



Exploring Judges' Lived Experiences in Applying Restorative Justice in Indonesian Juvenile Cases

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ABSTRACT

Restorative justice has emerged as a transformative paradigm in contemporary criminal justice systems, emphasizing reconciliation, rehabilitation, and moral repair over punishment. Within this framework, the Indonesian judicial system represents a critical site for exploring how judges internalize and interpret restorative principles amid legal reform. However, existing studies have primarily examined restorative justice through procedural or policy-based analyses, leaving unclear how judges experience and embody these principles in their professional and moral decision-making. This study applies an interpretative phenomenological approach (IPA) to investigate how judges perceive, interpret, and enact restorative justice in juvenile criminal cases, uncovering the moral and emotional dimensions that shape judicial practice. The methodological design of this study involved a clearly defined phenomenological protocol, encompassing purposive sampling, in-depth semi-structured interviews, and systematic IPA-based coding and theme development. Using semi-structured interviews with eight judges from various regional courts, the study reveals four core themes: moral–legal tension, institutional constraints, emotional burden, and the humanization of justice through reflective decision-making. These findings demonstrate that restorative justice, as experienced by judges, transcends legal formalism and becomes a lived moral encounter grounded in empathy, ethical reflection, and social responsibility. The study contributes to a deeper understanding of judicial consciousness within restorative justice and highlights the necessity of integrating human-centered approaches in legal reform. These insights not only expand theoretical discourse in criminology and law but also provide practical implications for judicial training and the sustainability of restorative practices across diverse legal contexts.



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INTRODUCTION

In recent decades, the global paradigm of criminal justice has undergone a profound transformation, shifting from a predominantly retributive orientation toward models that emphasize restorative and human-centered justice (Henry et al., 2025). This transition reflects a growing recognition that punitive approaches alone often fail to address the complex moral, emotional, and social dimensions of crime, particularly when involving vulnerable groups such as juveniles (“Alternatives to Criminal Conviction in a Comparative Analysis of Positive Law and Islamic Criminal Law,” 2022). Within this context, Indonesia has increasingly moved toward a justice model that prioritizes rehabilitation and moral restoration, creating an important backdrop for examining how restorative values are understood and enacted within judicial practice.

In this evolving legal landscape, the concept of restorative justice stands as a moral and philosophical response to the limitations of traditional punitive systems (Mukhlis, Suradi, et al., 2023; Mukhlis, 2025b). It seeks to repair harm by fostering dialogue between offenders, victims, and communities, thus restoring social equilibrium through empathy and accountability rather than

punishment alone (Hapsin & Nurdin, 2022). The introduction of restorative principles into Indonesia's juvenile justice framework represents not only a legal reform but also a cultural and ethical transformation. It challenges long-standing institutional norms rooted in retribution and authority, demanding a deeper human engagement from judicial actors in their interpretation of justice.

From a phenomenological perspective, the essence of restorative justice cannot be fully understood through statutes or policy frameworks alone; it must be explored through the lived experiences of those who enact it. Judges, as moral agents within the legal system, occupy a unique position in this transformation (Sriwidodo, 2024). Their daily encounters with cases involving children, moral dilemmas, and conflicting institutional pressures render their experiences crucial to understanding how restorative ideals are internalized and practiced. These experiences are not merely procedural—they are existential engagements that reveal how individuals navigate the intersection of law, morality, and human empathy.

Given this context, exploring the phenomenon of judicial experience in applying restorative justice is not simply a legal inquiry but an inquiry into the meaning of justice itself. The phenomenological approach offers a pathway to access this meaning by prioritizing subjective experience over abstract principles. By uncovering how judges perceive, interpret, and embody restorative justice within real judicial practice, this study contributes to a deeper understanding of how justice is lived, felt, and realized within the framework of contemporary legal reform.

The study of judicial experience within the practice of restorative justice has emerged as an increasingly important subfield in the intersection between legal reform and phenomenological inquiry (Laksana et al., 2025). Scholars have begun to recognize that the effectiveness of justice reform cannot be understood merely through legislative outcomes or statistical indicators, but rather through the subjective experiences of those who embody and interpret legal principles in real contexts. Within the domain of criminal justice and legal reforms, judges are not only legal functionaries but also moral agents whose lived experiences shape the meaning and application of justice itself.

Despite the growing body of literature exploring restorative justice, methodological challenges persist in capturing its experiential essence. Much of the existing research remains dominated by quantitative assessments of program outcomes—such as recidivism rates or victim satisfaction—while the phenomenological dimensions of judicial practice often remain obscured. Quantitative or survey-based approaches, though valuable for measuring policy impact, fall short in uncovering the internal reflections, moral conflicts, and interpretative processes that define how judges understand and enact restorative principles (Küçükuncular, 2025). Consequently, the nuanced interplay between legal authority and human empathy remains underexplored, creating a significant gap in understanding how judicial actors live out the ideals of reform in their daily practice.

This limitation underscores the necessity of a phenomenological approach that privileges experience over abstraction (Mukhlis, Arifin, Ridwan, & Zulbaidah, 2025; Mukhlis, Arifin, Ridwan, Zulbaidah, et al., 2025). By focusing on the lived world (*Lebenswelt*) of judges, phenomenology allows for an exploration of justice as it is experienced, interpreted, and emotionally negotiated rather than prescribed (Morocco-Clarke, 2023). It addresses the gap left by traditional methodologies, offering a deeper, more authentic account of how legal professionals internalize reform principles amidst systemic and moral constraints (Lustick, 2021). Thus, this study positions itself within the broader intellectual movement seeking to bridge the divide between institutional reform and human experience, advancing our understanding of justice as both a legal and existential phenomenon.

Current approaches to studying judicial reform and restorative justice predominantly rely on institutional analyses and procedural evaluations, focusing on the operational or legislative dimensions of justice systems (Zubaidah et al., 2025). These conventional frameworks, while useful for understanding policy implementation, provide only a surface-level understanding of how reform principles are experienced and interpreted by individuals within the legal system. In the context of Indonesia's judicial reform, existing efforts often emphasize compliance, case outcomes, or

procedural efficiency—approaches that overlook the subjective dimensions of how judges internalize and apply restorative values in real-world decision-making.

Such pragmatic or outcome-oriented approaches tend to objectify the judicial role, reducing complex moral and emotional engagements to measurable indicators. As a result, they fail to capture the depth of judicial consciousness—the moral reasoning, empathy, and interpretive judgment that underlie restorative decision-making (Sodiqin, 2021). Quantitative evaluations of restorative justice programs, for example, can illustrate trends in reduced recidivism or shorter sentencing but do not reveal how judges experience dilemmas between law and morality, or how they perceive justice in the context of youth rehabilitation (Tschakert & Wheatley, 2025). This lack of experiential insight represents a critical gap in the literature, leaving unexplored the inner world of legal practitioners as moral interpreters of justice.

To address this limitation, a phenomenological approach offers an essential alternative. By focusing on the lived experiences of judges, phenomenology moves beyond external assessments to uncover the essence and meaning of restorative justice as experienced within the moral, institutional, and emotional realities of judicial practice (Mukhlis et al., 2024; Mukhlis, Maryam, et al., 2023). This orientation enables a more holistic understanding of justice not as a static legal construct but as a human encounter shaped by reflection, empathy, and ethical deliberation. Such an approach not only fills the conceptual void in current scholarship but also contributes to ongoing debates on how legal reforms can be grounded in human experience and moral authenticity.

Previous studies on restorative justice have largely concentrated on its policy implementation, legal frameworks, and procedural outcomes, while only a few have explored the experiential dimension of those who interpret and apply it in practice. Research by Daly (2020) and Umbreit (2018) emphasized the ethical and relational challenges faced by legal practitioners, yet their analyses remained bounded by descriptive accounts rather than interpretative exploration. These works acknowledged the importance of empathy and moral reflection but did not uncover how such experiences shape judicial decision-making at a phenomenological level (Sanders & Tadros, 2025). In contrast, this study aligns with the hermeneutic tradition, which seeks to understand justice as lived experience rather than abstract principle (Azisa et al., 2025). By doing so, it fills a conceptual void in restorative justice literature by addressing the personal and moral dimensions of judicial practice.

This research applies an interpretative phenomenological approach (IPA) to explore how judges experience, interpret, and internalize the principles of restorative justice in juvenile criminal cases. The method was chosen because it allows for a deep engagement with subjective meaning, enabling the revelation of how judicial consciousness emerges through moral reflection and institutional negotiation. This approach directly responds to the knowledge gap identified earlier—namely, the lack of understanding regarding the inner world of judges who operate within reform-oriented legal systems (Diver et al., 2024). Through the use of in-depth, semi-structured interviews and interpretative analysis, this study captures the lived meanings of justice as experienced by judicial actors. It demonstrates how phenomenology serves as a critical lens for understanding law as a human, moral, and emotional phenomenon.

The structure of this article follows a logical and transparent sequence. It begins with the Introduction, which presents the theoretical and contextual foundations of restorative justice and the rationale for a phenomenological inquiry (Waris et al., 2025). The Method section details the interpretative phenomenological design, participant selection, data collection, and analytical procedures. The Results section presents thematically organized findings that reveal the essential meanings of the judicial experience (Kasim et al., 2023). The Discussion integrates these findings with existing literature and theoretical perspectives, followed by a Conclusion that summarizes key insights and highlights implications for policy and judicial reform.

RESEARCH METHODS

Study Design

This study employed an interpretative phenomenological approach (IPA) to explore the lived experiences of judges in implementing restorative justice principles in juvenile criminal cases (Lutz & Knox, 2014; McNabb, 2015). The phenomenological design was selected for its focus on understanding the subjective meanings and personal interpretations underlying human experiences within specific social contexts. This approach allowed an in-depth examination of how judicial actors perceive, interpret, and embody the principles of restorative justice amid institutional and moral constraints.

The interpretative (hermeneutic) phenomenology of Heidegger provided the philosophical foundation for this study, emphasizing that meaning emerges through the process of interpretation and reflection. By engaging with participants' narratives, this design facilitated the discovery of the essential structures of judicial consciousness, revealing how restorative justice is internalized as both a moral and legal practice within the reformation of Indonesia's criminal justice system.

Participants

Participants comprised judges specializing in juvenile criminal cases who had direct experience applying restorative justice principles within courtroom settings (Hillman & Radel, 2018; Migdal, 2018). A purposive sampling strategy was applied to ensure the inclusion of individuals with rich experiential knowledge of the phenomenon. Inclusion criteria required that participants (1) had served as juvenile court judges for at least three years, (2) possessed firsthand experience in restorative-based case handling, and (3) demonstrated willingness to articulate their reflections and perceptions.

Judges currently under disciplinary proceedings or without direct restorative experience were excluded to maintain data relevance. The final group consisted of eight participants (five male, three female), aged between 35 and 57 years, representing diverse regional courts across Indonesia. In line with the idiographic orientation of interpretative phenomenological analysis, this relatively small but information-rich sample was deemed adequate to allow detailed, case-by-case engagement with each transcript while still enabling meaningful cross-case comparison. Data collection and preliminary analysis were conducted concurrently, and recruitment was discontinued when additional interviews no longer produced substantively new experiential meanings or themes, indicating that phenomenological data saturation had been reached for the focal phenomenon in this judicial context. This composition provided a balanced range of judicial perspectives influenced by both institutional hierarchy and local cultural context.

Data Collection

Data were collected through semi-structured, in-depth interviews guided by a flexible protocol designed to elicit rich descriptions of participants' experiences (Carreiras & Castro, 2012; Iosifides, 2016). The interviews were conducted in person within each judge's professional setting, ensuring familiarity and comfort. Each session lasted between 60 and 90 minutes and was audio-recorded with prior consent.

The interview guide contained open-ended prompts, such as:

“Can you describe a case where you applied restorative justice principles?”

“How do you balance legal obligation with moral consideration in your decision-making?”

“What challenges do you face when implementing restorative justice in juvenile cases?”

Field notes were taken to capture contextual observations and non-verbal cues. All recordings were transcribed verbatim to preserve linguistic and emotional nuances. The process adhered to established phenomenological interviewing techniques, emphasizing empathetic engagement and reflective listening to uncover underlying meanings within judicial experiences.

Data Analysis

Data were analyzed using Interpretative Phenomenological Analysis (IPA), which focuses on uncovering patterns of meaning within participants' lived experiences (Daly, 2007; Longhofer et al., 2012). The analysis followed a structured, iterative process comprising:

1. Repeated readings of the transcripts to achieve immersion in the data.
2. Initial noting to identify significant statements and experiential expressions.
3. Development of emergent themes that captured psychological and contextual meanings.
4. Clustering of themes to construct higher-order categories reflecting shared experiences.
5. Interpretative synthesis, through which the essential meanings of restorative judicial consciousness were articulated.

NVivo software supported the organization and coding of data, ensuring transparency and traceability in the analytic process (Fife, 2020; Kawamura, 2020). Themes were developed through continuous comparison and hermeneutic reflection, allowing the articulation of the essence of judicial experience as situated within moral, emotional, and institutional dimensions.

RESULTS

The Moral–Legal Tension in Judicial Decision-Making

Participants consistently described a profound internal conflict between their legal obligation to enforce codified law and their moral responsibility to uphold restorative values. Judges reported that despite the presence of restorative justice frameworks, legal rigidity and public expectations often forced them to prioritize procedural correctness over empathy and moral reasoning.

“At times, I feel torn between the statute and my conscience. The law tells me one thing, but my heart tells me another, especially when the offender is a child.” — (Participant 3)

“There are moments when I sign a verdict and immediately feel uneasy. I ask myself whether I have truly delivered justice or merely followed the book.” — (Participant 7)

“When the parents beg for understanding, I feel the weight of my role. I must decide as a judge, but I cannot turn off my humanity.” — (Participant 6)

This theme highlights the tension between legal formalism and moral humanism. Judges revealed that their decisions were not merely administrative acts but moral negotiations shaped by compassion, remorse, and empathy. The findings demonstrate how judicial morality functions as an invisible compass, guiding judges through the complex intersection of law, humanity, and institutional accountability.

Interpreting Restorative Justice Beyond Legal Texts

A recurring insight among participants was their effort to reinterpret the concept of restorative justice not as a legal prescription, but as a human-centered philosophy. Judges expressed that their understanding of justice evolved through direct engagement with offenders, victims, and community members, leading to a broader conception of justice as healing rather than punishment.

“Restorative justice is not only about reducing sentences; it’s about restoring dignity — both for the offender and the victim.” — (Participant 1)

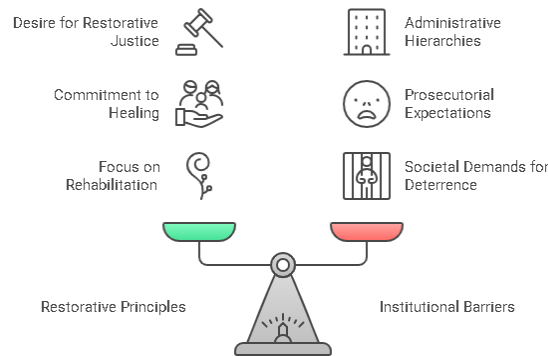
Through this interpretive process, participants described a shift from punitive reasoning to relational understanding. This transformation underscores the interpretative dimension of judicial consciousness, revealing how restorative values penetrate the deeply institutionalized structures of the justice system. The experiential meaning of restorative justice, as understood by judges, extends beyond doctrinal limits, embodying empathy, reconciliation, and social renewal.

Institutional Pressures and Structural Constraints

Judges unanimously recognized the institutional barriers that limit their ability to fully implement restorative principles. They cited administrative hierarchies, prosecutorial expectations, and societal demands for deterrence as persistent obstacles.

“Even when I want to take a restorative approach, there are institutional eyes watching. Every decision is scrutinized.” — (Participant 5)

Balancing Restorative Justice with Institutional Constraints



Such pressures reinforce a culture of judicial caution, where the ideals of restorative justice are often negotiated within bureaucratic realities. The phenomenon illustrates how reform-oriented intentions are constrained by the power dynamics of legal institutions, leading to selective or symbolic application of restorative practices. Yet, despite these pressures, participants often found personal ways to embed compassion within procedural decisions, demonstrating resilience and professional autonomy.

Emotional Burdens and the Search for Judicial Balance

Another salient theme concerns the emotional labor inherent in adjudicating juvenile cases. Judges frequently articulated feelings of guilt, empathy, and psychological strain, particularly when confronting the vulnerability of young offenders.

“When I see a child crying in court, I question whether the law truly serves justice or just enforces order.” — (Participant 2)

This emotional dimension reflects the human cost of judicial responsibility. Participants reported coping through reflection, prayer, and dialogue with peers. Their narratives indicate that emotional reflexivity becomes a crucial mechanism for maintaining moral equilibrium — a phenomenon that bridges the personal and institutional dimensions of legal reform.

Embedding Humanity in the Systemic Reform Agenda

Beyond individual experience, participants emphasized the need to humanize justice reform. They advocated for institutional mechanisms that embed empathy, rehabilitation, and community participation into judicial procedures.

“Reform should not stop at policy. It must reach the courtroom, where decisions shape lives.” — (Participant 4)

This theme synthesizes the broader meaning emerging from the data: restorative judicial consciousness — the ability of judges to harmonize procedural justice with moral understanding. The findings reveal that systemic reform cannot rely solely on legislative adjustments but must engage the subjective transformation of judicial actors as moral interpreters of justice.

DISCUSSION

Summary of Key Findings

The findings of this study reveal that judges experience restorative justice not merely as a procedural mandate but as a moral, emotional, and interpretive process. The essence of their experience lies in the continuous negotiation between law and humanity—reflecting a dynamic moral consciousness shaped by empathy, institutional expectation, and ethical reflection. These results address the central research question by uncovering how restorative justice is lived and internalized within the judicial process, rather than solely enacted through legal frameworks. However, these findings also reveal internal tensions, as not all judicial experiences align seamlessly with restorative ideals; some judges reported moments of doubt when restorative principles appeared to conflict with notions of deterrence or procedural neutrality. Such tensions underscore that the internalization of restorative justice is neither uniform nor uncontested.

Contribution of Findings to the Research Question

The study provides a significant contribution to understanding how judges make sense of restorative justice in juvenile criminal cases, revealing that their decisions are guided by both moral reasoning and institutional constraints (Mukhlis, Janwari, et al., 2023; Mukhlis & Abdullah, 2025). Rather than viewing justice as a fixed construct, judges perceive it as a dialogical experience, in which they must reconcile personal conscience with procedural obligation. This insight clarifies that restorative justice is not only a legal innovation but also an existential encounter, where judges become mediators between compassion and legality. The themes of moral–legal tension, institutional pressure, and emotional balance illustrate how restorative values are absorbed into professional identity (Ariefulloh et al., 2023). Through these lived experiences, this research expands the conceptualization of restorative justice as an embodied ethical practice, answering the phenomenological call to uncover meaning from within lived reality rather than external observation.

Relationship to Previous Literature and Theoretical Context

These findings align with Zehr’s (2019) assertion that justice, in its restorative form, is fundamentally a relational and human process, yet they extend his argument by situating this understanding within the lived experience of judges rather than offenders or victims. Similarly, Daly’s (2020) exploration of ethical dilemmas in youth justice resonates with the current findings, but this study deepens the discussion by demonstrating how such dilemmas manifest as inner conflicts between institutional rationality and personal morality. Moreover, (Amarini et al., 2024) call to “humanize the justice system” is substantiated here through empirical evidence that shows judges actively striving to integrate empathy and reflection into judicial reasoning. In contrast to earlier descriptive accounts, this study introduces an interpretative understanding of judicial consciousness, advancing the theoretical discourse on how law is internalized as a moral experience. By bridging legal philosophy with phenomenological insight, the discussion confirms that justice reform is meaningful only when its principles resonate within the lived moral world of those who enact it.

At the same time, the findings reveal contradictions with strands of literature emphasizing the structural and bureaucratic limitations of restorative justice. For instance, several scholars argue that institutional constraints often dilute restorative principles, resulting in hybrid models that retain punitive characteristics (e.g., critiques from Western restorative justice debates). The current study partially supports this view, as judges describe moments where formal procedures override relational aspirations. This alternative interpretation challenges overly idealistic assumptions in existing theory and demonstrates that restorative justice operates within a tension-filled space shaped by competing institutional logics.

Implications of the Findings

The findings of this study carry significant implications for both the theoretical understanding and practical implementation of restorative justice within judicial systems. From a social and professional perspective, they illuminate how the human dimension of judicial decision-making serves as the moral foundation for justice reform. The study demonstrates that restorative justice can only achieve its transformative potential when it is embodied through judicial empathy, ethical

reflection, and emotional awareness (Shahab et al., 2025). These insights suggest the need for judicial training programs that incorporate moral reasoning, emotional intelligence, and restorative dialogue to strengthen judges' capacity for humane decision-making. Moreover, the findings underscore the broader cultural implication that justice reform is inseparable from human reform—that the success of legal transformation depends on nurturing self-awareness and moral sensitivity among those who interpret and enforce the law.

Limitations of the Study

As with most phenomenological inquiries, this study is limited by its contextual specificity and subjective depth (Mukhlis, 2025a; Mukhlis & Saidah, 2025). The research focuses exclusively on a small group of judges within the Indonesian judicial system, which may limit the transferability of the findings to other cultural or institutional contexts. The interpretative nature of the analysis, while enabling rich insights, is also influenced by the researcher's interpretive horizon and the situational context in which participants articulated their experiences. Furthermore, the reliance on self-reported narratives introduces potential reflexivity bias, as participants may consciously or unconsciously frame their experiences in ways that align with institutional ideals (Díaz-Soto & Borbón, 2025). These limitations do not undermine the validity of the findings but rather emphasize the need for cautious interpretation and the recognition that phenomenological knowledge is inherently situated within human meaning and context.

Prospective Directions for Future Research

Future studies could expand upon these findings by exploring the comparative experiences of other actors within the restorative justice ecosystem, such as prosecutors, victims, or community mediators, to develop a more holistic understanding of restorative practice. Longitudinal phenomenological studies might also reveal how judges' interpretations evolve over time as reforms mature or as they encounter diverse case types. Integrating phenomenological insights with critical discourse analysis could further expose how institutional language and power structures shape the lived meaning of justice. Additionally, cross-cultural research may uncover how different legal traditions mediate the tension between procedural law and moral empathy. Such inquiries would extend the theoretical contribution of this study, situating the lived experience of justice as a core dimension of sustainable legal reform rather than a peripheral moral concern.

CONCLUSION

This study explored the lived experiences of judges in applying restorative justice principles within juvenile criminal cases, addressing the moral and institutional tensions that define their judicial practice. The findings revealed that judges perceive justice as a human-centered moral process, balancing legal obligation with empathy and ethical reflection. Through an interpretative phenomenological lens, the study uncovered how judicial consciousness emerges as an interplay between institutional constraints and personal moral reasoning. These insights contribute to the literature by moving beyond procedural evaluations, offering a deeper understanding of justice as an embodied ethical experience rather than a technical legal function. The study fills a critical gap in restorative justice research by highlighting the experiential dimensions that shape judicial decision-making and reform outcomes. In practical terms, the findings underscore the need for judicial training programs that integrate moral–ethical reflection with restorative practice frameworks, enabling judges to more confidently navigate tensions between legal mandates and human-centered resolutions. Furthermore, policy reforms should emphasize clearer institutional guidelines, inter-agency coordination mechanisms, and resource support to ensure that restorative justice can be implemented consistently and effectively within juvenile courts. Future research should expand this inquiry across different legal and cultural contexts to further explore how lived experiences continue to redefine the meaning and practice of justice in evolving judicial systems.

CONFLICT OF INTEREST

The authors declare that there is no conflict of interest related to the publication of this article. All procedures and analyses were conducted independently, without any influence from funding agencies or external parties.

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