

Pelanggaran kode etik bankir dalam kejahatan perbankan (ditinjau dari aspek kriminologi) = Code violations bankers in banking crime an overview of (aspects of criminology)

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Abstrak

[ABSTRAK

Penelitian ini menggunakan pendekatan kualitatif dengan menggunakan model yang dikemukakan oleh Graaf-Huberts yaitu ? Monster Grid?. Kemudian analisa menggunakan dimensi perilaku kejahatan Clinard-Quinney, yang terdiri dari 5 (lima) dimensi perilaku kejahatan. Pelanggaran etika dalam kejahatan perbankan merupakan salah satu bentuk dari white collar crime, seperti dikemukakan oleh Sutherland, karena ciri-ciri yang dikemukakan telah terpenuhi oleh para pelakunya. Pertama, para pelaku semuanya merasa tidak bersalah, karena pekerjaan seperti itu telah lama dan berulang kali dilakukan. Kedua, mereka merasa tidak merugikan nasabah/masyarakat. Tetap berhubungan baik dengan korbannya, dalam hal ini nasabahnya. Pada penelitian ini, hanya sampai pada sebab mengapa etika tidak dijadikan pedoman dalam menjalankan profesi bankir?. Hal tersebut dapat terjadi antara lain, karena: 1. Lemahnya pengawasan internal; 2. Pengawasan sebaiknya terintegrasi dengan faktor-faktor non formal, misalnya faktor gaya hidup, pergaulan, dan budaya masyarakat; 3. Belum ditaati secara ketat dengan penuh kesadaran prinsip-prinsip kode etik profesinya, karena hanya bersifat Prinsip Kode Etik Bankir. Secara rinci masih diserahkan kepada masing-masing bank untuk mengimprovisasi kode etik tersebut, sesuai dengan kondisi banknya. Kebaikannya, mungkin saja sesuai dengan kondisi banknya, namun keburukannya, karena masing-masing dapat melakukan improvisasi, sehingga kurang dapat mengikat secara universal, yang berakibat merasa kurang sebagai pedoman yang benar-benar dapat dijadikan acuan yang menyeluruh, tanpa ada celah untuk mengabaikannya. Pada akhirnya dapat disimpulkan kesimpulan bahwa meskipun terdapat peraturan formal, SOP pada masing-masing bagian dan tingkatannya, namun jika tidak dilandasi dengan etika pada tiap kegiatan operasional, maka pelanggaran dan kejahatan yang terkait dengan masalah ? kepercayaan ? akan selalu terjadi;

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ABSTRACT

This study used a qualitative approach using the model proposed by Graaf-Huberts ie "Monster Grid". Then, using dimensional analysis of criminal behavior Clinard-Quinney, who tersiri of 5 (five) dimensions of criminal behavior. Violation of ethics in banking crime is one form of white collar crime, as stated by Sutherland, as traits he has put forward have been fulfilled by the

perpetrators. First, the actors all do not feel guilty, because such work has long and repeatedly performed. Secondly, they are not detrimental to customer. Still a good relationship with the victim, in this case the customers. In this study, only until the reason why ethics is not used as guidelines in running the banker profession ?. This can occur, among others, as: 1. Weak internal control; 2. Monitoring should be integrated with non-formal factors, such as lifestyle factors, social, and cultural communities; 3. Not to be strictly adhered to with full awareness of the principles of the code of ethics profession, because only principle Bankers Code. In detail still be submitted to the respective banks to improvise the code, in accordance with the conditions of the bank. Kindness, may be in accordance with the conditions of the bank, but ugliness, because each can to improvise, making it less able to bind universally, the result was less as guidelines that can actually be used as a comprehensive reference, without any gaps to ignore. In the end it can be concluded the conclusion that despite formal regulations, SOPs in each section and level, but if it is not based on the ethics of each operations, the violations and crimes related to the issue of "trust" will always happen.;

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