

VANDALISM AND LAW ENFORCEMENT: PREVENTIVE AND REPRESSIVE PERSPECTIVES IN BUILDING SOCIAL ORDER

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ABSTRACT

Law enforcement against criminal acts of vandalism is a systematic effort to overcome and prevent the destruction of property and the environment by parties who violate social and legal norms. This research aims to explore and analyze effective law enforcement strategies in tackling criminal acts of vandalism. This research uses empirical juridical legal research, so the data collection method used is using data obtained from interviews and literature studies. Referring to the discussion that has been described regarding the obstacles faced in enforcing the law on vandalism, in responding to criminal acts of vandalism, law enforcement is the main pillar to ensure public safety and order. Through the hard efforts of law enforcement, the perpetrators of vandalism are faced with strict legal consequences. The punishment given is not only as a sanction, but also as a form of responsibility for actions that harm the environment and social values.

Keywords: Law Enforcement, Criminal Offense, Vandalism, Public Facilities.

INTRODUCTION

As living organisms, humans need a clean, beautiful and orderly environment to support their lives. An optimal environment creates a comfortable atmosphere for humans. A good environment includes healthy natural and social conditions. The environment is considered a gift from God Almighty that requires preservation and development so that it continues to play a role as a source of life support for humans and other living things, in order to ensure the continuity and improvement of the quality of life. However, the reality faced is that there is environmental pollution and destruction carried out by humans, both intentionally and unintentionally. Acts of environmental destruction by humans have a significant impact on the decline in environmental quality, with consequences that will ultimately be felt by humans themselves. Humans, as an important component in the ecosystem, have a major role in influencing the continuity and well-being of their own lives and other living things. Therefore, humans are expected to be fully committed to creating a healthy and harmonious environment (Darmawan et al., 2021). Maximum efforts, both

in terms of power and funds, need to be mobilized to preserve and improve the quality of the environment. In addition, damage that has occurred must be repaired immediately before it reaches a more severe level (Nuraini et al., 2022).

The city, as a clean, healthy, beautiful, neat and organized place, forms its unique identity. In it, a group of individuals, referred to as street artists, explore their imaginative power in public spaces. Public space, as an integral part of the city's identity, has the standard of being a clean and orderly environment, protected from the hands of people who want to damage it. Humans, as an inseparable element of the environment, have the responsibility to keep the environment good, clean, beautiful and orderly. Unfortunately, in reality, there are many violations that damage the environment, such as scribbling on walls, shops, fences, and public facilities such as traffic signs. Not only that, sticking brochures, posters, and pamphlets on public facilities also destroys the beauty of the environment. These actions can be categorized as acts of vandalism, which have a negative impact on the cleanliness and aesthetics of the urban environment.

Vandalism refers to the act of damaging public or private property without permission, often involving writing, painting, or other actions that damage the aesthetic or functional value of the property (Baker & Wolfer, 2003). These acts include criminal vandalism, defacement, illegal graffiti, and civilization-disrupting behavior. Although some acts of vandalism are considered "works of art," some countries consider them criminal offenses, especially if they are related to the destruction of public and private facilities or show elements of hatred, intimidation, and racism.

Local governments in many countries have passed regulations to prevent vandalism, but they are often ineffective in combating graffiti. While vandalism is perceived by some as a minor offense that has limited impact on daily life, it can actually have significant negative impacts, such as being an eyesore and damaging the functionality of public facilities. Concrete examples of vandalism include graffiti on walls or other objects designed to be widely legible, writing names, school names, or symbols without any meaningful meaning.

Vandalism refers to the intention to damage other people's property, which involves provocation and defacement, causing the walls of buildings and urban trees to become dirty and visually unpleasant (Salmah, 2015). Vandalism perpetrators are included in the category of minor crimes because they can harm certain parties and disturb public comfort. The majority of vandalism perpetrators are teenagers who are in the process of growing up and searching for self-identity. Vandalism not only reflects disobedience to social norms, but also harms public rights and interests (Ceccato & Haining, 2005). Therefore, the legal system must provide a firm response to the perpetrators of vandalism to maintain a balance between individual freedom and the protection of society. The law enforcement process needs to be conducted with fairness and transparency in order to create a sense of public trust in the legal system.

Law enforcement against criminal acts of vandalism is an important aspect in maintaining public order and protecting property rights (Jati, 2019). More than just an effort to enforce rules, law enforcement also aims to maintain social values, environmental beauty, and individual rights. Law enforcement activities are an interaction between human behavior, representing various interests within the framework of agreed rules, both written and unwritten.

Co-regulation in legislation is intended to regulate the life of the community, nation and state to be more orderly and have legal certainty. Government efforts to prevent and minimize acts of vandalism, as a form of violation of public order and public tranquility, are reflected in Law No. 23/2014 on Regional Government. Article 255 states that the Pamong Praja Police Unit is established to assist the regional head in enforcing regional regulations and organizing public order and community peace.

Law enforcement through Satpol PP aims to restore disturbed public security and order, thus creating legal certainty. Government Regulation No. 6/2010 on Civil Service Police Unit Article 1 Paragraph 8 explains that Satpol PP is part of the regional apparatus in enforcing regional regulations, organizing public order, and community tranquility. Article 4 states that Satpol PP has the task of assisting the regional head to create a peaceful, orderly, and regular regional condition, so that the administration of the wheels of government can run smoothly and the community can carry out their activities safely.

In addition to enforcing local regulations, the Satuan Polisi Pamong Praja (Satpol PP) is also responsible for enforcing other local government policies, including regional head regulations. However, it is important to remember that freedom of expression and art always has its limits. Indiscriminate acts of vandalism are not appropriate for civilized and reasonable human beings. It can infringe on the rights of others to enjoy the beauty, comfort, order, and enjoyment of the view of the surrounding environment. In the face of changing social dynamics, law enforcement needs to continue to adapt and improve inter-agency coordination and utilize technology to improve investigative efficiency. Successful law enforcement against the crime of vandalism requires a comprehensive approach that involves all levels of society and encourages awareness of the legal consequences as a strong preventive measure. With this in mind, there is an interest in conducting further studies on issues related to the crime of vandalism.

METHODS

This research takes an empirical juridical legal approach to examine the problem of vandalism and its handling in Regional Regulation (Perda) No. 12/2013 on Order, Cleanliness, and Beauty. The data collection method involves interviews and literature study. Through interviews with relevant parties such as Satpol PP, community leaders, and vandalism perpetrators, as well as literature studies on related regulations, data were obtained which were then analyzed qualitatively. Data classification, editing, presentation of results in the form of narratives, and drawing conclusions are the main

steps of qualitative analysis. This research involves aspects of comparison with other regions, community participation in vandalism prevention, evaluation of prevention programs, and development of policy recommendations. With this holistic approach, it is expected to provide a comprehensive picture of the problem of vandalism and formulate solutions based on empirical findings.

RESULTS AND DISCUSSION

The problem of vandalism should be of special concern to the authorities to deal with it because it is increasingly troubling. This is necessary to create a clean, healthy, beautiful, comfortable, neat, safe, and tidy state. The problem of vandalism itself is regulated in Regional Regulation (Perda) Number 12 of 2013 concerning Order, Cleanliness, and Beauty. In this Perda, the one who has the right to deal with the problem of graffiti vandalism is Satpol PP. The act of graffiti vandalism is regulated in Articles 47 letter c and 54 paragraphs (1) and (2). The article that regulates the criminal offense of graffiti vandalism is contained in article 47 letter c which reads: In order to foster and develop public awareness of the responsibility for the beauty of the environment, every person/body is prohibited from: (1) distributing or pasting leaflets, posters, slogans, pamphlets, cloth flags or pictures, banners, billboards, and the like along the road, on traffic signs, public street lighting poles, trees or in other buildings, public and social facilities, except in certain permitted places; (2) changing, damaging, disturbing road protection trees and other plants that constitute public facilities with objects of attachment, dismantling, coloring that give a view that is not harmonious, not neat and clean; (3) dirtying, damaging, scribbling on roads, bridges and their complementary buildings, traffic signs, trees, or in other buildings, public facilities.

The article that regulates the criminal provisions of vandalism itself is contained in Chapter XI which is listed in Article 54 which reads: (1) every person/entity who violates this Regional Regulation shall be punished with a maximum imprisonment of 3 (three) months and/or a maximum fine of Rp. 50,000,000.00 (Fifty Million Rupiah); (2) the criminal act as referred to in paragraph (1) is an offense. Article 47 letter c regulates the criminal offense of graffiti vandalism. In this article, it means that in order to foster and develop public awareness of the responsibility for the beauty of the environment, every person/body is prohibited from defacing, damaging, graffitiing on roads, bridges and their complementary buildings, traffic signs, trees, or in other buildings, public facilities and social facilities. Article 57 paragraph 1 (one) stipulates that the punishment for violators of this Regional Regulation is punishable by imprisonment for a maximum of 3 (three) months and/or a fine of Rp. 50,000,000.00 (fifty million Rupiah) and Article 57 paragraph 2 (two) states that what is referred to in Article 57 paragraph 1 (one) is a violation. So based on this, the act of graffiti vandalism is a form of offense.

In this case, the crime of graffiti vandalism is only known to violate if there is a regulating law. Law enforcement is an activity of harmonizing the relationship of values that are spelled out in stable and manifest rules and attitudes of action as a series of final

stage value elaboration, to create, maintain, and maintain peaceful living relationships. Humans in the association of life, basically have certain views about what is good and what is bad. These views are always realized in these pairs. In law enforcement, these pairs of values need to be harmonized. Because values are usually abstract, the pair of values that have been harmonized need more concrete explanation. More concrete explanations occur in the form of rules, in this case legal rules, which may contain commands, prohibitions or permissions. orders to perform certain actions. These rules then become guidelines or benchmarks for behavior or attitudes that are considered appropriate, or should be. This behavior or attitude of action aims to create, maintain and maintain the peace of life.

Vandalism has a dual impact on the adolescents involved. The positive impact of vandalism on adolescents, as stated by Goldstein and Goldstein (1996), includes the experience of pleasure felt by the perpetrators of vandalism. The same thing was also found by Long and Burke (2015), who stated that committing vandalism, such as making graffiti, provides feelings of pleasure and freedom of expression for adolescents. They believe that their vandalism work, although done without permission, can be seen by many people, even though this may damage or disturb the surrounding environment.

However, the negative impact of vandalism is also significant. Horowitz and Tobaly (2003) explain that adolescents who frequently commit vandalism face social impacts in their environment, including at school. Vandals can be shunned by school peers and experience a decline in academic performance. Long and Burke (2015) highlighted the impact of narcissism on adolescents who commit vandalism along with the development of technology. They tend to capture and share their acts of vandalism on social media, which can reinforce narcissistic behavior.

The task of the Peace and Order Development Section related to the prosecution of acts of vandalism is to carry out counseling on laws and regulations, regional regulations (perda), and mayoral decisions to the community with related agencies, especially regulations regarding the prohibition of vandalism and sanctions. The Peace and Order Development Section should be able to maximize its duties by conducting counseling or socialization to the community, especially to teenagers or students because most of the perpetrators of vandalism are school students or teenagers. Counseling should be more emphasized and directed to the prohibitions and sanctions against violators of the prohibition of vandalism itself. Actually, vandalism can be classified as a minor crime because it harms certain parties and disturbs public comfort. In addition, the duties of the Local Regulation Enforcement Section related to the enforcement of vandalism are to carry out security of vital objects, public and official government activities; and to carry out area patrols in order to prevent disturbances of peace and order and enforcement of local regulations. In general, the duties of the Local Regulation Enforcement Section are directly related to operations in the field so that acts of vandalism should be minimized by the existence of area patrols carried out by Satpol PP in taking action against the act of

vandalism. Satpol PP's operational fixed procedures mostly regulate public peace and order with the following implementation provisions: In general, officers can provide guidance or counseling on various Regional Regulations and Regional Head Regulations, authoritative, confident, responsible, able to convey information well and can attract public sympathy. In particular, knowledge of the main tasks and functions of the Civil Service Police, other legal products, communication science, understanding and mastering local customs and being able to read the situation.

Punitive sanctions in law enforcement are not intended as revenge from the government against violators, but have two main objectives. First, it is preventive, which aims to prevent violations by providing an understanding that every violator will be subject to sanctions in the form of confinement or fines. This is expected to reduce the likelihood of violations in the future. Second, repressive, which is an action against violators who have actually violated the rules and may have caused harm to other parties. Through punishment, it is hoped that the perpetrator will not repeat his actions.

The duties and functions of Satpol PP, which include operation, coordination, and supervision functions, show how important their role is in supporting the authority of the local government and creating a conducive situation in nation building. Therefore, the existence of Satpol PP, both as personnel and institutions, in handling public order, especially in the enforcement of vandalism, will develop along with the broad scope of duties and obligations of the regional head in implementing the government, as mandated by Law Number 32 Year 2004 on Regional Government.

Vandalism prevention programs can be implemented through various social activities, legal street art, and rehabilitative approaches to vandals. These efforts aim to reduce incidents of vandalism before they happen and here's what can be done as a preventative measure:

1. Social activities can be an effective way to prevent vandalism. Through social activities, people can be encouraged to care for each other and the environment. Some examples of social activities that can be done include:
 - a. Organizing awareness campaigns about the importance of keeping the environment clean and beautiful. This campaign can be done through social media, posters, brochures, or community activities.
 - b. Organizing joint cleaning activities in areas that are often targeted by vandalism. By actively involving the community, it is hoped that they will be more concerned and responsible for the surrounding environment.
2. Legal Street Art can be an alternative to reducing vandalism. By providing space for street artists to create legally, it is hoped that they will no longer commit vandalism. Some legal street art programs that can be implemented include:
 - a. Provide permission and space for street artists to create murals and graffiti in

designated areas. This can provide an opportunity for artists to express their creativity legally.

- b. Organize street art festivals involving local and international artists. This festival can be a platform to appreciate street art and educate the public about the importance of art as a positive form of expression.
3. A rehabilitative approach to vandalism can also be part of a vandalism prevention program. This approach aims to change the behavior of vandalism offenders through a more empathetic and educational approach. Some rehabilitative approaches that can be taken include:
- a. Provide education and training to perpetrators of vandalism on the negative impacts of their actions. This can be done through educational programs in schools or rehabilitation institutions.
 - b. Inviting vandals to take responsibility for their actions by carrying out restorative activities, such as cleaning up or repairing the damage they have done. This approach aims to make vandals realize the consequences of their actions.

Vandalism prevention programs can be implemented through social activities, legal street art, and rehabilitative approaches to vandalism offenders. Through these efforts, it is hoped to reduce incidents of vandalism before they occur.

Community involvement plays a very important role in tackling vandalism. Through active participation, the community can help prevent and deal with vandalism more effectively. There are several concrete steps that can be taken by the community to play an active role in the prevention and handling of vandalism. First, awareness raising is an important first step. The public needs to be given a better understanding of the negative impacts of vandalism. Through education and socialization campaigns, the public can be informed about the harm that vandalism causes to the environment, the beauty of the city, and communal life. Furthermore, the public can act as eyes and ears that are alert to acts of vandalism. If they see an act of vandalism, they can report it to the authorities, such as the police or related agencies. This reporting can help law enforcement in identifying and taking action against the perpetrators of vandalism.

Participation in vandalism prevention programs is also very important. Communities can participate in joint clean-up activities in areas that are often targeted by vandalism or join awareness campaigns on the importance of protecting the environment. By actively participating in these programs, the community can help create a safer environment and avoid vandalism. In addition, the community can also support and participate in the development of legal art spaces. Providing space for street artists to create legally, such as through legal murals and graffiti, can help reduce acts of vandalism committed by illegal street artists.

Communities can also play a role in educating the younger generation about the

importance of respecting the environment and the beauty of the city. Through education and guidance, the community can help shape a positive attitude towards the environment and prevent future acts of vandalism. Finally, collaboration with related parties is also very important. Communities can work together with the government, police, and community organizations to tackle vandalism. With good collaboration, vandalism prevention and handling measures can be carried out effectively. The active involvement of the community in overcoming vandalism is an important step towards creating a safe, beautiful, and well-maintained environment. By playing an active role, the community can be part of the solution in reducing the incidence of vandalism.

CONCLUSIONS

Handling vandalism requires strict regulations, such as Perda No. 12/2013 which authorizes Satpol PP. The dual impact of vandalism on teenagers includes fun and negative social impact. Law enforcement aims to be preventive and repressive, with Satpol PP playing a key role. Prevention programs involve social activities, legal street art, and rehabilitative approaches. The active role of the community through awareness and collaboration of related parties is important in addressing vandalism. Efforts to face challenges in enforcing laws related to vandalism, law enforcement becomes the main foundation to maintain public order and security. In the hard efforts of law enforcement, vandalism perpetrators are faced with strict legal consequences, not only as sanctions, but also as responsibility for actions that harm the environment and social norms.

Suggestions that can be considered include giving Satpol PP the authority to carry out non-judicial enforcement and administrative actions against acts of vandalism. Cooperation with the Social Service can be involved in the coaching process, including summoning and raising awareness of the perpetrators. In addition, law enforcement officials and authorized institutions need to apply strict law enforcement against vandalism perpetrators, both based on local regulations and the Criminal Code, to maintain peace and order. The government is also advised to pay attention to supporting needs in monitoring objects that are often the site of acts of vandalism as a preventive measure. In the context of collaboration, synergy between law enforcement agencies, the government, and the community is essential in creating a safe and clean environment. Education and socialization about the negative impacts of vandalism need to be improved so that people have a better understanding of the importance of caring for shared assets. Preventive efforts, education, and coaching must also be continuously improved to create a better environment for all.

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