



Vigilante Law Enforcement Eigenrichting Causing Death Through a Criminological Perspective

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Abstract

The phenomenon of vigilantism (eigenrichting) resulting in death reflects a failure in the formal legal system and the rise of revenge practices in society. This research uses a normative juridical method that focuses on the analysis of positive legal norms. Data were collected from various written sources, including legislation, court decisions, legal doctrine, legal theories, and the views of legal experts. The analysis was conducted qualitatively using a descriptive approach to interpret the meaning and information contained in documents, media reports, and newspaper archives. The analysis found that low legal understanding, socio-economic inequality, and a crisis of judicial legitimacy are the main triggers for vigilante behavior. The impacts are clear: loss of life, weakened public trust in legal institutions, and increased social insecurity. Recommendations include transparent and professional law enforcement, early legal education, improving socio-economic conditions, and implementing restorative justice principles to prevent revenge-based violence.

Introduction

The practice of vigilantism arises from a lack of legal understanding and weak character education within society. This behavior describes a situation in which individuals or groups act as if they are law enforcers without going through official legal channels. In other words, they carry out forms of justice or punishment independently without involving legitimate law enforcement officials (Tyler et al., 2015; Bottoms & Tankebe, 2012). Such actions often involve acts of violence against others, destruction of property, or other measures that should fall under the authority of authorized judicial institutions (Rasubala & Kasenda, 2024).

The phenomenon of vigilantism (Eigenrichting) emerges as a societal reaction to events perceived as disrupting social order and security (Prasetyo et al., 2024; Lubis et al., 2025). Sociologically, the public's response to this situation can be viewed from two perspectives: positive and negative. Such actions are often triggered by various factors, such as low levels of legal understanding and awareness among the public, weak law enforcement, and declining public trust in law enforcement officials (Koeswanto et al., 2023). Furthermore, the circulation of unverified information further exacerbates the situation.

All of these factors can trigger an overreaction in the form of vigilantism, where a group or individual takes over the role of law enforcement to punish someone they believe is guilty. Vigilante action not only impacts the victims who are subjected to violence but also creates broader social instability. When the public begins to take over the role of law enforcement, the sense of justice that should be upheld through legitimate legal mechanisms becomes blurred and subjective (Rumadan, 2017; Hadi, 2022). This has the potential to create a climate of fear and tarnish the image of law enforcement in the public eye. In the long term, if this phenomenon continues unchecked, it can weaken the rule of law and reinforce a culture of violence as a solution to legal problems, ultimately harming society itself.

The high crime rate in society often creates anxiety, accompanied by hatred and a desire for revenge. According to Nell (2006), this emotional state can drive people to react aggressively, so that when a perpetrator is caught, they do not hesitate to impose direct punishment. This vigilante action (*Eigenrichting*) carried out by the community is often seen as a form of retaliation for deviant behavior, and in some cases, it is even legitimized by prevailing social norms and values.

Although this method of resolving the issue may seem brutal and contrary to applicable law, some people still feel entitled to retaliate, even though it is legally considered a criminal offense (Waits, 1984). Some forms of vigilante action that frequently occur in society include public humiliation, beatings, assault, and even extreme acts such as burning someone alive. From a legal perspective, this type of behavior is clearly unjustifiable, because the individual who carries out such actions, whether consciously or unconsciously, has caused consequences that violate the law (Hasibuan, 2016).

These consequences can include subjective elements such as intent, as well as objective elements such as the actual impact of their actions. Fahririn (2023) said that, the law does not distinguish whether the perpetrator acted of their own free will or due to incitement or encouragement from another party. All forms of vigilantism remain considered a violation of the law (Anastasia, 2024). Although the public often argues that vigilantism is carried out to uphold justice, in a state governed by the rule of law, all forms of conflict resolution must be delegated to law enforcement officials who have the authority and established procedures (Saputra, 2015).

Taking the law into one's own hands actually violates the principle of objective justice and creates new, more difficult-to-control chaos (Manurung, 2023). Therefore, it is crucial to raise legal awareness through ongoing education and improve the performance of law enforcement so that the public regains trust in the existing justice system, and vigilantism is no longer seen as a solution to injustice. Article 170 paragraph (1) of the Criminal Code states that "Anyone who openly and with collective force uses violence against people or property shall be subject to a maximum prison sentence of five years and six months."

This article emphasizes that there is no legal justification for collective acts of revenge by the community, even if motivated by concern over rampant crime (Haque, 2005). In a state governed by the rule of law, justice can only be upheld through legitimate and civilized legal processes. In addition to the need for firm law enforcement, the community must also be empowered through legal education to prevent them from falling prey to practices that are detrimental to themselves and threaten public order (Harrison, 2022).

Upholding the rule of law must be the primary foundation for creating a safe, just, and civilized society. Based on this description, it is important to conduct an in-depth study of the practice of vigilantism, as this phenomenon not only reflects a weak public understanding of the law but also indicates a crisis of confidence in the existing justice system. This study is needed to reveal the extent to which vigilante action can be categorized as a criminal act, as well as how legal elements such as intent, conspiracy, and use of violence can be applied in ensnaring the perpetrator.

Methods

This research applies the normative juridical method. The normative juridical approach is oriented towards the analysis of legal norms that apply positively in the legal system. In its implementation, this method relies on the review of various written legal sources, such as laws and regulations, court decisions, agreements or contracts, legal theories, and the views of relevant legal experts. The researcher conducted data analysis using qualitative methods that

align with the normative legal research approach, namely through descriptive analysis. This approach aims to examine in depth the meaning and information contained in various documents, newspapers, and other mass media. This process begins with the collection and compilation of relevant data for subsequent systematic analysis.

Results and Discussion

Vigilante law is a form of criminal offense, an act carried out arbitrarily against individuals deemed guilty of a crime. Perpetrators of criminal acts, referred to in the legal context as criminals, are the primary object of study in criminology, particularly in discussions of criminal etiology, the study that analyzes the causes of crime. In this regard, the expansion of state intervention in criminal cases is supported by the idea that crimes against others must be met with equal retribution, often through violence, reflecting a vengeful drive to uphold justice. The phenomenon of vigilantism in Indonesia is a multidimensional problem, influenced by various factors such as low levels of education, economic disparity, and distrust of the legal system. These findings indicate that addressing vigilantism requires a comprehensive approach, encompassing improving the quality of education, improving people's lives, and strengthening the legitimacy and performance of law enforcement agencies (Zizumbo-Colunga, 2017; Udoh, 2025).

This underscores the urgency of implementing educational programs that instill Pancasila values and legal awareness from an early age (Afan et al., 2024; Wahyuni, 2024; Suratmi & Hartono, 2024). In addition, it is important for the government to formulate policies that are responsive to socio-economic issues that have the potential to encourage people to act outside the legal channels (Gemilang et al., 2024). As a country that adheres to the principle of the rule of law, Indonesia requires that all law enforcement processes be conducted in accordance with applicable laws and regulations. This means that every action in law enforcement efforts must comply with established legal norms and must not deviate from or contradict officially applicable legal regulations (Manalu & Amin, 2023). However, in social reality, illegitimate law enforcement practices are still common, such as vigilantism (*eigenrichting*), which in some cases has even resulted in the loss of life.

Sunaryo (2021) said that, vigilante action, which involves punishing someone without due process, not only violates the perpetrator's basic human rights and violates the presumption of innocence, but also undermines the legitimacy of the existing legal system. When the public takes over the task of law enforcement, they ignore the principle of justice and open the door to fatal errors. This can lead to violence against innocent people, while the punishment is disproportionate to the alleged offense. The impact is widespread, creating fear, eroding public trust in legal institutions, and perpetuating a cycle of violence (Malone, 2010). In the long term, this phenomenon can even increase crime rates and reduce the quality of life together (Khairunnisa, 2024). The impact of vigilantism is highly detrimental: it leads to violence, undermines the presumption of innocence, weakens the legitimacy of the legal system, and has the potential to trigger a spiral of insecurity and threaten social order.

Effective efforts to address this require a holistic approach, encompassing preventative measures such as early legal education, improving the quality of education and the economy, firm and professional law enforcement, and promoting the values of Pancasila and restorative justice within the community. Repressive measures are also necessary, including firm action against vigilantes based on the provisions of the Criminal Code. Only through an integrated combination of preventive, educational, and repressive strategies can the state strengthen the authority of the law, calm mass anger, and restore public trust in the justice system. In Decision Number 157/Pid.B/2024/PN Skb, the court reviewed and ruled on a case involving a group of

defendants who committed acts of violence against a victim, resulting in her death. The judge ruled that the defendants' actions fulfilled the elements stipulated in Article 170 paragraph (2) of the Criminal Code, namely regarding If the criminal act as referred to in paragraph (1) results in death, then the perpetrator is threatened with a maximum prison sentence of 12 years.

In his considerations, the judge stated that the element of violence was carried out openly (visible to the public), carried out by more than one person, and resulted in death, so that legally the objective elements of the article had been fulfilled. Therefore, the defendants could be subject to the criminal threat as stipulated in the article, namely a maximum prison sentence of twelve years (Madjid & Akbar, 2023). This case reflects how Indonesian criminal law responds to collective violence that ends in death. The application of Article 170 paragraph (3) of the Criminal Code demonstrates that the legal system takes serious action against vigilante actions involving physical violence, especially those that result in loss of life. In the context of criminology, this phenomenon is not only viewed as a violation of the law but also reflects a social failure to prevent acts of revenge or vigilante justice.

Therefore, firm law enforcement against perpetrators of collective violence is crucial to emphasize that acts of violence cannot be justified under any circumstances, while also protecting the right to life of every citizen. Articles 170 and 351 of the Criminal Code (KUHP) are often used as the legal basis for prosecuting perpetrators of vigilante crime. These articles regulate the use of collective violence in public places and collective assault. Both articles fall under the category of complaint-based offenses (*klacht delict*), meaning that legal proceedings for these crimes can only proceed with an official complaint from the injured party or other interested party. Thus, cases of vigilantism can only be prosecuted if the victim or their family reports the incident to law enforcement officials, ultimately leading to prosecution by the prosecutor (Ananda, 2024).

The phenomenon of vigilantism exhibits several characteristics that can be systematically identified, namely: (1) There is a lack of formal legal legitimacy, meaning the action is carried out by an individual or group without following proper legal procedures or awaiting a decision from the competent authority; (2) This action generally manifests itself in the form of violence or direct execution, which can range from physical aggression to extreme measures that cause serious injury or death; (3) This action arises as a reaction to perceived injustice or threats to social order, where people feel compelled to act due to criminal acts such as theft or violence that are perceived as harmful; (4) There are elements of spontaneity and emotional dominance, indicating that the action is carried out suddenly and influenced by emotional outbursts, such as anger or frustration; (5) This phenomenon is often characterized by collective community involvement, indicating that the judgment is carried out jointly by a group of people based on communal solidarity and a sense of social responsibility (Malik, 2023).

Public distrust in the effectiveness of law enforcement institutions is a major factor driving these types of actions (Tiwa, 2024). When people perceive that formal law is incapable of delivering justice quickly and accurately, they tend to take over the law enforcement function. Social inequality, weak access to justice, and negative experiences with complicated legal processes contribute to the legitimacy of vigilante action in the eyes of the public, even though this action fundamentally violates the principles of the rule of law. Staub (1996) and Woollett et al. (2025) said that, a culture of violence passed down through generations in some communities is also a significant driving factor. In some regions, unwritten social norms exist that consider retaliation a legitimate form of justice, especially when perpetrators are caught red-handed.

Social media also exacerbates the situation by disseminating videos or information that incite collective anger, making it easier for the masses to be provoked and act without due consideration of the law. From a criminological perspective, these actions can be categorized as a form of vigilantism, where the public acts as informal law enforcers due to the perception that the formal legal system is incapable of responding quickly and fairly (Buur & Jensen, 2004). Criminological theories that can be used to analyze the causal factors of the phenomenon of vigilantism include the Social Control Theory and the Theory of Distrust in the Legal System: (1) The Social Control Theory, developed by Travis Hirschi, emphasizes the importance of social bonds in preventing individuals from violating the law. This theory explains that individuals with strong ties to social institutions such as family, school, or workplace tend to be more compliant with legal norms. Conversely, weak social ties can increase a person's tendency to engage in deviant behavior, including acting as "self-justice." In this context, weak social control, whether from formal institutions (such as law enforcement) or informal ones (such as community norms), contributes to the emergence of revenge-based violence. When people perceive legal institutions as failing to carry out their roles fairly and effectively, they are compelled to act based on personal perceptions or deeply held communal norms as a response to injustice; (2) The Theory of Distrust in the Legal System explains that the level of public trust in legal institutions significantly influences their choices in resolving conflicts.

If the legal system is perceived as slow, unfair, or biased, people will lose confidence that legal channels can deliver the justice they desire. In such situations, people tend to seek solutions outside the formal system, including through vigilante action (Mayesti & Marpaung, 2025). This action often manifests itself in direct violence against perpetrators caught in the act, as the public believes that waiting for formal legal proceedings will only prolong suffering and does not guarantee justice. This distrust is at the root of vigilantism, where the public takes the initiative to take over the role of law enforcement to resolve problems instantly, even though this violates the principles of the rule of law. Therefore, it is necessary to strengthen the state's role in creating a legal system that is responsive, transparent, and credible to all levels of society (Irvita & Asriani, 2025; Smalskys & Girinskienė, 2024). Fair and impartial law enforcement is key to curbing social unrest that triggers vigilantism.

Law enforcement officials are not only required to operate professionally but also to build effective communication with the public to foster public trust in legal mechanisms and prevent them from acting beyond the bounds of legal authority. This must be accompanied by institutional evaluation and reform of law enforcement sectors deemed ineffective or vulnerable to abuse. More than just a legal response, addressing the phenomenon of vigilantism requires an interdisciplinary and sustainable approach. This approach includes extensive legal education for the public, strengthening the role of community leaders in maintaining social order, and providing participatory spaces for citizens to legitimately express their legal aspirations. By prioritizing the values of social justice and humanity based on the principles of the rule of law, it is hoped that vigilantism will be minimized, and the public will increasingly recognize that justice cannot be upheld through violence, but through a civilized and dignified legal process.

Conclusion

The phenomenon of vigilantism (*eigenrichting*) resulting in death is a form of social deviation that seriously endangers the legal order and values of justice in society. From a criminological perspective, this action arises from a combination of factors, such as weak social control, low levels of trust in the legal system, socioeconomic inequality, and the influence of a deeply rooted culture of violence. In many cases, these actions are carried out collectively,

spontaneously, and emotionally without going through legitimate legal mechanisms, potentially claiming the lives of people who are not necessarily guilty. Law enforcement against vigilante groups must be carried out firmly based on the provisions of the Criminal Code, particularly Articles 170 and 351, to create a deterrent effect and restore the authority of the law. Preventive efforts must also involve educational, social, and cultural approaches that address the root of the problem, including increasing legal literacy, strengthening the values of Pancasila, and developing a just, swift, and publicly trusted justice system. Only with a comprehensive approach can the state end the practice of vigilantism and guarantee equal protection of the human rights of every citizen.

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