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Factors of Enviromental Crime: A Criminological Approach

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Abstract: *This research examines environmental crimes based on case studies in Indonesia through the perspective of environmental criminology theory. Using the literature study method, this research explores the driving factors of environmental crimes. The results show that weak environmental law enforcement, corruption, administrative failure, social and economic inequality, and criminal conspiracy by corporations and the state are significant factors that contribute to environmental crimes. Thus, theoretically, environmental criminology theory is able to provide the causes of environmental crimes as well as the perpetrators and victims of environmental crimes.*

Keywords: *Environmental Crime, Criminology, Environmental Criminology Theory*

Introduction

Environmental crime is one form of crime that is increasingly worrying, especially in developing countries such as Indonesia. It encompasses a wide range of illegal acts that damage the environment and natural resources, such as illegal logging, air and water pollution, and destruction of natural habitats. The impact of these environmental crimes is extensive, not only causing physical damage to the environment, but also causing profound social and economic problems. The environmental damage caused by these crimes can threaten public health, damage livelihoods, and reduce the quality of life. In Indonesia, environmental crimes are often overlooked in public and academic debates, despite their significant impact. For example, illegal logging in the tropical rainforests of Kalimantan and Sumatra has led to drastic declines in biodiversity and local climate change. Industrial pollution in major rivers such as the Citarum has contaminated water sources vital to millions of people. These crimes not only threaten ecosystems, but also generate social conflicts and exacerbate economic inequality (Aranda, 2020).

This research aims to analyze environmental crimes in Indonesia using a criminological theory approach. By utilizing criminological theories, this research will identify the factors that drive the occurrence of environmental crimes as well as the obstacles in handling them. Through this approach, it is hoped that a deeper understanding of the mechanisms involved in environmental crime can be found and how criminological theories can be applied to address this issue. Criminological theories offer various perspectives to understand the phenomenon of environmental crime. For example, Environmental Criminology Theory, developed by Rob White, provides a framework for understanding how environmental crime is not only influenced by economic and social pressures, but also by power and policy dynamics (Kojima, 2021). White argues that environmental crimes often arise from structural inequalities, where less powerful groups are victimized by the negative environmental impacts of activities that benefit more powerful groups. In addition, weak law enforcement and environmental monitoring exacerbate this situation, creating conditions where environmental crimes become more common and difficult to control. This approach allows for a more in-depth analysis of the factors that drive environmental crime, focusing on the interaction between policy, power, and social injustice (Rynaldi *et al.*, 2024).

This research will also explore relevant case studies to illustrate how environmental crimes occur on the ground and how criminological theory can be applied to identify effective solutions. Case studies will include instances such as industrial pollution, illegal logging, and natural resource conflicts, as well as how social, economic, and political factors interact in these contexts (Mancheri, 2019). With a better understanding of the factors that drive environmental crimes and the barriers to tackling them, this research is expected to make a significant contribution to the mitigation and prevention of environmental crimes in Indonesia. In addition, this research also aims to formulate policy recommendations that can help improve the legal framework and increase the effectiveness of law enforcement in the context of environmental crimes (Wen, 2023).

Methodology

This research uses the literature study method to examine environmental crime in Indonesia with a criminological theoretical approach(Cho, 2019). This method involves collecting and analysing relevant secondary sources, including books, academic journals relating to environmental crime to ensure the information is relevant and up-to-date on the crime(Bangun, 2020). The analysis process involved comparing various theoretical views and case study examples, in order to develop a comprehensive understanding of the causal factors that influence environmental crime. With this method, the research aims to provide in-depth insights that can help formulate more effective mitigation and prevention strategies (Bouazza, 2021).

Result and Discussion

The results of the literature review show that environmental crimes in Indonesia are influenced by several main interrelated factors, namely weak law enforcement and high levels of corruption in the environmental sector. Despite a number of laws designed to protect the environment, implementation and enforcement often fall short of expectations.

a) Weak Law Enforcement

Weak law enforcement is one of the main factors causing the high number of environmental crimes in Indonesia. Although there are laws such as Law No. 41/1999 on Forestry and Law No. 32/2009 on Environmental Protection and Management, the implementation of laws in the field is often ineffective. In the perspective of Environmental Criminology according to White (2021), this weak law enforcement creates opportunities for environmental crimes, as perpetrators feel that the risk of being caught and punished is low (Myers, 2020). White explains that the inability to enforce laws consistently and firmly allows environmental offences to become something 'acceptable' or even considered part of the norm in a society experiencing environmental degradation (Riani Putri *et al.*, 2021).

b) High Levels of Corruption

Corruption is a major problem in environmental law enforcement in Indonesia, which also contributes significantly to environmental crime. Rob White highlights how corruption exacerbates environmental crime by creating systems that facilitate lawlessness. In the case of Indonesia, corruption at both local and national levels often involves bribing government officials or law enforcement officers to obtain permits or protect illegal activities such as illegal logging. According to White (2021), this corruption exposes structural inequalities where power and money allow perpetrators to exploit natural resources without considering their environmental impacts, thus exacerbating environmental degradation and increasing the risk of environmental crime (Umam, 2021).

Mustofa (2013) argues that in the business world, there is a tendency for companies or corporations to commit violations or actions that harm the environment in order to pursue greater profits. This view reflects the reality that some companies focus more on short-term financial gains than on the long-term environmental impacts of their business activities. Some companies may consider

environmental violations as a 'given' or a smart business strategy, as they believe that by reducing operational costs or ignoring environmental obligations, they can directly increase profits. Therefore, it is difficult to prove the involvement of individuals responsible for environmental crimes committed by corporations. This is due to the complexity of environmental issues that are often complicated by the politics of 'denial'. According to White (2002) this politics of denial serves to obscure, ignore, or redefine social and environmental harm in ways that reduce its relevance to both academic criminological studies and criminal justice interventions by the state (Franklin, 2024).

c) Lack of Supervision and Strict Legal Action

Lack of supervision of activities that damage the environment also contributes to the high rate of environmental crime in Indonesia. White (2014) reveals that weak and ineffective supervision allows environmental crimes to flourish unhindered. White (2014) asserts that without adequate supervision, illegal activities can take place without fear of legal consequences. The lack of firm and effective legal action also reflects weaknesses in the legal system that is supposed to protect the environment, but instead allows offences to continue without sufficient deterrent effect (Fadila, 2024).

d) Administrative Failure

White (2014) argues that administrative inability to monitor and enforce environmental standards creates conditions that allow pollution to continue to occur. The lack of capacity to oversee and crack down on environmental violations reflects a structural gap that allows interested parties to exploit the situation to their advantage, while the negative impacts are felt by society and the environment (Crouch, 2019).

e) Social and Economic Factors

Social and economic factors also play an important role in environmental crime. According to White (2021), economic dependence on natural resource exploitation often drives individuals and companies to break regulations for short-term gain. White notes that in societies where social and economic disparities are large, environmental crime is often seen as a practical solution to economic problems, albeit with long-term, environmentally damaging consequences. In this sense, it can be inferred how social and economic injustice drives environmental crime, where perpetrators with low economic status are the most vulnerable victims or both perpetrators and victims of environmental damage (Panjaitan, 2021). Overall, Environmental Criminology theory approach provides a framework for understanding how various structural factors, such as weak law enforcement, corruption, lack of oversight, administrative incompetence, and social and economic pressures, are intertwined and create conditions that favour environmental crime in Indonesia. Addressing these issues requires a comprehensive effort to strengthen the legal system, reduce corruption, improve administrative capacity, and address the social and economic inequalities that underlie environmental crime (Zafri Ramadhoan *et al.*, 2024)

Conclusion

This research concludes that environmental crime in Indonesia is a complex problem influenced by various factors, including weaknesses in law enforcement and corruption. To reduce environmental crime, a comprehensive approach is needed that involves strengthening the legal framework, increasing the capacity of law enforcement, and raising public awareness. In addition, the application of criminological theories in analysing environmental crimes can provide a new perspective that is useful to seek the truth of the factors that cause environmental crimes.

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