

## The Determinants Identification of Female Recidivists

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**Abstract:** The aim of this research is to analyze female determinant who turned to be a recidivist in detention center class 1 makassar. A case study of qualitative approach was used in this research and six informants were chosen purposively as subjects of the research. The data was gained by doing an in-depth interview and used a componential analysis. The result of this research shows that female determinant could turned back to be a criminal and carried the status as a recidivist because of the husband's pressure, labelled as an ex-criminal such as humiliation and rejection from her family and society, the basic living needs that must be fulfilled soon and consumptive lifestyle like used to live extravagantly and could not be able to balance between her outcome and financial condition.

**Key words:** Identification, determinant, former convict, female, extravagantly

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### INTRODUCTION

The achievement of a detention center or penitentiary in constructing the convicted criminal is measured by lessen amount of recidivist. Prodjodikoro (2012) stated that if someone is sentenced for a punishment of a crime and after serving time she/he does over any kind of crimes again, it is then known as a former convict or recidivist that ensued for harder punishment or even receive maximum punishment for that. Even their punishment becomes harder but some of prison inmates keep on doing an injustice after leaving detention center or penitentiary and turns to be a recidivist.

Furthermore, the statement above is strongly supported from the data that was obtained by the researcher from the center of criminal information of indonesia national policeman. Based on the percentage of criminal cast based on recidivist status and sexes in Indonesia from 2009-2011, it was well said that in 2009 the percentage of criminal cast according to recidivist status 36.3% was male and 27.3% was for female. In 2010, the percentage of male recidivist was about 36.4 and 26.9% for female. During 2011, there was a derivation for male to the number 3.37 while on the other hand, woman increased to 31.8%. This was an interesting image to be analyzed of how the proportion of criminal cast with the status of recidivist both male and female, fluctuated in each year. In 2010 for instance, female former convict had been around a little bit of reduction than in 2009. Whereas in 2011, number of male recidivist went down drastically and whereas female rose. But again, it is not the number to be

figured out but further of how woman engages in a matter of crime and turns to be former convicts. The data of detention center class 1 Makassar in the end of 2014 showed that there were about 19 women judged as a former convict. Most of them were did crime suit twice or even four to six times of criminal cases. Type of criminal generally did not need any power nor strength such as robbing, peculation and drugs whether being as a user, seller or courier. They definitely had their own reason why they kept on doing the wrong thing and turned to be a recidivist. Generally, those recidivist were a mother who properly being a guide and protected their children. However, they showed poor example for their own generation.

According to there was a significant correlation between label and stigma in the period of a teenager as an ex-criminal which caused someone will commit crime time after time and it will be more serious when they become an adult. This means that stigma that is given to an ex-criminal will influence him/herself to be a recidivist 1 day.

Research that was done by indicated that a convicted criminal who became a recidivist had an excessively negative feeling to themselves and tended to underestimate their own ability to survive beyond the world without doing such a crime. They had already convinced that society negatively judged them.

Sirakaya (2006) showed the result of his research that social interaction was one of the significant factor towards recidivist in all kind of gender, ethnic and human race. Risk of female recidivist was lower than male. A

female criminal whose age up to 20 year old is lower in repeating crime if was compared to a female criminal who was under 20. In other words, the younger the convicted criminal is the easier they turned to be a recidivist rather than the older one. An issue of ethnic and race background are also important. A black men and an Indian American will have a high risk to be a recidivist. Seen from the type of violation, a criminal who is punished because of robber and drugs commercial will have a higher chances to be a recidivist rather than a murderer. The intense-using of drugs can raise a violation risk in multiple times. The one who commit as a drugs user will stay involved in vary of violation if only to fulfill their habit, lastly, a higher level of supervision showed a higher danger of recidivist as well. One clear possible explanation for this is the convicted criminal who is under a tight surveillance will always get a close supervision and has little chances to comit crime without being detected. But when there is a chance, they directly use that chance to do another crime. However, there is a possibility to commit more serious crime and they will get used to it.

Cid (2009) in his research under the title *Is Imprisonment Criminogenic A Comparative Study of Recidivism Rates between Prison and Suspended Prison Sanctions*, figured out that sanction of the prison did not cut down someone to over-commit crime. Actually, prison aimed to high level of recidivism, compared to test-proof punishment. There were some possibilities of convicted criminals had been around of self-definition process as a doer. Else, after leaving the prison, they found a barrier in building a social relation. This kind of factor did not valid for the one who got a test-proof punishment. Beside that, there is connection among criminal transcript recidivist, former arrest, financial problem, abuse of drugs and type of sanction. While on the contrary, age, gender, kind of violation and nationality did not significantly influence the recidivist. From all the explanation above, therefore the researcher interested to have a further investigation of female recidivist. The main aim is to analyze those determinants why female turned to be a recidivist.

## **MATERIALS AND METHODS**

Qualitative method was applied in this research. To, qualitative method is used to study things and its natural context. It is such an effort to understand and interpret meaning of phenomenon from the view of researcher. By using qualitative methods, it enables the researcher to comprehend female former convict personally and beheld views on their own. In this research, the informant revealed their selves as a recidivist where things were uncovered from their own vision. Beside qualitative method, a case study is also used in this

research. According to boundedness and behavior systemic patterns are keys to get the meaning of a case. However, to understand things and get more views of female former convict, the researcher then intensively conducted the research in details to get data more accurately.

Yin (2002) distinguished three types of case study, they are explanatory, exploratory and descriptive. The type of case study which used in this research was a case study with descriptive analysis as because this research aimed to outline female determinant to be a former convict. The researcher purposively decided detention center class 1 Makassar as a place of the research upon some considerations such as:

- Strategic location that could be easily reached out by using public transportation
- The number of female former convict in detention center class 1 makassar was greater if compared with other detention centers
- Kind of criminals seemed highly varied
- The completeness data of female recidivist. Data included name of former convict, address, type of crime and number of crimes they did. The researcher interviewed prison officers and ex-prisoner who sold things around detention center

Principally, the data in this research was a primer data which was collected by doing direct in-depth interview with the main informants. Main informants were six female recidivist who were serving their punishment in detention center class 1 Makassar. Besides, secondary data is a supporting facts that was gained from some related available documents in institutes such as regional office of ministry of justice and human rights and detention center class 1 makassar.

Technique of data analysis in this researcher was a componential analysis technique. Technique of componential analysis is used in qualitative analysis in order to analyze elements that contrast related one another in domains that had been determined then to be analyzed more detailed. In this research, those elements that were considered to have a contrast connection would be sorted by the researcher and henceforth to be found the right terms for them.

## **RESULTS AND DISCUSSION**

Female determinant for being a recidivist is vehemently related to the characteristic of informant such as low social economic status and inharmonious family. But it does not mean that informant characteristic becomes the main determinant of someone to be a

recidivist. Not all of ex-criminals had a similar characteristic to an informant, who just turned to be a recidivist. However, social economic status and inharmonious family were not a singular determinant. There must be other determinant out there that mutually correlated and needs to be found out. From the in-depth interview with six main informants, it was procured another determinants of being a female recidivist.

**The pressure of husband in a household:** Pressure by her husband in their household triggered informant to be a recidivist. Various prohibitions to informant's life felt like living in under pressure. Some kind of interdictions were prohibition for not working outside their house for not going out from their house and for not getting along with her friends.

After being married, MR's desire in helping husband for household expenses was rejected by her husband. Informant thought making cookies which she skilled on, could be helpful for her family's life. Informant was pretty sure that making cookies, selling it in front of her house and marketing it in food stall might earn profit. In informant's thought, money that was gained from selling cookies could cut down household's necessity and could be used for her personal needs. Unfortunately, her husband banned and ordered her to do domestic/internal works in their house.

So, did informant RB. After married to her second husband, she had an eager desire to work, like she used to do before getting married with her second husband. Regrettably, her husband disagreed to her longing. Her husband wanted her to stay in their house and only took care of domestic jobs. Furthermore, her husband used to lock her in if he had to work. Prohibition for not going out from their house was tightly done to his wife. If her husband found out that she had gone out from house, her husband blew an anger to her.

Reasons for husband to do such prohibitions as because of cultural situation where functions and roles of female were bordered by values system and particular norms. The difference behavior of woman and man does not emerge because of innate factor since birth but more caused by social cultural of society that distinguish deals toward woman and man since their early stage of development (childhood years). In informant's household, it surely happened a misinterpreted of gender and sex in such a way, it then triggered pressure by husband in their house. Gender is not something that we got and had since we were born but something that is made and formed by a group of people which then socialized to all member of society. The making and forming of gender concept is based on few things such as sex itself or biological

condition of someone. Besides that, local custom, social structure, environment, regulation and values are guides in educating children of a particular group of society (Fakih, 2010). Specifically, discrimination gender that happens to woman seems that female are being shoved aside by things from tradition and habit, religion interpretation, belief or even government policy and knowledge assumption. Other types can be such woman are subordinated, stereotyped, surrounded by violence and bear load of works (Fakih, 2010).

Furthermore, from the result of in-depth interview with the informant, a discrimination was like being shoved aside. It is none other an impoverishment process upon one gender, female in this case that is resulted from gender discrimination. The discrimination in informant's house was especially in job hour's allotment which was happened exactly to informants MR and RB.

Her husband indirectly suppressed in her own house by did not permit her to work. This kind of discrimination caused the informant living in a poverty. Wife was in private domain who took care and had a full responsibility in domestic things, on the other hand, husband was in public zone and in control of household expenses. This kind of role division was seen as one of the example of discrimination. Even that was the main reason why informant lived in poverty. Informant was really economically dependent to her husband. This matter then encouraged her to go out of her husband's suppression which made her living in a gender relation and stayed in destitution.

Subordination that took place in their household which affected to valid values in society had broken up and classified gender roles between male and female. Woman was regarded as the role who had a mighty responsibility and roles in domestic and reproduction area. Whereas, for the public zone, man was the only one who hold a great roles. These two roles had got dissimilarity marks in the eye of society. Domestic roles and reproduction affair that were done by wife viewed lower than public area. Form the interview with informant MR showed kind of subordination to herself.

When her husband got home drunkenly and the informant admonished him in the morning, her husband got angry instead. He broke things and tore her wife's shirt. If she prevented and forbid him to break things, he always mentioned that he was the one who bought things. He worked hard while informant just stayed in house. It seemed that functions and roles in domestic jobs did not mean anything. Domestic jobs and reproduction did not produce money, wasted time and took a lot of energy in her husband's mind. His wife who had fully responsibility in domestic and reproduction affairs did not

properly get an equal appreciation with husband's role for a public affair. All hard works by informant was seen nothing and low value to her husband because those works did not produce money. In a matter of gender relation between wife and husband, woman is always put as a subordinate under the husband. Woman must be bent down and obedient for every single things man says. On other words, wife cannot break any rules. But in a situation of gender relation, woman that is always being bridled will rebel and take an act if this kind of discrimination happens over and over.

From the interview, female helplessness was sketched well in confronting violence done by her husband. In a particular situation, wife could only be passive and given way to such condition, yet her desire to against her husband made her rebelled and ran away to her parent's house. The result of the research also figured out that after informant MR felt suppressed by her husband, therefore informant had a mind to rebel and change her household's life. It was proved by taking her children and leaving her house. What in her mind was without her husband, she could bring a better life to her family than ever?

Henceforth, informant had proved that she could build her own house by stealing other things. Even, she could change her household's condition, where she used to be the victim of discrimination by her husband. She used to be suppressed and fully controlled by her husband. She was not a wife who always give way and accept all treatment by her husband anymore. Informant bravely defended herself in dispute. She also was not afraid to say rude words to her husband and repeatedly kicked him out of house. Informant, for many times, ordered her husband to divorce her and marry to his husband's dream woman.

After those things happened, informant's husband could not be able to do such violence and strictness to informant. He never said rude words anymore even if he got into mischief with his wife. Else, he deferred a lot to his wife. It was much better to leave house and back again when things got much better. The situation was excessively different when informant did not have money. Her husband was cruel, crude, high tempered, easily beating and liked to pry up wife's jobs which is only taking care of children and kitchen.

If this matter is keyed to feminist liberal opinion that woman could rise her position in her family and society through initiative combination and individual achievement by the achievement she had she could improve her gender role and take a decision in taking care of children. It will give some possibilities to woman in pursuing carrier and protecting woman from sex discrimination. Having her

own income, it then made a balance level with her family. Woman did not completely depend with man in self-sufficient and also for her family. Else, woman was more courageously in taking decisions which was considered best for both herself and her family. Informant apparently struggled against all kind of injustice in her household. There were not any kind of discrimination, subordination and violence like she had been suffered before. Low status that she had in her husband's eyes then moved up to be balance. It was because the informant successfully proved herself capable through her 'stealing' profession. From her profession, informant could be able to collect money cent by cent. Informant showed to her husband that she could get a lot of money by her own hand without asking to him. The money that she had then had raised her level in her husband's eyes, even though it was only blood money (Abidin, 2001).

**Labelling:** Informant VR had already an eager desire to change for a very long time since she was released from detention center. She proved it by trying to find a job. Having a limited skills and low level academics, informant worked as a rough worker or a house assistant in a chinese's house.

A week of working, her boss finally found out that she was an ex-prisoner of robbing case. Her boss called her out gave her Rp 100.000 and ordered her to stop working in her house anymore. Moreover, informant was trying to explain to her boss that even she was a criminal, she had already changed. She was begging for an allowance to work but it wasted away. Somehow her boss didn't listen to her and even expelled her out of her house.

Moreover, social informal reaction was harder than social formal reaction. Three months in a prison as a formal reaction from country was not as hard as a social informal reaction. Stigma or labelling from society was much stronger than those punishment. Formal reaction only gave a living in exile as a punishment for a period of time to informant. This kind of isolation however restricted the informant's movement. But for a particular time, there was a time for informant to meet her family and communicate with them. It also included for not fulfilling both her biological and psychological needs to her family. Whereas, social informal reaction was a lot harder as because this kid of punishment will take time for a long time. As long the society did not give her chances to mend her ways, its social informal reaction would never be faded. They who did a crime would always be expelled from society. It would be difficult for them to get a job as a consequence, the heavy stigma that they got from society insisted them to be back as a robber (Abidin,

2001). Findings about female former convict's determinant such as labelling showed a similar situation to a Lemert's Labelling theory. In his labelling theory, a divergence which caused by labelling from society to someone would give a high possibility to carry on those labelling. First, someone who did a distortion named as a primary deviation. By the deviation that she/he did, society then marked her/him as a primary deviation doer. If the doer made another deviation, it would be called as a secondary deviation. In such a way she/he started a deviant life style which produced a deviant career.

A bit different to informant VR, SN got a stigma or label by her own husband. Her husband's rejection and humiliation made the informant suffered in facing her life. When her husband figured out that his wife threw into jail because of gambling, her husband was really mad at her. Her husband looked her in prison. Instead of releasing each other longing, her husband on the contrary scolded and threatened her for a divorce. Her husband filled of shame to his family, neighbors and friends for having a gambler wife.

Released from a prison, her desire to change was in her mind. She was remorseful and promised for not meeting her gambler friends who will ask her for gambling at any time. Unfortunately, a social informal reaction that she got from her husband made her living in under pressure. Her husband's refusal by divorcing her made the informant came into under pressure. Her husband filled of shame for having a wife who was an ex-prisoner. Because of that her willingness for not meeting her old friends could not be denied. She really needed friends to unburden her feeling. She wanted money for fulfilling her family's needs that she required from her friends by washing. All these matters led the informant to keep in touch with her friends. She could not denied herself for returning back to be a gambler which unfortunately made her under arrest and went back to be a former convict (Abidin, 2001).

These findings then were in mutual accord to the notion by Arif (1996), who stated that a crime suit did not only cause an independence robbing but more than that raised a negative causes towards things related to that independence robbery itself. A prison punishment could give a bad marks or stigma that continuously brought even the individual concerned does not commit crime anymore. Also earned the same thing. She stated that female prisoner have been given a worse stigma than a male prisoner. Female as a crime cast is considered to break double norms to society like law norms and conventional norms which is about how woman actually has such certain attitude. The stigma would constantly present although that female prisoner had already

released from detention center. They sometimes received such discrimination and negative stigma from people. Therefore, female prisoner has a higher challenge to adapt herself from her surroundings, if compared to another individual.

**Living needs:** From the field collecting it was found that informant turned back to be a former convict because urgently demanded for life needs. Having no money while her baby wanted for a milk, the informant made a virtue of necessity to work as a drugs seller. She just could not begging for a help to her parents as because her parents had already arrested due to drugs case. For addition, her husband left house because he was chased away by his parent's in law.

The result of in-depth interview with informant AT if it is keyed to Abraham Maslow's theory of human needs stated people are motivated by some basic needs that hierarchical well-constructed. Human basic needs motivate and being the reason of the existence of objective behavior for demanding those needs.

Furthermore, Maslow (1984) formed five levels of basic needs. It had different level for each needs. Every individual will always try to fulfill those needs. Multiple ways could be done only to fill each needs, depend on the person's social status. Basic needs are physiological needs like eating and drinking, needs for having a generation, needs for safe-living, needs for socially respected and needs for self-actualization.

The first basic needs that had to be fulfilled for informant AT was a physiological needs. This kind of basic needs is the most urgent as because had a strong relation with eating and drinking. According to Maslow, if someone could not filled his/her basic needs yet, he/she will pursue that needs first before chasing after other needs. Needs for a box of milk and baby food were the basic motives for informant in looking for money. Sadly, getting money was not an easy job like it was imagined. Having a low level of education and no skill made informant was pushed for seeking a job. Working as a house maid could not be done by the informant because informant was not used to work. Informant's mother who did all the house job. As a result, informant looked for a faster way in acquiring money. Looking for a job she thought for calling his father's friend. His father's friend suggested her to sell drugs. Because of those basic needs, informant decided to take the job and returned to be a former convict for living her baby's life (Abidin, 2001). These findings then had a relevance to the statement by Sitohang (2012) that someone could turn to be a recidivist which was caused by curiosity, anxiety, incredulity and animosity from the

people as the deniable additional. At last, repeating their crimes was such a solution for a released convicted criminal for their life survival.

**Consumptive life style:** It was figured out from the in-depth interview that other determinant which caused informant returned back to be a former convict was a consumptive lifestyle. The informant used to live extravagantly and wastefully. Sightseeing to one mall to another, mall was an ordinary matter. The informant could buy anything she wanted with her money she owned. She spent a lot of money for overbuying clothes, shoes, handbag, jewelry, etc. If those things suited to her taste, it was a must to purchase them. She rather frequently bought things without thinking over whether she functionally needed them or not.

However, the informant wore and used those things only for once or twice. She stored her things in her wardrobe after that. After being used, those things were only on display. Sometimes, she handed over her things to her friends or relatives who stepped round to her house without give a thought to things prices.

Shopping to Jakarta, Malaysia and Singapore was her habitual activity. She went there without a purpose but to enjoy her days. According to her, there were a lot of places for shopping destination rather than in Makassar. Also, things were much better in quality and had plenty choices.

Another, bad habit of informant EN was she regularly visited cafe to eat, drink and relax. She was doing it by herself or inviting her friends. She felt comfortable if after works stopping by to a cafe, rather than directly went to her house. This kind of consumptive lifestyle must be equaled to financial supports. This uncontrollable habit made the informant bought things without looking at usefulness benefit of things. On any account, the reality sometimes shaped someone could not distinguish between desirability and needs. Its slight difference between desirability and needs made people prioritizing desire than needs. There was not any priority scale to plan things orderly to be done. Also, there was not any problem in such times when her financial condition supported her hobby. But logically, when money was always spent while there was not any effort to get the income from hard work, money would be finished away. The consumptive lifestyle, if it was not balanced with an equal income would open chances up to do things for fulfilling their needs.

At the moment she left the detention center she did not have any intention to run a fake car business anymore. But a consumptive lifestyle persuaded her to stay unchanged. Even though after leaving a prison the

informant did not have a job, the rest of money that she had then was wasted away for shopping in mall, going to café and singing in a karaoke. The consumptive lifestyle could not be denied by the informant. Shopping to anywhere she wanted was her lifestyle and even a pleasure times for her. After all her money was wasted away only for a pleasure, she would try every ways only to get money for fulfilling her consumptive lifestyle. One of those ways was asking money to her brother and sister. Her brother and sister felt so reluctant if they did not give money to informant as because the informant was considered as a good and not a stingy sister.

Five months after released from detention center, her friend who was living in Jakarta called and invited her to do a fake car business again because her friend had that fake car by chance. Her goodwill to be a better person immediately disappeared because of the profit which her friend had promised before.

Living in a consumptive lifestyle for a long time made the informant difficult to change her lifestyle. In a moment when her financial did not support her hobby her friend's persuasion to have a fake car business appeared just like that at the same time. Her heart then moved and she turned back to be a former convict.

In any way, a condition of someone to satisfy her desire by uncontrollably caused them to take a granted for all ways in acquiring money. Money had blinded informant's sight until she became a recidivist. Money was more powerful that made informant helpless when tantalized by bigger profits in running a gross business. As in her thought, she would get much money and more freedom to show her lifestyle by using a symbol (Abidin, 2001). According to, consuming people is a key concept of her thought to show an extreme consumerism tendency and being a part of the lifestyle of modern people. The object of consumption is not only a matter of material but more than that in fact. Consuming by informant EN was neither made the use of thing nor an act for a basic needs acquirement. Instead, the feeling of a personal pleasure when consuming desirable things. Thus, the informant would never feel satisfy of every goods she had.

Besides, the indication of signs and social difference that informant was expected. The function of the social difference is to distinguish herself to her friends. Consuming people was not only consumed things as a material but also signs that stick manipulatively by another consuming people. These stick signs had a different social value than others.

Goods that had been brought by the informant would marked herself. Informant would stood out than her friends if purchasing branded goods and its costly place to buy. The consumption object decided a particular

social level to anyone who use or wear it. Branded goods and costly place showed a higher social value which signed the owner. Those things had its own value to the owner. Informant would prefer to buy things in mall, boutique, outside country than went to buy things in traditional market. This was baudrillard meant by people who like to consume 'signs' than the function of goods. If consuming is meant as a process fulfilling human basic needs, however consuming then function shifted as a medium to express hidden social meaning at the reverse side. Consuming had passed to a process that loafing away or transforming hidden value of one thing (Soekanto 2006).

Even though behind the consumed things used a blood money but the 'cover' was the most important thing for the informant. Cover or outward appearance was like branded clothes which combined with accessory, such as handbag, purse, shoes and watch that showed the sign of herself in society or her friends. An outward appearance was one of the most important thing in a scope of consumptive lifestyle although those things were got from a fake car business.

### **CONCLUSION**

The determinant of female recidivist could not get a similar treatment depended on each problem facing by each individual. A female determinant turned to be a former convict based on the research findings: kind of pressure from her husband in her house, labelling which was given by her family and society to an ex-criminal such as humiliation and rejection, basic living needs that must

be loaded soon and consumptive lifestyle as living extravagantly and inharmonious dismissal and financial.

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