Street Justice and the Crisis of Criminal Justice Legitimacy: A Socio-Legal and Criminological Analysis of Vigilantism in Indonesia

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Abstract: Vigilantism remains a problem in Indonesia, where individuals or groups take the law into their own hands in dealing with alleged offenders. Such a practice is troubling in terms of the public's trust in law enforcement, the legitimacy of the criminal justice system, and the protection of individual rights. The study is interested in the criminological factors that play a part in vigilantism and the legal and policy measures that can be used to deal with it. The paper uses qualitative normative legal method, socio-legal and criminological approaches. The analysis utilizes relevant legislation and conceptualizations of legal cynicism, anomie, cultural criminology and criminal justice legitimacy. This exchange points to the possibility that extralegal punishment in some situations might be understood in terms of views of law enforcement as ineffective, distrust of legal institutions, and collective reactions to alleged wrongdoing. But these are not all the explanations, and public suspicion is no substitute for the legal process that must be followed to determine guilt. The study also addresses the issue of individual criminal responsibility for acts of collective violence. In the area of vigilantism, there is need to improve rule of law enforcement, procedural fairness, institutional transparency, public legal awareness and community engagement. This integrated approach provides a basis for reducing the acceptance of extra-legal punishment and for strengthening reliance on formal legal procedures.

Keywords: vigilantism, street justice, criminal justice legitimacy, legal cynicism, criminal responsibility.

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Received September 7, 2026; Revised October 17, 2026; Accepted October 19, 2026; Published October 22, 2026.

Introduction

Vigilantism is an age-old problem for the rule of law; it is usually defined as the use of extralegal force by individuals or groups to punish alleged wrongdoers. This is where members of society call out law enforcement outside of formal legal institutions (Dewey et al., 2021; Garland., 2023). But such measures are often justified as measures of restoring justice (Robinson & Carlson., 2021). These are fundamental questions of due process, individual rights and the legitimacy of state authority. The issue is not whether violence occurs, but under what social conditions part of the public is prepared to accept punishment outside the law. Vigilante action in Indonesia may be spontaneous mob violence against alleged offenders, or collective intimidation, public shaming and community-based punishment. These incidents can be caused by accusations of theft, alleged moral violations, neighborhood disagreements or other behaviors seen as a threat to order in the community (Li., 2025). Sometimes, before the authorities have a chance to establish the facts, the alleged offender is beaten up. These cases illustrate the tension between the community's desire for quick justice and the legal process, which requires that the investigation of accusations follow due process (TRIAL, 2025). Vigilante action is not a complete and separate form of individual aggression. It also requires knowledge of the relations between the citizens and the institutions charged with the maintenance of public order. When the official response seems slow, inconsistent, inaccessible or insufficiently accountable, some will resort to action outside the law as a more immediate recourse to redress an alleged wrong. But public anger does not always lead to vigilantism, and institutional failures do not explain every incident. This phenomenon must be explained by an interaction of social expectation, individual choice, group dynamics and perceptions of legal authority (Dulin., 2021; Tapscott., 2023). This discussion is especially relevant to the legitimacy of criminal justice institutions. Public confidence in the legal system relies heavily on the performance of law enforcement and the way in which the powers of the authorities are used. Fair treatment, clear procedures, respectful communication and consistent application of law are all factors that contribute to citizens viewing legal institutions as a legitimate and reliable source of authority. In contrast, perceptions of arbitrary treatment or inconsistent application of the law may reduce the public's willingness to resort to formal mechanisms. The perspective is that vigilantism is a criticism of the legitimacy and effectiveness of institutions of criminal justice (Levin., 2021, 2023). There are several complementary perspectives to move forward the state of the art on vigilantism and criminal justice legitimacy. Studies of legal cynicism look at why people may begin to doubt the legitimacy, fairness or use of legal authorities. The significance of this point of view is that being unhappy with the police is not tantamount to rejecting all the social norms. Some will still denounce wrongdoing but also doubt that formal institutions will be able to respond adequately. This contradiction helps to

understand how orders of demands can coexist with acceptance of unlawful punishment. The other view is that of procedural justice. This illustrates the importance of the fairness of the exercise of legal authority. In this sense, public trust is not only about authorities' ability to control crime, but also about the perception that their decisions and behavior are fair, impartial and respectful. Another layer of analysis is offered by cultural criminology regarding the emotional, symbolic and social meanings of crime, punishment and collective action. Simultaneously, anomie theory provides a framework for examining the potential role of contradictions in the desired social ends, normative expectations and institutional arrangements in the genesis of deviant responses. In conclusion, these viewpoints enable us to see vigilantism as a socio-legal phenomenon and not as a criminal act perpetrated by an individual. These are important perspectives, but what is needed is an integrated analysis that connects public perceptions regarding the legitimacy of the criminal justice system to the social dynamics of vigilante justice and the legal requirements of criminal accountability in Indonesia. One key analytical question is how the dissatisfaction with formal justice can spill over into collective punishment and how to account for such behavior without assuming a single cause for all vigilantisms. The second problem is the relationship between collective participation and individual responsibility. The fact that there was a crowd does not obviate the necessity of determining the conduct, intention if relevant, and role of each person as a matter of law under the relevant criminal law. Contemporary socio-legal and criminological analysis has on its agenda these issues. This problem is exacerbated when community members see swift punishment as a legitimate alternative to formal adjudication. The anger and suspicion of the community, along with the desire to protect the community, can create a situation where allegations become proof and collective retribution is seen as a justified response. But an accusation is not evidence of guilt, nor moral justification evidence of legality. So, vigilante justice can cause more injustice, punishing people without sufficient evidence, a fair trial, or a chance to defend themselves. Understanding this tension is essential for evaluating the social appeal and legal consequences of extralegal punishment. These questions can be best understood in the framework of the development of the criminal law system in Indonesia. Law No. 1 of 2023 on the Penal Code shall enter into force on 2 January 2026 and shall contain provisions on collective violence (Islam., 2026). The statutory elements involved and the evidence as to the conduct of each participant in its use must be closely analyzed legally. Just because there is a crowd doesn't mean everyone in the crowd is equally responsible for a crime. A proper legal analysis must distinguish between presence, participation and particular acts that fulfill the relevant legal requirements. This is central to the safeguarding of the principles of legality, individual responsibility and due process (Dodsworth., 2021). The article thus views vigilantism in Indonesia from an integrated perspective that is socio-legal and criminological. How does the interaction of institutional

legitimacy, legal cynicism, social conditions and collective behavior explain vigilantism? What penal and non-penal measures can be used to curb vigilantism while enhancing public confidence in the criminal justice system? In the article a qualitative normative and conceptual approach is applied to criminological explanations of the legal principles of criminal responsibility. It helps to bridge the legitimacy of criminal justice institutions, the social dynamics of extra-legal punishment and the demands of individual accountability in the effort of building a more comprehensive understanding of vigilantism in Indonesia.

Research Method

This study uses qualitative normative legal methods with socio-legal and criminological perspectives to analyze vigilantism in Indonesia. The method is based on the interpretation of relevant legal provisions and criminological concepts that enable us to understand the interrelation of extralegal punishment, criminal justice legitimacy and individual criminal responsibility. The purpose of the study is not to establish statistical causality, but to develop a legal and conceptual understanding of the phenomenon. The research is based on statutory and conceptual approaches. The statutory approach considers the relevant laws of Indonesia, i.e. Law no 1 of 2023 on the Criminal Code, Law no 8 of 1981 on Criminal Procedure and Law no 2 of 2002 on the Indonesian National Police. The conceptual framework draws on legal cynicism, anomie, cultural criminology, procedural justice and institutional legitimacy to explain the social and institutional dimensions of vigilantism (CAHILL-O'CALLAGHAN & Mulcahy., 2022; Fatima., 2023). The research materials are composed of primary legal materials including relevant legislation and secondary materials including academic books, scholarly articles and socio-legal and criminological literature. Documentary research is used to identify, select and arrange materials that are relevant to the research questions. The social incidents of vigilantism are used as contextual illustrations, where supported by the available materials, but not as representative empirical data. Qualitative analysis of the materials is done through descriptive and interpretive analysis. First, the pertinent legal provisions are examined in an effort to identify the applicable rules and principles relating to criminal responsibility and collective violence (Kirby & Welsh., 2025). Secondly, use is made of criminological ideas to understand the social condition and institutional perceptions that might help to explain vigilantism. Third, the legal and criminological analyzes are integrated to assess the implications of vigilantism for due process and the legitimacy of criminal justice. Finally, the study proposes prescriptive considerations for penal and non-penal responses. The penal dimension is concerned with lawful enforcement, the requirements for evidence and the evaluation of individual participation in collective violence. The non-penal dimension covers procedural fairness, institutional transparency, public legal awareness and community

engagement (Blackham., 2022; Marat & McCarthy., 2021). These considerations are the result of a normative and conceptual analysis, not an empirical assessment of specific interventions.

Research Methodological Framework

The research methodology is structured in several stages: from the selection of legal and conceptual approaches to the identification and collection of relevant materials, organization of data, and finally qualitative analysis. The research process is shown in Figure 1.

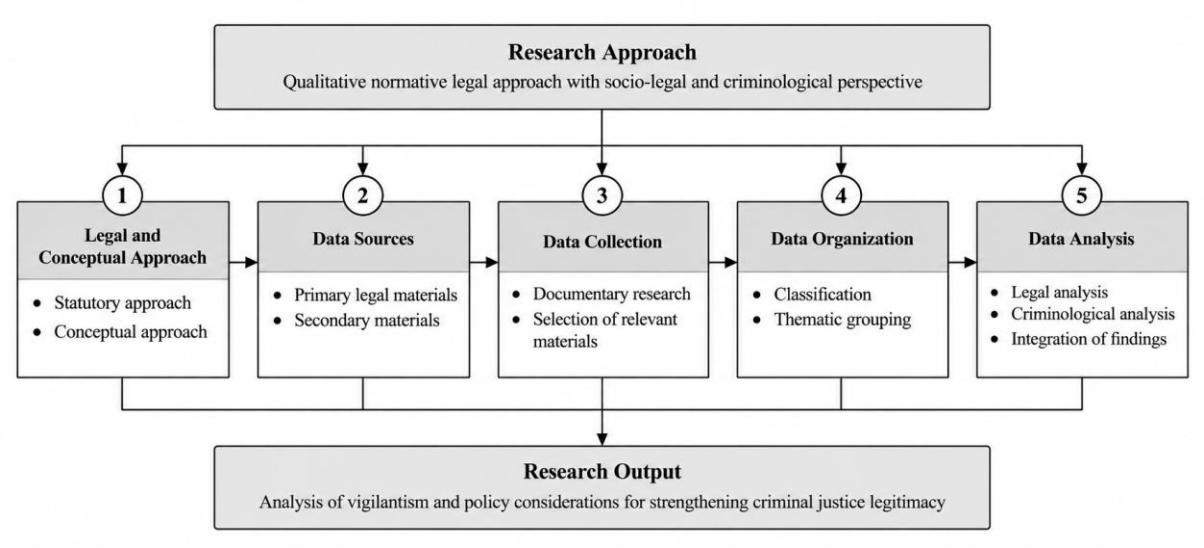


Figure 1 Research Methodological Framework

The research process is divided into five stages: legal and conceptual approach, identification of data sources, collection of documentary data, thematic organization and qualitative analysis, as represented in Fig. 1. These stages integrate normative legal interpretation with socio-legal and criminological perspectives to build a legally grounded analysis of vigilantism and relevant policy considerations in Indonesia.

Result and Discussion

Vigilantism and the Erosion of Criminal Justice Legitimacy

Vigilantism is an attack on the legitimacy of the criminal justice system. It is the act of individuals or groups enforcing and punishing the law outside the established legal procedures. Vigilance in Indonesian context may occur when the community members already find that the formal authorities are not able to respond well to the suspected criminal acts. These perspectives can foster the feeling that there is a need to do something together, now, to restore order. But punishing an alleged offender before a legal verdict blurs the lines between suspicion and guilt. Based on the analysis, four institutional issues are identified as pertinent to the understanding of the phenomenon: perceived delays in police responses,

allegations of corruption in judicial institutions, inconsistency in the treatment of similar cases, and limited public understanding of legal procedures. But these issues should not be read to suggest that all acts of vigilantism are the product of institutional breakdown. Instead, they are potential sources of dissatisfaction which may influence peoples' evaluations of the formal machinery of justice. The key point is that perceived institutional failures can make extralegal responses more attractive to some groups. The legitimacy of criminal justice agencies is related to the fairness and consistency of their procedures and their response to crime. The legitimacy of formal institutions may be challenged when legal processes are seen as inaccessible, arbitrary or unequal. But the substitution of collective punishment for formal procedures does not get at the root of the problem. It also presents other offenses like false accusations, use of force, and refusal by the suspect to answer accusations. Criminological analysis can thus understand vigilantism as an expression of a tension between the demand for social order and the institutional mechanisms developed to maintain that order. Community fear of crime may be justified but the response to that fear must be constrained by law. Legitimacy in criminal justice, then, must be about lawful enforcement, but also about the public's experience of institutional fairness.

Criminological Explanations of Vigilantism

The phenomenon of vigilantism can be understood in connection with the concepts of institutional anomie, legal cynicism and cultural criminology. These perspectives provide complementary explanations for why some people may enact, tolerate, or justify extralegal punishment. They do not mean a universal cause. Instead, the task is to discover the social and institutional conditions under which vigilantism can be made intelligible or acceptable to groups. Institutional anomie offers a framework to comprehend the tension between social expectations and the ability of institutions to regulate behavior. Informal practices can be viewed as an extra tool to reestablish order in contexts where the formal mechanisms are lacking or insufficiently responsive. This perspective shows how a demand for security can be separated from the legal procedures necessary to achieve it within the framework of vigilanteism. And even when confidence in formal mechanisms is low, the desire to punish wrong doing may be high. The second is legal cynicism, which accounts for the phenomenon of skepticism regarding the credibility and operational authority of legal institutions. Some people don't believe the cops. They may be less inclined to use the legal system for some types of conflict resolution. You could say that in this case collective punishment would be more immediate. This reading is not to say that all who mistrust legal institutions are violent. Rather, it shows that the decline of confidence in institutions may combine with other social conditions in shaping attitudes toward extralegal action. Cultural criminology also emphasizes the emotional and symbolic dimensions of vigilante justice. The way a crowd treats an alleged

offender can be influenced by collective anger, fear, public humiliation and the wish to express moral outrage. If the target of collective attention is an accusation, then participants may be reacting to group emotions and expectations rather than evidentiary requirements of a legal process. Public participation, then, can transform an allegation into a collective spectacle of punishment. Collectively, these perspectives suggest that vigilantism is not simply a matter of abstract individual criminality or institutional dissatisfaction. It could be a combination of institutional fragility, distrust of legal authority, community expectations, group dynamics." This integrated interpretation offers a basis for understanding the phenomenon, without presuming that any one factor necessarily produces vigilantism.

Forms of Vigilantism and the Problem of Criminal Accountability

Vigilantism may be of different types, according to the type of behavior, the degree of co-ordination between the participants and the method of punishment. These differences need to be identified because incidents that look similar in terms of public reaction may involve different actions and different questions of criminal responsibility. One is mob violence, spontaneous mob violence, where a group, reacting to an accusation, resorts to physical assault or other forms of immediate punishment. In such circumstances the speed with which collective fury can spiral may reduce the opportunity for testing the allegation or establishing the facts. Multiple participants also pose an evidentiary problem: investigators must separate the actions of individuals rather than assuming that everyone present was engaged in the same conduct. Another form is community-based moral or social enforcement, where individuals try to impose their own standards of acceptable behavior through intimidation, humiliation, coercion or violence. While participants may describe such conduct as protecting community values, a claimed moral purpose does not necessarily make the conduct lawful. What counts is the assessment of the actual acts performed and of the legal provisions which are applicable. A third type is organized groups that engage in enforcement outside legal authority. While these incidents may have involved some planning and coordination that differentiates them from spontaneous crowd violence, organization alone does not determine criminal liability. You need to assess the conduct of each side, the facts of the incident and the proper legal standards. A fourth form occurs in digital spaces where alleged offenders may be publicly accused, have their personal information made public, or be subjected to online harassment. Such behavior can extend the fallout from an allegation beyond the original event and can lead to further harassment or injury to people. The following table 1 presents these forms in an analytical classification, not a measurement of their prevalence in Indonesia.

Table 1 Typologies of Vigilantism and Their Principal Characteristics

Form	Main characteristic	Principal concern
Spontaneous mob violence	Immediate collective reaction to an accusation	Physical harm and mistaken accusations
Moral or social enforcement	Coercive enforcement of community norms	Intimidation and unlawful punishment
Organized vigilantism	Coordinated enforcement outside lawful procedures	Planning, participation, and accountability
Digital vigilantism	Online exposure, harassment, or dissemination of allegations	Reputational harm, privacy, and escalation

The classification implies that vigilantism cannot be addressed by one undifferentiated response. Each incident requires a review of the conduct in question, the circumstances in which the conduct occurred and the legal provisions that may apply. This classification is designed to be a guide to analysis, not a substitute for legal assessment of individual cases.

The Indonesian Criminal Law Framework and Individual Responsibility

The legal evaluation of vigilantism requires a clear demarcation between the power to impose criminal sanctions and the social disapproval of alleged offenses. In a legal system respecting due process, allegations should be dealt with through legal procedures, and criminal responsibility should be established according to the law applicable. The legal evaluation of a person's behavior cannot be replaced by public outrage, the appearance of seriousness in an accusation, or the number of people who may have been involved. Law No. 1 of 2023 concerning the Criminal Code is an important legal framework for the study of collective violent acts. The Article 262 is relevant in the analysis of public violence in the use of the force of a collectivity. But how that applies depends on the wording of the statute, the elements of the offense and the evidence available in a particular case. The provision is not meant to be read as automatically creating criminal liability for any person who happens to be present at a violent incident. The main problem is the connection between collective action and individual responsibility. The fact that a crowd acts as a group does not alter the fact that the legal assessment must still consider the conduct attributable to everyone and the requirements of the relevant criminal provisions. The pertinent questions are whether the person performed a particular act, whether the act was within the scope of the law, or otherwise satisfied the elements necessary to establish liability. Conclusions must be based on evidence and the relevant legal standards and not on assumptions simply because someone is part of a group. It also preserves the legitimacy of the criminal justice institutions. Indiscriminate punishment of vigilantes, however, threatens to reinforce the very procedural shortcomings that render extralegal punishment problematic. The legitimate practice of enforcement, then, requires a

twofold approach to the problem of violence: an effective response to violence, and safeguards against arbitrary attribution of guilt. The aim is not just to condemn vigilantism, but to ensure that the response to vigilantism is consistent with the law, the assessment of evidence and individual criminal liability.

Penal and Non-Penal Strategies for Addressing Vigilantism

To fight, we need a combination of vigilante penal enforcement and non-penal prevention. If the actus reus of the crime is established, criminal sanctions are appropriate. They can address violence, intimidation and other forms of criminal behavior. But enforcement must be proportionate, evidence-based and in conformity with the principles of due process. Criminal justice institutions are meant to be fair. The idea that all the people in a crowd are equally guilty, no matter what everyone did, is not fair. Therefore, the penal approach must focus on prompt investigation, reliable evidence collection, identification of the role of each individual, and transparent application of the law. A necessary task of authorities is to distinguish between the person who performed the violent act, those who actively participated in the act, those whose conduct constitutes another applicable offense and those whose presence does not establish criminal liability. These differences must be viewed in the light of the facts and legal requirements of each case. Open communication about the investigation and its legal basis can also help reduce uncertainty about official responses. Non-penal approaches focus on social and institutional conditions that can open up the possibility of acceptance of extralegal punishment. Why we should care about improving procedural fairness This is because people are more likely to view legal institutions as legitimate when they are treated with respect and their concerns are addressed through transparent processes. Community policing can help build communication between authorities and residents, provide a means of reporting suspicious criminal activity, and promote the legal resolution of disputes. The value is in consistent implementation, not in having a community engagement program.

Another important measure is public legal education. Communities need to understand an accusation is not evidence and then suspected offenders have rights." Legal awareness activities should include information on how to report a crime, how to preserve relevant information, how to seek help from authorities, and how to avoid actions that would put others at risk of violence or unlawful coercion. Such education should be supported by credible institutional responses. But if residents continue to perceive official processes as inaccessible or unfair, awareness campaigns are unlikely to mollify their concerns. And also, institutions need to be open and accountable. Good complaints procedures, easy access to information about legal procedures and adequate oversight can help allay fears about delays, differential treatment or misconduct. The measures are meant to be part of a larger effort to improve the

relationship between communities and criminal justice institutions. It's not that the public likes all of the legal outcomes, but that the decisions are arrived at in legal and accountable ways. The integrated approach recognizes that social prevention and criminal enforcement have different, yet complementary, roles. Penal sanctions are applicable to conduct against the criminal law. Non-penal measures are aimed at encouraging lawful dispute resolution and reducing the social acceptance of extralegal punishment. Including them gives more policy guidance than mere punishment.

Integrated Discussion: From Public Distrust to Legal Legitimacy

The analysis above indicates that vigilantism is both a criminological problem and a challenge to the normative foundations of criminal justice. What matters is the contradiction between the need for justice and the employment of methods that elude the procedures that are meant to establish guilt and impose lawful sanctions. The people involved may feel that collective punishment is a means to restore order. Such behavior, however, may result in greater harm and muddy the waters between right and might. The contribution of the integrated framework is to link three dimensions that need to be studied together: the institutional legitimacy of criminal justice, the social and emotional dynamics of collective action, and the legal principles that govern individual responsibility. Institutional legitimacy helps us to understand the value of public confidence, criminological perspectives shed light on the conditions under which extralegal punishment might be accepted, and legal analysis helps us to understand the limits on assigning responsibility. None of these dimensions is sufficient by itself.

This analysis also points to the fact that stronger criminal sanctions alone cannot restore public confidence. But enforcement is still required, and its legitimacy relies on legal procedures, fair treatment and careful assessment of evidence. Institutions must support public education and community engagement along with credible responses to complaints and suspected offenses. The policy challenge, then, is to build the capacity of formal justice mechanisms while clarifying that collective anger does not confer legal authority to punish. But this is a discussion about ideas and standards, not a statistical discussion about the causes or extent of vigilantism. It does not prove that distrust of institutions will necessarily lead to collective violence, or that any preventative act will be effective everyplace. Rather, it points to the legal principles, criminological explanations and policy considerations that should inform further analysis and practical responses to vigilantism in Indonesia.

Conclusions

This paper is about the phenomenon of vigilantism in Indonesia in relation to public trust in the criminal justice system. The discussion demonstrates that acts of vigilantism may be associated with skepticism about law enforcement, legal cynicism and community responses to suspected crime. These do not explain every single incident but do throw some light on why some people will punish alleged offenders without waiting for the legal process to take its course. Another problem is criminal responsibility if the violence is group-based. Public anger does not make a person guilty, and being in a crowd does not mean that every person has the same responsibility. Each case has to be considered in the light of the law applicable, the evidence available and the conduct of the parties concerned. Without this distinction, efforts to correct vigilantism could lead to further injustice. The findings also highlight the need for both penal and non-penal responses. Law enforcement must investigate these incidents properly and hold people accountable based on the evidence. At the same time, attention must be paid to public understanding of legal procedures, transparency in dealing with complaints and communication between the police and local communities. Such efforts may help to encourage people to use formal legal channels instead of resorting to collective punishment. This study uses the approach of qualitative normative and conceptual. It does not, therefore, measure the frequency of vigilantism, nor does it establish a direct causal relationship between public distrust and collective violence. Future studies could look at specific cases in Indonesia and explore the role of local conditions and perceptions of law enforcement on community responses to alleged crime.

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