

THE GAP BETWEEN LEGAL NORMS AND THE REALITY OF HUMAN RIGHTS ENFORCEMENT THROUGH THE GAMMA CASE STUDY IN SEMARANG

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ABSTRACT; *This study explores the phenomenon of extra-judicial killing in Indonesia through the case of Gamma Rizkynata Oktafandy in Semarang as a local reflection of systemic weakness in law enforcement and human rights protection. Although Indonesia has established constitutional and statutory guarantees for the right to life, the implementation of these principles remains inconsistent, revealing a critical gap between normative law and actual practice. Using a qualitative socio-legal approach, this research examines the structural, moral, and cultural factors contributing to the persistence of excessive use of force by law enforcement officers. The findings demonstrate that the Gamma case represents not only individual misconduct but also institutional failure in ensuring accountability and proportionality in state power. The study contributes new insight by linking extra-judicial killing to local socio-legal contexts rather than viewing it solely as a national issue. It concludes that genuine legal reform must involve not only regulatory change but also transformation of the moral awareness and institutional culture of law enforcement agencies to uphold human dignity and substantive justice.*

Keywords: countability; extra-judicial killing; Gamma case; human rights; law enforcement

INTRODUCTION

Human rights are the main foundation for protecting human dignity before the law and the state. In the context of Indonesia, human rights have a very important position because they are directly enshrined in the constitution as a guarantee for every citizen to live safely, fairly, and free from arbitrary actions. Social reality shows that violations of human rights still occur frequently, both by individuals and by state officials who are supposed to be protectors. These violations reflect an imbalance between power and justice, which ideally should go hand in hand. In legal practice, citizens' rights are often ignored on the grounds of maintaining public order. As a result, the law is no longer an instrument of justice, but rather an instrument that can be abused by those in authority. This condition indicates a crisis of public trust in law enforcement agencies. Human rights, which are supposed to protect human dignity, are often reduced to formal discourse without real implementation. Therefore, it is urgent to thoroughly examine the discussion of law and human rights in the Indonesian context. A comprehensive understanding of this issue will determine the direction of social justice in the nation going forward (RINGGI & Saputra, 2025).

One of the main problems in law enforcement in Indonesia is the weak control over law enforcement officials. In many cases, officials who are supposed to guarantee public safety have themselves become perpetrators of violations. The shooting of Gamma Rizkynata Oktafandy, a student at SMKN 4 Semarang, is concrete evidence of how vulnerable the protection of the right to life is in the national legal system. Gamma was shot by a police officer

on duty, and this case has sparked widespread condemnation as it is considered a serious violation of human rights. This incident highlights the weak application of the principles of proportionality and accountability in the use of force by state officials. The case also shows that internal police mechanisms are not yet fully capable of upholding the principles of justice and transparency. This situation is not only an individual problem, but also reflects structural problems within law enforcement agencies. The public believes that human rights violations are often handled slowly and without clarity. In a legal context, this shows a gap between ideal norms and practices in the field (Susilowati & Putranto, 2023).

The Indonesian Constitution actually provides clear guarantees for the protection of human rights. Articles 28A to 28J of the 1945 Constitution of the Republic of Indonesia comprehensively regulate the right to life, freedom, and protection from discriminatory acts. The state is obliged to respect, protect, and fulfill these basic rights through fair legal instruments and policies. However, the facts on the ground show that the implementation of this constitutional mandate has not been fully realized. Many human rights violations are not dealt with by mechanisms that are commensurate with the level of the violation. The Gamma shooting case reflects the weak actualization of these constitutional values in law enforcement practices. Every action taken by state officials should be limited by the principles of law and human morality so as not to exceed the limits of their authority. Weaknesses in the system of oversight and enforcement of sanctions have worsened the image of legal institutions in the eyes of the public. In fact, the rule of law demands the supremacy of law that guarantees justice without discrimination (Riyanti, 2018). Therefore, an in-depth evaluation of the current legal mechanisms is necessary.

The enforcement of human rights in Indonesia cannot be separated from the universal principle that places humans as the main subject of law. In this context, the law should not only function as a means of social control, but also as a means of protecting human values. Failure to guarantee the basic rights of citizens indicates a gap between legal norms and social morals. In the Gamma case, law enforcement should be based on respect for the right to life and procedural justice. However, the actions of the authorities who fired without any real threat indicate a violation of the principle of due process of law. This shows that the understanding of law as a protector of humans is not yet fully embedded in institutional practice. Without strong ethical and legal awareness, state officials have the potential to repeat similar mistakes. Therefore, legal and human rights education is an important element in strengthening the character of law enforcement officials. Without an understanding of human values, the law will lose its true meaning (Munir et al., 2022).

The existence of Law No. 39 of 1999 on Human Rights has been an important milestone in strengthening the national legal system. The law affirms the state's obligation to protect the right to life, the right to security, and the right to justice. However, cases such as the Gamma shooting prove that existing regulations are not yet effective in curbing human rights violations by the authorities. The weak implementation of this law can be attributed to factors such as legal culture, lack of internal oversight, and the persistence of a power mentality within law enforcement agencies. When the law remains merely on paper, justice loses its vitality in society. The public needs concrete evidence that the law works for the people, not the other way around.

The law cannot be separated from the moral values and social consciousness of society. When the law loses its humanity, justice becomes a mere formality. The social reality in Indonesia

still shows that the law tends to favor power over justice. Phenomena such as the Gamma case show that small communities are more vulnerable to becoming victims of violence by the authorities without adequate protection. This situation shows that the law does not yet serve as a space for protection, but rather as a shadow of power.

Public trust in law enforcement agencies is key to creating national stability. When people see that the law is unable to protect their rights, their sense of public justice will be eroded. The Gamma shooting case has become a symbol of public disappointment with the performance of state officials. Many believe that this case reflects a lack of professionalism and empathy in law enforcement. In fact, every action taken by officials should be based on universal humanitarian principles. The state's inability to uphold justice in cases such as this has the potential to cause social distrust, which can lead to moral disintegration. The law, which should ideally be a protector, can instead become a threat to its own citizens. Therefore, collective efforts between the state, academics, and the public are needed to restore the meaning of law as a guardian of human rights. This step requires the courage to acknowledge systemic errors that have been going on for a long time.

A study of the relationship between law and human rights, using the Gamma case as a reflection, shows that there is still a huge gap between the ideals of law and social reality. The enforcement of human rights should not stop at the normative level, but must be realized in concrete actions that protect human life. Violating one life means denying the basic values of humanity. Therefore, the Gamma case should serve as a lesson for the Indonesian legal system to improve its paradigm of justice enforcement. The state must ensure that every citizen receives equal protection before the law, without discrimination and without violence. True justice stems from the awareness that the law is a means to serve humanity, not to oppress it. Thus, the discussion of law and human rights becomes an important foundation in building a civilized and just country. This reform effort is not only the government's obligation, but the shared responsibility of all elements of the nation. Without reforms that address the root of the problem, violations such as the Gamma case will continue to recur (Mutiarra Dzakia Gaos, 2025). The imbalance between the severity of the violations and the leniency of the punishment imposed on officials has created a crisis of legal legitimacy in the eyes of the public. Law enforcement that does not favor victims and the lack of restitution weaken the public's sense of justice (Kartika Amelia Manik et al., 2025). The importance of imposing heavier penalties and strengthening recovery mechanisms for victims as a tangible manifestation of the accountability of law enforcement agencies. In this context, the Gama case in Semarang is a clear example of the structural problems afflicting the law enforcement system in Indonesia.

The importance of imposing heavier penalties and strengthening recovery mechanisms for victims as a tangible manifestation of the accountability of law enforcement agencies. In this context, the Gama case in Semarang is a clear example of the structural problems afflicting the law enforcement system in Indonesia. This case not only reflects procedural violations in the handling of the law, but also illustrates the weakness of social control, internal oversight, and public trust in law enforcement agencies. This phenomenon indicates a gap between normative law and empirical practice in the field, which to date has not been comprehensively studied in the local context (RINGGI & Saputra, 2025). This situation shows that the existing legal framework has not been able to prevent repressive actions by officials in the field.

There is a lack of studies that highlight the Gama case in depth from the perspective of the relationship between legal, social, and public perception dimensions at the city level. Most previous studies have focused on a normative legal approach without involving substantive and sociological perspectives of justice. In addition, previous studies have not specifically examined how local contexts such as police culture, social pressure, and local media influence the legal process and public perception. This study not only examines positive legal aspects but also explores the social and psychological impacts arising from weak law enforcement and how the public interprets justice in this case. Thus, this study is expected to fill the gap in the literature on law enforcement practices by local authorities and provide concrete recommendations for improving institutional oversight and accountability systems in Indonesia.

Problem

The shooting of Gamma Rizkynata Oktafandy in Semarang highlights fundamental problems in Indonesia's law enforcement system, particularly in the context of human rights protection. Although normatively the state has legal instruments that guarantee the right to life and prohibit violence by the authorities, their implementation does not yet reflect the values of justice and humanity mandated by the constitution. The main problem apparent from this case is the discrepancy between legal norms and enforcement practices in the field. On the one hand, the law affirms the principle of protecting human rights, but on the other hand, repressive actions by the authorities still occur. This situation raises serious questions: why do law enforcement officials, whose function is to protect, become perpetrators of violations of the right to life of citizens? The next problem is the failure of accountability mechanisms in dealing with violations committed by the authorities. The process of enforcing discipline and the law against perpetrators is often slow, non-transparent, and does not produce a deterrent effect. The weakness of internal and external oversight systems reinforces the perception that violations by officials tend to be ignored or resolved behind closed doors. As a result, there is public distrust of the integrity of law enforcement agencies and a decline in the legitimacy of the law as an instrument of social justice.

From a theoretical perspective, there is a gap between positive legal studies, which tend to emphasize normative aspects, and social reality, which shows a weak internalization of human values within the legal apparatus. Most previous studies have only highlighted procedural violations and have not explored in depth the moral, ethical, and structural roots of the apparatus' repressive actions against civilians. Therefore, it is necessary to conduct a study that not only assesses formal legal aspects but also looks at the social and humanitarian dimensions behind the failure of the system.

There is a need to develop a law enforcement approach based on human values and substantive justice. This study attempts to use the Gamma case in Semarang as a point of reflection to understand how the legal system can fail to function, while offering a new perspective on human rights reform based on ethics, transparency, and the moral responsibility of law enforcement officials. This new approach is expected to become a conceptual foundation for the formation of a more humane and substantively just law enforcement paradigm, thereby bridging the gap between legal idealism and social reality in Indonesia.

Research Methods

This study uses a qualitative approach with a case study method. This approach was chosen because it is able to describe in depth the social, legal, and moral dynamics that arose in the case of the shooting of Gamma Rizkynata Oktafandy in Semarang. Case studies provide space to explore the structural and cultural factors that influence the actions of law enforcement officials in the context of human rights violations, while also assessing how the legal system responds to such cases. Thus, this study focuses not only on the normative aspects of law, but also on the empirical reality that reflects the tension between power and justice.

The type of research used is socio-legal research, which combines analysis of written legal norms with social phenomena in the field. This approach is relevant for assessing the extent to which legal principles regarding the protection of human rights, particularly the right to life, can be realized in the practice of law enforcement by state officials. Through this approach, the research seeks to identify the gap between normative law and the behavior of officials, as well as to find the institutional and cultural roots of the problem within law enforcement agencies.

The research data was obtained from secondary data, which was obtained from various legal literature, laws and regulations, reports from official institutions such as the National Human Rights Commission, previous research results, and relevant media reports. The data collection process was carried out using literature study and legal document analysis techniques to ensure the validity and depth of interpretation of the existing facts. Data analysis was carried out using descriptive-analytical methods, namely by systematically interpreting the data to understand the relationship between legal norms, the behavior of officials, and the public's perception of justice. The analysis was carried out in three consecutive stages: data reduction, interpretation of the socio-legal context, and drawing reflective conclusions. The results of the analysis are expected to reveal how weaknesses in the legal system and the morality of officials contribute to the emergence of human rights violations such as the Gamma case, as well as to offer a new framework for more just and humane legal reform.

Discussion

The shooting of Gama, a student in Semarang, has become the subject of public attention because it is considered to reflect a serious violation of human rights. This incident demonstrates the practice of violence by the authorities that has resulted in the loss of life without due process of law, known as extrajudicial killing. Within the framework of national law, such actions clearly contradict the principle of protection of the right to life guaranteed by Article 28A of the 1945 Constitution and Law No. 39 of 1999 on Human Rights. The state has an obligation to protect every citizen from violence, especially that committed by its own officials. However, the reality on the ground shows that officials often act outside legal procedures under the pretext of enforcing order. This phenomenon indicates the weak internalization of human rights values within law enforcement agencies. Furthermore, this case highlights the imbalance between state power and the protection of citizens. This shows that even though human rights policies are clearly written, their implementation is still far from the expectations of the community. The Gama case reflects that respect for the right to life has not been fully prioritized by law enforcement institutions in Indonesia.

Human rights enforcement in Indonesia basically already has a strong legal foundation, but its implementation remains partial and inconsistent. Positive law stipulates that every action taken

by officials must be based on the principles of legality, proportionality, and accountability. However, in the Gama case, these principles were violated because officials used lethal force without any real threat that justified such action. This shows a gap between legal norms and enforcement practices in the field. The government should enforce the law fairly, not allow actions by officials that result in death without trial. In this context, such violations not only hurt the victims and their families, but also undermine public trust in state institutions. Weak human rights enforcement is often caused by a lack of internal control and impunity inherent in the culture of law enforcement agencies. Therefore, it can be concluded that human rights enforcement in Indonesia is not yet fully in line with the human rights policies that have been outlined normatively. Violent acts against officials carrying out their duties remain within the framework of criminal law, with several articles highlighted as relevant (e.g., Articles 351 (2), 170 (2), and 212 of the Criminal Code) to prosecute perpetrators of violence against officials on duty.

Human rights instruments in Indonesia should serve as a means of control to prevent and take firm action against violations by officials. However, the effectiveness of these instruments is still questionable, especially in the context of the Gama shooting case. Institutions such as Komnas HAM have a mandate to conduct independent investigations, but the results often do not lead to adequate legal proceedings. This shows that the existence of human rights instruments has not been fully effective in enforcing accountability. Many similar cases in Indonesia have ended without a fair resolution due to weak political will and institutional pressure on supervisory agencies. In human rights enforcement theory, the effectiveness of instruments is determined by the ability of agencies to take action without intervention and with strong legal support (Rini, 2022). However, when human rights institutions' reports and recommendations are ignored, the human values upheld by the constitution lose their meaning. Thus, the Gama case is a clear illustration that there is still a huge gap between legal norms and the reality of human rights enforcement. The effectiveness of human rights instruments is not only measured by their existence, but by their concrete results in providing justice for victims.

From a constitutional law perspective, this case demonstrates a violation of the principle of the rule of law (*rechtstaat*), whereby every action of the government must be subject to the law and uphold human rights. The rule of law does not justify acts of violence outside the judicial process, regardless of the reasons or background. In this context, state officials are not only enforcers of the law, but also subjects of the law who must comply with the rules. When officials act outside the law, the state must ensure that there are firm and transparent sanctions. The state's inability to prosecute perpetrators actually reinforces a culture of impunity that is dangerous for democracy. According to constitutional law research, one indicator of a weak rule of law is when human rights violations are not responded to with effective legal mechanisms (Gumelar & Nachrawi, 2022). In Gama's case, the absence of legal accountability is proof that the rule of law has not been fully implemented. Therefore, human rights-oriented law enforcement reform is urgently needed to restore public trust in state institutions.

From a policy perspective, the government has ratified various international conventions on human rights that affirm the right to life and prohibit torture. However, ratification has not been fully followed by consistent implementation at the national level. In the Gama case, the violation of the right to life shows that the authorities do not fully understand the principles of necessity and proportionality that underlie the use of force. Weaknesses in human rights education for the authorities and an ineffective internal monitoring system are the main causes. On the other hand, the legal system still provides room for impunity through slow investigation

processes and the unclear legal status of perpetrators. As explained in public policy studies, the success of human rights protection greatly depends on the government's ability to internalize humanitarian principles within the bureaucratic structure (Wartoyo, 2020). Therefore, human rights policies need to be implemented not only in the form of regulations, but also through institutional reforms that ensure the accountability of law enforcement officials.

The Gama case also highlights the failure of coordination between law enforcement agencies and human rights monitoring institutions. Ideally, after a report of a violation is received, investigators and human rights institutions should work together to uncover the facts in a transparent manner. However, the opposite has occurred: there has been a passing of the buck between the police and monitoring institutions. This situation has undermined public trust in the legal system. Ideal human rights enforcement requires inter-agency synergy so that victims' rights can be restored through fair legal mechanisms. In recent studies, weak inter-agency synergy has been identified as a major factor hindering the effective implementation of human rights policies in Indonesia. Therefore, the government needs to reaffirm the mandate and coordination between institutions so that similar violations do not recur. This synergy is also important to ensure that every form of human rights violation receives a swift and proportionate response in accordance with applicable law. The criminal accountability system for officials appears to be hampered when firearms are misused or stray bullets are fired in the line of duty. The study states that in complex situations, officials face pressure and must make quick decisions, thereby increasing the likelihood of errors. This explanation is relevant because it illustrates that not only are there violations, but there are also institutional and situational factors that facilitate these violations (Almau Dudy & Ashady, 2024). Dalam konteks kasus di Semarang, faktor seperti budaya institusi aparat, mekanisme pengawasan yang lemah, dan tidak adanya efek jera yang signifikan turut memperkuat dinamika pelanggaran.

Secara filosofis, penegakan HAM dalam konteks kasus Gama menguji sejauh mana negara menghargai nilai kehidupan manusia sebagai pilar utama hukum. Hak hidup merupakan hak absolut yang tidak dapat dikurangi dalam keadaan apa pun, sebagaimana ditegaskan dalam Pasal 28I ayat (1) UUD 1945. Maka, setiap bentuk kekerasan yang berujung kematian taIn the context of the case in Semarang, factors such as the culture of the institutional apparatus, weak oversight mechanisms, and the absence of significant deterrent effects contributed to the dynamics of the violations.

Philosophically, the enforcement of human rights in the context of the Gama case tests the extent to which the state respects the value of human life as a fundamental pillar of law. The right to life is an absolute right that cannot be diminished under any circumstances, as affirmed in Article 28I paragraph (1) of the 1945 Constitution. Therefore, any form of violence that results in death without a lawful process is a violation of the moral and constitutional foundations of the state. In the perspective of Law No. 39 of 1999, the state has an obligation to respect, protect, and uphold human rights without discrimination. The Gama case proves that this obligation has not been fully implemented. When the state fails to guarantee the right to life of its citizens, it loses its moral and legal legitimacy as the protector of its people. Thus, this case is not only about individual violations, but also about structural failures in upholding the rule of law based on human rights. Decisive and comprehensive steps are needed to ensure that human rights truly become the spirit behind every policy and action of law enforcement officials.

Without a lawful legal process, it is a violation of the moral and constitutional foundations of the state. From the perspective of Law No. 39 of 1999, the state has an obligation to respect, protect, and uphold human rights without discrimination. The Gama case proves that this obligation has not been fully implemented. When the state fails to guarantee the right to life of its citizens, it loses its moral and legal legitimacy as the protector of its people. Thus, this case is not only about individual violations, but also about structural failures in upholding the rule of law based on human rights. Decisive and comprehensive measures are needed to ensure that human rights truly become the spirit behind every policy and action of law enforcement officials.

Human rights enforcement in Indonesia is not yet fully in line with national human rights policies, particularly in the case of the Gama shooting in Semarang. Human rights instruments have not been effective due to weak implementation and a lack of accountability on the part of law enforcement agencies. The authorities who are supposed to protect the people have instead become perpetrators of violations, indicating the need for structural and cultural reform within legal institutions. The state must ensure that every violation of the right to life is dealt with through transparent and fair legal mechanisms. Reforming law enforcement agencies, human rights education, and strengthening the role of supervisory institutions are urgent steps to improve this situation. In this way, the human rights instruments that have been designed will not only be a symbol of commitment, but will truly become a functioning protection system. In the long term, the success of human rights enforcement in Indonesia depends on the synergy between the law, morality, and the political will of the state to act decisively. The Gama case serves as an important lesson for the state to no longer neglect the highest value: the human right to life.

Japan's human rights protection system provides an interesting example for developing countries such as Indonesia, particularly in terms of the consistent application of legal instruments. Japan has had a constitution that guarantees basic human rights since 1946. (*Konstitusi Jepang Tahun 1946*, n.d.), with explicit recognition of human rights as part of human dignity. The Japanese government actively integrates international human rights instruments into its national policies and has established a relatively stable institutional system to enforce these rights. Law enforcement in Japan also prioritizes public accountability and transparency in legal processes, which is one of the factors contributing to the success of human rights protection. However, the country also faces criticism for its practice of capital punishment and discrimination against minority groups. Nevertheless, evaluation mechanisms and periodic reports allow for systemic improvements. In this context, Japan can be used as an example of how a country balances law and order with respect for human dignity. This comparison shows that human rights protection is not only determined by the number of regulations, but also by the integrity of the implementing institutions and the legal culture of society. Therefore, lessons learned from Japan can be used as a reference for Indonesia to strengthen human rights enforcement through a combination of a legal system and social values that respect humanity (Sugawara, 2023). Compared to Indonesia, Japan shows that the success of human rights enforcement does not depend on the number of regulations, but on the consistency of their implementation. Japan emphasizes the importance of independent and transparent enforcement mechanisms as the main guarantee of human rights protection. On the other hand, Indonesia still faces serious challenges in cases of violations such as the Gama shooting, where the accountability of officials is often ineffective. Lessons from Japan show that the integration of human rights education and the formation of a humanistic legal culture have a major impact on preventing violations. Japan also strengthens external oversight

institutions so that law enforcement is not only in favor of the state, but also of the victims. If Indonesia is able to apply similar principles, the effectiveness of national human rights instruments will be more guaranteed. In addition, Japan emphasizes public transparency as a form of moral and political responsibility towards its citizens. Thus, this comparison shows that the successful enforcement of human rights requires harmony between regulations, legal awareness, and the moral culture of society.

Table 1. Comparison of Human Rights Enforcement Systems and Implementation between Indonesia and Japan

Aspect	Indonesia	Jepang
Constitutional Basis	Regulated in the 1945 Constitution Chapter XA (Articles 28A–28J) which guarantees human rights.	Regulated in (1946 Constitution of Japan, n.d.), particularly Chapter III on Fundamental Human Rights.
National Legal Instrument	It has Law No. 39 of 1999 on human rights and various derivative regulations.	Adopting human rights principles through (<i>Basic Act for Human Rights Education and Awareness (1999)</i> , n.d.) and ratification of various international conventions.
Human Rights Enforcement Agency	Komnas HAM, Komnas Perempuan, and LPSK play a role in advocating and investigating human rights violations.	There is no formal independent human rights institution, but the national ombudsman system, courts, and relevant ministries perform human rights protection functions.
Legal Culture and Public Awareness	Public awareness of human rights remains limited; violations are often considered political issues.	Public awareness is high, supported by an education system and social values that respect human dignity.
Implementation and Enforcement	Often faced obstacles such as impunity for officials, weak investigations, and political interference (for example, the Gama case).	More consistent law enforcement, with strong evaluation and public accountability mechanisms.
Relationship between the State and Citizens	The state still often acts dominantly; human rights protection is not yet fully balanced with state power.	The principle of state-citizen relations is participatory and based on social responsibility.

Aspect	Indonesia	Jepang
Key Challenges	Past gross human rights violations remain unresolved, and oversight of security forces is weak.	Criticism of the death penalty, treatment of minorities, and migrant workers' rights.
Approaches to Cases of Violence by Officials	Extra-judicial killings without clear legal accountability still frequently occur.	Internal investigations are conducted with transparent mechanisms and public reporting.
Civil Society Engagement	Limited, although beginning to increase through NGOs and the media.	Very active; civil society is a key partner in human rights policy.
System Effectiveness	Still low due to the gap between legal norms and field practices.	Relatively high due to the balance between regulations, institutions, and legal culture.

A comparison between Indonesia and Japan in the context of human rights enforcement shows fundamental differences in how the two countries have developed their legal systems. Indonesia normatively has a complete set of legal instruments, such as the 1945 Constitution and Law No. 39 of 1999, but still faces a large gap in their implementation. On the other hand, Japan not only emphasizes the existence of laws, but also fosters a legal culture that permeates social life and governance. This can be seen from the integration of human rights principles into the education system and the moral values of Japanese society, which respects human dignity. Although both countries recognize human rights in their constitutions, Japan's effectiveness is much higher due to the consistency between the law and the behavior of state officials. Indonesia is often trapped in issues of impunity, such as in the Gama shooting case, where perpetrators from among state officials did not immediately receive strict legal accountability. Japan takes a different approach by enforcing public transparency and independent oversight mechanisms for every violation committed by state officials. This situation shows that the protection of human rights is not merely a matter of written law, but a matter of the state's ethical commitment to its people. Thus, Japan provides a concrete example that the rule of law must be accompanied by a culture of responsibility and respect for humanity.

The main weakness of Indonesia's human rights system lies in the gap between regulations and their implementation in the field. Although there are many laws governing human rights, enforcement of violations is still heavily influenced by political interests and power. This causes the law to lose its corrective function against violations committed by officials. In contrast, Japan places the law as an instrument of social control that works systematically and consistently, making violations by state officials easier to identify and resolve institutionally. Indonesia also faces challenges in strengthening human rights protection institutions such as Komnas HAM, which are still limited in authority and resources. Japan does not have a similar independent institution, but the functions of supervision and enforcement are carried out

effectively by internal government mechanisms and trusted judicial institutions. This proves that the existence of an institution does not guarantee effectiveness if it is not supported by the integrity of officials and a disciplined legal culture. In addition, civil society participation in Japan plays a major role in maintaining the balance between state power and people's rights. In Indonesia, the role of civil society is still often overlooked, even though they can be the main drivers of human rights monitoring and advocacy. This condition emphasizes the importance of developing social awareness so that human rights are not only a legal discourse, but also part of the collective consciousness of the nation.

From the results of this comparison, it can be concluded that Japan demonstrates a more integrated model of human rights enforcement between norms, institutions, and public morals. This country not only enforces the law formally, but also ensures that human values form the foundation of every policy. On the other hand, Indonesia still needs profound reforms in the fields of law and enforcement so that human rights principles can be applied in practice. The Gama shooting case symbolizes the weakness of the monitoring system, the low accountability of officials, and the suboptimal role of national human rights instruments. Japan has proven that successful human rights enforcement cannot be achieved simply by increasing the number of laws, but by building a system that is transparent and oriented towards substantive justice. Indonesia needs to emulate Japan's practices in terms of human rights education, a culture of legal discipline, and community involvement in monitoring the state. By strengthening the synergy between law and moral awareness, Indonesia has the opportunity to narrow the gap between ideal norms and practical implementation. Japan's experience shows that a civilized country is one that places humans at the center of all public policies. If this lesson is seriously adapted, then human rights protection in Indonesia will move towards a more just, humane, and socially equitable order.

The phenomenon of extrajudicial killings (EJK) poses one of the greatest challenges to the fundamental principles of the rule of law and the protection of human rights. As stated by Wulandari and Ariyani, EJK occurs when state officials—who have the authority to use force—take actions that result in the death of a person without going through a legal process, without a court decision, and often without adequate transparency or accountability. From a normative perspective, this type of killing fulfills the elements of the criminal offense of murder in Indonesian positive law, for example Article 338 of the Criminal Code or Article 351 of the Criminal Code in conjunction with Article 55 paragraph (1) of the Criminal Code, and from the perspective of Islamic criminal law it can be categorized as *jarīmah qatlu al-'amd*. However, as other studies have shown, even though formal regulations are in place, the enforcement and prosecution of EJK remains very weak. For example, Munir's study states that EJK is “murder committed by state officials without due process and a valid court decision.” The shooting of Gamma in Semarang can be seen as a concrete manifestation of EJK in a local context. The actions of the authorities that led to the death of a student who was not publicly regarded as a serious criminal or someone who was endangering the lives of others demonstrate a deviation from the standard use of state force: namely, that the use of lethal force should only be a last resort, within a framework of proportionality and restraint. In many studies, including analyses of extrajudicial killings of suspected terrorists, it has been found that the principles of presumption of innocence and the right to a fair trial are often ignored (I Ketut Astawa & Daud Munasto, 2022).

EJK actions by officials are often accompanied by weak legal accountability mechanisms, both for the perpetrators and for the institutions that are supposed to supervise them (Siti Aisyah Maulidina & Dini Dewi Heniarti, 2025). This is relevant to the situation in Semarang, where the public perceives a lack of clarity in the investigation process, transparency, and sanctions imposed on officials. When both internal and external oversight systems fail to perform their control functions, impunity becomes a reinforcement for the recurrence of violations such as EJK. Socially and psychologically, the effect of EJK on public trust is enormous. When citizens see that the authorities, who are supposed to be protectors, are actually perpetrators of human rights violations, the legitimacy of law enforcement agencies as guarantors of justice declines. Studies show that public trust is an important asset for effective law enforcement; without it, the authorities lose their “moral mandate” to carry out their duties. In the Gamma case, this crisis of trust can be understood in the local context: citizens observed that not only were the actions of the authorities problematic, but the legal system also appeared slow, closed, and failed to provide restitution to the victims or their families.

Another important emphasis relates to the novelty aspect of research in the context of EJK. Most previous studies have highlighted EJK in a national context or in large regions, but few have examined in depth how EJK occurs in cities such as Semarang, including the cultural dynamics of local police institutions, local community perceptions, and the long-term impact on local legal legitimacy. By using the Gamma case as a point of study, this research opens up space to analyze EJK from an integrated local, institutional, normative, and social perspective, both in terms of positive legal norms, bureaucratic ethics, accountability mechanisms, and public perceptions. Finally, this discussion shows that even though a normative framework exists, the main problem is not simply the existence of regulations, but rather the failure to internalize human values, weak control and sanction mechanisms, and the collapse of public trust, all of which contribute to the vulnerability of EJK.

Conclusion

The shooting of Gamma Rizkynata Oktafandy in Semarang is a clear example of extrajudicial killing that reflects the weak implementation of the rule of law and the protection of human rights, particularly the right to life. Based on the results of the analysis, it was found that the main problem lies not only in the actions of individual officials, but also in the institutional system, which has not been able to ensure accountability, transparency, and justice in every law enforcement action. This phenomenon reveals a gap between legal norms that guarantee human rights protection and law enforcement practices that often ignore the principles of proportionality and presumption of innocence. From a social perspective, Gamma's case shows that human rights violations by officials not only affect the victim and his family, but also cause a crisis of public trust in law enforcement agencies. The loss of security and confidence that the law is capable of protecting all citizens without discrimination is a form of state failure in upholding the principle of substantive justice. From an ethical and moral perspective, these actions show that humanitarian values have not been internalized in the institutional culture of law enforcement officials.

The novelty of this research lies in its approach, which links the phenomenon of extrajudicial killings to the socio-legal context at the local level (the city of Semarang), rather than merely

as a national phenomenon. Thus, this research contributes to the development of an understanding that human rights violations are not only caused by the absence of norms, but also by weak moral awareness and accountability mechanisms at the institutional level. Fair legal reform, therefore, cannot be achieved through regulatory changes alone, but must be accompanied by a transformation of the legal culture of officials and active community participation.

Law enforcement officials must uphold the principle of proportionality in the use of force and place the right to life as the highest value in the performance of their duties. Training in professional ethics, human rights, and conflict management must be strengthened and made a mandatory part of career development. Every case of violence involving law enforcement officials must be investigated independently, openly, and transparently, ensuring that there are strict criminal and disciplinary sanctions against perpetrators to prevent impunity. The functions of internal supervisory bodies must be optimized and linked to external institutions such as the National Human Rights Commission (Komnas HAM) to ensure more objective oversight.

The government needs to establish a legal system that ensures the accountability of state officials through the revision and enforcement of regulations related to the use of force. The government must also ensure that there are mechanisms for compensation and recovery for the families of victims of extrajudicial killings, as a manifestation of the state's responsibility for violations of the right to life. In addition, an independent cross-institutional oversight body needs to be established to periodically audit every action taken by armed officials, so that state control over coercive power is not merely symbolic but effective.

The public needs to strengthen legal awareness and participation in public oversight of law enforcement practices. Non-governmental organizations, the media, and academics have an important role to play in highlighting and documenting cases of human rights violations so that they are not lost in the narrative of power. Critical legal education at the community level also needs to be expanded to build the moral courage to demand justice and promote a culture of law based on humanity.

Thus, this study concludes that the Gamma case is not merely an individual tragedy, but a reflection of a systemic crisis in law enforcement practices in Indonesia. Efforts towards substantive justice must start from a shared awareness among officials, the government, and the community that the right to life is not only a written norm, but a value that must be upheld through moral responsibility, transparency, and real justice.

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