

ANALYSIS CRIMINOLOGY THE VIGILANTE ACT THAT LED TO DEATH

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ABSTRACT

The act of taking the law into one's own hands to judge others regardless of the existing law is usually carried out by beatings, torturing, burning and so on. This vigilante action is an act of unilateralism, which is an act of exercising rights according to one's own will arbitrarily without the consent of other interested parties. As a country with a rule of law doctrine as referred to in Article 1 paragraph (3) of the 1945 Constitution that Indonesia is a state based on law, of course the act of taking the law into one's own hands does not have a single justification from a normative point of view. These vigilante acts are often carried out en masse to avoid personal responsibility and to avoid retaliation from friends or family of victims. Violence taken by the community is considered as the right step to solve a problem that is considered an act against the law.

Key words: Criminology, Vigilante Actions, Death

INTRODUCTION

The Republic of Indonesia is a constitutional state based on Pancasila and the 1945 Constitution, which upholds human rights and which guarantees all rights of citizens to be equal in law and government with no exception. Based on Article 1 paragraph 3 of the 1945 Constitution, it clearly states that the rule of law and law are the state of power so that there are several consequences attached to them. The law is a compelling set of regulations that determine human behavior in the community, which is made by official state agencies and contains strict sanctions on these regulations.

Law enforcement and law enforcement in Indonesia are still far from perfect. The main weakness is not in the legal system and legal products, but in law enforcement. Public expectations for legal guarantees and certainty are still very limited. Law enforcement and implementation have not run in accordance with the principles of justice and truth, in this regard, as long as Law No. 8 of 1981 on the Criminal Procedure Code is enforced, which is a rule in the judicial process or criminal law enforcement process, it turns out that there are still many shortcomings. It is felt that the law has not been able to accommodate the hopes of justice seekers, especially regarding the application of law to people who take justice into their own hands, which is important in the criminal justice process. Law has an important role in people's lives, one of which is to create order. According to E. Utrecht, the definition of law itself is a collection of guidelines for the discipline of a society and should be obeyed by the members of the community concerned.

Law is always inherent in human life. Therefore, talking about law cannot be separated from talking about it from human life. In exercising his rights and freedoms, everyone is subject to the restrictions established by law with the sole purpose of guaranteeing recognition and recognition of the rights and freedoms of others to fulfill fair demands in accordance with considerations of moral, value, religion, security and order. common in a democratic.

Currently, there are many acts of violence in society, such as acts of violence committed by individuals or collectively or by the masses which is better known as the crime of vigilante violence. The definition of vigilante vigor is still difficult to find, there is no unity of opinion on the meaning of vigilante action. One form of vigilante action is beatings, or beatings, this often occurs due to the uncontrollable emotions of the masses. There is a tendency for the masses to take action outside of what is normal, judging by themselves is not the right way but is a violation of human rights and has contributed negatively to the law enforcement process. Law enforcement in this vigilante case needs serious efforts and serious handling, the act of taking the law into one's own hands will become a culture in society and become a stain in the life of the nation and state.

If a country in the life of its people does not pay attention to the applicable law, the community will tend to submit to groups or individuals who have physical strength such as certain groups that have a strong mass base or thuggery groups which show that community groups tend to prepare physical strength as a measure. anticipate in solving each problem rather than using legal channels which they consider ineffective.

The emergence of vigilante action is in line with the development of a society that feels they have power and use the power they have. The act of taking the law into one's own hands almost touches all regions in Indonesia, be it big cities, small towns, districts and hamlets and villages. Vigilance by itself is not the right way, but rather a violation of human rights and has contributed negatively to the law enforcement process.

Vigilante is a translation of the Dutch term "Eigenrichting", which means the method of taking the law into one's own hands, taking rights without regard to the law without the knowledge of the government and without the use of government tools of power. Apart from that, vigilante is a term of action to punish a party without going through a process that is in accordance with the law. Vigilantism itself is a type of violent conflict that is quite dominant in Indonesia, usually in the form of persecution, vandalism and so on. The suspect in the vigilante action was a group of people.

People who take the law into their own hands can be considered as perpetrators of a criminal act, because the perpetrator is a person who commits the criminal act concerned, in the sense of a person who deliberately or an accident as required by law has caused an effect that is not desired by law, whether it is subjective elements or objective elements regardless of whether the decision to commit the crime arises from himself or not because of a movement by a third party. Penalties can only be applied to people who have been proven guilty and the decision is determined by the judge through a process of evidence beforehand. Before the process of providing clarity on the status of the person accused of committing an offense, the presumption of innocence principle applies. This also applies to perpetrators who have been proven to have been caught in the act of committing vigilante crime.

In general, it can be said that there is no perpetrator without a victim, and there is no victim without a perpetrator. The relationship between the perpetrator and the victim is a dual relationship. However, for certain violations of the law, what is often known in the criminological literature as victimless crime and crime without victim may occur, even though the victim and the perpetrator are singular in the sense that the perpetrator is the victim and the victim is the perpetrator.

The Criminal Code prohibits people from engaging in vigilante actions because it is not in accordance with the 1945 Constitution, which states that the Indonesian state is a state of law meaning that everything in Indonesia is regulated by law, including the act of playing alone. The act of playing alone here constitutes a violation of human rights, hereinafter referred to as HAM. The Criminal Code does not specifically regulate vigilante vigilance, but that does not mean that the Criminal Code is not applied at all in the event of vigilante action. In the event of a vigilante act, the victim of such an act can report to the competent authority on the grounds that Article 351 of the Criminal Code on Enrichment in that Article does not state that the abuse is an act of taking the law into one's own hands, but if you pay attention to the elements in the article. this means that the enrichment can be categorized as an act of vigilantism.

LITERATURE REVIEW

Definition of Vigilante

Eigenrichting in law is an act of self-judgment or one-sided action. This action is like hitting a person who has cheated or the act of locking up someone who does not want to pay off his debt. This kind of vigilante action is an act to exercise rights according to one's own will arbitrarily without the consent of other interested parties. As a country with a rule of law doctrine as referred to in Article 1 paragraph 3 of the 1945 Constitution, Indonesia is a constitutional state. Of course, the act of taking the law into one's own hands does not have a single justification from a normative point of view.

Vigilante or what is commonly referred to as the term of the wider community and mass media with mass transition, mass judgment, street courts, people's courts, rampage masses, mass anarchism, or also mass brutality, is a translation of the Dutch language, namely Eigenrichting, which means how to take justice into your own hands, take rights without heeding the law, without the knowledge of the government and without the use of the tools of government power. The act of taking the law into one's own hands almost always runs parallel to the violation of the rights of others, and therefore it is not permissible to do this as an indication of low awareness of the law.

Vigilantism itself is a form of public reaction due to violations of norms prevailing in society. From a sociological point of view, people's reactions can be divided into two aspects, namely positive aspects and negative aspects. A positive aspect is if it meets the following requirements:

1. Public reaction to crime through social approaches is in accordance with the background of a crime
2. Public reaction is based on cooperation with security forces or law enforcement officials
3. The purpose of punishment is to provide guidance and support for the perpetrator of the crime
4. Consider and take into account the reasons for committing a crime.

Meanwhile, the negative aspects if:

1. The community's reaction is immediate, that is, it is done on the basis of emotional outburst.
2. Community reactions are based on local regulations that apply in the community concerned (unofficial)
3. The purpose of punishment tends to be more in the nature of retaliation, grievance, coercion, and revenge.
4. There is relatively little consideration and consideration of the background why a crime was committed.

According to Soerjono Soekanto, taking the law into one's own hands is like a crowd that is against legal norms. The crowd that is contrary to legal norms is divided into two, namely:

1. A crowd that acts emotionally (acting mobs), this kind of crowd aims to achieve a goal by using physical force that is contrary to the legal norms prevailing in society.
2. Immoral crowds, for example, are like drunken people.

According to Sudikno Mertokusumo, taking the law into one's own hands is an act of exercising rights according to one's own will which is arbitrary without the consent of the interested parties so that it will cause losses. The party referred to by Sudikno is the ruler, in this case represented by the police and continued by the prevailing judicial system but before joining the police the action was carried out. The losses incurred by these actions have an impact on all parties, both law enforcement, law enforcers and society.

A person's attempt to play an act of his own is not prohibited as long as in that business he does not commit an act that is included in the formulation of other acts. For example, a person has his wallet stolen and he asks the pickpocket to return his wallet, and this request is complied with, then this act of playing alone is not prohibited. Meanwhile, the vigilante act referred to here is the act of taking the law into one's own hands which violates the law beyond the limits of reasonableness such as committing maltreatment, and is a criminal act.

Vigilante Forms

The act of taking the law into one's own hands is a community response that creates an atmosphere of disorder. People who are supposed to obey the prevailing laws stipulated by the authorities act otherwise, they respond to the existence of crimes by judging the perpetrators of the criminal acts themselves. However, if it is seen from the definition of a criminal act, that what is done by the community to a criminal who is caught by the community by being beaten black and blue and even burning him alive is another form of crime.

These vigilante acts are often carried out en masse to avoid personal responsibility and to avoid retaliation from friends or family of victims. Violence taken by the community is considered as the right step to solve a problem that is considered an act against the law. The forms of vigilante crime against the perpetrators of criminal acts committed by the masses, it can be seen that there is no difference from criminal acts in general, only that the difference is in terms of the subject of the perpetrator who is more than one person. Therefore, the discussion of criminal acts committed in a mass manner is focused on the word mass. Based on the word mass which refers to the perpetrator in a criminal act, it means two or more people or is not limited to the maximum.

Actions carried out by the masses can also be said collectively, because in committing a criminal act the perpetrators in this case are a large number / more than one person where directly or indirectly, whether planned or not planned, cooperation has been established, whether it is done in a jointly or individually in the event of a series of incidents that give rise to a criminal act or more specifically cause / result in physical or non-physical damage. This is regulated in Article 170 of the Criminal Code.

Article 170 of the Criminal Code affirms:

1. Anyone who in public commits violence against people or property, shall be sentenced to a maximum imprisonment of five years and six months.
2. Guilty punished:
 - a. With a maximum imprisonment of seven years, if he deliberately damages things or the violence, he does causes injury
 - b. With a maximum of nine years imprisonment, if the violence causes serious injuries to the body.
 - c. With a maximum imprisonment of twelve years, if the violence results in the death of a person.

Usually, this article is often used by public prosecutors to ensnare the perpetrators of criminal acts committed by an unorganized mass. Meanwhile, Article 17 of the Criminal Code contains constraints and controversy because the subject whoever appoints the perpetrator is one person, while the term collectively indicates a group of people. According to his explanation, this offense was not aimed at groups or masses who did not regularly commit criminal acts, the threat was only aimed at people among the groups who were truly proven and with their collective energy to commit violence. Within the mass groups which are unique in nature, offenses like this are difficult to apply.

So Article 170 is relevant to apply to reactionary masses or spontaneity in committing criminal acts. Unlike the case with organized masses, they can use articles on the offense of participation, because in the articles it is clear about the position of one perpetrator to another, unlike reactionary masses who are not included in the offense of inclusion, namely advocacy where the masses are not clear about the position of one another. , and automatically in this case it is considered equally as actors who have the same responsibility as other actors.

So far, the problem is related to legal action and the provision of fair and effective sanctions against groups and actors or groups of people who experience difficulties in its application in the field. In criminal acts committed by the masses to determine the maximum limit of the number of masses it is difficult, as the meaning of the word mass is two people for the minimum and not limited for the maximum. So mass, in this case, there are two categories of total mass, namely, the mass which is clear how many there are and the mass which is not clear what the total mass is. For a mass that is clear what the mass number is where the mass involved in a criminal act can be counted and how much is involved in committing a criminal act, because this has been regulated in criminal law, namely the offense for participation. Whereas for the mass, it is not clear how many the mass, is where the mass is many and it is difficult to calculate the nominal value, making it difficult to determine whether all the masses involved are all or not or only partially.

Factors Causing The Occurrence of Vigilante Actions Which Cause Death

One of the factors that causes people to take vigilante actions is the urge to act as a hostile outburst or a hostile frustration. this could be caused by the community's distrust of legal institutions. Legal institutions are seen as unable to enforce existing laws or regulations, so taking the law into one's own hands is used by the community as a way to vent emotions. Legal institutions are seen as incapable of providing the fulfillment of a sense of justice for the community.

The factors that cause a person to take vigilante actions are as follows:

- a. At that time, crimes in the area were rampant and the community committed vigilante actions so that crimes in the area would not recur.
- b. Join the other community.
- c. Having a very high emotional sense, this emotion cannot be suppressed because the incidents of criminal acts in the eyes of the community are very rife and very dishonorable, then taking the act of taking the law into one's own hands.

Law is made to serve as a means of social control in people's lives, the four basic functions of law as a means of control in social life, namely:

1. To establish relationships among community members by showing the types of behavior that exist in society
2. Determine the distribution of power
3. Resolving disputes and attitudes
4. Maintaining the functions of inter-community relations.

The occurrence of vigilante vigilance is because these people feel responsible, affectionate, and feel they need one another, so that when the perpetrator of a criminal act is known and is caught directly based on emotion without thinking, the community will act to judge the criminal offender.

As for the background of the occurrence of crime, it is the reasons that encourage a person to commit a crime. This background includes two things, namely:

1. A negative background, namely a crime that is committed consciously / intentionally, meaning that the act committed is really done consciously and the perpetrator really knows the consequences, namely detrimental to society, violating the law so that the act can be declared an evil act that fulfills the elements. which is opposed by society and the state

2. positive background, namely crimes committed unconsciously / without intention, meaning that the perpetrator does not know with certainty that his act violates the law, can be sentenced to punishment and does not know what consequences it will cause. Usually this is related to motives that tend to be difficult in everyday life or because they are forced to. Even so, the act is still punishable by the state.

When the community is ignorant of the applicable law, it does not rule out the community will prefer to solve existing criminal problems at will without thinking about the impact. This attitude will cause the community to be more dominant in using vigilante action rather than legal settlement. By doing the vigilante community, the community feels that they have resolved a legal problem, but the action is wrong and violates the law, even though if there is a criminal act in the community, the community should report it to the competent authority in other words the police for legal settlement accordingly. by statutory regulations by reporting the incident of a criminal act to the competent authority, an act of taking the judge himself does not occur.

There are several factors that cause someone to take vigilante actions, which can be seen through the anomie theory, someone who takes the act of vigilantism, they no longer believe in the existence of law, in other words they have experienced disappointment with existing laws and regulations where the values values and norms that should be obeyed and also implemented become increasingly unclear and lose relevance. So if in a community that has experienced disappointment with the law, what happens is that the community conducts a street court, namely by taking the act of taking the law into their own hands. The act of taking the law into one's own hands can thus be categorized as anomie or in this case of taking the law into one's own hands there is a mismatch in the application of the legal function with the objectives desired by the community, the implementation of legal functions by legal institutions is seen by the community as not fulfilling what the community wants so that the community carries out its law. alone.

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Thus it can be concluded that the government and legal institutions fail in carrying out their duties properly, if a task or rule has been said to be successful, then the community will judge it and are willing to follow all existing legal rules, an example of failure of law enforcers in carrying out their duties is by taking action the act of taking the law into one's own hands, already reflects the failure of law enforcers to eradicate crime and the second example of failure of law enforcement in carrying out their duties is that the community often finds anomalies in the law enforcement process carried out by the police, the community has the perception that someone who has committed a criminal act can just get out of the action of the case in other words the police can just release someone who has committed a criminal act because that person has paid to the police so that the case can be resolved and then released, that is yes This makes the public no longer able to fully trust the existence of a fair, good and correct law enforcement process.

As for other factors that cause a person to take vigilante actions that occur directly in the field, as follows:

- a. The community in taking the act of vigilantism is due to the encouragement factor given by other communities, making one community to another become involved in taking the action of taking the vigilante action.
- b. There are emotional factors contained in a person, there are many factors that cause them to be emotional, namely by seeing the crime around them for those who do not understand the law they do vigilante action

freely, there is no feeling of guilt, society cannot control himself if he finds a crime that injures other people around him, because that has become a spontaneous response.

- c. The factors that cause people to take vigilante actions are that the community has a lack of trust in the applicable law, due to a bad law enforcement process. For example, by making bribes against law enforcers (Police, Attorney General's Office, Court) by the perpetrator or vice versa, in order to create law enforcement that is not in accordance with the legislation.
- d. Have a sense of revenge against the perpetrators of criminal acts, because people who commit vigilante actions have experienced a criminal act and have been victims of a crime, or their families have been victims of such crimes, be it theft, robbery, murder and so on. , then a revenge is carried out against the perpetrator of a criminal act, then commits the act of taking the law into one's own hands to fulfill the desires that arise in the community who are victims of the crime.
- e. There is a situation that allows them to commit vigilante actions, namely the first is the lack of preparedness of the Police to come directly to the scene of the case, the second is because there are so many people that they think that if they take the act of taking the law into their own hands no one will be able to know who anyone who do it because of that mass.

Furthermore, seen from the social psychological factors experienced by the perpetrators of the vigilante action, it can be explained according to the framework of the vigilante action, namely as follows:

- a. Perceived Norm Violation, the perpetrators generally have a very negative perception of criminals and crime, which makes the perpetrators feel angry, irritated, upset, resentful, angry and anxious. This feeling causes them to have the intention of "judging" the criminals.
- b. Perceived Law Enforcement, the perpetrators have a very negative perception of law enforcement. The law is considered to be running very badly, is ineffective, inefficient, and unfair. In this context, the police are perceived as an apparatus that is not serious in handling crimes and also handling cases of mass judgment.
- c. Relative Deprivation. The existence of relative deprivation experienced by the perpetrators of mass judgment is mainly seen from feelings of disappointment and dissatisfaction accompanied by angry emotions they experience due to the gap between the expectations of being able to live safely.
- d. Perceived Social Support, the perpetrators generally have the perception that the audience and the local community provide support for cases of mass judgment.
- e. Social learning, actors learn from other cases about forms or types of violence. They also learn (mainly through direct observation and information heard / read).
- f. Mob identification, these factors will not be possible to manifest in the form of mass judgment, if the perpetrators are not in the mass and identify themselves in time.
- g. Triggering, the trigger is a very important factor in chain antecedent factors with mob identification factors. It is like a lighter ready to ignite the negative emotions of people who are potentially very angry and have a "judgmental" intention.
- h. Perceived Social Role, the involvement or identification of an individual in the mass and being one of the actors in the judgment of the masses, is determined by how that person's perception of his social role in society.

The act of vigilantism that causes death is a fact that often occurs in society. However, people who commit these acts are not legally processed, even though the acts have violated criminal provisions. In Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia it is explicitly stated that the Indonesian state is a constitutional state. As a state, Indonesia is a state of law, of course capable of realizing legal supremacy as one of the requirements of a rule of law.

Law Number 39 of 1999 concerning Human Rights, in Article 4 which states: "the right to life, the right not to be tortured, the right to freedom of privacy, the right of mind and conscience, the right to religion, the right not to be enslaved, the right to be recognized as a person. and equality before the law, and human rights that cannot be reduced under any circumstances and by anyone

Then in Article 33 paragraph (1) of Law Number 39 of 1999 concerning Human Rights which states: "Every person has the right to be free from torture, punishment, or cruel, inhuman, degrading treatment and dignity."

Based on Article 4 and Article 33 paragraph (1) it can be concluded that the act of taking the law into one's own hands is an act that is against the law and violates human rights.

The statutory regulations, especially the Criminal Code (KUHP), have not specifically regulated vigilante vigilance, so that does not mean that the Criminal Code cannot be applied at all in the event of vigilante acts. In the Criminal Code relating to vigilante action is regulated in Article 351 concerning Persecution:

- a. Maltreatment is punishable by a maximum imprisonment of two years and eight months or a maximum fine of three hundred rupiahs.
- b. If the act results in serious injury, the guilty party is punishable by a maximum imprisonment of five years.
- c. If the act results in serious injury, the guilty party is punishable by a maximum imprisonment of five years
- d. Persecution is likened to deliberately destroying health.
- e. Attempt to commit this crime is not criminal

When someone commits an act of vigilantism, the article can be imposed on anyone who commits the act, whether it is because of emotional factors, bandwagon, lack of trust in the law and situation. Acts such as taking the law into one's own hands are not justified, so they can be imposed on people who do them. Whereas if a person who commits the act of playing alone results in the loss of a person's life, it can be subject to Article 338 of the Criminal Code concerning Crimes Against Life, "Anyone who deliberately seizes the life of another person, is threatened with murder with a maximum imprisonment of fifteen years".

Countermeasures for Vigilante Actions That Lead to Death

The level of vigilante action will largely be determined by public trust in law enforcement. The trend is that if the public's trust in the judiciary in legal or judicial processes is high, then the act of taking the law into self-justice will be low or reduced, and vice versa if public trust in legal institutions or the judiciary is low, then the act of taking the law into one's own hands will increase or increase.

Based on empirical facts, it shows that vigilantism often occurs, so the conclusion is that public trust in law enforcement is low. On that basis, it is necessary to make efforts that must be made by law enforcers in overcoming this problem. Law enforcement efforts include three things, namely pre-emptive, preventive, and repressive measures.

1. Pre-emptive measures

Pre-emptive measures are efforts made by the police to prevent a crime from occurring. Theoretically, pre-emptive efforts are efforts to prevent before the occurrence of a crime, but in practice it is sometimes repositioned to be an effort to minimize it, in the sense that basically the action has already occurred, it is just how to reduce or suppress the increase in the number of crimes or crimes. To prevent the occurrence of vigilante actions, one of the efforts made by the police is to disseminate information to the community, starting from the existence of a law to the stage of making the community part of the parties participating in law enforcement. Of course this is in line with the police motto, namely protecting the community.

This stage is a process of internalizing values, namely how to make people obey and obey the applicable legal regulations because of their awareness. Building a law-conscious society is certainly a matter that must be a priority. Like the well-known adage that "prevention is better than cure", therefore pre-emptive efforts need great attention from law enforcement officials. One of the things that needs to be considered is how to reform the legal system as part of a pre-emptive effort towards the emergence of vigilante action.

The legal system itself is divided into two, the first is a comprehensive legal system, which means a legal system associated with a homogeneous society based on solidarity. While the second is a restitutive legal system, namely a legal system characterized by the existence of groups with primary values and functions to reconstruct the complex integrity of society. The first legal system was non-specific. Citizens have the same view of life and almost the same values. This deviation will cause an immediate social reaction and anger. The law was immediately passed so that others would be afraid to commit an offense or the same. Punishment is an effort by law enforcement authorities and obtaining this authority from the state as the only right to punish, this is based on Law Number 8 of 1981 concerning KUHP. Of course, this effort must get direct support from the community, of course, by making the community part of the parties that participate in law enforcement.

Building a law-conscious society is certainly not an easy thing. The existence of a statutory provision is not immediately known by the public. Therefore, the socialization of laws and regulations is very important in building public legal awareness.

One of the efforts made by the police to prevent the occurrence of vigilante acts can be by partnering with community leaders and the public in general by reporting or submitting the perpetrator of the crime to the police if they find or catch the criminal's hand. This partnership can be done by getting closer to the community or mingling with the community so that in this persuasive way the people do not take the act of taking justice into their own hands.

Efforts to mingle with society are a step that is seen as efficient, the police as part of civil society are not allowed to keep a distance from the community, especially in matters of responsibility for environmental security issues. The police as a law enforcement institution with the slogan "protecting the community" must make the community a partner in maintaining stability and security. In this way, it is hoped that in the future vigilante action can be prevented because it will create new legal problems in the midst of society.

2. Preventive measures (prevention)

Preventive in English terms means prevention or prevent. In another reference, preventive is the delivery of an intention to find a way out or to prevent it from happening. Preventive measures are efforts to prevent problems from arising. Preventive efforts can also be meant as an activity that is carried out systematically, planned and directed to keep things from spreading or arising. These preventive efforts are a follow-up to Pre-Emptive efforts which are still at the level of prevention before a crime occurs. In preventive efforts, the emphasis is on eliminating the opportunity to commit crimes. So in a preventive effort, the opportunity to commit a crime or crime is closed.

Preventive measures against vigilante actions carried out by law enforcers in this context are meant by routine patrols. This method proved to be effective, because in addition to being easy to monitor the security conditions of the villagers of Teluk Kulbi village, they often found out when a crime had occurred during a police patrol. Of course, this method can prevent vigilante action because the perpetrators of the crime will be handled directly by the police.

3. Repressive Efforts (Repression)

Repressive measures are those that are carried out in stages when a criminal act / crime has occurred. This effort is carried out by law enforcement through the act of imposing punishment. In the context of the Eigenrichting vigilante action which is rife, it is necessary to seek repressive efforts from the police regarding the vigilante action. Repressive measures do not only provide a deterrent effect for the perpetrators of vigilante actions, but it is necessary to pay close attention to the handling of vigilante actions. For vigilante actions, the steps that need to be taken by the police are to arrest and convict the perpetrators of the vigilante action, especially those who are suspected of being provocateurs, so that the vigilante act occurs. Because in general, incidents of vigilante action are usually provoked by irresponsible individuals.

Based on the social control theory that in an effort to overcome a prevention in taking vigilante actions that focus on techniques and strategies to regulate human behavior and obedience to the rules of society. There are four social bonds that encourage socialization and self-adjustment, namely: attachment, commitment, involvement, and belief.

a. Attachment

Attachment is the human ability to involve himself in other people. If this attachment has been formed, then that person will be sensitive to the thoughts, feelings, and desires of the other person, so that it can prevent or hinder that person from committing crimes or committing vigilante actions.

b. Commitment (a strong positive stance).

Entanglement in conventional subsystems such as school, work, organizations and so on. This means that a person with common sense weighs the pros and cons of the deviant behavior.

c. Involvement

If a person is involved in a lot of activities, all energy and thoughts will be poured out, so that there is no time to consider deviant behavior.

d. Belief (The view of high moral values)

This element causes a person to respect norms and rules and feel a moral obligation to obey them, then believe in the norms of norms and values of social life.

The act of vigilantism is a form of crime so that the perpetrator who commits the act of taking the law into his own hands which results in the death of the victim must be held accountable for his actions, but in carrying out the legal process the investigator does not continue the legal process based on Article 109 Paragraph 2 of the Criminal Code, as for the reasons for terminating the investigation as regulated in that article, namely:

- a. Sufficient evidence is not obtained, that is, if the investigator does not obtain sufficient evidence to prosecute the suspect or the evidence obtained by the investigator is not sufficient to prove the suspect's guilt.
- b. The incident that was suspected was not a criminal act.
- c. Termination of investigation for the sake of law. This reason can be used if there are reasons for the elimination of the right to sue and the loss of the right to carry out the crime, namely, among others, because of *nebis in idem*, the suspect has died, or because the criminal case has expired.

People who commit acts of taking justice into their own hands which result in other people dying must be held accountable for their actions criminally, namely the perpetrators must be legally processed starting from:

1. The investigation process

Investigators need to be more careful and careful in looking for evidence that shows the public has committed acts that violate criminal regulations. After that, the articles that have been violated are determined. Because if something goes wrong, then the person who is arrested may not be a suspect in the judgment or the act does not violate the criminal provisions.

2. The trial process

The trial process, in this case, starts from the reading of the indictment letter from the public prosecutor to the verdict by the panel judge.

3. Implementation of sanctions determined by the judge in court.

People who commit acts of taking justice into their own hands which result in the victim's death must carry out the sanctions, sanctions for the community are given individually based on the actions that have been committed.

The penalties for people who commit vigilante actions are not all the same, but based on the results of investigations by the police investigator, because people who take part in the act of vigilantism are only hitting, some are hitting with objects, some are molesting them to the point of causing the victim to die. the world, so that the form of accountability is based on the mistakes that have been done.

CONCLUSION

1. Factors causing the occurrence of vigilante actions (*Eigenrichting*) that lead to death are public distrust of law enforcers in dealing with criminals, emotions and hurt feelings towards the perpetrators of criminal acts, so that the perpetrators of criminal acts are deterred and so that other actors are afraid to do the same, the assumption that judging the perpetrator of a criminal act is a habit in society to participate in, the police factor that does not allow the vigilante action by the masses, and the police factor which is slow and unprofessional in handling criminal cases.
2. Efforts to overcome the act of vigilantism (*Eigenrichting*) that cause death is a pre-emptive effort, namely early prevention that can be done by law enforcers in instilling values or norms, especially the police, is by socializing the law to the community, inviting the community to obey the law, establish cooperation with the community to maintain security and public order. Preventive Efforts, namely Building authority and legal certainty that fulfills the sense of justice in society; With legal advice and counseling; and Carrying out routine patrols and repressive measures, namely processing perpetrators of vigilante against perpetrators of criminal acts.

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