



## Criminal Law Enforcement Based on Restorative Justice for Community Justice

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**Abstract:** Criminal law enforcement in Indonesia has traditionally adopted a retributive approach that emphasizes punishment of offenders, often providing limited attention to victims and the broader community. This condition has resulted in the incomplete realization of substantive justice. This study aims to analyze the implementation of restorative justice-based criminal law enforcement in achieving community justice. The research problems include how criminal law enforcement is implemented in Indonesia, how the concept of restorative justice is applied within the criminal justice system, and how this approach contributes to community justice. The research method used is normative juridical research with statutory and conceptual approaches. The findings indicate that the implementation of restorative justice in Indonesia has developed through various regulations; however, it still faces challenges such as inconsistent application, limited understanding among law enforcement officials, and inadequate technical guidelines. Nevertheless, restorative justice provides significant benefits, including victim recovery, offender accountability, and the restoration of social harmony within society. This study contributes to strengthening the importance of integrating restorative justice into the criminal justice system to achieve a more humane, participatory, and restorative form of justice.

**Keywords:** Law Enforcement, Criminal Acts, Restorative Justice, Community Justice

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**Abstrak:** Penegakan hukum pidana di Indonesia secara tradisional cenderung menggunakan pendekatan retributif yang menitikberatkan pada penghukuman pelaku, dengan perhatian yang relatif terbatas terhadap korban dan masyarakat secara luas. Kondisi ini mengakibatkan belum terwujudnya keadilan substantif secara optimal. Penelitian ini bertujuan untuk menganalisis implementasi penegakan hukum pidana berbasis *restorative justice* dalam mewujudkan keadilan masyarakat. Rumusan masalah dalam penelitian ini meliputi bagaimana pelaksanaan penegakan hukum pidana di Indonesia, bagaimana penerapan konsep *restorative justice* dalam sistem peradilan pidana, serta bagaimana kontribusi pendekatan tersebut terhadap terwujudnya keadilan masyarakat. Metode penelitian yang digunakan adalah penelitian yuridis normatif dengan pendekatan perundang-undangan dan pendekatan konseptual. Hasil penelitian menunjukkan bahwa implementasi *restorative justice* di Indonesia telah berkembang melalui berbagai regulasi, namun masih menghadapi sejumlah tantangan, seperti ketidakkonsistenan dalam penerapannya, keterbatasan pemahaman aparat penegak hukum, serta belum memadainya pedoman teknis pelaksanaan. Meskipun demikian, *restorative justice* memberikan manfaat yang signifikan, antara lain pemulihan korban, peningkatan tanggung jawab pelaku, serta pemulihan harmoni sosial dalam masyarakat. Penelitian ini berkontribusi dalam memperkuat pentingnya integrasi *restorative justice* ke dalam sistem peradilan pidana guna mewujudkan keadilan yang lebih humanis, partisipatif, dan restoratif.

**Kata kunci:** Penegakan Hukum, Tindak Pidana, *Restorative Justice*, Keadilan Masyarakat.

## Introduction

Criminal law enforcement is a crucial instrument for maintaining order, security, and justice in society, the nation, and the state.<sup>1</sup> To date, the criminal justice system in Indonesia has tended to employ a retributive approach, emphasizing the imposition of sanctions or punishment on perpetrators of crimes as a form of retribution for their actions. This approach positions the state as the primary actor in the law enforcement process, while victims and the community are often overlooked. As a result, the law's primary objective of realizing substantive justice has not been fully achieved.<sup>2</sup>

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<sup>1</sup> Thommy Aruan, "Restorative Justice in Criminal Law Enforcement from a Legal Perspective as a Social Engineering Tool," *Journal of Community Development in Asia*, 2024, doi:10.32535/jcda.v7i1.2698.

<sup>2</sup> Firman Freaddy Busroh and Fatria Khairo, "The Ideal Model of Criminal Law Enforcement in Indonesia Based on Traditional Religious Magis (Case Study of Vina Film)," *Dirasat: Human and Social Sciences* 52, no. 6 (2025), doi:10.35516/hum.v52i6.7672.

In practice, this retributive approach often gives rise to various problems. One key issue is the lack of a sense of justice for victims, who often serve only as witnesses in the judicial process without receiving adequate reparations.<sup>3</sup> Furthermore, a punishment-oriented criminal justice system also contributes to the increasing number of inmates in correctional institutions, ultimately leading to overcrowding.<sup>4</sup> This situation not only reduces the quality of inmate development but also has the potential to create various new social problems within correctional institutions.

On the other hand, developments in modern legal thought indicate a paradigm shift in criminal law enforcement, from a retributive approach to a more restorative one. Restorative justice emerges as an alternative resolution of criminal cases that emphasizes restoring the original state for both victims, perpetrators, and the community.<sup>5</sup> This approach prioritizes dialogue, mediation, and mutual agreement as a means to resolve conflicts arising from criminal acts. The concept of restorative justice is fundamentally based on the premise that criminal acts are not only violations of state law but also violations of social relations between individuals within society.<sup>6</sup> Therefore, resolving them requires more than simply punishing the perpetrator; it must also involve the victim and the community to achieve just restitution. In this context, restorative justice provides a space for victims to express their losses, while also providing the perpetrator with the opportunity to take direct responsibility for their actions.<sup>7</sup>

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<sup>3</sup> Mochamad Sukedi and I Nengah Nuarta, "Keadilan Restoratif Sebagai Upaya Penyelesaian Tindak Pidana Dalam Sistem Hukum Di Indonesia," *Jurnal Preferensi Hukum* 5, no. 2 (2024), doi:10.22225/jph.5.2.10415.222-230.

<sup>4</sup> Bambang Julianto, "Perlindungan Hukum Terhadap Saksi Dan Korban Dalam Sistem Peradilan Pidana Di Indonesia," *Jurnal Lex Renaissance* 5, no. 1 (2020), doi:10.20885/jlr.vol5.iss1.art2.

<sup>5</sup> Neekaan Oshidary, "Review of The Little Book of Restorative Justice. Intercourse," *The Little Book of Restorative Justice by Howard Zehr*, 2002.

<sup>6</sup> Henny Saida Flora and Khairuddin Khairuddin, "Dari Hukuman Ke Pemulihan: Transformasi Penegakan Hukum Melalui Restorative Justice," *Abdurrauf Science and Society* 2, no. 3 (2026): 161-72.

<sup>7</sup> Vinzent Indra Atmaja, "Optimalisasi Restorative Justice Dalam Penanganan Tindak Pidana Ringan Di Indonesia: Analisis Efektivitas Dan Tantangan Implementasi," *Al-Zayn: Jurnal Ilmu Sosial & Hukum* 4, no. 1 (2026): 975-83.

The application of restorative justice in Indonesia's criminal justice system has begun to be incorporated into various policies and laws.<sup>8</sup> Several law enforcement institutions, such as the police and prosecutors, have adopted this approach in resolving certain cases, particularly for minor crimes, juvenile cases, and cases that allow for out-of-court settlements.<sup>9</sup> This demonstrates an effort to create a justice system that is more responsive to the needs of the community.

However, the implementation of restorative justice still faces various challenges. One major obstacle is the lack of a uniform understanding among law enforcement officials regarding the concept and mechanisms of its implementation. Furthermore, there are still limited regulations that comprehensively govern the implementation of restorative justice, leading to differences in practice. The prevailing legal culture, which still tends to prioritize punishment, also poses a barrier to optimizing this approach. Furthermore, the successful implementation of restorative justice depends heavily on the active participation of all parties involved, including victims, perpetrators, families, and the community. Without awareness and a willingness to engage in dialogue and reach mutual agreement, this approach is difficult to implement effectively. Therefore, ongoing efforts are needed to increase public understanding and awareness of the importance of resolving criminal cases with a restorative focus.

In the context of social justice, restorative justice offers a more inclusive and humane approach. Justice is no longer understood solely as punishing the perpetrator, but also as an effort to restore social relationships disrupted by the crime. Thus, the resulting justice is not only formal but also substantive, considering the interests of all parties involved.

Furthermore, the implementation of restorative justice also has the potential to reduce the burden on the criminal justice system.<sup>10</sup> By resolving cases outside the courts, the number of cases handled by law enforcement

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<sup>8</sup> Virginia Garcia, Hari Sutra Disemadi, and Barda Nawawi Arief, "The Enforcement of Restorative Justice in Indonesia Criminal Law," *Legality: Jurnal Ilmiah Hukum* 28, no. 1 (2020), doi:10.22219/ljih.v28i1.10680.

<sup>9</sup> Sukardi Sukardi and Hadi Rahmat Purnama, "RESTORATIVE JUSTICE PRINCIPLES IN LAW ENFORCEMENT AND DEMOCRACY IN INDONESIA," *Journal of Indonesian Legal Studies* 7, no. 1 (2022), doi:10.15294/jils.v7i1.53057.

<sup>10</sup> Muhaimin Muhaimin, "Restoratif Justice Dalam Penyelesaian Tindak Pidana Ringan," *Jurnal Penelitian Hukum De Jure* 19, no. 2 (2019), doi:10.30641/dejure.2019.v19.185-206.

officers can be minimized.<sup>11</sup> This will positively impact the effectiveness and efficiency of the justice system and allow law enforcement officers to focus more on handling serious cases.

Based on the above description, it can be seen that restorative justice plays a crucial role in realizing social justice in criminal enforcement. However, to optimize its implementation, support from various aspects is required, including regulations, institutions, and the legal culture of society. Therefore, this research is crucial to examine in more depth how restorative justice is implemented in criminal enforcement and the extent to which this approach is able to provide justice for the community.

Therefore, the primary focus of this research is to analyze restorative justice-based criminal enforcement and its relevance in realizing social justice. It is hoped that the results of this research will contribute to the development of legal science, particularly in the field of criminal law, and serve as a consideration for policymakers and law enforcement officials in formulating more equitable law enforcement strategies.

Various previous studies have discussed the implementation of restorative justice within Indonesia's criminal justice system. Some studies focus on the application of restorative justice at the police and prosecutorial levels, while others highlight the effectiveness of resolving criminal cases outside the court system in reducing the burden on correctional institutions and enhancing the protection of victims.<sup>12</sup> However, most of these studies still position restorative justice merely as a mechanism for case resolution and have not comprehensively analyzed its relevance in realizing social justice as the primary objective of criminal law enforcement.<sup>13</sup> Furthermore, there remains a limitation in studies that connect the implementation of restorative justice with the dimension of

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<sup>11</sup> Suriyanti Halim, "PERBANDINGAN PENERAPAN RESTORATIF JUSTICE ANTARA INDONESIA DAN TIONGKOK," *REUSAM: Jurnal Ilmu Hukum* 11, no. 2 (2024), doi:10.29103/reusam.v11i2.14834.

<sup>12</sup> Putri H. Yassin, Fence M. Wantu, and Irlan Puluhulawa, "Penerapan Prinsip Restorative Justice Pada Perkara KDRT Di Tingkat Penyidikan Penyelidikan Kepolisian Dan Tingkat Penuntutan Kejaksaan," *Jurnal Pustaka Cendekia Hukum Dan Ilmu Sosial* 3, no. 1 (2025), doi:10.70292/pchukumsosial.v3i1.129.

<sup>13</sup> Agus Budi Santoso and Dea Serlia, "Implementasi Konsep Diversi Sebagai Aktualisasi Restorative Justice Terhadap Anak Yang Berhadapan Dengan Hukum (Studi Kasus Di Pengadilan Negeri Purworejo)," *Eksaminasi: Jurnal Hukum* 2, no. 2 (2022).

social justice, particularly from the perspective of restoring social relationships among offenders, victims, and society. This condition indicates the existence of a research gap regarding how restorative justice functions not only as an alternative mechanism for resolving criminal cases but also as an instrument for achieving substantive social justice.<sup>14</sup>

Based on the foregoing, this study aims to analyze restorative justice-based criminal law enforcement and examine its relevance in realizing social justice. This study is expected to contribute theoretically to the development of modern criminal law and practically to the formulation of law enforcement policies that are more oriented toward restoration, the balancing of the interests of the parties involved, and the achievement of sustainable social justice.

## **Method**

This research is normative juridical research (doctrinal research), namely research that focuses on the study of legal norms contained in statutory regulations, legal doctrine, as well as literature relevant to the concept of restorative justice in the criminal justice system. The approach used in this research includes, Legislative Approach (Statute Approach). This is done by reviewing statutory regulations relating to criminal law enforcement and the implementation of restorative justice in Indonesia, Conceptual Approach (Conceptual Approach), Used to analyze the concepts of restorative justice, community justice, and their comparison with the retributive approach. Historical Approach (Historical Approach) To see the development of the concept of restorative justice in the criminal law system.

## **Result and Discussion**

### **Definition of Criminal Act**

Criminal acts are one of the fundamental concepts in criminal law which relate to actions that are prohibited by law and threatened with criminal sanctions. The term criminal act in criminal law literature is often equated with the term offense, which comes from Dutch, namely strafbaar feit, which means an act that can be punished. In general, a criminal act can be defined as an act committed by someone who violates legal provisions, where this violation is

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<sup>14</sup> Albi Ternando, "PENEGAKAN HUKUM TERHADAP RESTORATIVE JUSTICE DALAM SISTEM PERADILAN PIDANA DI INDONESIA," *JURNAL RECTUM: Tinjauan Yuridis Penanganan Tindak Pidana* 5, no. 1 (2023), doi:10.46930/jurnalrectum.v5i1.3168.

threatened with criminal sanctions by the applicable laws and regulations.<sup>15</sup> Thus, an act can be said to be a criminal act if it meets certain elements that have been determined in criminal law. According to legal experts, the definition of a criminal act has various formulations. One opinion states that criminal acts are human actions that are prohibited by law and punishable by criminal law for anyone who violates them. Apart from that, there is also a view which states that criminal acts are not only related to acts that violate the law, but must also pay attention to the existence of fault (*schuld*) in the perpetrator as a basis for criminal responsibility. Furthermore, an act can be categorized as a criminal act if it fulfills several elements, namely the existence of an act (*actus reus*), the existence of a mistake (*mens rea*), the existence of legal regulations that prohibit it, and the existence of a criminal threat.<sup>16</sup>

These elements are the basis for determining whether someone can be held criminally responsible for their actions. In the context of criminal law in Indonesia, criminal acts are regulated in various statutory regulations, both contained in the Criminal Code (KUHP) and in statutory regulations outside the Criminal Code. This regulation aims to provide legal certainty and protect the interests of the community from various detrimental actions. Thus, it can be concluded that a criminal act is an act that violates the law that has been determined by statutory regulations, which is accompanied by the threat of criminal sanctions, and is carried out by someone who can be held responsible for his actions. This concept is an important basis in enforcing criminal law, including in implementing a restorative justice approach which seeks to resolve criminal acts in a more just and humane way.<sup>17</sup>

To declare that an act is a criminal act, the act must fulfill certain elements in criminal law. In general, the elements of a criminal offense consist of the following things:

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<sup>15</sup> Fransiscus Xaverius Watkat, Muhammad Toha Ingratubun, and Adelia Apriyanti, "PERLINDUNGAN DATA PRIBADI MELALUI PENERAPAN SISTEM HUKUM PIDANA DI INDONESIA," *Jurnal Hukum Ius Publicum* 5, no. 1 (2024), doi:10.55551/jip.v5i1.83.

<sup>16</sup> Faizul Akmal Siregar, "PERBANDINGAN TINDAK PIDANA PENCURIAN DENGAN KEKERASAN DALAM KUHP DAN HUKUM PIDANA ISLAM," *YUSTISI* 10, no. 1 (2023), doi:10.32832/yustisi.v10i1.14214.

<sup>17</sup> Ibid.

### 1. There is an Act (*Actus Reus*)

The first element is the existence of actions carried out by someone, whether in the form of active actions (doing something) or passive (not doing something that should be done). Examples: taking other people's things (active) or not providing help in certain circumstances (passive).

### 2. This act is against the law

The act carried out must constitute an unlawful act, either by:

- a. Formal (contrary to law)
- b. Material (contrary to a sense of justice or norms in society)

This element is related to the perpetrator's inner attitude, namely the existence of mistakes which can be intentional (*dolus*) and negligence (*culpa*). This means that the perpetrator can be held responsible because there is an element of error in his actions.<sup>18</sup>

### 3. Responsibility Ability

The perpetrator must be a person who is capable of taking legal responsibility, namely: Not in a state of mental disorder and not in a condition that eliminates criminal liability.<sup>19</sup>

4. There are criminal threats.<sup>20</sup> An act can only be categorized as a criminal act if there is a threat of criminal sanctions in statutory regulations. Absence of Justifying or Excusing Reasons, Even though an act fulfills the elements of a criminal act, a person cannot be punished if there are, Justifying reasons (for example forced defense, Forgiving reasons (for example due to coercion or an emergency situation). Thus, an act can be said to be a criminal act if it fulfills all of these elements. If one of the elements is not met, then the act cannot be punished. These elements are an important basis in determining whether or not there is criminal liability in the legal system.

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<sup>18</sup> Andrew J. Baranauskas and Jacob I. Stowell, "Perceptions of Immigrants as a Criminal Threat: The Role of Negative Affect and Ethnocentrism," *Race and Justice* 15, no. 1 (2025), doi:10.1177/21533687221127447.

<sup>19</sup> Eric A. Stewart et al., "The Social Context of Criminal Threat, Victim Race, and Punitive Black and Latino Sentiment," *Social Problems*, 2019, doi:10.1093/socpro/spy003.

<sup>20</sup> Xia Wang, "Undocumented Immigrants as Perceived Criminal Threat: A Test of the Minority Threat Perspective," *Criminology* 50, no. 3 (2012), doi:10.1111/j.1745-9125.2012.00278.x.

### **Restorative Justice in Criminal Law**

Restorative Justice is an approach in criminal law that emphasizes restoring social relations between perpetrators, victims and society, not just giving punishment to perpetrators. This approach emerged as a reaction to the retributive criminal justice system, which emphasizes retribution or punishment as a means of enforcing the law. In the context of restorative justice, criminal acts are seen as disruptions to social relations, not just violations of state legal norms.

Theoretically, restorative justice emphasizes three main principles:

1. Recovery for victims - victims are given the opportunity to convey the losses they have experienced and obtain compensation or recovery.
2. Accountability of perpetrators - perpetrators are not only punished, but also given the opportunity to take direct responsibility for their actions.
3. Community participation - the community or community plays a role in the conflict resolution process, so that the resulting justice is inclusive and substantive.

According to Howard Zehr, one of the leading figures in restorative justice, this approach emphasizes "repairing the harm," namely, restoring the harm caused by the crime through dialogue and agreement between the parties involved. This differs from the traditional approach, which focuses solely on punishing the perpetrator.<sup>21</sup>

### **Legal Basis for Restorative Justice in Criminal Law**

The application of restorative justice in Indonesia has been regulated in several laws and regulations, although not yet comprehensively. (Yoachim Agus, 2015) Some important legal bases include:<sup>22</sup>

#### a. Criminal Procedure Code (KUHAP)

The KUHAP provides opportunities for out-of-court settlements, particularly through diversion mechanisms for children in conflict with the law.

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<sup>21</sup> Baranauskas and Stowell, "Perceptions of Immigrants as a Criminal Threat: The Role of Negative Affect and Ethnocentrism."

<sup>22</sup> Padlah RIYADI, "Restorative Justice Reconstruction with The Indonesian Criminal System After Law No. 1 of 2023," *Protection: Journal Of Land And Environmental Law* 2, no. 3 (2024), doi:10.38142/pjlel.v2i3.1208.

b. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (UU SPPA)

The SPPA Law emphasizes the importance of resolving juvenile cases through a restorative justice approach, including mediation between the victim, the perpetrator, and the family.

c. Police and Prosecutor's Office Regulations

Several law enforcement institutions have adopted restorative justice, particularly for minor crimes or cases that allow for out-of-court settlement.<sup>23</sup>

Despite the existing legal basis, the implementation of restorative justice remains limited and relies on internal institutional policies, resulting in uneven implementation across Indonesia. In the New Criminal Code (Law No. 1 of 2023), the concept of restorative justice is integrated as part of a more humane and inclusive law enforcement paradigm, oriented toward restoring social relationships between perpetrators, victims, and the community. This represents a significant change compared to the old Criminal Code, as it places out-of-court settlements as a possible resolution of criminal cases.

### **Legal Framework of Restorative Justice in Indonesia**

The legal foundation of restorative justice in Indonesia is reflected in several provisions of Law No. 1 of 2023 concerning the Criminal Code. Although the term “restorative justice” is not explicitly mentioned in every provision, its principles are embodied in articles that promote alternative case resolution, humanistic objectives of punishment, and the restoration of relationships among offenders, victims, and society. In particular, Articles 5, 51, 52, 70, 112, and 132 provide opportunities for resolving certain criminal cases through diversion and other mechanisms outside the formal judicial process, while emphasizing rehabilitation, reconciliation, and respect for human dignity.<sup>24</sup>

The commitment to restorative justice is further strengthened by Law No. 20 of 2025 concerning the Criminal Procedure Code. Articles 79–88 specifically regulate the scope, requirements, procedures, and limitations of restorative justice at various stages of the criminal justice process, including

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<sup>23</sup> M N Huda, “Restorative Justice Dalam Hukum Acara Pidana Di Indonesia. *Voice Justitia: Jurnal Hukum Dan Keadilan*, 7 (1), 21-35,” 2023.

<sup>24</sup> Dedy Chandra Sihombing et al., “Penguatan Kewenangan Jaksa Selaku Dominus Litis Sebagai Upaya Optimalisasi Penegakan Hukum Pidana Berorientasi Keadilan Restoratif,” *Locus: Jurnal Konsep Ilmu Hukum* 3, no. 2 (2023), doi:10.56128/jkih.v3i2.42.

investigation, inquiry, prosecution, and trial.<sup>25</sup> These provisions aim to facilitate the restoration of relationships between offenders and victims while ensuring legal certainty and fairness. However, restorative justice is not applicable to certain categories of offences, including corruption, terrorism, gross human rights violations, sexual violence, and crimes resulting in loss of life.<sup>26</sup>

Taken together, these legal provisions demonstrate Indonesia's transition from a predominantly punitive criminal justice system toward a more restorative and humanistic approach that seeks to balance accountability, victim recovery, and social harmony.

### **Community Justice through Restorative Justice**

Community justice is a form of justice that places the community as an active participant in resolving conflicts or criminal acts. The focus is not solely on victims and perpetrators, but also on the impact felt by the wider community. The goal is to restore social losses caused by criminal acts, maintain security and social cohesion, and empower the community to participate in monitoring and preventing the recurrence of criminal acts. Community justice in the context of restorative justice emphasizes that punishment is not the primary goal, but rather social recovery, responsibility, and community harmony. This makes the law more humane and relevant to social life, especially in less serious cases that have a significant impact on victims and the community.<sup>27</sup>

Justice is a key pillar in social and legal life. However, the definition of justice is not always synonymous with punishment for perpetrators of criminal acts. In modern legal practice, the concept of community justice has emerged as an approach that emphasizes the restoration of social harmony, community involvement, and constructive conflict resolution. Restorative justice is a key

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<sup>25</sup> Ariefulloh Ariefulloh et al., "Restorative Justice-Based Criminal Case Resolution in Salatiga, Indonesia: Islamic Law Perspective and Legal Objectives," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 23, no. 1 (2023), doi:10.18326/IJTIHAD.V23I1.19-36.

<sup>26</sup> Soritua Agung Tampubolon et al., "Penghentian Penuntutan Tindak Pidana Penganiayaan Berdasarkan Pendekatan Keadilan Restoratif," *Locus Journal of Academic Literature Review* 2, no. 3 (2023).

<sup>27</sup> Daniel W Van Ness and Karen Heetderks Strong, *Restoring Justice: An Introduction to Restorative Justice* (Routledge, 2020).

mechanism in realizing community justice because it emphasizes the relationship between victims, perpetrators, and the community.<sup>28</sup>

Unlike conventional legal systems, which tend to focus on punishment and formal procedures, restorative justice views crime as a social disruption that must be comprehensively addressed. This approach is particularly relevant in cases that do not involve serious crimes such as murder or terrorism, but rather violations that have a significant impact on the victim and the community.<sup>29</sup>

Community justice emphasizes the reparation of social harm and the promotion of offenders' social responsibility. Its focus extends beyond the interests of individual victims to encompass the broader impact of crime on the community. Accordingly, community justice seeks to restore disrupted social relationships, encourage the active participation of families, community leaders, and local institutions in the resolution process, prevent the recurrence of criminal behavior, and facilitate the reintegration of offenders into society. Through these objectives, justice is understood not merely as a formal legal outcome but also as a social and humanitarian process that promotes collective involvement in addressing conflict.

Within this framework, restorative justice serves as a key mechanism for achieving community justice by prioritizing restoration, community participation, and social responsibility. This approach shifts the focus of criminal law from punishment alone toward the restoration of social harmony. Restorative justice enables victims to receive recognition and reparation, encourages offenders to accept responsibility for their actions, and allows communities to play an active role in maintaining social order and justice. In this regard, justice extends beyond the enforcement of legal norms and contributes to the development of a more inclusive, harmonious, and sustainable society.

## Conclusion

Criminal law enforcement in Indonesia has long been dominated by a retributive approach that emphasizes punishment as the primary response to

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<sup>28</sup> Azwad Rachmat Hambali, "Penegakan Hukum Melalui Pendekatan Restorative Justice Penyelesaian Perkara Tindak Pidana," *Kalabbirang Law Journal* 2, no. 1 (2020): 69-77.

<sup>29</sup> Noni Rihhadatul Aisya, Richie Stephen Henrizal, and Indra Setiawan, "Penegakan Keadilan Restoratif Dalam Hukum Pidana Indonesia," *Jurnal Magister Ilmu Hukum: Hukum Dan Kesejahteraan* 8, no. 2 (2023): 72-80.

criminal acts. In practice, this approach often places the state as the central actor in the criminal justice process while limiting the participation of victims and the community. As a result, the achievement of substantive justice, social harmony, and victim recovery has not been fully realized. The implementation of restorative justice offers an alternative approach that prioritizes dialogue, reconciliation, accountability, and recovery for all parties involved in a criminal case. Through restorative justice, victims are given the opportunity to express their losses and obtain restoration, while offenders are encouraged to take responsibility for their actions and repair the harm caused. In addition, the community plays an active role in maintaining social balance and supporting conflict resolution.

The study shows that restorative justice has begun to be implemented in Indonesia through various legal policies and regulations issued by law enforcement institutions. However, its implementation still faces several challenges, including inconsistent application, limited technical guidelines, and differences in understanding among law enforcement officials regarding restorative justice principles. Nevertheless, restorative justice has proven capable of creating a more humane, participatory, and balanced criminal justice system. Therefore, strengthening the integration of restorative justice into criminal law enforcement is necessary to achieve community justice, legal certainty, and sustainable social harmony in society.

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implementation of restorative justice to achieve community justice and a more humane legal system.

### **Author Contributions Statement**

HS, contributed to the conception and design of the study, conducted the primary legal analysis, and drafted the manuscript. SM and BS, contributed to the collection and review of legal materials, literature analysis, and interpretation of research findings. CA, contributed to the revision, editing, and refinement of the manuscript, as well as ensuring the overall quality and coherence of the study. All authors discussed the results, contributed to the final version of the manuscript, and approved the manuscript for publication.

### **AI Usage Statement**

The author uses Artificial Intelligence (AI) technology on a limited basis to help improve language, check grammar, and improve the readability of the manuscript. All analysis, interpretation and conclusions in this article are the sole responsibility of the author.

### **Conflict of Interest**

The authors declare that there are no conflicts of interest related to this research, authorship, or publication of this article. The study was conducted independently without any external influence that could compromise the objectivity and integrity of the research findings.

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