



Secondary Victimization and Retributive Justice Erosion amid Declining Trust in Police

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Article Info	Abstract
Received: 18-12-2025 Revised: 03-04-2026 Accepted: 03-04-2026 Published: 03-04-2026 Keywords: Nood Weer; Criminology; Secondary Victimization; Retributive Justice; Public Trust in the Police	This article examines the phenomenon of noodweer (self-defence) in cases of violent theft triggered by public distrust of police performance. The main research problem concerns how distrust in law enforcement institutions encourages acts of self-defence that may exceed legal boundaries, as well as its implications for justice. This study aims to analyse the phenomenon from a criminological perspective, particularly in relation to secondary victimisation and the erosion of retributive justice. This research employs a qualitative approach through an in-depth and analytical literature review, drawing on peer-reviewed scientific journals, academic books, and legislation. The analysis applies a legal-criminological approach and thematic analysis to identify patterns and conceptual relationships among the examined variables. The findings indicate that the failure of police institutions to provide protection and a sense of security contributes to the emergence of secondary victimisation and encourages individuals or communities to act outside the legal framework. The decline in public trust in the police also blurs perceptions of retributive justice. Furthermore, a comparison of responses across different regions shows that the level of public trust and the effectiveness of law enforcement are key factors in the emergence of this phenomenon. The contribution of this study lies in strengthening the conceptual analysis of the relationship between noodweer, public distrust, and the crisis of legal legitimacy. It also offers recommendations for enhancing police professionalism, accountability, and transparency, reviewing debt collection regulations, and developing alternative dispute resolution mechanisms to sustainably rebuild public trust.
Info Artikel	Abstrak
Kata Kunci: Noodweer; Kriminologi; Viktimisasi Sekunder; Keadilan Retributif; Kepercayaan Publik	Artikel ini mengkaji fenomena noodweer (pembelaan diri) dalam kasus pencurian dengan kekerasan yang dipicu oleh ketidakpercayaan publik terhadap kinerja kepolisian. Permasalahan utama dalam penelitian ini adalah bagaimana ketidakpercayaan terhadap aparat penegak hukum mendorong munculnya tindakan pembelaan diri yang berpotensi melampaui batas hukum, serta implikasinya terhadap

terhadap Kepolisian

keadilan. Penelitian ini bertujuan untuk menganalisis fenomena tersebut dari perspektif kriminologis, khususnya dalam kaitannya dengan viktimisasi sekunder dan erosi keadilan retributif. Metode yang digunakan adalah pendekatan kualitatif melalui studi literatur mendalam dan analitis, dengan memanfaatkan sumber berupa jurnal ilmiah bereputasi, buku akademik, serta peraturan perundang-undangan. Analisis dilakukan dengan pendekatan hukum-kriminologis dan analisis tematik untuk mengidentifikasi pola serta hubungan konseptual antarvariabel yang dikaji. Hasil penelitian menunjukkan bahwa kegagalan institusi kepolisian dalam memberikan perlindungan dan rasa aman berkontribusi pada munculnya viktimisasi sekunder, serta mendorong masyarakat atau individu untuk bertindak di luar kerangka hukum. Penurunan kepercayaan publik terhadap kepolisian juga terbukti mengaburkan persepsi terhadap keadilan retributif. Selain itu, perbandingan respons di berbagai daerah menunjukkan bahwa tingkat kepercayaan publik dan efektivitas penegakan hukum menjadi faktor kunci dalam munculnya fenomena ini. Kontribusi penelitian ini terletak pada penguatan analisis konseptual mengenai hubungan antara *noodweer*, ketidakpercayaan publik, dan krisis legitimasi hukum, serta memberikan rekomendasi berupa penguatan profesionalisme, akuntabilitas, dan transparansi kepolisian, peninjauan regulasi penagihan utang, serta pengembangan mekanisme penyelesaian sengketa alternatif guna membangun kembali kepercayaan publik secara berkelanjutan.



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INTRODUCTION

In the landscape of modern law enforcement, public trust in police institutions is not merely an ideal, but a fundamental pillar supporting the legitimacy and effectiveness of the criminal justice system. However, the reality on the ground often reveals a gaping chasm between public expectations and perceived performance. When society feels that institutions meant to be at the forefront of law enforcement fail to provide adequate safety, justice, and protection, a phenomenon emerges that has the potential to erode the foundations of law: *noodweer*, or forced defence, which in this context manifests through acts of violent theft. This phenomenon, triggered by deep distrust of the police, leads us to a complex ethical and legal dilemma, where the line between crime and self-defence becomes blurred.

Criminologically, the riots that emerged from this institutional dysfunction are not merely ordinary criminal acts, but rather an indicator of deep social and institutional dysfunction (Reiner, 2010). Feelings of frustration, powerlessness, and a loss of faith in the system that is supposed to protect can drive individuals to take shortcuts, even by engaging

in illegal activities. This situation creates what is known in victimology studies as secondary victimisation, where individuals are not only victims of the crimes they commit, but also victims of the failure of the justice system and law enforcement institutions to provide the protection and justice they deserve (Walklate, 2012). The police's failure to respond to threats, handle reports, or enforce the law fairly can create the perception that the state neglects the interests of its citizens, prompting them to become "judges" and "executors" for themselves.

Furthermore, this phenomenon directly threatens retributive justice, which emphasises that punishment must be proportional to the offender's wrongdoing (*lex talionis*). When violent theft is committed under conditions of necessity triggered by distrust of the police, a crucial question arises: can the sentence imposed still be considered fair and proportionate if the root of the problem lies in institutional failure? This indicates an erosion of the principle of retributive justice (Von Hirsch, 1992), where factors outside the perpetrator's actions, such as distrust of law enforcement agencies, influence the perception and application of justice. Studies on public trust in the police show that low levels of trust correlate with decreased compliance with the law and an increased tendency to resolve issues outside of formal legal channels (Tyler, 1990). Therefore, this phenomenon of "nood weer" serves as a powerful lens for examining how public distrust of the police can undermine the foundations of retributive justice and the legitimacy of the legal system as a whole. To provide a solid foundation for this study, we define the key concepts as follows:

Necessity (Compelled Defence): In the context of this article, "nood weer" refers to the act of violent theft committed by individuals who feel compelled to do so due to a deep distrust of the police's ability or willingness to provide protection or justice, leading them to take matters into their own hands to meet urgent needs or defend themselves against perceived threats.

Secondary Victimisation: This refers to the additional harm or suffering experienced by individuals, not only as a direct result of the crime they have suffered (Ni Made Indah Gayatri, 2024), but also as a consequence of the justice system's or related institutions' responses being perceived as inadequate, unfair, or worsening their situation, including the police's failure to provide proper protection.

Retributive Justice: A principle of justice that focusses on retribution or punishment proportionate to the wrong committed by the offender (*lex talionis*). In this context, the erosion of retributive justice occurs when factors outside the perpetrator's

fault, such as distrust in institutions, influence the perception or application of fair and proportionate punishment(Sullivan & Tiff, 2007).

Public Trust in the Police: The level of public confidence and positive perception regarding the integrity, effectiveness, accountability, and fairness demonstrated by the police institution in carrying out its duties(Reiner, 2010).

Problem Statement:

How can a criminological study of the phenomenon of nood weer in cases of violent theft explain the secondary victimisation experienced by the perpetrators due to the public's loss of trust in the police, and how does this erode the principle of retributive justice in the legal system?

This research aims to:

1. Analyse noodweer in the context of violent theft from a criminological perspective as a response to distrust in the police.
2. Identifying and explaining the concept of secondary victimisation experienced by nood weer perpetrators due to the failure of the legal protection system.
3. Examining how the decline in public trust in the police contributes to the erosion of the principle of retributive justice in law enforcement.
4. Analysing the social and ethical implications of this phenomenon on public trust in the legal system as a whole.

This research is expected to provide both theoretical and practical benefits. Theoretically, this article will enrich the field of criminology and victimology by linking the phenomenon of self-defence with the issues of institutional distrust and retributive justice. Practically, the findings of this research can provide input for criminal law academics, police practitioners, policymakers, and other relevant parties in their efforts to understand the root causes of public distrust, formulate strategies to improve police effectiveness, and re-examine the application of retributive justice principles in complex cases.

RESEARCH METHOD

This research employs a qualitative and analytical in-depth literature review approach. This methodology was chosen to conceptually analyse the phenomenon of nood weer in relation to distrust of the police, secondary victimisation, and the erosion of retributive justice. The sources used include peer-reviewed scientific journals, academic books, and legislation. The analytical approach applied is legal-criminological analysis and

thematic analysis. Legal-criminological analysis links the concept of legal necessity (noodweer) with criminological theory, while thematic analysis identifies literature patterns to build arguments regarding implications for justice and public trust.

RESULTS AND DISCUSSION

The phenomenon of "nood weer" in cases of violent theft triggered by distrust of the police can be analysed through a criminological lens as a form of behaviour emerging from structural tension and the failure of social control. Strain Theory by (Merton, 2017) and (Agnew, 1992) provides a strong framework for understanding this. When individuals experience pressure to meet basic needs or security needs (cultural goals) but feel that legitimate means to achieve them, such as protection and assistance from the police, are unavailable or ineffective, tension arises. This tension can drive individuals to seek illegal alternatives.

One clear manifestation of this phenomenon is the surge in motorcycle theft cases disguised as debt collection by illegal debt collectors or individuals who abuse their profession. In many reports, the public often states that these acts of seizure are carried out roughly, even with violence, without clear legal procedures, and often occur in communities that feel they are not receiving adequate protection from the police. The hypothesis in this case is: when the community victimised by motorcycle theft feels that the police are slow, do not take decisive action, or are even suspected of "colluding" with the illegal debt collectors, deep frustration and distrust arise. This distrust has led some members of the public, both direct victims and sympathisers, to take their own "eradication" actions against these debt collectors, which often results in vigilantism or violent acts that are also illegal. This "eradication" response, although born from the intention to uphold their version of justice, can be categorised as a form of self-help because it was carried out outside the formal legal channels, driven by the perception of the state's institutions failing to provide protection and a sense of security. Furthermore, (Hirschi, 2017) social control theory explains that individuals who lose faith in the social order and law enforcement institutions tend to have weaker social bonds. When the police are perceived as failing in their function in cases such as motorcycle theft by debt collectors, or are even considered to be colluding, individuals may feel no longer morally or normatively bound to obey the law. In this situation, the action of "eliminating" debt collectors can be seen as a "forced" or "nood weer" attempt because individuals feel

there are no longer any reliable legal mechanisms to protect their rights or stop such illegal practices. They operate in conditions where social institutions that are supposed to maintain order are considered dysfunctional, thus triggering deviant behaviour as an adaptive response to an environment perceived as dangerous and unjust (Bowling et al., 2019).

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Secondary Victimization in the Context of Nood Weer Due to Distrust of the Police and the Phenomenon of Motorcycle Theft

Individuals involved in the act of "eliminating" debt collectors in the context of nood weer due to distrust of the police not only face criminal consequences for their actions but also potentially experience secondary victimisation. This secondary victimisation arises from the failure of the justice and police systems to provide adequate protection and to handle their cases fairly and humanely (Walklate, 2012). In cases of motorcycle repossession, when the victim feels unprotected by the police and the community then takes violent action against the debt collector, that community action could be considered a crime. However, if the police are unable to prevent the illegal repossession practice or do not take firm action against the perpetrators, then the "vigilantes" themselves become secondary victims of system failure. For example, if a citizen reports a motorcycle seizure by illegal debt collectors but the police are deemed slow to respond or even appear to allow it, and then the public takes violent action against those debt collectors, the public acting outside the law could be prosecuted. However, they also became victims of the state institutions' inability or indifference in protecting citizens' property rights and preventing disturbing criminal practices. The process of capture, interrogation, and trial that does not consider the context of "coercion" resulting from the state's failure to provide protection can exacerbate their suffering, making them secondary victims of a system that is supposed to deliver justice (Jones & Johnstone, 2011). This phenomenon reflects a paradox where the perpetrators of illegal actions can also be victims of the system dysfunction that triggers them, an aspect often overlooked in conventional criminal law analysis. News reports about the "eradication" of debt collectors in various regions often show public sympathy towards the perpetrators of such violent acts, indicating a strong perception of secondary victimisation and state failure.

Comparison of Responses in Various Regions Based on Media

Coverage Media coverage of the phenomenon of debt collectors seizing motorcycles and the public's responses, which sometimes lead to acts of self-defence, shows significant variations in responses across different regions in Indonesia. This

variation reflects differences in public perception of police performance, legal effectiveness, and prevailing social norms.

In some areas that are often in the media spotlight, such as Jakarta and its surrounding areas (Jabodetabek), cases of illegal debt collectors seizing motorcycles are frequently reported extensively. News coverage in this area frequently highlights the police's inability to systematically prevent these robberies, as well as the slow response to community reports. A hypothetical news report from a national media outlet in Jakarta could read: "Complete Chronology of Eagle Eye Being Beaten to Death, Check Out 7 Facts" (Source: CNBC Indonesia- (Nurmutia, 2025). In cases like this, the community feels compelled to take matters into their own hands because the police are perceived as slow or absent when needed, indicating secondary victimisation and an erosion of trust.

Meanwhile, in some areas of Central Java or East Java, the news might show a slightly different response. There, the police are sometimes reported to be more responsive in conducting arrest operations against debt collector groups proven to have used violence, as was previously reported to have occurred at several points in East Java: "East Java Police Arrest Hundreds of Thugs, Debt Collectors, and Gangsters (Source: Bisnis.com- (Al Ayyubi, 2025). Nevertheless, similar reports are often overshadowed by public complaints about the difficulty of obtaining initial legal assistance or the lack of preventive action, which allows this practice to continue to flourish. Public response in the form of mob justice may be reported less frequently on a large scale, but the perception of distrust remains, only manifesting in other forms, such as reluctance to report or caution when interacting with authorities.

On the other hand, in some areas outside of Java, such as North Sumatra or South Sulawesi, where social structures may be more communal or where the culture of deliberation and family ties is still strong, the community's response may be more inclined towards traditional resolution efforts or community mediation before resorting to violence or formal reporting. However, news reports also often reveal that this illegal debt collection practice remains widespread, and the police are sometimes considered to lack the resources or authority to effectively reach remote areas. When mediation efforts fail or illegal practices persist without adequate action, distrust and frustration can remain, even though their manifestations may not always be the media-exposed vigilantism. "Allegedly Intimidated by Debt Collectors, Deli Serdang Residents Seek Justice at North Sumatra Police Headquarters" (Source: Suarapecahari.com - (Sullivan, 2025).

Variations in this response indicate that the level of public distrust towards the police, triggered by the failure to take action against illegal practices such as motorcycle seizures by debt collectors, is a key factor determining how the nood weer phenomenon will manifest. Areas with high levels of distrust, often compounded by media coverage highlighting slow responses or alleged collusion, tend to see more extreme reactions from the public, sometimes leading to vigilantism. Conversely, in areas where the police are perceived as more responsive or where social norms favour non-confrontational resolutions, community responses may differ, although the perception of system failure persists and could trigger nood weer in other forms if left unaddressed.

The Purchase of Retributive Justice and the Impact of Declining Public Trust:

The decline in public trust in the police has serious implications for the principle of retributive justice, which emphasises punishment proportionate to the offender's wrongdoing (*lex talionis*) (Von Hirsch, 2005). In cases of motorcycle theft disguised as debt collection, when the police are considered ineffective or even permissive towards such illegal practices, the public may view citizen "crackdowns" as a "just" response to the disturbing criminals. This can obscure the principle of retributive justice.

If the perpetrators of motorcycle theft, who should be punished appropriately, feel protected by an ineffective system, and on the other hand, the public who take "vigilante" action (as a form of self-defence due to distrust) are also faced with legal consequences, then retributive justice feels distorted. The punishment imposed on the "eradication" perpetrators may no longer be seen as proportional by some members of society if they see the root of the problem as the police's failure to prevent the initial crimes. Erosion of public trust in the police directly contributes to the erosion of trust in the entire judicial system, as the police are often the first and most visible point of contact with the legal system. If this institution is perceived as unfair, corrupt, or ineffective in handling cases such as illegal debt collector motorcycle seizures, this negative view will spread to other aspects of the system, including perceptions of fairness in sentencing (Hough et al., 2013, 2017; Tyler, 1988).

The impact of this decline in public trust is not limited to individual perceptions; it can also create a vicious cycle where distrust further reinforces deviant behaviour (such as vigilantism), and that deviant behaviour then further strengthens distrust in law enforcement agencies. Communities that do not trust the police may be reluctant to report motorcycle theft, uncooperative in investigations, or even take matters into their own

hands, which can ultimately increase crime rates and damage the police image, further eroding trust (Skogan, 2006; Sunshine & Tyler, 2003).

The social implications of this phenomenon are far-reaching. This indicates a crisis of legitimacy for law enforcement institutions and the judicial system. When society feels they must take over law enforcement themselves, it signifies the state's failure to perform its basic function of guaranteeing security and order. Ethically, this phenomenon raises questions about the extent of the state's responsibility in creating conditions that prevent *nood weer* triggered by institutional dysfunction, such as in the case of illegal debt collectors seizing motorcycles. Is it fair to punish someone who acted outside the law because they felt they had no other choice due to the state's negligence in eradicating that criminal practice? This question demands deep reflection on broader justice, not only retributive but also distributive and procedural, as well as the importance of rebuilding public trust through professional and accountable police performance.

CONCLUSION

This study concludes that the phenomenon of "*nood weer*" in cases of violent theft, triggered by public distrust of police performance, is a criminological manifestation of structural tensions and social control failures. The widely reported cases of illegal debt collectors seizing motorcycles serve as a real-world example of how the perception of the state's failure to provide protection and a sense of security drives individuals or groups in society to take actions outside the law, which can be categorised as self-defence. This action not only has criminal consequences for the perpetrator but also creates secondary victimisation due to the failure of the justice system to address the root of the problem and provide adequate protection. Furthermore, the significant decline in public trust in the police significantly erodes the principle of retributive justice, as public perception of punitive fairness becomes blurred when institutional failure factors are not considered. The variation in public response across different regions, as reflected in news coverage, indicates that the level of public distrust and the effectiveness of law enforcement by the police are key determining factors in the emergence or decline of the phenomena of *nood weer* and vigilantism. Its social and ethical implications underscore the crisis of legitimacy in law enforcement institutions and the need for deep reflection on the state's responsibility in creating substantive justice.

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