



E-ISSN: [2655-0865](https://doi.org/10.38035/rrj.v7i1)

DOI: <https://doi.org/10.38035/rrj.v7i1>
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The Urgency of Imprisonment as a Substitute for Restitution in Upholding Justice for Rape Victims

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Abstract: The legal vacuum regarding imprisonment as a substitute for restitution in Indonesia is a serious issue that directly affects the enforcement of justice for rape victims. In many cases, perpetrators of crimes are often unable to pay the restitution that should be afforded to victims, thereby denying victims their rights to receive compensation for the harm suffered. This legal uncertainty not only hampers the psychological and emotional recovery of victims but also creates a perception that the justice system is unable to deliver the justice it should. This article examines the urgency of implementing imprisonment as a substitute sanction for perpetrators who are unable to pay restitution, as well as exploring the weaknesses in existing legislation and efforts that can be made to address this legal vacuum. Through appropriate legal reforms, it is hoped that the rights of victims can be effectively protected, and the criminal justice system can impose appropriate sanctions on perpetrators, thereby enhancing public trust in justice.

Keyword: Substitute Imprisonment, Restitution, Justice, Rape Victims, Legal Vacuum

INTRODUCTION

Victims of rape in Indonesia face various obstacles in the legal processes aimed at providing justice and recovery. One crucial element in the recovery of victims is restitution, which refers to the compensation provided by the perpetrator to the victim to help mitigate the adverse effects resulting from the crime. Restitution serves as a form of state acknowledgment of the victims' rights to receive direct compensation from the perpetrator. In many cases, particularly those involving rape, restitution should cover material compensation that can address medical expenses, counseling, rehabilitation, and other needs arising from the crime. However, in practice, restitution has not been well integrated into the handling of sexual violence cases, resulting in many victims not receiving the compensation they deserve. (R. Paradias and E. Sopyono, 2022).

Legally, the mechanism for restitution is regulated under Law No. 31 of 2014 concerning Witness and Victim Protection. However, this regulation does not detail how the restitution fulfillment procedures should occur, particularly when the perpetrator is unable to pay it. This situation poses a significant problem for rape victims who rely on that compensation as part of their recovery process. When a perpetrator is declared guilty but lacks the capacity to fulfill restitution, victims lose access to one form of justice they should receive. This potentially prolongs the suffering of victims and obstructs effective recovery, both psychologically and financially.

The absence of regulations governing sanctions or consequences when perpetrators cannot pay restitution creates a gap in the legal system that can be exploited by perpetrators to evade financial responsibility. On the one hand, rape victims already face significant social stigma, and on the other hand, a legal system that does not fully support their recovery exacerbates their situation. The absence of substitute imprisonment indicates that the legal system is less sensitive to the victims' needs for fair compensation. This condition not only adds emotional burden for victims but can also diminish public confidence in the effectiveness of law enforcement in delivering justice for victims of sexual violence. (C. Afifah, 2022).

Restitution plays a vital role in the recovery efforts for rape victims, as it provides compensation that can help victims address the losses they suffer due to the crime. In rape cases, the impact on victims is often complex and profound, encompassing not only material losses but also emotional wounds requiring time and support to heal. In this regard, restitution serves as a responsibility that must be fulfilled by the perpetrator to alleviate the burden on the victim and to ensure that victims do not bear the consequences of the crime alone. Restitution becomes an essential element in recovery efforts for victims because it directly provides them with financial support to cover costs that may be necessary for medical care, psychological counseling, and other recoveries. (Diastu, Nainggolan and Ismed, 2024)

In material terms, restitution can help victims meet needs arising from the act of rape, such as physical medical expenses from injuries, the need for psychological therapy to overcome trauma, and other necessary support to restore the victim's quality of life post-crime. These needs often incur substantial costs, and without financial assistance, victims may struggle to access essential services. Restitution allows victims to gain access to the resources they need to address the physical and psychological impacts of the crime, significantly enhancing their chances of moving forward positively. (Marlina and A. Zuliah, 2015)

Although restitution is acknowledged as the right of victims within the Indonesian criminal justice system, the current legal regulations do not thoroughly outline the mechanisms or legal steps to be taken when the perpetrators of crimes are unable to pay restitution. The absence of this regulation creates a significant legal vacuum, especially in cases of rape where victims heavily depend on compensation for physical and psychological recovery. In these circumstances, victims may face injustices because their rights to compensation cannot be realized, while the perpetrator may not face additional consequences for their inability or negligence in payment. This legal vacuum indicates the need for further regulations, possibly in the form of imprisonment as a substitute for restitution, to guarantee victims' rights to restitution and ensure that there are fair consequences for perpetrators. Based on the exposé presented, this research will discuss the urgency of imprisonment as a substitute for restitution in enforcing justice for rape victims, as well as the weaknesses and efforts to address the legal vacuum concerning imprisonment as a substitute for restitution in upholding justice for rape victims.

METHOD

The method of normative legal research is utilized in this legal study which focuses on document studies and legal norms. This method aims to analyze existing legal rules and how these rules are applied or interpreted within specific arrangements. In normative legal research, the primary sources used are laws and other legal literature. This approach is highly relevant for examining legal issues that are theoretical and conceptual, such as discussing and identifying the urgency of imprisonment as a substitute for restitution in upholding justice for rape victims, as well as the weaknesses and efforts to address the legal vacuum regarding imprisonment as a substitute for restitution in enforcing justice for rape victims. One approach used in this method is the statute approach and the conceptual approach. (P. M. Marzuki, 2006). The statute approach involves examining and analyzing various regulations governing specific issues, such as Law No. 31 of 2014 concerning Witness and Victim Protection and related regulations. Through this approach, researchers can discuss the urgency of the substitute imprisonment for restitution in the framework of justice for rape victims, along with weaknesses and efforts to remedy this legal vacuum.

RESULT AND DISCUSSION

The Urgency of Imprisonment as a Substitute for Restitution in Upholding Justice for Rape Victims

Criminal acts, which in the legal system of the Dutch East Indies were known as "strafbaarfeit", have been translated by Moeljatno into Indonesian as acts prohibited by law, the violation of which is subject to specific criminal penalties. Before someone can be punished for violating legal rules, they must be tried through the criminal justice mechanism. The criminal justice system is closely tied to the term "System of Administration of Criminal Justice," indicating a series of activities carried out by relevant institutions in performing their institutional duties and responsibilities according to procedures and regulations in place to achieve specific goals. This system includes police, prosecutors, courts, and correctional institutions, which together form the continuity of processes within the criminal justice procedure. In the Indonesian Criminal Justice System, these institutions function as mechanisms for controlling criminal acts. The main focus of these institutions is on addressing crimes, generally understood by the public as behaviors that contravene the law.

Criminal procedural law, as one of the foundations in the implementation of the criminal justice system, encompasses two main interests that need to be considered, namely:

1. Societal interest, which is to ensure that violators of criminal law are imposed with appropriate penalties to maintain safety and order;
2. Individual interest, emphasizing fair treatment for suspects or defendants, in which their rights must still be guaranteed and cannot be revoked or punished without due process of law.

Criminal procedural law plays a significant role in ensuring that the criminal justice system operates effectively and fairly. There are two main interests that must be addressed: societal interests and individual interests. The societal interest encompasses the need to maintain public safety and order. When a law violator is imposed with a commensurate penalty, it not only delivers a sense of justice for the community affected by the crime but also serves as a deterrent to future law violations. By enforcing the law firmly, the community will feel more secure and protected from potential criminal threats. Therefore, effective and proportional law enforcement is crucial for creating a secure environment for the broader society.

The individual interest emphasizes the importance of fair treatment for suspects or defendants in the legal process. Every individual has rights that must be guaranteed by law, including the right to be treated fairly, the right to a public trial, and the right to be assisted by legal counsel. This principle is rooted in the presumption of innocence, which states that

every person is considered innocent until proven otherwise through legitimate evidence. Therefore, no one can have their rights revoked or be punished without sufficient evidence and a transparent judicial process. Fair treatment of individuals within the criminal justice system not only safeguards their rights but also strengthens public legitimacy and confidence in the legal system as a whole.

Balancing these two interests presents a unique challenge in criminal justice practice. Often, the focus on societal interests in law enforcement can overshadow the protection of individual rights, potentially leading to human rights violations. Hence, it is essential for the legal system to implement principles that ensure both interests can work harmoniously. Fair and transparent law enforcement will help build public trust in the criminal justice system while ensuring that justice is upheld not only for society but also for the individuals involved in the legal process. To achieve this, continuous reforms in criminal procedural law and judicial practices must be made to adapt to dynamic societal needs while respecting human rights and justice principles.

Based on this principle, the theory of punishment employed is known as the retributive theory, which asserts that punishment aims to deliver a response to the offenses committed by the perpetrator. Nevertheless, many victims find this retributive theory dissatisfying in terms of delivering justice, as the punishment for the perpetrator is deemed inadequate to erase the suffering and losses they have endured.

In discussions on criminal procedural law, particularly concerning human rights, emphasis is often placed on the rights of suspects, neglecting the rights of victims. Victims tend not to be actively involved in the investigation or trial processes, thus missing opportunities to advocate for their rights and recover the losses they have sustained due to the crime. The position of victims within the criminal justice system is still seen as merely a unit of the crime and has not yet received adequate attention in a balanced manner. Therefore, the rights of victims must be integrated into the criminal law system, recognizing that victim protection is an essential part of the overall criminal justice framework. The losses incurred by victims are not limited to material or physical aspects but also encompass psychological suffering.

The concept of compensation for victims of criminal acts within the Indonesian criminal justice system consists of two main forms, namely restitution and compensation. The difference lies in the payment source and the procedural demands; compensation is a refund sought by victims through an application to the state or society which then makes the payment, while restitution is a claim for damages filed through a court ruling and must be paid directly by the perpetrator. The Criminal Procedure Code (KUHAP) regulates the mechanism for claims for damages through combining the damage claim with the relevant criminal case in Articles 98 to 101. The objective of this combination is to ensure that the compensation claim is examined and decided alongside the related criminal case. In this combination, the Prosecutor represents the victim in submitting the damage claim against the perpetrator. The judge has the authority to accept or reject the request, but the losses that can be claimed by the victim through this combination are limited to material damages, not other losses. This limitation renders the damage claims less than optimal, particularly in cases of sexual violence such as rape or sexual assault, where victims experience significant immaterial losses.

Law No. 1 of 1946 concerning the Criminal Code regulates several criminal acts related to morality, several of which involve violence in sexual harassment, as stipulated in Article 285 of the Criminal Code concerning rape, and acts of sexual molestation outlined in Articles 289 to 294 of the Criminal Code. Provisions regarding compensation for victims of criminal acts in the Criminal Code itself are only addressed in Article 14 letter C paragraph (1), which states that in conditional penalties as intended in Article 14 letter a, if the convicted person is not imposed a fine, the judge may stipulate specific conditions for the

convicted person to replace some or all of the losses arising from the crime within a period shorter than the duration of probation. The arrangement concerning compensation in the Criminal Code resembles that of the Criminal Procedure Code, as the compensation imposed only covers actual losses due to the crime, and the stipulation of specific conditions for restitution is not mandatory for judges.

Provisions on restitution were generally revised with Law No. 13 of 2006 concerning Witness and Victim Protection, amended by Law No. 31 of 2014. Article 7A paragraph (1) in Law No. 31 of 2014 juncto Law No. 13 of 2006 states that victims of criminal acts have the right to obtain restitution, which includes:

- a. compensation for loss of assets or income;
- b. compensation for suffering directly related to the crime; and/or,
- c. reimbursement for medical and/or psychological care.

Victims or their families must file restitution requests through the Witness and Victim Protection Agency (LPSK), which then requests the Prosecutor to include restitution in the indictment if the case has not yet been adjudicated by the court. However, if the case is final and binding, the LPSK can file a restitution request to the court for a ruling. Nevertheless, this law still has weaknesses, as Article 7A paragraph (2) specifies that the criminal acts in paragraph (1) are determined by LPSK decisions, which potentially limit the victims' rights to obtain restitution.

Law No. 12 of 2022 concerning Sexual Violence Crimes (UU TPKS) specifically regulates the types of acts categorized as sexual violence crimes, along with the sanctions imposed on violations of these regulations. This law offers new hope for victims of sexual violence in Indonesia, particularly regarding the restitution mechanism. Article 16 paragraph (1) of Law No. 12 of 2022 states that in addition to imprisonment, fines, or other sanctions stipulated by law, the importance of restitution for victims is also recognized.

The UU TPKS also addresses issues arising when perpetrators refuse to pay restitution. Article 33 paragraph (5) states that the judge may order the prosecutor to auction seized assets as restitution security if payment is not made within 30 (thirty) days after the court ruling has become final and binding. Furthermore, Article 35 paragraph (1) indicates that if the seized property of the convicted person is insufficient to cover restitution costs, the state will provide compensation to the victim according to the court ruling.

This law also considers special situations when the perpetrator is a minor. Article 37 of Law No. 12 of 2022 stipulates that if the perpetrator is a child, restitution will be paid by the perpetrator's parents or guardians. Additionally, Law No. 12 of 2022 allows for restitution in case the perpetrator and victim agree to reconcile, which may lead to termination of the process at the inquiry and prosecution level. Article 36 paragraph (1) stipulates that for cases closed for public interest or legally, a request for seizure or restitution in the form of goods may be submitted to the chairman of the district court for auction. The proceeds from the auction, per Article 36 paragraph (6), will be used to pay restitution considering the LPSK's assessment.

Therefore, restitution is an important aspect of the legal system aimed at providing compensation to victims of crime, particularly in cases of sexual violence such as rape. In Indonesia, restitution is expected to afford sufficient financial compensation to victims for their recovery from the trauma and losses they have endured. However, there is a significant legal vacuum in regulations governing sanctions for perpetrators who are unable to pay restitution. This lack of clarity causes victims not only to suffer from the crime itself but also to face additional losses from not receiving the compensation that should be their right. In many cases, the perpetrators of rape may lack the financial means to pay restitution, ultimately resulting in injustice for the victims.

This situation highlights the need for more comprehensive regulation regarding imprisonment as a substitute for restitution. With this sanction in place, the legal system can

provide a fairer alternative for victims. Imprisonment as a substitute for restitution could serve as a mechanism ensuring that victims still receive justice, even when perpetrators are unable to meet their financial obligations. This sanction can mitigate the perpetrators' sense of impunity and signal that violations of victims' rights will not go unpunished. Thus, the establishment of imprisonment as a substitute can enhance public confidence in the criminal justice system where the interests of victims are acknowledged and protected.

Furthermore, the application of imprisonment as a substitute may contribute to the rehabilitation of the perpetrators. This sanction may serve as a reminder for the perpetrators that their actions have widespread effects, not only on the victims but also on society as a whole. Imprisonment as a substitute allows for the potential reflection of the perpetrators on their actions and may encourage more effective rehabilitation programs. This is a critical step towards reducing rates of sexual violence and repairing the social relationships damaged by criminal acts.

The proportion of imprisonment as a substitute is crucial to ensure that the duration of the sentence reflects the amount of restitution that cannot be paid by the perpetrator, thus remaining proportional and aligned with the principles of justice. In determining the length of the imprisonment as a substitute, it is essential to consider the value of the restitution specified by the court as part of the verdict against the perpetrator. This way, imprisonment as a substitute can be arranged in such a manner as to provide a comparable impact to the losses experienced by the victim. For instance, if a perpetrator is determined to be unable to pay restitution of a specified amount, then the duration of imprisonment as a substitute should be formulated within a timeframe that can mirror the extent of the losses suffered by the victim. This not only ensures justice for the victim but also imparts a lesson to the perpetrator that their criminal actions carry concrete consequences. By applying an appropriate proportion in imposing imprisonment as a substitute, it is anticipated that a balance can be achieved between the victim's right to fair recovery and the perpetrator's right to be treated justly within the criminal justice system.

Imprisonment as a substitute must be designed to effectively fulfill the objectives of sentencing, which include deterring the perpetrator and promoting recovery for the victim. The deterrent effect serves to affirm to the perpetrator that criminal actions, especially sexual violence crimes, will result in significant consequences, including sanctions that could disrupt their future lives. Simultaneously, the recovery of the victim needs to be addressed in imposing imprisonment as a substitute, ensuring that it does not merely serve as a punishment for the perpetrator but also reflects an effort to acknowledge the losses suffered by the victim. In this way, imprisonment as a substitute can function as a tool for enforcing justice and ensuring that the perpetrators recognize the impact of their actions while assisting victims to feel that the legal system is not only protecting their rights but also fighting for the justice they deserve.

The concept of imprisonment as a substitute should also reinforce the position of victims within the legal enforcement process, emphasizing that even when the perpetrator cannot provide restitution, the victim's right to justice and protection is still legally recognized. This encompasses acknowledgment of the suffering endured by victims and their right to receive compensation, even in the form of indirect sanctions. Strengthening victims' rights within the legal process is essential so that they do not feel marginalized or treated as powerless parties. With clear regulations regarding their rights, victims can become more active in advocating for justice, and the legal system can provide better support in restoring their conditions. In this regard, legal recognition of victims' rights not only reflects substantive justice but also legitimizes the legal process that seeks to address the injustices they have encountered.

Weaknesses and Efforts to Address the Legal Vacuum Concerning Imprisonment as a Substitute for Restitution in Upholding Justice for Rape Victims.

The legal vacuum concerning imprisonment as a substitute for restitution in Indonesia poses a serious problem, especially regarding the enforcement of justice for rape victims. Until now, existing legislation does not provide clear regulations regarding legal consequences for perpetrators of crimes who are unable to pay restitution. In this regard, victims who should receive compensation for their suffered losses find themselves in an unfavorable position. This uncertainty makes victims feel neglected and deprives their rights to justice. This legal vacuum can create double losses for victims. They not only have to cope with the trauma due to sexual violence but also do not receive the necessary recovery through financial compensation. This situation may exacerbate the psychological state of the victims, wherein they feel that the legal system does not afford them adequate protection. Consequently, public confidence in the criminal justice system may decline, as many feel their rights as victims are overlooked. This legal vacuum leads to perpetrators of rape not receiving sanctions commensurate with their actions. Without regulations concerning imprisonment as a substitute for restitution, perpetrators may not feel compelled to fulfill their restitution obligations. This can convey the impression that their actions will not result in significant consequences, potentially increasing the risk of similar crimes occurring in the future.

Injustice against victims of rape becomes more apparent when the perpetrator is unable to pay restitution, which should be their right. In many cases, victims have already suffered deep trauma from the experienced violence, and the perpetrator's inability to fulfill restitution obligations exacerbates this condition. Victims are not only required to grapple with the psychological and emotional effects of the event but also lose the right to obtain compensation that could assist their recovery. The recovery process for victims involves not only physical aspects but also encompasses psychological and emotional healing. Restitution should enable victims to access the necessary medical and psychological care. However, when the perpetrator cannot pay restitution, victims are forced to bear the associated costs themselves, which are often not affordable. This creates a situation where victims feel increasingly marginalized, as though they are not receiving the appropriate attention from the legal system. The inability of perpetrators to pay restitution can also lead victims to feel that justice is not upheld. When the legal system cannot provide the compensation they should receive, victims may feel that their suffering is unrecognized. This not only affects their individual well-being but may also diminish public confidence in the legal system. Victims may become skeptical about the effectiveness of the legal system in offering protection and justice, which may in turn discourage further victims from coming forward or seeking justice.

Sanctions for the perpetrators of rape are crucial components in upholding the law and achieving justice for victims. However, without imprisonment as a substitute for those who cannot pay restitution, the penalties imposed are often perceived as ineffective. The inability of the perpetrator to meet restitution obligations not only deprives victims of their compensation rights but also creates the perception that the actions of the perpetrator do not face commensurate consequences. When the perpetrator does not confront significant penalties, they may feel unaccountable for their actions. This may potentially create a continuous cycle of violence where the perpetrators feel free to repeat the crime without fear of real repercussions. In many cases, perpetrators of rape may have a history of similar offenses, and without stringent law enforcement, the community may feel that their safety is at risk. The existence of imprisonment as a substitute can function as a form of sanction that offers deterrent effects, reminding perpetrators that their actions have serious consequences, both for themselves and for society. The effectiveness of sanctions is also closely linked to public perception of the legal system. When the public sees that perpetrators are not justly

punished, their confidence in the integrity and fairness of the legal system diminishes. This could lead to other victims being reluctant to report, as they feel the legal process will not provide satisfactory results. The absence of imprisonment as a substitute worsens this situation, creating the notion that perpetrators may evade responsibility and that justice for victims remains unattainable.

The lack of protection for victims within the Indonesian criminal justice system is a serious problem affecting justice and recovery for individuals who have experienced criminal acts, particularly in cases of rape. The legal system should prioritize the protection of victims' rights; however, in practice, attention often leans more towards the rights of perpetrators. This enables victims to feel marginalized, even within a process aimed at delivering justice. Victims, who are the individuals most affected by criminal actions, often lack sufficient voice in legal processes, creating a significant gap in law enforcement efforts.

A key aspect that is frequently overlooked is the active participation of victims in the legal process. Many victims are not given opportunities to present their stories personally or participate in decision-making regarding their cases. Instead, they are often treated as passive witnesses, without any space to express their views or needs. The inability to actively participate not only diminishes their sense of justice but may also worsen the psychological impacts of the trauma they have encountered. The justice system can provide channels for victims to be directly involved, giving them greater access to information related to the legal process and available options for seeking justice and recovery.

Support from legal institutions is also crucial for enhancing protections for victims. Unfortunately, regardless of many cases, victims do not receive adequate legal assistance to advocate for their rights. The complex and bureaucratic legal process often pressures and frustrates them, leading many to ultimately withdraw from legal efforts. Without proper support, victims may feel that their struggle is in vain, causing them to choose not to continue the legal process, which can, in turn, reinforce the perpetrators' sense of impunity. This injustice creates a cycle where perpetrators feel exempt from consequences for their actions, and victims fail to receive the recovery that should be their right.

Legal reform in restitution and imprisonment as a substitute for restitution is essential to ensure the protection of victims' rights, particularly in cases of sexual violence such as rape. Currently, the legal uncertainty surrounding sanctions for perpetrators who are unable to pay restitution leads to a vacuum that harms victims. In many instances, perpetrators may lack the financial capacity to fulfill their restitution obligations, resulting in additional losses for victims. Therefore, it is vital to undertake reforms that will provide clarity and legal certainty regarding imprisonment as a substitute sanction for perpetrators who cannot pay restitution.

One approach that could be adopted is to introduce specific provisions regulating imprisonment as a substitute for perpetrators who are unable to pay restitution. Such provisions should be meticulously drafted to reflect principles of fairness and proportionality so that the duration of imprisonment can be adjusted according to the amount of restitution that remains unpaid. In this manner, the legal system not only deters the perpetrator but also demonstrates that victims' rights remain a priority within the judicial process. This provision can become a tool for ensuring that victims receive adequate compensation even when the perpetrator lacks the means to pay.

Reforms should also entail reviewing and strengthening monitoring mechanisms for the implementation of restitution and imprisonment as a substitute. This is crucial to allow the courts to effectively monitor the execution of restitution and ensure that perpetrators meet their obligations. If perpetrators fail to pay, the courts must have the authority to enforce imprisonment as a substitute according to established provisions. Furthermore, this reform must also involve training for law enforcement and legal counsel regarding the importance of

victim protection and how restitution and imprisonment as substitutes should be practically implemented.

CONCLUSION

The Indonesian criminal justice system demonstrates that while criminal procedural law serves to protect societal and individual interests, significant challenges remain in balancing the rights of suspects and the protection of victims of criminal acts. Despite developments in regulations concerning restitution for victims, such as those outlined in Law No. 12 of 2022 regarding Sexual Violence Crimes, a legal vacuum still hampers providing adequate compensation for victims, particularly in cases of sexual violence. The regulation of imprisonment as a substitute for restitution can be an effective solution, considering proportionality between the duration of the imprisonment and the amount of restitution that the perpetrator is unable to pay. It is hoped that this not only upholds justice for victims but also serves to deter perpetrators while strengthening victims' positions in the legal system. Therefore, comprehensive reforms and integration of victims' rights into the criminal justice process must be pursued to ensure that justice is not only recognized in law but can also be tangibly experienced by victims in their recovery from the losses they have incurred.

The legal vacuum concerning imprisonment as a substitute for restitution in Indonesia has serious implications for enforcing justice for rape victims. In situations where perpetrators cannot pay restitution, victims are often neglected and lose their rights to receive the compensation crucial for their recovery, both physically and psychologically. This not only worsens the psychological state of victims but also diminishes public trust in the criminal justice system. Without proportionate sanctions for perpetrators, namely imprisonment as a substitute, they may perceive themselves as unaccountable for their actions, thus creating a cycle of enduring violence. Therefore, legal reforms are essential encompassing clear regulations regarding imprisonment as a substitute sanction for perpetrators who are unable to pay restitution, alongside effective monitoring mechanisms to safeguard victims' rights, enabling justice to be administered proportionally. By undertaking these reforms, it is hoped that Indonesia's legal system will become more responsive to the needs of victims and enhance public confidence in the judicial process.

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