

Legal Protection for Victims of Theft Crimes Who Take Independent Action: A Study of Justice for 'Victim-Offenders'

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Abstract. *The purpose of this study is to analyze the legal provisions regarding the rights of victims of theft to defend themselves and their property, as well as to examine the legal protection mechanisms that can prevent secondary victimization of victims in the law enforcement process. This issue is important because in the practice of criminal justice in Indonesia, there are often situations where victims of theft who resist the perpetrator are potentially prosecuted if their actions cause harm to the perpetrator. This condition shows a paradox in the criminal justice system, where victims who should receive protection instead face the risk of criminalization as a result of their acts of self-defense. This raises issues of justice and has the potential to create secondary victimization of victims through a law enforcement process that is insensitive to the position of victims. Therefore, this research is urgent to examine in more depth how Indonesian criminal law regulates self-defense and how legal protection mechanisms can be developed so that victims are not further harmed in the criminal justice process. This study uses a normative-juridical research method with a legislative approach and a conceptual approach analyzed through systematic interpretation and legal content analysis of various relevant legal sources. The results of the study show that, normatively, Indonesian criminal law recognizes the concept of self-defense as a justification, but the existing regulations still leave room for broad interpretation, which has the potential to cause legal uncertainty for victims who resist perpetrators of theft. In addition, victim protection mechanisms in the law enforcement process have not been fully able to prevent secondary victimization. This study concludes that there is a need to strengthen the regulatory framework, develop law enforcement guidelines that are more sensitive to victims, and adopt an approach that is more oriented towards victim protection in the criminal justice system. The novelty of this study lies in its analysis, which places victims who engage in independent resistance as the main subject of study from the perspective of legal protection and the prevention of secondary victimization in Indonesian criminal law.*

Keywords: Offenders; Protection; Self-Defense; Victim.

1. Introduction

The phenomenon of theft is one of the most common forms of crime in society. In practice, theft not only causes material losses for victims but also creates fear, a sense of insecurity, and long-lasting psychological trauma. This situation becomes even more complex when victims not only act as the aggrieved party but also take active measures to defend themselves or their property against the perpetrator. (Yulia, 2010) In many cases, victims of theft instinctively resist the perpetrator in an effort to protect their property. For example, in a case in Deli Serdang Regency, a theft victim was charged as a suspect after assaulting the thief. (Finta Rahyuni, 2026) and most recently, in Sleman, a man named Hogi Minaya was named a suspect after chasing two men who had snatched his wife's bag (Kompas.tv, 2026). Such acts of self-defense often occur in urgent situations where the victim is unable to immediately obtain assistance from law enforcement officials. However, in the practice of law enforcement in Indonesia, acts of self-defense by victims frequently result in legal consequences for the victims themselves if such acts cause injury or harm to the perpetrator. This situation raises serious legal issues, as victims who should be receiving protection are instead potentially treated as perpetrators of a criminal offense.

In the Indonesian criminal justice system, the concept of self-defense has essentially been recognized through provisions regarding justifying and exculpatory grounds in criminal law. (Huda, 2006) Provisions regarding self-defense are reflected in the regulations on noodweer, or necessary defense, which grant a person the right to take certain actions to protect themselves, their honor, or their property from an unlawful attack. However, the application of this concept in law enforcement practice often sparks debate, particularly when the victim's act of resistance is deemed to exceed the limits considered proportionate by law enforcement officials. In such situations, the victim is at risk of experiencing what is known as secondary victimization—a condition in which a crime victim suffers additional distress as a result of the legal proceedings conducted by the state. (Claudio Jap & Rahaditya, 2024)

Secondary victimization is one of the key issues in the development of modern victimology. This concept describes a situation in which a crime victim not only suffers as a result of the perpetrator's actions but also experiences unfair or insensitive treatment from the criminal justice system. In the context of theft, secondary victimization can occur when a victim who resists the perpetrator is instead prosecuted without considering the context of self-defense that motivated their actions (Prakarsa & Yulia, 2022). This phenomenon indicates an imbalance in the criminal justice system, which still tends to be offender-oriented rather than victim-oriented. In fact, in the development of modern criminal law, the protection of crime victims is one of the key principles that must be upheld within the criminal justice system.

This issue becomes even more relevant when considered in light of the fact that not all acts of resistance by victims can easily be classified as lawful self-defense. Law enforcement officials often face difficulties in determining the line between lawful self-defense and excessive use of force. The lack of clarity regarding these boundaries can create legal uncertainty for victims who are trying to defend themselves or their property. As a result, victims who act in an

emergency situation risk facing lengthy and exhausting legal proceedings. This situation not only creates injustice for victims, but can also erode public trust in the criminal justice system. (Bahri, 2021)

From a criminal law perspective, the protection of crime victims should not stop at merely formal recognition of their rights, but must also be embodied in legal mechanisms capable of providing tangible protection in the practice of law enforcement. This includes the need for clear regulations regarding the limits of self-defense actions that victims may take, as well as legal protection mechanisms that can prevent victims from the risk of criminalization due to their acts of resistance. Without clear regulations and effective protection mechanisms, crime victims will continue to be in a vulnerable position within the criminal justice system. (Mulyadi, 2004)

Furthermore, the phenomenon of victims resisting perpetrators also reflects society's need to directly defend its rights when the state cannot provide immediate protection. In certain situations, victims have no choice but to take spontaneous action to protect themselves or their property from a real threat. Therefore, a legal approach that is too rigid in assessing victims' acts of resistance risks overlooking the social realities faced by the public. A more contextual and substantive justice-oriented approach is necessary to ensure that the law does not, in fact, create injustice for those who are rightfully entitled to protection.

The issue of legal protection for victims who engage in self-defense against thieves is also linked to the evolving paradigm of criminal law, which increasingly emphasizes the importance of restorative justice and victim protection. Under this paradigm, victims are no longer viewed merely as objects in the criminal justice process, but as subjects with rights that must be respected and protected. Therefore, the criminal justice system needs to provide greater scope for victim protection, including in situations where victims take defensive action against perpetrators.

The urgency of this study lies in the need for a more in-depth examination of the legal framework governing the rights of victims of theft to defend themselves and their property. Furthermore, this study is also important for identifying legal protection mechanisms that can prevent secondary victimization of victims during the law enforcement process. With a comprehensive study of this issue, it is hoped that a more just and proportional legal approach can be found in handling cases involving victims who resist perpetrators of crime.

This study offers an analytical approach that places victims as the primary focus of criminal law analysis. This approach aims to re-examine how the Indonesian criminal justice system regulates and applies the concept of self-defense in the context of protecting victims of theft. Additionally, this study seeks to formulate a legal protection model that can prevent the criminalization of victims who act in self-defense during an emergency. Thus, this study is expected to contribute to the development of criminal law policies that are more responsive to the interests of victims.

In recent years, a number of studies have been conducted to examine various aspects related to the crime of theft and legal protection for victims. The study conducted by Sembiring, for example, provides an overview of how law enforcement regarding the crime of motor vehicle theft is carried out in the practice of the criminal justice system in Indonesia. The study indicates that law enforcement against perpetrators of theft still faces various obstacles, including challenges in proving cases, limited resources among law enforcement officials, and low reporting rates from the public (Sembiring & July Esther, 2025). The strength of this study lies in its ability to empirically describe the various obstacles in the enforcement of the law against perpetrators of theft. However, the study focuses primarily on the enforcement of the law against criminals and does not thoroughly examine the position of victims in the context of legal protection, particularly when victims resist the perpetrators.

Another study conducted by Siagian also makes an important contribution to understanding the status of victims in cases of robbery, particularly from the perspective of Indonesian criminal law. The study emphasizes the importance of protecting victims who have suffered losses as a result of robbery, as well as how provisions in criminal law can be used to prosecute criminals (Erick Wijaya Siagian, 2025). The strength of this study lies in its fairly comprehensive normative analysis of the legal provisions governing the crime of robbery. However, the study still focuses on the aspect of victim protection in the context of the victim as the party harmed by the perpetrator's actions, without specifically addressing situations in which the victim resists, which could potentially result in legal consequences for the victim.

Based on a review of these previous studies, it is evident that the majority of research on theft-related crimes still focuses on law enforcement against perpetrators and the protection of victims in a passive role as the aggrieved party. Meanwhile, studies that specifically highlight the position of victims who resist perpetrators remain relatively limited. In fact, the phenomenon of victims resisting criminals is a reality that occurs quite frequently in society. The lack of in-depth studies on this issue has the potential to create a gap in the development of criminal law policies oriented toward victim protection.

This study seeks to address this gap by placing victims who engage in self-defense at the center of the analysis. Unlike previous studies, which have focused more on law enforcement against perpetrators or the protection of victims in a passive role, this study specifically examines how Indonesia's criminal justice system regulates and treats victims who take defensive actions against theft perpetrators. Furthermore, this study also seeks to formulate legal protection mechanisms that can prevent secondary victimization of victims during the law enforcement process. Thus, this study not only contributes to the development of victimology studies within Indonesian criminal law but also offers a new perspective on understanding the relationship between victims and perpetrators in the context of theft offenses.

The purpose of this study is to analyze the legal provisions regarding the rights of victims of theft to defend themselves and their property within the Indonesian criminal justice system,

as well as to examine legal protection mechanisms that can prevent secondary victimization of victims who defend themselves during the law enforcement process.

2. Research Methods

This study employs a normative-juridical research design focused on analyzing the legal norms governing the protection of victims of theft who engage in self-defense within the Indonesian criminal justice system (Sri Mamudji, 2003). The approaches used include a statutory approach and a conceptual approach, whereby the statutory approach involves examining various laws and regulations relevant to the issues of self-defense, victim protection, and criminal liability, while the conceptual approach is used to examine various doctrines, principles, and concepts in criminal law and victimology related to the position of victims in the criminal justice process. The analytical framework in this study was conducted through legal content analysis of the norms contained in legislation and legal literature, which was then deepened through systematic interpretation to understand the relationships between norms within the criminal law system comprehensively, and supported by limited comparative analysis to examine the development of the concept of victim protection from various legal perspectives. The legal sources used in this study consist of primary legal materials in the form of relevant legislation and court decisions, secondary legal materials in the form of books, scientific journals, and research results related to the research topic, as well as tertiary legal materials that support conceptual explanations (Adhyaksa & Fathurrahim, 2025). All of these legal sources were selected based on their relevance, scholarly authority, and connection to the research problem; they were then critically evaluated to assess the strength of their legal arguments; and finally, they were systematically synthesized to produce a comprehensive analysis of the legal protection afforded to victims of theft who engage in self-defense within the framework of Indonesian criminal law.

3. Results and Discussion

3.1. Legal Provisions Regarding the Rights of Victims of Theft Crimes to Resist in Order to Defend Themselves and Their Property in Indonesian Criminal Law

The legal provisions regarding the right of victims of theft to resist in order to defend themselves and their property under Indonesian criminal law cannot be separated from the fundamental concept of self-defense in criminal law, which is understood through the doctrines of justifying grounds and excusing grounds (Huda, 2006). Under criminal law, an act is generally classified as a criminal offense if it meets the elements of an act prohibited by law and is accompanied by culpability on the part of the perpetrator. However, criminal law also recognizes certain conditions that negate the unlawful nature of an act or negate the perpetrator's culpability, such that an act that formally meets the elements of a criminal offense cannot be punished. (Haq dkk., 2020). One such circumstance is self-defense or necessary defense, known in criminal law doctrine as "noodweer." This concept provides legal justification for a person to commit an act that is normally prohibited by law if that act is

committed to protect a legitimate legal interest from an unlawful attack. (Lengkong dkk., 2025).

In the context of victims of theft, acts of resistance against the perpetrator can be understood as a form of self-defense aimed at protecting the victim's property and personal safety. Indonesian criminal law essentially allows for such actions through provisions regarding necessary defense set forth in criminal law statutes. These provisions indicate that the law does not view every act of violence as a criminal offense, but also considers the specific circumstances underlying the occurrence of such actions. (Prochorus & Tjoneng, 2025) In situations where a person faces an unlawful attack against themselves or their property, the law grants the right to take necessary actions to stop such an attack. Thus, a victim of theft who resists the perpetrator may generally receive legal protection as long as those actions meet the criteria for lawful self-defense.

Although Indonesian criminal law has established a legal basis for self-defense, the application of this concept in practice often raises various issues. One of the main issues concerns the interpretation of the limits of self-defense actions that can be considered lawful (Muladi, 2007). In criminal law doctrine, self-defense must meet certain requirements to be classified as a justifying defense. These requirements include the existence of an unlawful attack, the presence of a real and immediate threat, and the defensive action taken must be proportionate and necessary to stop the attack (Rizal dkk., 2024). The issue arises when law enforcement officials determine that the victim's actions exceeded what is considered reasonable, potentially leading to legal action against the victim for those actions.

In law enforcement practice, it is not uncommon to encounter cases where theft victims who resist the crime end up facing criminal charges themselves. This situation can arise when the victim's act of resistance results in injury or even the death of the perpetrator; for example, in a case in Deli Serdang Regency, a theft victim was named a suspect after assaulting the thief. (Finta Rahyuni, 2026) and most recently, in Sleman, a man named Hogi Minaya was named a suspect after chasing two men who had snatched his wife's bag (Kompas.tv, 2026). In such situations, law enforcement officials often have to make complex determinations regarding whether the victim's actions can truly be classified as self-defense or whether they constitute acts of violence that exceed the limits permitted by law. Ambiguity regarding these boundaries can create legal uncertainty for victims who are actually acting in an emergency situation to protect themselves or their property.

From the perspective of victim protection, this situation indicates that Indonesia's criminal justice system still faces challenges in providing adequate protection for victims who resist their attackers (Sitorus dkk., 2020). In many cases, lengthy and complex legal proceedings can cause psychological distress and social burdens for victims. Victims who have already suffered losses as a result of theft may face the risk of criminalization due to their acts of self-defense. This situation can lead to what is known in victimology as secondary victimization—a condition in which victims experience additional suffering as a result of the legal proceedings carried out by the criminal justice system (Bambang Waluyo, 2011).

This issue also highlights the tension between the principle of legality in criminal law and the need to provide fair protection for victims of crime. The principle of legality requires that any act meeting the elements of a criminal offense be prosecuted in accordance with applicable law. (Syafari dkk., 2025) However, a rigid application of this principle without taking into account the social context and the specific circumstances faced by the victim can lead to substantive injustice. Therefore, a more contextual approach is needed in interpreting legal provisions on self-defense so that the law can provide more effective protection for victims.

In addition, provisions regarding a victim's right to resist a thief are also linked to the concept of property rights protection within the legal system. Property rights are one of the fundamental rights recognized and protected by law. In this context, a victim's act of resisting a thief can be viewed as a form of protection of legitimate property rights (Marselino, 2020). The law cannot expect the public to remain entirely passive when faced with threats to their property rights, especially in situations where assistance from law enforcement cannot be obtained immediately. Therefore, recognizing the victim's right to act in self-defense is an essential part of maintaining a balance between the protection of individual rights and the enforcement of the rule of law (Sahdewa & Hariyanto, 2022).

However, recognition of the right to self-defense must also be balanced with clear limitations to prevent abuse. Criminal law must ensure that acts of self-defense do not turn into acts of revenge or disproportionate violence. In this context, assessing the proportionality of acts of self-defense is of utmost importance. Law enforcement officials must consider various factors, such as the level of threat faced by the victim, the victim's psychological state at the time of the incident, and the possibility of less severe alternative actions to stop the attack (Abyan & Gunawan, 2025).

An overly formalistic approach to assessing acts of self-defense risks overlooking the reality that victims often find themselves in extremely urgent situations and do not have time to rationally consider every action they take (Patricia Regina Lahe, 2017). In an emergency situation, spontaneous reactions are natural and cannot be judged by the same standards of rationality as under normal circumstances. Therefore, any interpretation of the concept of proportionality in self-defense must also take into account the psychological and situational factors that influence the victim's actions (Erick Wijaya Siagian, 2025).

In the development of modern criminal law, there is a growing trend toward placing greater emphasis on the protection of crime victims. This paradigm emphasizes that the criminal justice system is not only intended to punish offenders but must also provide protection and redress for victims. In this context, the provisions regarding self-defense must be understood as part of the mechanisms for protecting victims who face a direct threat from offenders (Wicaksono & M Sampasihullisan, 2025).

A more victim-centered approach also requires a shift in the way law enforcement officials view cases involving victims who defend themselves against criminals. Law enforcement officials need to develop sensitivity to the victims' circumstances and understand that acts of

self-defense are often a response to situations that threaten their safety or property (Dewi & Arifin, 2023). Therefore, the assessment of the victim's actions must be conducted carefully and take into account the various factors underlying those actions. Furthermore, strengthening legal protection for victims who defend themselves can also be achieved by developing clearer guidelines or assessment standards regarding the application of the concept of self-defense in cases of theft. Such guidelines can assist law enforcement officials in determining whether the actions taken by the victim can be categorized as legitimate self-defense or not. With clearer guidelines in place, the risk of criminalizing victims who act in emergency situations can be minimized (Lengkong dkk., 2025).

From the perspective of criminal law policy, the protection of victims who resist a thief can also be viewed as part of an effort to strengthen the sense of justice in society (Sembiring & July Esther, 2025). The general public perceives that a person who attempts to protect themselves or their property from criminal acts should not be treated as a criminal. If the legal system instead criminalizes victims who act in self-defense, this can lead to public distrust of the criminal justice system. Therefore, legal provisions regarding a victim's right to resist a thief must be interpreted progressively to align with the principle of substantive justice. Criminal law should not merely serve as an instrument for formally enforcing rules but must also be capable of providing fair protection to individuals in threatening situations. In this context, the concept of self-defense must be understood as a recognition of an individual's right to protect their legal interests from unlawful attacks.

Thus, it is clear that the legal provisions regarding the right of victims of theft to resist in order to defend themselves and their property have essentially been recognized in the Indonesian criminal justice system through the concept of self-defense. However, the application of this concept in practice still faces various challenges, particularly regarding the interpretation of the limits of self-defense actions that can be considered lawful. Therefore, a more comprehensive and victim-protection-oriented approach is needed so that the criminal justice system can provide more substantive justice for victims of theft who defend themselves in emergency situations.

3.2. Legal Protection Mechanisms That Can Prevent Secondary Victimization of Victims of Theft Crimes Who Resist Independently During the Law Enforcement Process

The legal protection mechanisms for victims of theft who engage in self-defense during the law enforcement process are a critical issue in the development of modern criminal law, which increasingly positions victims as subjects deserving of protection. In criminal justice practice, victims not only suffer losses due to the perpetrator's actions but often also face the risk of additional suffering resulting from the legal process conducted by the state. This condition is known in victimology studies as secondary victimization, which refers to a situation where the victim experiences further loss or suffering as a result of the criminal justice system's response to the case they have experienced. Secondary victimization can manifest in various forms, such as insensitive treatment by law enforcement officials toward the victim's condition, protracted

legal proceedings, or the possibility of the victim being positioned as a perpetrator due to acts of self-defense against the criminal. (Nascimento dkk., 2023).

In the context of theft, secondary victimization can occur when a victim who resists the perpetrator ends up facing legal proceedings because their actions are deemed to have exceeded the bounds of self-defense. This situation highlights a paradox in the criminal justice system, where victims—who should be receiving protection—may instead face criminal charges as a result of actions they took to defend themselves or their property (Rizal dkk., 2024). Therefore, legal safeguards are needed to ensure that victims are not further harmed by the law enforcement process, which is intended to deliver justice to them.

One of the key legal safeguards in preventing secondary victimization is the strengthening of a victimology-based approach within the criminal justice system. This approach emphasizes the importance of understanding the victim's perspective and experiences at every stage of the legal process. From a victimology perspective, victims are not merely viewed as parties providing testimony during the evidentiary process, but also as individuals whose rights must be respected and protected by the state.(Sumardiono & Sugianto, 2026) Therefore, law enforcement officials need to develop a perspective that is more sensitive to the victims' circumstances, including in cases where victims resist the perpetrators.

In the early stages of law enforcement—specifically during the investigative and inquiry processes—law enforcement officials play a crucial role in determining how victims are treated in cases involving acts of resistance against perpetrators (Bintara Sura Priambada, 2025). In certain situations, a victim who resists may be reported by the perpetrator or another party for an alleged criminal offense, such as assault. If law enforcement officials fail to comprehensively consider the context of the incident underlying the victim's actions, the victim risks being prosecuted as a suspect without consideration of the self-defense that motivated their actions. Therefore, legal protection mechanisms must ensure that law enforcement officials conduct an objective and thorough assessment of every case involving acts of resistance by the victim (Claudio Jap & Rahaditya, 2024).

Such an assessment must take into account various aspects related to the specific circumstances the victim faced at the time of the incident. For example, was there a real and immediate threat to the victim's safety or property, did the victim have any other options to avoid the attack, and was the victim's action a spontaneous response to a threatening situation (Margaret Mutiara Manurung, 2024). An approach that takes these factors into account will help law enforcement officials determine whether the victim's actions can be classified as legitimate self-defense. In this way, the risk of criminalizing the victim can be minimized.

In addition, legal protection mechanisms must also include strengthening the principle of due diligence in the process of determining the legal status of victims who resist. Law enforcement officials must ensure that every decision made is based on a thorough legal analysis and takes into account the need to protect victims (Sahdewa & Hariyanto, 2022). In this context, the use

of a contextual approach to legal interpretation is crucial to ensure that the law is not applied rigidly without taking into account the realities faced by victims. Legal protection mechanisms for victims can also be strengthened through the application of restorative justice principles within the criminal justice system (Rizal dkk., 2024). Restorative justice is an approach that emphasizes the restoration of social relationships and the constructive resolution of conflicts by involving all parties affected by a criminal offense (Capera, 2021). In cases of theft where the victim resists, a restorative approach can be used to ensure that the resolution of the case focuses not only on punishment but also on justice for the victim

A restorative approach can create space for dialogue among victims, perpetrators, and law enforcement officials to gain a more comprehensive understanding of the circumstances underlying the incident. Through this dialogue, solutions that are fairer and more proportionate for all parties involved can be found (Akbar, 2022). In some cases, this approach can prevent the criminalization of victims who are actually acting to protect themselves from the threat of crime.

In addition, legal protection mechanisms must be supported by a strengthened regulatory framework that recognizes and protects victims' rights within the criminal justice process. Regulations governing victim protection must ensure that victims are not treated unfairly by the criminal justice system (Noviyanti & Putri, 2024). This includes the victim's right to be treated humanely, the right to receive information about the progress of the case, and the right to protection from pressure or intimidation throughout the legal process.

Protection for victims who resist can also be strengthened through the development of operational guidelines for law enforcement officials in handling cases involving self-defense. These guidelines can provide direction on how law enforcement officials should assess the victim's actions and the steps that must be taken to ensure that the victim does not face detrimental treatment during the legal process. With clear guidelines in place, law enforcement officials can have a more systematic framework for handling cases involving acts of resistance by victims.

In addition to regulatory and procedural aspects, legal protection mechanisms must also include capacity-building for law enforcement officials to better understand the victims' perspective. Training on victimology, victims' rights, and victim-sensitive approaches is essential to improving the quality of law enforcement. Law enforcement officials who have a good understanding of the victims' circumstances will be better able to make fair and proportionate decisions when handling cases involving acts of resistance by victims (Sintia Mona Pratama dkk., 2026).

Strengthening legal protection mechanisms for victims must also be supported by institutions mandated to provide protection to victims of crime. These institutions can provide legal assistance, psychological support, and advocacy for victims throughout the legal process. This advocacy is crucial to ensuring that victims do not feel alone in navigating a complex legal process that often causes psychological distress.

In addition, it is also important to raise public awareness regarding victims' rights within the criminal justice system. Many crime victims do not understand their rights or the protective mechanisms available within the legal system. As a result, victims are often unable to effectively assert their rights during legal proceedings. Therefore, legal education efforts targeting the public are a crucial part of strategies to prevent secondary victimization of victims (Rizkianto, 2025).

From a criminal law policy perspective, preventing secondary victimization of victims who resist also relates to efforts to build a criminal justice system that is more oriented toward substantive justice. The legal system must not only ensure that offenders are punished in accordance with applicable laws, but also ensure that victims receive fair and proportionate protection. Thus, law enforcement serves not only as an instrument for maintaining social order, but also as a means of protecting the rights of individuals in vulnerable positions (Siki, 2025).

Preventing secondary victimization also requires a paradigm shift in how victims are viewed within the criminal justice system. Victims should not be treated as mere objects serving an instrumental role in the evidentiary process, but must be regarded as legal subjects with legitimate interests that the state is obligated to protect (Yuherawan, 2013). This paradigm shift is essential for creating a more just and humane criminal justice system.

In the context of theft victims who engage in self-defense, legal protection mechanisms must ensure that the victim's actions are understood as a response to a real threat and not as a criminal offense. Therefore, law enforcement officials must be able to assess each case involving self-defense by the victim objectively and proportionally. Such assessments must be based on a deep understanding of the concept of self-defense as well as the psychological and situational conditions influencing the victim's actions.

Thus, effective legal protection mechanisms to prevent secondary victimization of victims of theft who engage in self-defense must encompass various aspects, ranging from strengthening the victimology perspective in law enforcement, developing regulations that protect victims' rights, implementing a restorative justice approach, to enhancing the capacity of law enforcement officials to understand the victims' circumstances. Through such comprehensive protection mechanisms, it is hoped that the criminal justice system can provide more substantive justice for victims and prevent the criminalization of individuals who are actually acting to protect themselves from the threat of crime.

4. Conclusion

The main findings of this study indicate that current legal regulations still have weaknesses in providing adequate certainty and protection for victims of theft who defend themselves, mainly because restrictions on self-defense are often interpreted narrowly, potentially leading to the criminalization of victims and opening the door to secondary victimization in the law enforcement process. This condition has important implications for policymakers to evaluate

existing regulations by strengthening the orientation of victim protection in the criminal justice system, as well as for academics to continue developing theoretical and empirical studies on the relationship between self-defense, victim protection, and substantive justice in law enforcement. Therefore, recommendations are needed in the form of more explicit legal norms regarding the limits and criteria of self-defense in theft cases, strengthening the law enforcement structure through operational guidelines for officials to be more sensitive to the position of victims, and increasing legal education for the public regarding the rights of victims and available legal protection mechanisms. However, this study has limitations because it focuses on a normative study of legal regulations and doctrines without being supported by empirical data on law enforcement practices in the field. Therefore, further research is recommended to develop an empirical or socio-legal approach to examine how law enforcement officials apply the concept of self-defense in concrete cases and how victims experience the criminal justice process.

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