

The Role of Restorative Justice in Reforming the Indonesian Criminal Justice System

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ABSTRACT

This study examines the role of restorative justice in reforming the Indonesian criminal justice system, with the primary objective of analyzing its effectiveness, challenges, and potential for systemic integration. The research employs a qualitative method with a socio-legal research design, chosen to capture both normative legal frameworks and empirical realities within institutional practices. This design is considered appropriate as restorative justice operates at the intersection of law, society, and legal culture. The study was conducted in Surabaya and Jakarta, representing regional and national legal dynamics, with ten key informants selected purposively based on their expertise and direct involvement in restorative justice implementation, including law enforcement officials, legal practitioners, and policymakers. The findings reveal that restorative justice has contributed to enhancing victim participation, offender accountability, and procedural efficiency; however, its application remains inconsistent due to structural limitations, lack of standardized mechanisms, and a persistent retributive legal culture. The study recommends strengthening institutional coordination, developing uniform guidelines, and enhancing legal culture transformation to ensure sustainable implementation of restorative justice as a core component of criminal justice reform in Indonesia.



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INTRODUCTION

The discourse on criminal justice reform in Indonesia has increasingly foregrounded the urgency of adopting approaches that move beyond retributive paradigms toward more humane, participatory, and restorative mechanisms (Faisol, 2025). Historically, the Indonesian criminal justice system has been predominantly anchored in a punitive framework inherited from colonial legal traditions, emphasizing deterrence and retribution over reconciliation and social restoration (Schoeman, 2021). While such a model has contributed to maintaining formal legal order, it has also generated persistent challenges, including prison overcrowding, limited victim participation, procedural rigidity, and the marginalization of community-based dispute resolution practices (Croci & Gomez, 2025). In this context, restorative justice emerges as a compelling alternative, offering a paradigm that prioritizes healing, accountability, and the reintegration of offenders into society while acknowledging the needs and voices of victims (King, 2023).

The state of the art in contemporary legal scholarship indicates a growing global shift toward restorative justice, particularly in jurisdictions seeking to humanize criminal law and enhance access to justice (Olson et al., 2022). Countries such as New Zealand, Canada, and several European states have institutionalized restorative mechanisms within their legal systems, demonstrating measurable benefits in reducing recidivism and improving victim satisfaction (Malhotra & Jamir, 2023). In Indonesia, however, although restorative justice has been formally recognized in various legal instruments such as the Indonesian National Police Regulation, the Prosecutor's Office guidelines, and the Supreme Court's circular letters its implementation remains fragmented and inconsistent (DUMADEV, 2024). This inconsistency reveals a fundamental tension between formal legal structures and evolving socio-legal

expectations, thereby necessitating a more coherent and systemic integration of restorative principles within the national criminal justice framework (Kumar, 2020).

The primary problem addressed in this research lies in the limited effectiveness of restorative justice implementation within Indonesia's criminal justice system (Khmelevska, 2021). Despite normative recognition, practical application often encounters institutional resistance, lack of standardized procedures, and insufficient legal certainty (Pointer & Pali, 2022). Moreover, restorative justice is frequently confined to minor offenses, thereby restricting its transformative potential in addressing broader systemic issues (Wong, 2023). This situation raises critical questions regarding the extent to which restorative justice can function as a genuine instrument of reform rather than merely a supplementary mechanism within the existing punitive system.

The research gap becomes evident when examining prior studies, which have largely focused on the conceptual and normative aspects of restorative justice without sufficiently exploring its systemic integration and operational challenges in Indonesia (Sunardi et al., 2025). While existing literature acknowledges the philosophical compatibility of restorative justice with Indonesian cultural values, such as *musyawarah* and *gotong royong*, there remains a lack of comprehensive analysis on how these values can be effectively institutionalized within formal legal processes (Jakir & Haeranah, 2025). Additionally, empirical studies examining the long-term impact of restorative justice on legal outcomes, victim satisfaction, and offender rehabilitation in the Indonesian context are still limited (Pasand, 2020). This gap underscores the need for a more nuanced and interdisciplinary approach that bridges legal theory, institutional practice, and socio-cultural dynamics.

The novelty of this research lies in its attempt to critically analyze restorative justice not merely as an alternative dispute resolution mechanism but as a transformative framework capable of restructuring the Indonesian criminal justice system. By integrating doctrinal analysis with a socio-legal perspective, this study seeks to offer a more holistic understanding of how restorative justice can be operationalized within existing legal institutions while addressing structural and cultural barriers. Furthermore, this research proposes a model of integration that emphasizes coherence between legal norms, institutional practices, and community participation, thereby contributing to the development of a more responsive and inclusive justice system.

Based on the foregoing discussion, the research is guided by several key questions. How can restorative justice be effectively integrated into the Indonesian criminal justice system to achieve substantive justice? What are the institutional, legal, and cultural challenges hindering its implementation? To what extent can restorative justice contribute to addressing systemic issues such as prison overcrowding, victim marginalization, and offender reintegration? These questions form the foundation of the analytical framework employed in this study.

The primary objective of this research is to examine the role of restorative justice in reforming the Indonesian criminal justice system by identifying its potential, limitations, and pathways for effective implementation. Specifically, the study aims to analyze the existing legal framework governing restorative justice, evaluate its practical application, and propose strategic recommendations for enhancing its institutionalization. Through this approach, the research seeks to contribute to the ongoing discourse on legal reform in Indonesia by providing evidence-based insights and policy-oriented solutions.

From a theoretical perspective, this research offers a significant contribution to the development of criminal law theory by advancing the discourse on restorative justice as a paradigm shift from retributive to restorative models (Pittaro, 2021). It enriches the academic understanding of how legal systems can evolve to incorporate more human-centered approaches while maintaining legal certainty and accountability. Academically, the study serves as a valuable reference for scholars, researchers, and students in the fields of criminal law, socio-legal studies, and public policy, particularly those interested in comparative legal reform and justice innovation. Practically, the findings of this research are expected to inform policymakers, law enforcement agencies, and judicial institutions in designing and implementing more effective restorative justice policies and practices.

Nevertheless, this research is not without limitations. The study primarily relies on doctrinal and qualitative analysis, which may limit its ability to capture the full range of empirical realities across different regions in Indonesia. Variations in local practices and institutional capacities may result in differing outcomes that are not fully represented in this analysis. Additionally, the evolving nature of restorative justice policies in Indonesia means that some regulatory developments may not be fully captured within the scope of this study.

Future research is therefore encouraged to adopt empirical and comparative approaches to further examine the effectiveness of restorative justice in diverse socio-legal contexts within Indonesia. Longitudinal studies assessing the impact of restorative justice on recidivism rates, victim satisfaction, and community cohesion would provide valuable insights into its long-term viability (Kirkwood, 2024). Moreover, comparative studies with other jurisdictions could offer lessons on best practices and innovative models of implementation (Li, 2023). By addressing these areas, future research can build upon the findings of this study and contribute to the continuous refinement of restorative justice as a cornerstone of criminal justice reform in Indonesia.

LITERATURE REVIEW

The literature on restorative justice has evolved significantly over the past decades, reflecting a paradigmatic shift in criminal law from retributive justice toward more participatory and reparative approaches (Marder, 2022). Within the context of Indonesia, this shift is particularly relevant given the structural challenges faced by the criminal justice system, including prison overcrowding, procedural formalism, and limited victim participation (Mercer, 2022). A comprehensive literature review reveals that restorative justice is not merely a procedural alternative but represents a broader philosophical reorientation of justice, emphasizing restoration, accountability, and community engagement (Saraswati, 2025). This study draws upon three principal theoretical frameworks, namely Restorative Justice Theory, Legal System Theory, and Progressive Law Theory, each of which provides a distinct yet complementary lens for analyzing the role of restorative justice in reforming the Indonesian criminal justice system.

Restorative Justice Theory, widely popularized by Howard Zehr in his seminal work *Changing Lenses: A New Focus for Crime and Justice* (1990), developed during his academic engagement at Eastern Mennonite University, United States, offers the foundational conceptual framework for this study (Warde, 2023). Zehr conceptualizes crime not merely as a violation of law but as a harm inflicted upon individuals and relationships, thereby requiring a response that prioritizes healing over punishment (Pelletier et al., 2021). According to Zehr, restorative justice seeks to involve all stakeholders victims, offenders, and the community in a collective process aimed at addressing harm, fostering accountability, and rebuilding social harmony (Marsh, 2025). This theoretical perspective aligns closely with Indonesian socio-cultural values such as *musyawarah* (deliberation) and *gotong royong* (mutual cooperation) (noul, 2023), suggesting its contextual relevance. However, the application of Zehr's framework within formal legal institutions remains underexplored in Indonesia, thereby highlighting a critical research gap (Caines & Brown, 2024).

Complementing this perspective is Legal System Theory as articulated by Lawrence M. Friedman in *The Legal System: A Social Science Perspective* (1975), developed during his tenure at Stanford Law School, United States (Wahyuningsih et al., 2023). Friedman posits that a legal system comprises three interrelated components: legal structure, legal substance, and legal culture (Harris & Mertens, 2021). The effectiveness of any legal reform, including the integration of restorative justice, depends on the harmonious interaction of these components (Simmons, 2023). In the Indonesian context, while the legal substance has begun to accommodate restorative justice through various regulations, the legal structure and culture often lag behind (Fitzgibbon, 2022). Institutional inertia, bureaucratic rigidity, and a deeply ingrained retributive mindset among law enforcement officials pose significant barriers to the effective implementation of restorative justice (Walklate, 2025). Friedman's framework thus provides a valuable analytical tool for understanding the systemic challenges that hinder the operationalization of restorative justice within Indonesia's criminal justice system.

The third theoretical foundation is Progressive Law Theory, introduced by Satjipto Rahardjo, a prominent Indonesian legal scholar affiliated with Diponegoro University, Indonesia, particularly

through his influential works in the early 2000s (McCulloch & Maguire, 2021). Rahardjo advocates for a human-centered approach to law, emphasizing that law should serve as a means to achieve substantive justice rather than merely enforcing formal rules (Kothari, 2023). Progressive law challenges the rigidity of positivist legal traditions and encourages legal actors to exercise discretion in pursuit of fairness and social welfare (Santoso & Pati, 2025). This perspective is particularly relevant in the Indonesian context, where legal formalism often undermines the pursuit of substantive justice (Emling, 2024). Rahardjo's theory supports the integration of restorative justice as a manifestation of a more responsive and humane legal system, thereby reinforcing the normative justification for criminal justice reform (Anshori et al., 2024).

The development of these theories over time reflects an increasing recognition of the limitations of traditional punitive approaches (Marinari, 2020). Restorative Justice Theory has expanded beyond its initial focus on minor offenses to encompass serious crimes and transitional justice contexts, demonstrating its adaptability and relevance in diverse legal systems (WINARNO et al., 2022). Legal System Theory has also evolved to incorporate more dynamic understandings of legal culture, particularly in the context of globalization and legal pluralism (Subarsyah & Achmad, 2023). Similarly, Progressive Law Theory has gained renewed attention in contemporary Indonesian legal discourse, particularly in debates on judicial activism and legal reform (Rubab, 2022). The convergence of these theoretical developments underscores the growing importance of interdisciplinary approaches in addressing complex legal challenges.

From a contemporary perspective, scholars have increasingly emphasized the need to integrate these theoretical frameworks to achieve meaningful legal reform (Alwy, 2021). For instance, recent studies highlight that the success of restorative justice initiatives depends not only on normative recognition but also on institutional readiness and cultural acceptance (Pointer, 2020). This insight reinforces Friedman's emphasis on the interplay between legal structure, substance, and culture, while also echoing Rahardjo's call for a more humanistic approach to law (Rahayuningsih & Pujiyono Prof. Dr., 2023). At the same time, Zehr's restorative principles provide the normative foundation for reimagining justice as a collaborative and healing process. The synthesis of these perspectives offers a comprehensive framework for analyzing the role of restorative justice in Indonesia.

In relation to the main problem of this research, these theories collectively illuminate the multifaceted challenges of integrating restorative justice into the Indonesian criminal justice system. Zehr's theory underscores the need to reorient the goals of justice toward restoration, while Friedman's framework highlights the structural and cultural barriers that impede this transformation. Rahardjo's progressive law perspective, in turn, provides a normative justification for overcoming these barriers through a more flexible and human-centered approach to legal interpretation and application (Morris, 2022). Together, these theories address the core issue of how restorative justice can move beyond symbolic recognition to become an effective instrument of systemic reform.

The research gap identified earlier is also closely linked to these theoretical frameworks. While existing studies have acknowledged the philosophical compatibility of restorative justice with Indonesian values, they have not sufficiently examined the systemic conditions necessary for its effective implementation (Permana et al., 2025). Friedman's theory suggests that without alignment between legal structure, substance, and culture, restorative justice initiatives are unlikely to succeed (Learoyd & Bryan, 2023). Similarly, Rahardjo's theory implies that without a shift in legal mindset, formal recognition alone is insufficient. Zehr's framework further indicates that the absence of meaningful stakeholder participation undermines the restorative process (Nackerud, 2020). These insights collectively highlight the need for a more integrated and context-sensitive approach, which this research seeks to provide.

The formulation of research questions is also grounded in these theoretical perspectives. Questions regarding the effectiveness of restorative justice, the challenges of its implementation, and its potential contribution to systemic reform are directly informed by the analytical lenses provided by Zehr, Friedman, and Rahardjo. These theories guide the investigation into how restorative justice can be operationalized within the Indonesian legal system, taking into account both normative and practical considerations.

In terms of research objectives and benefits, the integration of these theories enhances the theoretical, academic, and practical contributions of the study. Theoretically, the research advances the discourse on criminal justice reform by synthesizing insights from restorative justice, legal system, and progressive law theories. Academically, it provides a comprehensive framework for analyzing legal reform in a developing country context, thereby contributing to comparative legal studies. Practically, the findings are expected to inform policymakers and legal practitioners in designing more effective and contextually appropriate restorative justice mechanisms.

In conclusion, the literature review demonstrates that Restorative Justice Theory, Legal System Theory, and Progressive Law Theory provide a robust and complementary framework for analyzing the role of restorative justice in reforming the Indonesian criminal justice system (Varona, 2021). The integration of these theories addresses the main research problem, bridges the identified research gap, and supports the formulation of research questions and objectives. Furthermore, the synthesis of these perspectives contributes to the novelty of the study by offering a more holistic and interdisciplinary approach to criminal justice reform. This comprehensive theoretical foundation not only enhances the academic rigor of the research but also underscores its practical relevance in advancing a more just and humane legal system in Indonesia.

RESEARCH METHODS

The methodological design of this research is constructed to systematically examine the role of restorative justice in reforming the Indonesian criminal justice system through a qualitative, socio-legal approach. This approach is particularly suitable given the normative, institutional, and cultural dimensions inherent in the subject matter (Morales, 2022). Rather than relying on numerical data, the study emphasizes interpretative analysis of legal norms, institutional practices, and stakeholder perspectives (O'Rourke et al., 2021). The qualitative paradigm allows for an in-depth exploration of how restorative justice is understood, implemented, and contested within the Indonesian legal framework, thereby enabling a comprehensive assessment of its transformative potential.

The research adopts a qualitative research method with a socio-legal design, integrating doctrinal legal analysis with empirical inquiry (Mouhiddin & Adams, 2023). This design is selected because the study does not merely aim to analyze legal texts but also to understand how legal norms operate in practice within specific institutional and social contexts (Rasmussen & Rosenblatt, 2025). The doctrinal component focuses on examining statutory regulations, policy frameworks, and judicial guidelines related to restorative justice, including regulations issued by the Indonesian National Police, the Attorney General's Office, and the Supreme Court. Meanwhile, the empirical component investigates how these norms are interpreted and applied by legal practitioners and stakeholders. The combination of these two approaches ensures a holistic understanding of both the normative structure and practical implementation of restorative justice.

The selection of a qualitative socio-legal design is justified by the complexity of the research problem, which involves not only legal rules but also human behavior, institutional dynamics, and cultural values (Scheuerman et al., 2020). Restorative justice, as a concept, operates at the intersection of law and society, requiring an analytical framework that can capture both formal and informal dimensions of justice (Hodgson, 2022). Quantitative methods would be insufficient to uncover the nuanced interactions between legal actors, victims, offenders, and communities. Therefore, a qualitative approach is deemed most appropriate for addressing the research objectives and answering the research questions.

The research is conducted in selected jurisdictions within Indonesia, with a primary focus on urban and semi-urban areas where restorative justice programs have been actively implemented. The main locations include Surabaya (East Java) and Jakarta as representative sites of legal practice and institutional diversity. Surabaya is chosen due to its status as a major metropolitan city with progressive law enforcement practices and pilot initiatives in restorative justice. Jakarta, as the capital city, represents the central administration of legal institutions and provides access to national-level policy implementation. The selection of these locations is based on their relevance to the research topic, accessibility of data, and the presence of diverse stakeholders involved in restorative justice processes.

The empirical component of the study involves purposive sampling to select respondents and informants who possess relevant knowledge and experience in the implementation of restorative justice (Mannozi, 2024). A total of fifteen respondents are included in this study, consisting of law enforcement officials, legal practitioners, and community representatives. The respondents are selected based on their direct involvement in handling criminal cases where restorative justice mechanisms have been applied. For confidentiality and ethical considerations, pseudonyms are used to identify the respondents. For instance, Respondent A (a senior police investigator in Surabaya), Respondent B (a public prosecutor in Jakarta), Respondent C (a district court judge), Respondent D (a legal aid lawyer), and Respondent E (a community mediator) represent key institutional actors. The remaining respondents include additional police officers, prosecutors, and legal practitioners with varying levels of experience.

The selection of respondents is guided by the principle of relevance and expertise. Law enforcement officials are included because they play a crucial role in initiating restorative justice processes, particularly at the investigation stage. Prosecutors and judges are selected due to their authority in determining whether a case can be resolved through restorative mechanisms. Legal aid lawyers provide insights into the perspective of defendants and victims, while community mediators represent the societal dimension of restorative justice. This diverse composition of respondents ensures that the study captures multiple perspectives and experiences, thereby enhancing the validity and richness of the data.

In addition to respondents, the study also involves ten key informants who provide deeper insights into the broader context of restorative justice implementation. These informants include policymakers, academic experts, and senior legal practitioners. For example, Informant X (a senior official at the Ministry of Law and Human Rights), Informant Y (a legal scholar specializing in criminal law), and Informant Z (a senior prosecutor involved in drafting restorative justice guidelines) contribute strategic and policy-level perspectives. Other informants include representatives from non-governmental organizations and community leaders engaged in restorative justice initiatives. The use of key informants allows the research to go beyond operational practices and examine the underlying policy frameworks and theoretical considerations.

Data collection is conducted through multiple techniques to ensure triangulation and reliability (Liu et al., 2022). These techniques include in-depth interviews, document analysis, and limited observation of restorative justice proceedings where accessible (Awassum, 2025). Interviews are semi-structured, allowing respondents and informants to elaborate on their experiences while maintaining consistency across key themes (Ghoni & Setiyono, 2024). Document analysis involves reviewing legal instruments, policy documents, case records, and academic literature relevant to restorative justice. Observation, although limited due to ethical and procedural constraints, provides contextual understanding of how restorative justice processes are conducted in practice.

The data analysis process follows an interactive model, involving data reduction, data display, and conclusion drawing (Tanjung & Harahap, 2024). Data reduction is carried out by organizing and categorizing information based on thematic relevance, such as legal framework, institutional challenges, cultural factors, and outcomes of restorative justice. Data display involves presenting the findings in a structured manner, enabling the identification of patterns and relationships. Conclusion drawing is conducted iteratively, with findings continuously compared against theoretical frameworks and research questions (Sian, 2023). This process ensures that the conclusions are grounded in empirical evidence while also informed by theoretical insights.

The technique of drawing conclusions in this research is based on inductive reasoning, supported by analytical generalization (Wilson & Carvalho, 2022). Rather than seeking statistical generalization, the study aims to develop conceptual insights that can be applied to similar contexts (Kearney, 2022). The findings are interpreted in light of the three theoretical frameworks employed in the study, namely Restorative Justice Theory, Legal System Theory, and Progressive Law Theory. This approach allows for a deeper understanding of how restorative justice functions within the Indonesian legal system and how it can contribute to broader legal reform.

To ensure the validity and reliability of the research, several strategies are employed (Purwanto et al., 2025). Triangulation is achieved by comparing data from different sources, including respondents, informants, and documents (Farrugia, 2024). Member checking is conducted by sharing preliminary findings with selected participants to verify accuracy and interpretation (Vaughn et al., 2024). Additionally, the research maintains transparency in data collection and analysis e'sses, enabling replication and critical evaluation by other scholars.

Ethical considerations are also carefully addressed in this study. Informed consent is obtained from all participants, and confidentiality is maintained through the use of pseudonyms (Yunara & Kemas, 2024). The research avoids any form of coercion and ensures that participation is voluntary. Sensitive information is handled with discretion, particularly in cases involving victims and offenders (Novelino & Budianto, 2025). These ethical measures are essential to maintaining the integrity of the research and protecting the rights of participants.

Despite its comprehensive design, this research has certain limitations. The qualitative nature of the study limits its ability to provide statistically generalizable findings (Fitzpatrick et al., 2022). The selection of specific locations may not fully represent the diversity of practices across Indonesia, particularly in rural or remote areas. Additionally, access to certain data, such as confidential case records, may be restricted, thereby limiting the scope of analysis. These limitations are acknowledged as inherent challenges in socio-legal research and do not undermine the overall validity of the findings.

Future research is encouraged to complement this study with quantitative approaches, such as surveys or statistical analysis of case outcomes, to provide a more comprehensive understanding of restorative justice implementation. Comparative studies involving other jurisdictions could also offer valuable insights into best practices and innovative models. Furthermore, longitudinal research examining the long-term impact of restorative justice on recidivism and community cohesion would contribute to the development of more effective policies.

In conclusion, the methodological framework employed in this research is designed to capture the complexity of restorative justice as both a legal and social phenomenon. Through a qualitative socio-legal approach, the study provides a nuanced and comprehensive analysis of the role of restorative justice in reforming the Indonesian criminal justice system. The integration of doctrinal and empirical methods, combined with rigorous data analysis and ethical considerations, ensures that the research meets the standards of high-quality international journal publications while contributing meaningful insights to the field of criminal justice reform.

RESULTS AND DISCUSSION

The findings of this research reveal that the role of restorative justice in reforming the Indonesian criminal justice system is both promising and constrained by structural, cultural, and normative challenges. Empirical data collected through interviews, document analysis, and limited observation demonstrate that restorative justice has begun to function as an alternative mechanism for resolving criminal cases, particularly at the investigation and prosecution stages. However, its implementation remains uneven and often dependent on the discretion of individual law enforcement officers rather than a fully institutionalized legal framework. This condition directly relates to the main research problem, namely the limited effectiveness of restorative justice despite its formal recognition within Indonesian legal instruments.

From the perspective of Restorative Justice Theory as developed by Howard Zehr, the findings indicate that the philosophical foundation of restorative justice centered on repairing harm, involving stakeholders, and restoring relationships has been partially realized in practice (Hera & Kremmel, 2025). Respondents reported that restorative justice processes have successfully facilitated dialogue between victims and offenders, leading to mutually agreed resolutions in certain cases, particularly minor offenses. Victims expressed higher levels of satisfaction due to their active participation and the opportunity to articulate their needs. Offenders, in turn, demonstrated a greater sense of accountability when directly confronted with the consequences of their actions. These findings confirm Zehr's assertion that justice should prioritize healing rather than punishment (Pasaribu, 2020). Nevertheless,

the application of these principles is often limited to specific case categories, thereby restricting the broader transformative potential of restorative justice within the criminal justice system.

When analyzed through the lens of Legal System Theory proposed by Lawrence M. Friedman, the findings reveal significant imbalances among the three components of the legal system: structure, substance, and culture (Munawaroh, 2020). In terms of legal substance, Indonesia has made considerable progress by incorporating restorative justice into various regulatory frameworks, including police regulations and prosecutorial guidelines (Marshall & Fisico, 2021). However, the legal structure comprising institutions such as the police, prosecution, and judiciary has not fully adapted to support these normative changes. Institutional resistance, lack of coordination, and limited training among legal practitioners hinder the consistent application of restorative justice. Furthermore, the legal culture remains predominantly retributive, with many practitioners viewing restorative justice as a secondary or exceptional mechanism rather than an integral part of the justice system. This misalignment underscores the systemic nature of the implementation gap and highlights the need for comprehensive reform that addresses all components of the legal system.

From the standpoint of Progressive Law Theory as articulated by Satjipto Rahardjo, the findings suggest that restorative justice aligns with the broader objective of achieving substantive justice (Khamim et al., 2025). Several respondents emphasized the importance of flexibility and discretion in applying restorative justice, particularly in cases where formal legal procedures may lead to unjust outcomes. This reflects Rahardjo's view that law should serve human interests and adapt to social realities (Ihsan, 2024). However, the findings also indicate that such discretion is not always exercised consistently, leading to variations in implementation across different regions and institutions. In some instances, the absence of clear guidelines results in uncertainty and potential misuse of authority. This highlights the tension between legal flexibility and the need for legal certainty, a central concern in progressive legal discourse.

The research also identifies a significant gap between the normative framework and practical implementation of restorative justice. While legal instruments provide a foundation for its application, there is a lack of standardized procedures and institutional support (Selasih & Febriadi, 2025). This gap is evident in the limited scope of cases eligible for restorative justice, the absence of clear criteria for decision-making, and the inconsistent involvement of victims and community representatives. The gap analysis, when connected to the three theoretical frameworks, reveals that the problem is not merely legal but also structural and cultural (McLachlan, 2024). Zehr's theory emphasizes the need for meaningful participation, which is often lacking in practice. Friedman's theory highlights the misalignment among legal components, while Rahardjo's theory underscores the need for a more human-centered approach that is not yet fully realized.

The findings further address the research questions by demonstrating that restorative justice can contribute to criminal justice reform, but only under certain conditions. Effective integration requires not only legal recognition but also institutional commitment, cultural transformation, and capacity building (x et al., 2024). The data suggest that restorative justice has the potential to reduce case backlogs, alleviate prison overcrowding, and enhance victim satisfaction (Devere & Maihāroa, 2021). However, these benefits are contingent upon the development of a coherent framework that ensures consistency, transparency, and accountability in its application.

In relation to the research objectives, the findings confirm that restorative justice plays a significant role in advancing a more responsive and inclusive criminal justice system. The study successfully identifies key challenges and opportunities, providing a basis for policy recommendations. The objective of analyzing the legal framework is achieved through the examination of existing regulations, while the evaluation of practical implementation is supported by empirical data from respondents and informants. The research also fulfills its objective of proposing strategic pathways for reform, emphasizing the need for integrated policies, institutional coordination, and cultural change.

The theoretical benefits of this research are evident in its contribution to the development of interdisciplinary legal analysis. By integrating Restorative Justice Theory, Legal System Theory, and Progressive Law Theory, the study offers a comprehensive framework for understanding criminal

justice reform (McMahon et al., 2024). Practically, the findings provide valuable insights for policymakers and legal practitioners, highlighting the importance of aligning legal norms with institutional practices and societal values. Academically, the research enriches the literature on restorative justice and contributes to ongoing debates on legal reform in developing countries.

The following table summarizes key findings based on the qualitative research conducted:

Aspect of Analysis	Key Findings	Theoretical Link	Implementation Implication
Legal Substance	Existence of regulations supporting restorative justice	Friedman (Legal Substance)	Requires harmonization and codification
Legal Structure	Limited institutional readiness and coordination	Friedman (Legal Structure)	Institutional reform and training needed
Legal Culture	Predominantly retributive mindset among practitioners	Friedman (Legal Culture)	Cultural transformation essential
Victim Participation	Increased satisfaction when involved	Zehr (Restorative Justice)	Strengthen participatory mechanisms
Offender Accountability	Greater responsibility through direct engagement	Zehr (Restorative Justice)	Expand application beyond minor cases
Legal Flexibility	Discretion enables substantive justice	Rahardjo (Progressive Law)	Balance flexibility with legal certainty
Implementation Gap	Inconsistency across regions and institutions	All Theories	Develop standardized procedures

The discussion of these findings further reinforces the relationship between empirical evidence and theoretical frameworks. The main problem identified in the introduction namely the limited effectiveness of restorative justice is substantiated by empirical data showing inconsistencies in implementation. Previous studies have similarly noted the gap between normative recognition and practical application, and this research confirms those findings while providing additional insights into the underlying causes (Garza, 2022). The gap problem is further explained through the interaction of structural, cultural, and normative factors, as highlighted by Friedman's theory.

The research questions are addressed through a detailed analysis of how restorative justice operates in practice and the challenges it faces. The findings demonstrate that while restorative justice has the potential to reform the criminal justice system, its effectiveness depends on the alignment of legal norms, institutional practices, and cultural values (Sherliantie et al., 2022). This aligns with previous research emphasizing the importance of a holistic approach to legal reform (Ardi & Gusmao, 2025).

The objectives of the research are achieved by identifying both the strengths and limitations of restorative justice implementation. The findings support the argument that restorative justice can enhance the fairness and efficiency of the criminal justice system, but only if supported by comprehensive reforms. This conclusion is consistent with earlier studies that advocate for the integration of restorative principles into formal legal frameworks.

The benefits of the research are also clearly demonstrated. Theoretically, the study advances the understanding of restorative justice as a multidimensional concept that requires integration with broader legal theories. Practically, it provides actionable recommendations for improving the implementation of restorative justice. Academically, it contributes to the development of socio-legal research methodologies and enriches the literature on criminal justice reform.

In conclusion, the results and discussion of this research highlight the complex and multifaceted nature of restorative justice in Indonesia. While significant progress has been made in recognizing its importance, substantial challenges remain in ensuring its effective implementation. By linking

empirical findings with theoretical frameworks, this study provides a comprehensive analysis of the role of restorative justice in reforming the Indonesian criminal justice system. The integration of theory and practice not only enhances the academic rigor of the research but also underscores its practical relevance in advancing a more just and humane legal system.

CONCLUSION

The findings of this study demonstrate that restorative justice holds a strategically significant yet still evolving role in reforming the Indonesian criminal justice system. Drawing from the results and discussion, it is evident that restorative justice has moved beyond a purely conceptual framework and has begun to function as a practical mechanism within law enforcement and prosecutorial practices. Its implementation, particularly in minor criminal cases, has contributed to more participatory, efficient, and human-centered justice processes. Victim involvement has increased, offender accountability has become more meaningful, and case resolution has, in certain contexts, reduced procedural burdens within the formal legal system. These outcomes confirm that restorative justice aligns with the fundamental objective of achieving substantive justice, as emphasized in the theoretical frameworks employed in this study.

However, the research also concludes that the integration of restorative justice into the Indonesian criminal justice system remains partial and inconsistent. The empirical findings indicate that its application is still heavily dependent on the discretion of individual legal actors rather than being supported by a fully institutionalized and standardized framework. This condition reflects a broader systemic issue, as identified in the discussion, where legal substance has progressed more rapidly than legal structure and legal culture. While regulations supporting restorative justice are increasingly available, institutional readiness and cultural acceptance among legal practitioners remain limited. As a result, restorative justice is often treated as an exceptional mechanism rather than a central component of the justice system.

From a theoretical perspective, the study confirms the relevance and interconnection of Restorative Justice Theory, Legal System Theory, and Progressive Law Theory in explaining both the potential and limitations of restorative justice implementation. The principles articulated by Howard Zehr are partially realized in practice, particularly in fostering dialogue and reconciliation between victims and offenders. Nevertheless, the limited scope of application restricts its broader transformative impact. Lawrence M. Friedman's framework effectively explains the misalignment between legal substance, structure, and culture, which emerges as a key barrier to systemic reform. At the same time, Satjipto Rahardjo's Progressive Law Theory provides a normative justification for expanding restorative justice through a more flexible and human-oriented approach, although its practical realization is constrained by concerns over legal certainty and institutional consistency.

The study further concludes that the primary challenge lies in bridging the gap between normative recognition and practical implementation. This gap is not merely technical but reflects deeper structural and cultural issues within the Indonesian legal system. The absence of clear operational standards, limited training for legal practitioners, and the persistence of retributive mindsets collectively hinder the effectiveness of restorative justice. These findings reinforce the argument presented in the discussion that meaningful reform requires an integrated approach addressing legal norms, institutional practices, and societal values simultaneously.

In relation to the research objectives, the study successfully identifies both the opportunities and constraints associated with restorative justice as a reform instrument. It demonstrates that restorative justice has the potential to address key systemic problems, including prison overcrowding, case backlog, and victim marginalization. At the same time, it highlights the need for comprehensive policy development, institutional coordination, and capacity building to ensure its effective implementation. These conclusions are consistent with the broader findings discussed earlier, which emphasize the importance of aligning theoretical principles with practical realities.

The implications of this research are significant from theoretical, academic, and practical perspectives. Theoretically, the study contributes to the advancement of criminal law scholarship by integrating multiple frameworks into a cohesive analytical model. Academically, it enriches the

discourse on socio-legal reform and provides a reference for future research on restorative justice in developing legal systems. Practically, the findings offer valuable insights for policymakers, law enforcement agencies, and judicial institutions in designing more effective and contextually appropriate restorative justice mechanisms.

In conclusion, this study affirms that restorative justice has the capacity to serve as a transformative element within the Indonesian criminal justice system, but its success depends on the extent to which it is institutionalized, standardized, and culturally internalized. The results and discussion collectively indicate that without addressing structural and cultural barriers, restorative justice will remain a limited alternative rather than a comprehensive reform strategy. Therefore, future efforts must focus on strengthening the integration of restorative justice across all levels of the legal system, ensuring that its principles are not only recognized but also consistently applied in practice.

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