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Restorative Justice for Victims of Narcotic Abuse within the Indonesian Legal System: Strengthening Social Legitimacy and State–Society Harmonization

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Abstract: Narcotic abuse in Indonesia is not merely a criminal law problem; it is also deeply intertwined with public health concerns, social vulnerability, stigma, family resilience, and public trust in the state. This article examines the application of restorative justice for victims of narcotic abuse within the Indonesian legal system, with particular focus on its role in strengthening the social legitimacy of law and harmonizing state–society relations. The study employs an empirical legal method supported by juridical-normative and socio-legal approaches. Data were gathered through an analysis of legislation, literature reviews, document studies, and in-depth interviews with informants drawn from law enforcement agencies, the National Narcotics Agency (Badan Narkotika Nasional/BNN), rehabilitation institutions, academics, and the families of narcotic abuse victims. The findings reveal that the Indonesian legal system has opened rehabilitative-restorative spaces through Law Number 35 of 2009 on Narcotics, Law Number 1 of 2023 on the Criminal Code, Police Regulation Number 8 of 2021, Attorney General's Guidelines Number 18 of 2021, and the integrated assessment mechanism. Nevertheless, implementation continues to face significant obstacles, including the dominance of a punitive paradigm, weak inter-agency coordination, limited rehabilitation facilities, inconsistent assessment practices, and persistent social stigma toward narcotic abusers.

Keywords: restorative justice, narcotics, rehabilitation, social legitimacy, Indonesian legal system.

INTRODUCTION

Drug abuse in Indonesia constitutes both a legal and social problem that cannot be understood solely as a violation of criminal norms. It intersects with public health, social vulnerability, family resilience, the productivity of the working-age population, and public trust in the state. Under certain circumstances, individuals who abuse narcotics cannot straightforwardly be categorized as criminals, since they may be in a state of dependency, under environmental pressure, or themselves victims of drug abuse. Accordingly, addressing

drug abuse requires an approach that goes beyond punitive responses to encompass recovery and rehabilitation.

The urgency of this issue is reflected in data from the National Narcotics Agency (Badan Narkotika Nasional/BNN), which indicates that the prevalence of drug abuse in Indonesia reached 2.11% in 2025, equivalent to approximately 4.15 million individuals aged 15–64 an increase from 1.73% recorded in 2023 (Badan Narkotika Nasional, 2025). These figures demonstrate that drug abuse is not merely a threat to legal order, but also a threat to the quality of human resources and the sustainability of national development.

From a normative standpoint, Law Number 35 of 2009 on Narcotics has distinguished between perpetrators of illicit drug trafficking and narcotics addicts or victims of drug abuse. Article 54 of the Narcotics Law stipulates that narcotics addicts and victims of drug abuse are required to undergo medical rehabilitation and social rehabilitation. This provision signals that Indonesian positive law has already created space for a rehabilitative approach. In practice, however, imprisonment remains the dominant response to drug abusers. Consequently, the recovery oriented objectives embedded in positive law have yet to become the primary orientation of law enforcement.

This issue becomes particularly salient in light of the overcrowding crisis in correctional institutions. Data cited from a statement made by the Head of the BNN at a working meeting with Commission III of the House of Representatives reveals that the total population of correctional and detention facilities stands at 278,376 individuals, while the available capacity is only 146,260. Of this total, approximately 150,202 individuals or 54% are serving sentences related to narcotics offenses, and 54,026 drug users would be more appropriately directed toward rehabilitation than incarceration (Rahmawati, 2026). These figures underscore the need to critically evaluate the imprisonment-based approach to narcotics cases, particularly for abusers or victims of drug abuse who are not involved in illicit trafficking networks.

Criminal law reform through Law Number 1 of 2023 on the Criminal Code (KUHP) further reinforces the imperative for a paradigm shift in sentencing. The National Criminal Code opens the door to more proportionate, corrective, and rehabilitative sentencing. In the context of drug abuse, this orientation is significant because imprisonment does not necessarily address the root causes of dependency. On the contrary, incarceration can deepen stigma, sever family support networks, worsen psychological conditions, and impede social reintegration.

Within this framework, restorative justice emerges as a relevant approach. Rather than viewing criminal offenses merely as violations against the state, restorative justice conceptualizes them as events that damage social relationships, generate needs for restoration, and create obligations to repair the harm caused. Zehr and Gohar explain that restorative justice centers on harm, needs, obligations, and the meaningful involvement of all stakeholders in the resolution process (Zehr & Gohar, 2003). The United Nations Office on Drugs and Crime (UNODC) similarly positions restorative justice programs as processes that engage victims, offenders, and communities to achieve healing, accountability, and social reintegration (UNODC, 2020).

Nevertheless, the application of restorative justice in narcotics cases must not be interpreted as tolerance for drug-related crimes. This approach should be applied selectively and measurably, targeting primarily those who have abused drugs, are addicted, or are victims of drug abuse, and who have not been proven to be producers, distributors, couriers, or members of illicit trafficking networks. In this sense, restorative justice does not eliminate legal accountability but rather transforms its form from incarceration toward rehabilitation and recovery.

Several prior studies have examined the application of restorative justice in narcotics cases. Ihsan, Maroni, and Achmad frame restorative justice for drug users within a depenalization paradigm, namely the reduction of criminal orientations toward users who are more in need of rehabilitation (Ihsan et al., 2022). Shalasa and Suyono argue that a restorative justice system for drug abusers in Indonesia should be directed toward medical and social rehabilitation (Shalasa & Suyono, 2023). Sari, Saefudin, and Yazı demonstrate that social rehabilitation is more appropriate for drug abusers than punitive approaches that emphasize punishment alone (Sari et al., 2023). Hamdan and Afnaini further show that the application of restorative justice in narcotics cases can reduce the dominance of punitive sentencing and strengthen a rehabilitative orientation (Hamdan & Afnaini, 2024).

While these studies make important contributions, most remain focused on depenalization, the effectiveness of rehabilitation, or case resolution mechanisms. Few have specifically examined the relationship between the application of restorative justice for victims of drug abuse and the social legitimacy of the legal system, or the harmonization of the state–society relationship. Yet in modern legal systems, the success of law is determined not only by the existence of written norms but also by societal acceptance of the manner in which law is applied. Friedman contends that a legal system comprises legal substance, legal structure, and legal culture (Friedman, 1975). Accordingly, the success of restorative justice in narcotics cases cannot be assessed solely on the presence or absence of regulatory frameworks, but must also account for the institutional readiness of implementing bodies and the social receptiveness of the community.

The dimension of social legitimacy is particularly important because overly repressive law enforcement against vulnerable populations risks widening the gap between the state and society. When drug abusers who are themselves victims of dependency are treated identically to illicit traffickers, the public may perceive the law as disproportionate and lacking in humanity. Sunshine and Tyler explain that the legitimacy of law enforcement agencies is shaped by public perceptions of procedural fairness, respect for human dignity, transparency, and opportunities to be heard (Sunshine & Tyler, 2003). It follows that the fair and accountable application of restorative justice can serve as a means of strengthening public trust in the legal system.

The novelty of this article lies in its repositioning of restorative justice for victims of drug abuse not merely as an alternative mechanism for resolving criminal cases, but as an instrument for strengthening the social legitimacy of law and harmonizing the state–society relationship. The article argues that restorative justice will only reinforce social legitimacy when applied selectively, grounded in integrated assessment, oriented toward medical and social rehabilitation, and supported by inter-agency coordination and sustainable social reintegration.

Based on the foregoing, this article aims to analyze two central questions. First, how can the implementation of restorative justice for victims of drug abuse within the Indonesian legal system strengthen the social legitimacy of law? Second, how can an ideal model for implementing restorative justice for victims of drug abuse be formulated to optimize the harmonization of the state–society relationship.

METHOD

This study employs an empirical legal method supported by juridical normative and socio-legal approaches. This methodological combination was deliberately chosen because the issue of restorative justice for narcotics abuse victims cannot be adequately understood through legal norms alone it also requires an examination of law enforcement practices, inter agency coordination, legal culture, and societal acceptance. Accordingly, this study does not merely examine what the law prescribes, but also how law operates in practice.

The juridical-normative approach is employed to analyze legislation, legal principles, legal doctrines, and institutional policies relating to narcotics abuse, rehabilitation, criminal punishment, and restorative justice. The primary legal materials examined include Law Number 35 of 2009 on Narcotics, Law Number 1 of 2023 on the Criminal Code, Police Regulation Number 8 of 2021, Attorney General's Guidelines Number 18 of 2021, and technical provisions governing the assessment and rehabilitation of narcotics abusers.

This study adopts an empirical legal research design that integrates primary and secondary data to substantiate its findings. Primary data were collected through in-depth interviews with informants purposively selected on the basis of their relevance to the object of study, comprising police investigators, public prosecutors, officials of the National Narcotics Agency (BNN), staff and counselors at rehabilitation institutions, criminal law scholars, and companions or family members of narcotics abuse victims, a composition intended to capture the institutional, professional, and experiential dimensions of restorative justice practice for narcotics victims. This was complemented by secondary data drawn from primary, secondary, and tertiary legal materials: primary legal materials consist of binding legislation, including the 1945 Constitution of the Republic of Indonesia, Law No. 1 of 2023 on the Criminal Code, Law No. 35 of 2009 on Narcotics, the Criminal Procedure Code, the Police Law, the Prosecutorial Law, the Corrections Law, National Police Regulation No. 8 of 2021, Attorney General's Guideline No. 18 of 2021, and the technical regulations governing assessment and rehabilitation of narcotics abusers; secondary legal materials comprise books, peer-reviewed journal articles, research reports, theses, dissertations, and expert commentary on criminal law, restorative justice, narcotics policy, rehabilitation, and legal legitimacy; and tertiary legal materials include legal dictionaries, legal encyclopedias, and indexes used to clarify the primary and secondary sources. By triangulating interview accounts with statutory provisions and doctrinal literature, the study sought to validate its empirical claims and strengthen the methodological transparency and replicability of its findings.

The socio-legal approach is employed to examine the relationship between legal norms and social reality. This approach is particularly important because restorative justice in narcotics cases depends not only on the availability of legal rules, but also on the institutional readiness of implementing bodies, the attitudes of law enforcement personnel, societal stigma, and public trust in the legal system. Through this lens, the analysis is able to explain why rehabilitation norms that are already embedded in positive law have not always been applied optimally in practice.

Data were collected through three techniques: in depth interviews, library research, and document analysis. Interviews were conducted to obtain information regarding the practical implementation of restorative justice, barriers to rehabilitation, inter agency coordination, and prevailing perceptions of narcotics abuse victims. Library research was undertaken to review relevant theories, doctrines, and prior studies. Document analysis was applied to examine legislation, institutional guidelines, official reports, and other pertinent documents.

The data were analyzed qualitatively using thematic analysis. The analytical process comprised several stages: data inventory, data classification, verification, systematization, interpretation, and conclusion drawing. Thematic analysis was employed to identify key themes emerging from the data, including the legal basis for rehabilitation, the differentiation between victims of abuse and perpetrators of illicit trafficking, integrated assessment mechanisms, institutional coordination, social stigma, punitive legal culture, and the social legitimacy of the legal system.

RESULTS AND DISCUSSION

The Normative Space of Restorative Justice for Victims of Narcotics Abuse

This study finds that Indonesia's legal system has established a normative foundation for applying restorative justice to victims of narcotics abuse. This foundation is evident in Law Number 35 of 2009 on Narcotics, particularly Article 54, which mandates that narcotics addicts and victims of narcotics abuse undergo both medical and social rehabilitation. This provision demonstrates that Indonesian positive law does not treat narcotics abusers solely as criminal offenders, but also as individuals in need of recovery.

This orientation is further reinforced by Law Number 1 of 2023 on the Criminal Code, which creates space for a more proportional, corrective, and rehabilitative approach to sentencing. In the context of narcotics abuse victims, this shift in orientation is significant, as imprisonment does not necessarily address the root causes of dependency. On the contrary, incarceration may deepen stigma, sever family support networks, and impede social reintegration.

Restorative justice provides the conceptual foundation for this shift. Zehr and Gohar argue that restorative justice centers on harm, needs, obligations, and the engagement of all affected parties (Zehr & Gohar, 2003). The United Nations Office on Drugs and Crime (UNODC) similarly positions restorative justice as a process oriented toward healing, accountability, and social reintegration (UNODC, 2020). In narcotics cases, these principles imply that victims of narcotics abuse should not merely be processed through criminal channels, but must be directed toward medical and social rehabilitation.

These findings align with Shalasa and Suyono, who argue that narcotics abusers in Indonesia should be directed toward medical and social rehabilitation through a restorative justice framework (Shalasa & Suyono, 2023). Hamdan and Afnaini further demonstrate that restorative approaches in narcotics cases can reduce the dominance of punitive responses and strengthen rehabilitative orientations (Hamdan & Afnaini, 2024). This article extends those arguments by maintaining that rehabilitation is not only vital for individual recovery, but also for reinforcing the social legitimacy of the legal system.

Prosecutorial practice also reflects an emerging space for rehabilitative-restorative approaches. On March 11, 2026, the Deputy Attorney General for General Crimes approved four restorative justice submissions in narcotics cases, all of which were directed toward rehabilitation. The considerations involved included forensic laboratory results, the known suspect method, the suspects' status as end-users, the absence of involvement in illicit distribution networks, and the results of integrated assessments classifying them as addicts, abuse victims, or narcotics misusers (Attorney General's Office of the Republic of Indonesia, 2026). This practice signals a shift in case-handling orientation from incarceration toward rehabilitation though its application still requires clear boundaries and rigorous standards.

Distinguishing Victims of Abuse from Perpetrators of Illicit Distribution

The application of restorative justice in narcotics cases must be carried out selectively. This study finds that such an approach is only appropriate for self-users, addicts, or victims of narcotics abuse who have no involvement as dealers, distributors, producers, couriers, or members of illicit trafficking networks. This distinction is essential to prevent the misuse of restorative justice and to avoid any perception that it constitutes tolerance toward narcotics-related crime.

Empirical evidence indicates that distinguishing between abuse victims and network perpetrators cannot rely solely on urine test results. A urine test merely confirms the presence of narcotics use; it is insufficient to determine whether an individual is a victim of abuse or a participant in an illicit distribution network. Law enforcement officers must therefore take

into account physical evidence, usage history, dependency levels, communication patterns, social background, and the results of medical and psychological assessments.

Integrated assessment serves as the key instrument in this process. Such assessment must incorporate legal, medical, psychological, and social dimensions to ensure that rehabilitation decisions are grounded in objective data. A robust assessment framework enables the state to avoid two simultaneous risks: first, the overcriminalization of abuse victims who should instead be rehabilitated; and second, the exploitation of rehabilitation mechanisms by network perpetrators seeking to evade criminal punishment.

An informant from the National Narcotics Agency affirmed that the social legitimacy of the legal system is enhanced when restorative approaches are selectively applied to users or abuse victims, while dealers and illicit distribution networks continue to face firm enforcement through network dismantlement and anti-money laundering measures (Faturahman, personal communication, May 24, 2026). This statement underscores that restorative justice should not be viewed as a weakening of law enforcement, but rather as a strategy for making enforcement more precisely targeted.

This distinction also bears directly on legal social legitimacy. Society is more likely to accept restorative justice when the state demonstrates firmness toward drug dealers and trafficking networks, while remaining humane toward victims of dependency. In other words, social legitimacy is built when law is applied proportionally not when all offenders are treated identically, regardless of their position, role, or degree of culpability.

Susilo and Negara caution that the use of the term restorative justice in narcotics cases must be critically examined to ensure it does not become a mere procedural label (Susilo & Negara, 2025). This critique is pertinent, as restorative justice loses its meaning when it is not accompanied by rigorous categorization, integrated assessment, meaningful recovery, and accountable oversight.

Integrated Assessment as an Instrument of Substantive Justice

Integrated assessment is the most critical instrument in determining how victims of narcotics abuse should be handled. Assessment must not be understood as a mere administrative procedure; it functions as an instrument of substantive justice, as it determines whether an individual will be directed toward rehabilitation or processed through conventional criminal mechanisms.

From the perspective of modern criminal law, decisions to incarcerate or rehabilitate must be grounded in accurate information regarding an individual's circumstances, level of involvement, and recovery needs. Narcotics abusers experiencing dependency cannot be treated identically to those who organize or profit from illicit distribution. Integrated assessment must therefore combine legal, medical, psychological, and social perspectives.

An informant from the prosecutor's office emphasized that the quality and independence of the institutions conducting assessments significantly influence confidence in the results. Assessments that are professional, free from external pressure, and conducted using standardized methodologies are far more credible as a basis for decision-making than those whose objectivity is in doubt (Prosecutor's Office Informant, personal communication, May 25–26, 2026). This finding indicates that integrated assessment is not merely a technical matter, but also one of accountability and the credibility of the legal system as a whole.

These principles are consistent with WHO and UNODC standards, which affirm that the treatment of drug use disorders must be evidence-based, ethical, effective, and responsive to individual needs (WHO & UNODC, 2020). In the Indonesian context, these principles can only be realized if integrated assessment operates professionally and free from non-legal interference.

Integrated assessment thus serves to maintain the balance between humanitarian concerns and the imperatives of law enforcement. On one hand, it prevents the overcriminalization of individuals suffering from dependency. On the other, it prevents the misappropriation of rehabilitation pathways by those genuinely involved in narcotics networks.

Barriers to Implementation: Legal Structure, Legal Culture, and Social Stigma

Despite the availability of a normative framework, the implementation of restorative justice for narcotics abuse victims continues to face structural and cultural barriers. From a legal-structural standpoint, the primary obstacle lies in suboptimal inter-institutional coordination. The police, prosecutors, the National Narcotics Agency, courts, rehabilitation institutions, families, and communities each have distinct roles, yet they have not consistently functioned as a single integrated system.

Drawing on Friedman's framework, this condition illustrates that the effectiveness of law is determined not only by its substantive content, but also by its legal structure and legal culture (Friedman, 1975). While the substantive law has created space for rehabilitation, the institutional structure is not yet fully equipped to implement this mechanism consistently. As a result, the application of restorative justice often depends on the individual understanding and discretion of each law enforcement officer, rather than on a uniform system.

A further barrier is the limited availability of rehabilitation facilities. Rehabilitation can only function as an instrument of restorative justice if it is adequately available, professionally delivered, accessible, and properly supervised. When rehabilitation facilities are scarce or of uneven quality, law enforcement actors tend to revert to imprisonment as the most practicable option, rendering rehabilitative norms operationally inert.

The quality of rehabilitation itself also warrants serious attention. An informant from a rehabilitation institution affirmed that rehabilitation must be conducted properly, humanely, and accountably. Criticism of unprofessional rehabilitation practices demonstrates that rehabilitation cannot be presumed to be an ideal solution unless it is accompanied by service standards, oversight mechanisms, and complaint procedures (Ade Ebong, personal communication, May 29, 2026). The state, therefore, must not only redirect abusers from prison to rehabilitation institutions it must also ensure that those institutions genuinely function as spaces of recovery.

Beyond structural barriers, there are also barriers rooted in legal culture. Narcotics abusers are still frequently perceived as criminals to be punished rather than as individuals in need of recovery. This social stigma extends not only to the abusers themselves, but also to their families. Consequently, individuals who have completed rehabilitation continue to face difficulties reintegrating into society, securing employment, and rebuilding social trust.

Interview data gathered from the families of victims reveals that narcotics abuse produces psychological, economic, social, and spiritual harm. Families endure shame, anxiety, loss of trust, the financial burden of rehabilitation costs, social pressure, and stigma from their surrounding communities (Aditya Pamungkas, personal communication, May 25, 2026). These findings make clear that victims of narcotics abuse do not stand in isolation their families are also affected parties who must be engaged in the recovery process.

Social stigma constitutes a particularly significant issue because the success of restorative justice is measured not only by the diversion of cases toward rehabilitation, but also by the achievement of social reintegration. Sari, Saefudin, and Yazı affirm that restorative justice in narcotics abuse cases must be oriented toward effective social rehabilitation (Sari et al., 2023). This article extends that argument by maintaining that social rehabilitation cannot be effective without stigma reduction and meaningful community support.

Restorative Justice as an Instrument for Strengthening the Social Legitimacy of the Legal System

The central finding of this article is that restorative justice applied to victims of narcotics abuse can function as an instrument for strengthening the social legitimacy of the legal system. Social legitimacy does not derive solely from the existence of written rules; it depends equally on the public's perception that law is administered fairly, proportionally, transparently, and humanely.

In narcotics cases, social legitimacy is undermined when abuse victims are treated identically to perpetrators of illicit distribution. Conversely, social legitimacy can be strengthened when the state is able to draw a clear and principled distinction between victims and network perpetrators. A state that emphasizes punishment alone risks being perceived as a repressive institution. By contrast, a state that rehabilitates abuse victims through accountable mechanisms is more readily regarded as a just institution that genuinely protects society.

An academic informant affirmed that social legitimacy is not merely formal compliance with rules, but rather the public's trust that the legal system operates fairly, humanely, and in ways that are relevant to local cultural values. The restorative approach is seen as culturally resonant because it aligns with the Indonesian values of deliberation (*musyawarah*), mutual cooperation (*gotong royong*), and community reconciliation (*Saefullah*, personal communication, May 22, 2026).

Sunshine and Tyler demonstrate that the legitimacy of legal institutions is shaped by public perceptions of procedural fairness, respect for human dignity, transparency, and the opportunity to be heard (Sunshine & Tyler, 2003). In this context, restorative justice holds the potential to strengthen legitimacy by creating space for recovery, participation, and reintegration. This approach also demonstrates that law does not merely function to punish, but also to restore.

Such social legitimacy can only be achieved if restorative justice is implemented with accountability. Rehabilitation must not serve as a shortcut for network perpetrators to evade criminal punishment. Rather, it must constitute a measurable form of accountability for abuse victims who genuinely require recovery. Integrated assessment, oversight of rehabilitation institutions, and post-rehabilitation programs are therefore essential elements in sustaining public trust.

In the context of the state–society relationship, restorative justice has the potential to repair a relationship that has too often been defined by repressive approaches. When the state is present not merely as a punisher but also as a restorer, citizens can come to see law as an instrument of protection. Accordingly, restorative justice does not only resolve criminal cases it strengthens the harmony between the state and society.

An Ideal Model for the Application of Restorative Justice to Victims of Narcotics Abuse

Based on the findings and discussion of this study, an ideal model for the application of restorative justice to victims of narcotics abuse must be constructed around five core components.

The first is rigorous legal differentiation among abuse victims, addicts, end-users, and network perpetrators. This distinction forms the foundational safeguard against the misapplication of restorative justice.

The second is evidence-based integrated assessment. Assessment must incorporate legal, medical, psychological, and social dimensions. Its findings must serve as an objective basis for determining whether an individual is eligible for rehabilitation or should instead be processed through conventional criminal mechanisms.

The third is standardized medical and social rehabilitation. Rehabilitation must be delivered by institutions that adhere to established service standards, employ professional personnel, maintain supervisory systems, and implement evaluation mechanisms. WHO and UNODC emphasize that the treatment of drug use disorders must be evidence-based, ethical, effective, and responsive to individual needs (WHO & UNODC, 2020).

The fourth is cross-institutional coordination. The police, prosecutors, the National Narcotics Agency, courts, rehabilitation institutions, families, and communities must operate under shared protocols to prevent the restorative justice process from functioning in a fragmented and sectoral manner. Without such coordination, rehabilitation cannot be implemented consistently.

The fifth is social reintegration and stigma reduction. Recovery does not end with formal rehabilitation. Victims of abuse require family support, psychological accompaniment, vocational training, community acceptance, and aftercare programs. Without post-rehabilitation support, the risk of recidivism remains high.

This model demonstrates that restorative justice must not be understood as a singular action, but as a continuous process one that begins with identification and assessment, proceeds through rehabilitation and supervision, and concludes with social reintegration. Through this model, restorative justice becomes an instrument that not only resolves criminal cases, but also restores individuals and reinforces the social legitimacy of the legal system.

CONCLUSION

The application of restorative justice to victims of narcotics abuse within Indonesia's legal system rests on a reasonably robust normative foundation, established principally through Law Number 35 of 2009 on Narcotics, Law Number 1 of 2023 on the Criminal Code, Police Regulation Number 8 of 2021, and Attorney General's Guidelines Number 18 of 2021. These provisions collectively demonstrate that Indonesia's legal system has opened space for rehabilitative approaches toward narcotics addicts and abuse victims. Nevertheless, the existence of these norms does not in itself guarantee effective implementation, as law enforcement practice continues to encounter structural, cultural, and institutional barriers.

This study finds that restorative justice can only be applied legitimately and accountably when preceded by a rigorous distinction between victims of narcotics abuse and perpetrators of illicit distribution. This approach must not be extended to dealers, distributors, producers, couriers, or any party involved in narcotics trafficking networks. Integrated assessment therefore serves as the primary instrument for determining whether an individual should be directed toward rehabilitation or processed through conventional criminal mechanisms. Such assessment cannot rest solely on urine test results; it must encompass legal, medical, psychological, and social dimensions, as well as the possibility of the individual's involvement in illicit distribution networks.

This article further concludes that restorative justice in narcotics cases does not function merely as an alternative to punishment, but also as an instrument for strengthening the social legitimacy of the legal system. When the state is able to distinguish victims of abuse from network perpetrators and direct those victims toward accountable rehabilitation, the public is more likely to perceive law as a fair, proportional, and humane instrument. In this way, restorative justice has the potential to strengthen the harmonization of the state–society relationship through recovery, rehabilitation, stigma reduction, and social reintegration.

An ideal model for the application of restorative justice to victims of narcotics abuse must be built around five core components: rigorous legal differentiation, evidence-based integrated assessment, standardized medical and social rehabilitation, cross-institutional coordination, and post-rehabilitation social reintegration. In the absence of all five

components, restorative justice risks being reduced to a mere administrative procedure, failing to produce any substantive recovery.

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