

Law Enforcement Against Children as Underage Motorcyclists at the South Bolaang Mongondow District Police

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The increasing use of motorcycles among minors is a concerning phenomenon because it is not balanced by legal awareness and traffic safety. This study aims to analyze law enforcement against children as underage motorcyclists and identify the factors that influence it in the Bolaang Mongondow Selatan Regency Police area. The method used is qualitative research with a descriptive approach, through data collection techniques such as interviews, observation, and documentation. The results of the study indicate that law enforcement is carried out through three main approaches: preventive, repressive, and coordinative. The preventive approach is realized through socialization and patrols, the repressive approach through warnings, tickets, and summoning parents, while the coordinative approach through cooperation with schools, parents, and local governments. However, the effectiveness of law enforcement is still influenced by factors such as a suboptimal legal structure, low public awareness, and strong socio-cultural influences that are permissive towards violations. The conclusion of this study confirms that law enforcement has been carried out systematically, but requires strengthening synergy between the authorities, the community, and the social environment to improve legal compliance and traffic safety in a sustainable manner.

Keywords: Minors, Police, Law Enforcement, Traffic, Motorcycles

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1. Introduction

In modern society, motorized vehicles have become the primary means of supporting mobility and daily activities. Ease of access and ownership of vehicles, particularly relatively affordable and practical motorcycles, has led to a significant increase in the number of vehicles on the road. However, this increase is not always accompanied by awareness of the law and traffic safety, especially among children and adolescents. The phenomenon of minors riding motorcycles without a driver's license (SIM) is still common, even though Law Number 22 of 2009 concerning Traffic and Road Transportation explicitly requires a minimum age of 17 years to obtain a driver's license. (Solikin, 2019).

Traffic awareness should be a shared responsibility for both drivers and road users. Drivers must understand that road safety is paramount and must be achieved together. Awareness and a willingness to obey existing traffic regulations are essential, as driving involves the rights of others, which must be respected by all road users. (Sujana, 2024). Traffic police play a preventive and enforcement role within their political function. In addition, traffic police also perform regulatory functions (for example, regulating the requirement for certain motor vehicles to be equipped with safety triangles) and enforcement functions, particularly in licensing or commencingstiging (for example, issuing driver's licenses).

Traffic violations have become a serious problem affecting various groups, including underage schoolchildren who should still be under parental supervision when driving motor vehicles. Traffic violations are also a growing social problem, involving various age groups, including underage schoolchildren. This

phenomenon shows that it's not only adults who violate road rules; children and adolescents are also involved.

This situation also occurs in the jurisdiction of the South Bolaang Mongondow Regency Police, where data shows an increase in the number of underage motorcyclists from year to year. Based on data from the South Bolaang Mongondow Police in 2025, the number of underage motorcyclists has increased annually. In 2022, there were 20 cases of minors riding motorcycles recorded between January and December. This number increased significantly in 2023, where there were 21 cases during the same period. This increase continued into 2024, with 26 cases from January to December. And in 2025, the number reached 30 cases from January to December. This quite sharp increase from year to year indicates a trend of increasing traffic violations committed by minors. Field findings show that many students still ride motorcycles without a driver's license and safety equipment, indicating that the implementation of traffic regulations for minors is not yet optimal. This underscores the urgency of conducting more in-depth and contextual research to identify problems and formulate effective solutions. Research (Sari and Prasetyo, 2021) in the *Scientific Journal of Legal Policy* also states that traffic law education needs to be strengthened in schools and communities to foster legal awareness from an early age.

Based on the description, this study aims to analyze traffic law enforcement against underage motorcyclists in the jurisdiction of the South Bolaang Mongondow Regency Police, and Analyze what factors influence law enforcement against children as underage motorcyclists in the South Bolaang Mongondow Regency Police. This study is expected to provide scientific contributions in the form of new empirical studies at the regional level as well as practical recommendations for the police, schools, parents, and the community in increasing awareness and traffic safety from an early age.

2. Literature Review and Problem Statement

Law Enforcement Theory

Law enforcement as a process is essentially the application of discretion which involves making decisions that are not strictly regulated by legal rules, but have an element of personal judgment. (Solikin, 2019). Law enforcement theory emphasizes that the effectiveness of legal norms depends on the interaction between legal structure, legal substance, and legal culture, as formulated by Friedman (1984). Soerjono Soekanto explains that law enforcement is the process of harmonizing legal values with social behavior to maintain order and justice, while Satjipto Rahardjo views law enforcement as a human-centered process aimed at realizing substantive justice. In the context of children in conflict with the law, the protection theory developed by Philipus M. Hadjon and reinforced in the Indonesian Child Protection Law emphasizes that law enforcement must guarantee the best interests of the child. Furthermore, punishment theory distinguishes between retributive, preventive, and combined approaches (Sudewo, 2022), suggesting that sanctions against children should prioritize educational and restorative goals over purely punitive measures. Previous studies generally agree that traffic law enforcement requires both preventive and repressive measures; however, some findings suggest that overreliance on punitive measures may conflict with child protection principles and fail to create long-term behavioral change.

Despite the extensive discussion on law enforcement, child protection, and punishment theory, there remains a gap in empirical research examining how these frameworks are integrated in practice, particularly in the case of underage motorcyclists. Most previous studies have focused on general traffic violations or on juvenile justice in criminal cases, without specifically analyzing the balance between law enforcement effectiveness and child protection principles in the context of traffic law. Inconsistencies also exist between the goal of prevention and the obligation to implement diversionary and restorative approaches for children

under the Juvenile Criminal Justice System Law. Based on this gap, this study addresses the following question: how is traffic law enforcement against underage motorcyclists implemented in practice, and to what extent does it reflect the principles of legal effectiveness, child protection, and proportionate punishment? This study aims to provide an analytical assessment of whether current law enforcement practices achieve legal order while protecting the best interests of children.

Theory of Punishment

Punishment is an essential part of criminal law, as it represents the culmination of the entire process of holding someone guilty of a crime accountable. Criminal law without punishment means declaring someone guilty without any definite consequences for their wrongdoing. Therefore, the concept of guilt has a significant impact on the imposition of punishment and its implementation. If guilt is understood as blameworthy, then punishment is the embodiment of that blame. (Laia & Nari-nari, 2025)

Criminal law recognizes 2 (two) types of punishment regulated in Article 10 of the Criminal Code, namely, First; the main punishment, the death penalty, imprisonment, detention, fines. Second; additional punishment in the form of; revocation of certain rights, confiscation of certain items and announcement of the judge's decision. The weakness in the criminal system in the Criminal Code, if the perpetrator of the crime of sexual violence against children is proven and suffers from a mental illness in this case as a pedophile, then if referring to the criminal paradigm adopted by the Criminal Code, there is a weakness in terms of providing criminal responsibility. This questions the ability to be responsible of the perpetrator. With such problems, it can have implications for the elimination of criminal penalties as known in the Criminal Code as a reason for eliminating criminal penalties related to reasons for forgiveness. (Hotan & Jeferson Kameo, 2024)

Legal Protection For Children

In its development, legal protection for children is also regulated in Law No. 11 of 2012 concerning the Juvenile Criminal Justice System. Legal protection for children in Indonesia is regulated in various laws and regulations, but is specifically regulated in Law No. 23 of 2002 concerning Child Protection.

According to Article 1, Number 2, of Law Number 23 of 2002 concerning Child Protection, it is stated that: Child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity and honor, and receive protection from violence and discrimination. Law Number 23 of 2002 concerning Child Protection includes:

1. Protection in the field of religion
2. Protection in the field of health
3. Protection in the field of education
4. Protection in the field of social affairs
5. Special protection

3. Method

This study uses a qualitative research type with a descriptive approach, which aims to understand in depth the implementation of law enforcement against minors who ride motorcycles along with the obstacles and strategies implemented by police officers. The study was conducted in the jurisdiction of the South Bolaang Mongondow Regency Police, which was chosen due to the high number of traffic violations by minors. Research informants numbered around 6–10 people who were selected purposively, consisting of police officers from the traffic division, minors who had committed violations, and their parents, who were considered to have relevant information. The data used included primary data obtained through interviews

and observations, as well as secondary data from related documents and literature. Data collection techniques were carried out through interviews, observations, and documentation, while data analysis used qualitative techniques through the stages of data reduction, data presentation, and drawing conclusions.

4. Results and Discussion

Aspect	Description
Key Findings	Research results show that law enforcement is carried out through three main approaches: preventive (socialization and patrols), repressive (warnings, tickets, and confiscation), and coordinative (collaboration with schools, parents, and the government). The preventive approach is the most dominant, but it is not yet fully effective in changing children's behavior.
Comparison with Previous Research	These findings align with law enforcement theory, which emphasizes the importance of a balance between preventive and repressive efforts. However, unlike several previous studies that demonstrated the high effectiveness of preventive approaches, this study found that local social and cultural factors contributed to their suboptimal effectiveness.
Phenomenon and Explanation	The findings suggest that despite increasing children's knowledge of traffic rules, violations still occur. This is influenced by legal structure factors (lack of consistent enforcement), societal factors (low awareness and social control), and sociocultural factors (habits and peer influence).
Preliminary Conclusions	Law enforcement has been operating quite well systematically, but its effectiveness is still influenced by external factors. Strengthening synergy between authorities, communities, and families is needed to improve legal compliance sustainably.

Law Enforcement Against Children as Underage Motorcyclists

Based on research findings, the direction of law enforcement carried out by the South Bolaang Mongondow Regency Police Traffic Unit shows a systematic, gradual, and integrated pattern through preventive, repressive, and coordinative approaches. This pattern conceptually reflects the modern law enforcement paradigm that no longer relies solely on repressive measures, but also emphasizes prevention and collaboration with various parties. Thus, law enforcement is positioned not only as an instrument for controlling behavior, but also as a means of fostering legal awareness from an early age. The initial implications of these findings indicate that the effectiveness of law enforcement is greatly influenced by the ability of officers to combine educational approaches, direct supervision, and social involvement in the community.

In an effort to strengthen the validity of the findings, the results of this study indicate a consistency with various previous studies that confirm that a preventive approach through traffic education in schools plays a significant role in increasing children's legal knowledge and awareness. However, this study also reveals a significant difference, namely that this increase in understanding is not directly proportional to changes in behavior. This discrepancy can be explained by the characteristics of the study's social context, where environmental factors, social customs, and weak parental supervision remain dominant determinants that hinder the process of internalizing legal values in children. In other words, the legal knowledge obtained has not been fully internalized into compliant behavior.

This phenomenon is theoretically in line with the legal awareness approach, which states that compliance with the law is not only determined by an individual's level of knowledge but is also greatly influenced by

external factors, such as the social environment, culture, and prevailing social controls. In the context of this research, although the preventive approach has been implemented in accordance with theoretical expectations, its effectiveness has not been optimal due to the lack of support from conducive social conditions. Meanwhile, the repressive approach, which is implemented in a gradual, measured, and humane manner, demonstrates consistency with the principles of child protection, particularly in prioritizing the aspect of development over punishment. Nevertheless, the intensity and consistency of enforcement still need to be strengthened to create a more tangible deterrent effect for violators.

Based on these findings and interpretations, a preliminary conclusion can be drawn that law enforcement against underage motorcyclists has been implemented systematically and incorporates various relevant approaches. However, its effectiveness still depends heavily on the synergy between preventive efforts, the decisiveness of repressive measures, and the effectiveness of coordination with external parties such as families and the community. Therefore, strengthening the integration between these approaches is crucial for improving the success of law enforcement. This preliminary conclusion also opens up space for further analysis, particularly regarding more comprehensive and contextual intervention strategies to encourage more sustainable behavioral change.

Factors Influencing Law Enforcement Against Children as Underage Motorcyclists

Based on the research results, the direction of findings regarding the factors influencing law enforcement indicates the dominance of three main dimensions: legal structure, society, and socio-cultural aspects. These three factors do not stand alone, but interact with each other and form a system that determines the level of effectiveness of law enforcement in the field. In this context, law enforcement cannot be understood narrowly as a mere activity of the apparatus, but must be seen as a social process influenced by environmental conditions, evolving values, and the level of community participation. The initial implication of these findings confirms that the success of law enforcement is highly dependent on the balance between the performance of law enforcement officers and social support from the community.

When compared to previous literature, the findings of this study demonstrate consistency with legal system theory, which states that legal effectiveness is influenced by the structure, substance, and culture of the law. In this study, the legal structure aspect has been implemented through various preventive and repressive efforts undertaken by the police, but its implementation has not been fully optimal, especially in terms of consistency of supervision and intensity of enforcement. On the other hand, societal and sociocultural factors actually show a more dominant influence compared to several previous studies, particularly in terms of the formation of normalization towards traffic violations by minors. This difference can be understood as a consequence of local characteristics of the community, which tends to be permissive and has a relatively high level of tolerance towards such violations.

Theoretically, this phenomenon can be explained through the concept of legal culture, which emphasizes that values, customs, and patterns of social interaction within a society play a significant role in shaping individuals' legal behavior. Research findings indicate that underage motorcycle riding behavior is influenced not only by legal knowledge but also by environmental habits and peer pressure. This indicates that when violations become part of social practices considered normal, compliance with the law tends to decline. Thus, these findings align with theoretical predictions that a permissive societal culture will weaken the effectiveness of law enforcement.

However, there are inconsistencies in the legal structure, where despite various efforts by law enforcement officials, the results are less than optimal. This situation can be explained by several factors, such as limited patrol intensity, uneven distribution of personnel, and a tendency to prioritize education over firm enforcement. As a result, the expected deterrent effect has not been fully realized, resulting in continued

violations. Furthermore, the interaction between societal and sociocultural factors demonstrates a complex dynamic, where low legal awareness is reinforced by collective habits that indirectly legitimize violations. This condition creates a social cycle that is difficult to break, as deviant behavior is influenced not only by a lack of supervision but also by the social acceptance that develops in the surrounding environment.

Based on these findings, we can draw a preliminary conclusion that the factors influencing law enforcement are multidimensional and closely interrelated. Limitations in the legal structure, low levels of public awareness and participation, and the strong influence of a permissive socio-cultural landscape are key obstacles to effective law enforcement. This conclusion provides an important basis for further analysis, particularly in formulating a more comprehensive law enforcement strategy, oriented not only toward strengthening the performance of law enforcement officers but also toward transforming legal culture and increasing public involvement as an integral part of the legal system itself.

5. Conclusion

Based on the research results, it can be concluded that law enforcement against underage motorcyclists in the Bolaang Mongondow Selatan Regency Police area has been implemented through an integrated approach, encompassing preventive, repressive, and coordinative aspects. This approach demonstrates a law enforcement orientation that focuses not only on enforcement, but also on guidance and prevention. However, its effectiveness has not been fully optimal, especially in consistently encouraging changes in children's behavior, thus indicating a gap between increasing legal understanding and compliance practices in the field. Furthermore, the factors influencing law enforcement show a complex and interrelated character, encompassing legal, societal, and socio-cultural aspects. Limitations in consistent supervision by officers, low public awareness, and a strong permissive culture towards violations are the main determinants that hinder the effectiveness of law enforcement. The interaction of these three factors emphasizes that the success of law enforcement is not only determined by the officers, but also by the support of the social environment and legal culture that develops in the community.

This study has limitations in that its scope is still limited to one specific region, and the data is predominantly qualitative through interviews. Therefore, the generalizability of the findings cannot reflect broader conditions. Therefore, the author believes it is important for further research to expand the scope of the research area to obtain a more representative picture, and to combine quantitative approaches to strengthen the validity of the findings. Furthermore, a more in-depth study of policy aspects and the development of community-based intervention strategies is also needed to provide a more comprehensive contribution to formulating an effective and sustainable law enforcement model.

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