017).

Against this view, Marxists also explain that crime is always related to several factors. In this case, he said that workers and the unemployed are involved in crime because they fail to achieve their economic goals through legitimate channels, coupled with seeing the environment of capitalists always looking for unlimited profits. Eventually, a condition was born where the emotional workers and unemployed who could not get a decent economy committed crimes (Debnath & Das, 2017). The Marxist view has succeeded in describing the relationship between economic prosperity and crime. People are empowered to commit crimes under pressure when their goals of economic prosperity are hampered. Therefore, the economic factors of crime are by the basic social theory of crime. Crime can be rooted in strains such as poverty, unemployment, and economic status.

In conditions such as the COVID-19 pandemic, the economic aspect becomes crucial for humans to survive to meet their needs. Nevertheless, poverty and unemployment increased, so in the end, they created a crisis in humans to commit certain criminal acts to satisfy their desire for economic needs. Income inequality and poverty at the community level can be associated with the experience of status and monetary strain, which can lead to anger and frustration (Campedelli, *et al.*, 2020), resulting in increased crime due to the influence of economic inequality in social interactions.

## **2) Preventive and Repressive Policies Adapting Economic Strains to Solve Crimes during the Pandemic**

The strain comes from the disconnection or strain between goals and the means to achieve them (Featherstone & Deflem, 2003). The distance between expectations and the ability to achieve them creates tension in individuals and groups with feelings of condition without norms (anomie) (MacNeill, *et al.*, 2021). Merton explains some ways to get out of this condition; *first*, accepting one's own goals with the availability of existing means to achieve the goal (confrontation); *second*, some people accept the goal but refuse to achieve it by the usual means (innovation); *third*, some people refuse to accept the goal but remain attached to the means available to achieve the goal; *fourth*, individuals or groups can at the same time reject the goal as well as the means (retreatism); and *fifth*, some chose to flee or back away from the goal and its means (rebellion) (Murphy & Robinson, 2008).

This adaptation to strain has always been associated with social psychology to describe variations in group cohesion and the direction of social action under stress conditions (strain) (Sadri, *et al.*, 2019). Merton included the term "adaptation to structural strain" to examine how a strain can occur in the macro-social sphere under stressful conditions (Merton, 1938). Strong social support can be the answer to fighting stress in individuals and groups (Cohen & Wills, 1985). A supportive social structure creates a social network that can moderate the effects of stress on each individual (Cohen, 2013).

The role of the community is not enough to encourage the acceleration of adaptation to stress. In this context, apart from the people trying to adapt, the state, through the Government, should also be able to become a driving force for economic resilience in the community. Although Indonesia has issued several policies to promote national economic stability, the fact is that these policies are not sufficient to ensure that the majority of people can meet their economic needs. One example of this policy is social assistance funds to communities affected by the pandemic, which are still reaping severe problems. Among the many problems that befallen, the inappropriate targeting of social assistance due to inaccurate recipient data also opens up great opportunities to misuse funds (Wahyuni, 2021).

The weak supervision system for the distribution of social assistance also causes the funds to not reach the recipients in need (Wahyuni, 2021). The corruption problem of official

authority is a phenomenon that almost occurs in every distribution of social assistance funds to the public during the pandemic. It is recorded from data released by the Indonesian National Police (Polri) that there are at least 102 cases of alleged misappropriation of social assistance funds throughout Indonesia by public officials from the central to regional levels (CNN Indonesia, 2020).

The more complex the problems in the Government's program appropriate it is for the Government to fix some things in the economic recovery policy. In addition to improving the data collection system for recipients of social assistance, strengthening coordination and supervision between institutions to ensure that the distribution of social assistance is right on target is the key to the program's success. Coordination and supervision between these institutions are carried out in the form of "checks and balances" by the Governor and Regent/Mayor as the main actors at the local level in the distribution of social assistance. At the same time, the Coordinating Minister for Human Development and Culture (Menko PKM) and the Minister of Social Affairs are actors at the central level. Although the abuse of authority in the distribution of social assistance may still occur, at least coordinating and supervising each other between the institutions involved (internal control) coupled with clear transparency to the public (external control) can be the best way to minimize the problems.

Thus, preventive policies for adapting to economic strains during the pandemic are not enough without involving repressive efforts as a compliment. The law enforcement order is the primary domain for implementing this idea. The role of law enforcement officers in ensuring social order due to economic strains during the pandemic can also be measured by how effective law enforcement is for crimes that arise. In addition, implementing strict law enforcement for crimes in times of economic strain against specific individuals and public officials may provide a deterrent effect for perpetrators, so there will not be any repetition of these violations in the future. It will also imply improvements for perpetrators and general protection for the community (Arief, 1996).

In this case, the idea of law enforcement policies that adapt to economic strains means that by enforcing the law against crimes during a pandemic, more people will feel safe and not under pressure (stress) as the primary source of strain (Sadri, *et al.*, 2019). Indirectly, this effort

has a strong correlation aimed at solving the main problem of increasing crime during the pandemic in Indonesia, namely economic strain. In order to realize this policy, law enforcement officers must first understand that the crucial aspect of the emergence of crime during the pandemic is dominated by the poor condition of the economy so that it has the opportunity to be used as a *modus operandi* for violating the law.

Although almost all countries have implemented a “new normal” policy for their people (Neville, *et al.*, 2021), the economic impact of the pandemic does not necessarily recover quickly due to social distancing, especially in Indonesia as one of the factors of the economic downturn is still in effect. With law enforcement officers who also adopt the concept of economic strain as a result of crime during the pandemic, it is undoubtedly more accessible for them to uncover cases related to specific individuals in the community to cases involving public officials abusing their authority.

Adapting economic strains in law enforcement is to assist law enforcement officers in monitoring better, tracking, and disclosing the facts behind crimes. This policy applies particularly to economic crimes, such as corruption, that public officials often perpetrate during the pandemic. In addition, the low trust of the majority of public officials is also a problem. The law is considered only for beneficial interests, and the interests of certain elite groups make law enforcement conditions often not in favor of the community. Severe punishments are given to people who commit crimes, while corrupt officials are allowed to go free. It indicates that the Indonesian nation’s legal culture is still low.

With strict law enforcement against corruption, the public will indirectly have more confidence in the apparatus and the system. For this reason, the legal culture that develops in Indonesia is very fragile. The practice of law often gives birth to impartiality in the community. As a result, it creates a crisis of public confidence in the law and its officials who use it for pragmatic interests. There is a legal crisis, the law is no longer rooted, and the legal culture is unintegrated into the order of people’s lives (Hamzani, *et al.*, 2019).

While the COVID-19 pandemic is causing unprecedented social and economic impact worldwide, corruption threatens economic growth, sustainable development, and trust between governments and their citizens. The importance of law enforcement against corruption cases

with severe sanctions during the pandemic can simultaneously maintain the stability of economic recovery efforts during the pandemic (Bandiera, 2021).

## CONCLUSION

This study concludes with two conclusion variables; *First*, the COVID-19 pandemic, which has prompted a prolonged economic crisis in Indonesia, is in line with the rapid increase in crime in society. These dire economic conditions illustrate the social tensions that make people stressed because they cannot meet their economic needs during the pandemic; with their inability to meet these needs, they chose crime as a way to achieve them. The relationship between economic conditions and crime illustrates how strain theory occurs in these cases. The difficulty of meeting economic needs to survive is a motivation to commit crimes during a pandemic. *Second*, the economy is the most influential strain in crime during the pandemic; thus, adapting to this strain is the key to getting out of the problem. The preventive efforts in adapting to the economic strain are by strengthening coordination and supervision between institutions providing economic recovery to avoid misuse of social assistance policies. At the same time, the repressive policies are through law enforcement practices for crimes that arise during the pandemic, both by the community and by some public officials with corruption crimes.

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