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Restorative-Justice-Based Handling of Electronic Defamation Offences at Barru District Police

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Abstrak

Penelitian hukum normatif-empiris ini mengkaji penanganan dugaan pencemaran nama baik melalui sarana elektronik pada Polres Barru dan batas penggunaan keadilan restoratif menurut Perpol Nomor 8 Tahun 2021. Hasil kajian membedakan laporan polisi, pengaduan dalam delik aduan, kesepakatan perdamaian, dan keputusan penghentian penyidikan. Berdasarkan keterangan narasumber terdapat 39 perkara yang dilaporkan dalam periode 2023 hingga Mei 2026 dan 14 perkara disebut diselesaikan melalui pendekatan restoratif. Angka tersebut belum didukung daftar perkara per tahun, dokumen penghentian, dan hasil uji kepatuhan kasus-per-kasus; karenanya tidak dapat dipakai untuk menyimpulkan bahwa seluruh penyelesaian sudah sesuai prosedur. Penelitian merekomendasikan pemeriksaan persyaratan materiil dan formil, persetujuan korban secara bebas, pemulihan yang terukur, dan pencatatan keputusan pejabat berwenang.

Kata Kunci: pencemaran nama baik elektronik; keadilan restoratif; Polres Barru; delik aduan

Abstract

This normative-empirical study examines the handling of alleged electronic defamation through restorative justice at the Barru District Police. It distinguishes the substantive requirements of the applicable offence from the procedural requirements of Police Regulation No. 8 of 2021, and considers investigator accounts alongside limitations of the available case documentation. The reported aggregate of 39 cases and 14 restorative settlements cannot, without case-level records, establish the legality or effectiveness of every resolution. The study identifies the need for documented voluntary consent, restoration of victims' rights, formal review of eligibility, and written decisions on termination. Social pressure, refusal to settle, and gaps in accessible records are treated as issues for safeguarding due process, not proof of institutional failure.

Keywords: *online defamation; restorative justice; Barru District Police; complaint-based offence*

INTRODUCTION

The development of information and communication technology in the digital era has profoundly affected Indonesian society. Expanding internet and social-media use enables individuals to interact, express views, and disseminate

information rapidly and widely.[1] Yet these advances have also brought new forms of information-technology-related crime, including electronic defamation. The issue requires particular attention because it engages both the protection of individual reputation and freedom of expression in digital public spaces.[2]

Investigators must identify the substantive criminal provisions applicable at the time of the alleged conduct, in accordance with legality and non-retroactivity. Electronic defamation was previously governed by Article 27(3) of the Electronic Information and Transactions Law (ITE Law), subsequently amended by Law Number 1 of 2024, including Article 27A and the related punishment provisions. Following the entry into force of the National Criminal Code on 2 January 2026, the transitional provisions of the ITE Law and the new Code's defamation offences must also be considered. Because the study covers 2023–2026, every case should be classified according to the alleged date of conduct and the law actually applied.

LEGAL DEVELOPMENT AND TEMPORAL APPLICATION. Conduct predating an amendment must be assessed under the substantive provisions applicable when it occurred. Law Number 1 of 2024 reformulated electronic defamation in Article 27A in conjunction with Article 45(4)–(7). Article II of that amendment limits the operation of the relevant provisions in connection with the entry into force of the National Criminal Code on 2 January 2026; thereafter, the Code's defamation provisions, including Article 433, require consideration in light of the date of the offence. Cases spanning 2023–2026 therefore cannot be treated as falling under a single unchanging statutory offence without verified information on dates and procedural stages.[3]

From a criminal-law perspective, the response to offences should not aim solely to punish offenders; justice and social benefit must also be considered. As Andi Hamzah observes, Indonesia's criminal-justice framework under Law Number 8 of 1981 emphasizes human-rights protection at every stage of enforcement. In practice, however, formal criminal proceedings can be time-consuming and may not deliver outcomes satisfactory to either victims or accused persons.[4]

Developments in modern legal thought have encouraged restorative justice as a more humane approach to the resolution of criminal cases. It seeks to restore relationships between offenders and victims through dialogue and agreement. In Indonesia, Police Regulation Number 8 of 2021 concerning the Handling of Criminal Offences Based on Restorative Justice permits the police, subject to specified conditions, to resolve certain cases outside ordinary court proceedings while considering substantive justice.

Restorative justice is potentially relevant to defamation, particularly where an offence is complaint-based and involves a social relationship that can be repaired.

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[1] Syahril, M. A. F. (2023). Hukum Informasi Dan Transaksi Elektronik. Purbaligga: Eureka Media Akasara.

[2] Syahril, M. A. F., Zaid, M., & Karović, S. (2024). ITE Law Enforcement Against Plagiarism of Scientific Works on Academic Platforms: Challenges and Solutions. Jurnal Litigasi Amsir, 12(1), 89-95.

[3] Republic of Indonesia, Law Number 1 of 2024 amending the Electronic Information and Transactions Law, arts. 27A, 45(4)–(7), and transitional art. II; Law Number 1 of 2023 concerning the Criminal Code, art. 433.

[4] Asriadi, A., Natsir, M., & Phireri, P. (2024). Penerapan Restorative Justice Dalam Proses Penyidikan Tindak Pidana Penganiayaan. Jurnal Litigasi Amsir, 12(1), 58-72.

Research suggests that restorative processes may reduce prolonged interpersonal conflict and offer forms of redress different from litigation. Digital disputes also arise in South Sulawesi as widespread internet access and social-media engagement create more opportunities for conflict. Some disagreements expressed online subsequently result in criminal complaints under electronic-defamation provisions of the ITE Law.

The experience of Barru District Police provides a useful setting for examining how electronic-defamation complaints are handled. As a front-line law-enforcement institution, the police have an important role in determining lawful procedural routes, including ordinary criminal proceedings and restorative mechanisms. Such implementation may encounter problems, including limited public understanding, divergent victim and offender interests, and insufficient investigator capacity to facilitate penal mediation. Compliance with the detailed requirements of Police Regulation Number 8 of 2021 consequently warrants examination rather than assumption.

These circumstances suggest a potential gap between the statutory provisions on electronic defamation, restorative-justice policy, and reported police practice. The present study therefore examines the implementation of restorative procedures in handling alleged electronic defamation within the jurisdiction of Barru District Police, with attention to the applicable law and the evidentiary limits of reported practices.

RESEARCH METHOD

The study combines normative legal research with an empirical examination of reported enforcement practice. Its statutory approach analyzes the applicable[5] ITE provisions, criminal procedure, and restorative-justice rules, while its social approach considers accounts of implementation in Barru.[6] It draws on primary and secondary material. Qualitative analysis connects observations and reported[7] practices with legal criteria through inductive reasoning followed by doctrinal assessment. The study does not treat unverified interview claims as a substitute for official case records.[8]

The research design is limited to a normative-empirical analysis of available documents and officer accounts recorded in the manuscript. The number of informants, selection method, interview records, investigation registers, and written termination decisions have not been comprehensively supplied. Accordingly, qualitative findings describe reported mechanisms only. Full case-by-case compliance verification would require triangulation with victim interviews, clarification minutes, and an anonymized audit of case documents.

[5] Syarif, M., Ramadhani, R., Graha, M. A. W., Yanuaria, T., Muhtar, M. H., Asmah, N., Syahril, M. A.F., ... & Jannah, M. (2023).Metode Penelitian Hukum. Padang: Get Press Indonesia.

[6] Peter Mahmud Marzuki. (2021). Penelitian Hukum. Jakarta: Kencana.

[7] Muhaimin. 2020. Metode Penelitian Hukum. Mataram: Mataram University Press.

[8] Juliardi, B., Runtunuwu, Y. B., Musthofa, M. H., TL, A. D., Asriyani, A., Hazmi, R. M., ... & Samara, M. R. (2023). Metode Penelitian Hukum. Padang: Gita Lentera.

RESULTS AND DISCUSSION

Implementation of Restorative Justice in Electronic-Defamation Cases at Barru District Police

The introduction of restorative-justice policy in Indonesia can be traced to a joint memorandum among law-enforcement institutions dated 17 October 2012. It conceived the approach as a method of resolving minor criminal matters through active participation by victims, offenders, families, and community leaders, with restoration of the prior situation as an important objective. A later National Police Circular, SE/8/VII/2018, strengthened the operational framework by referring to substantive criteria, such as limited social harm, absence of wider conflict, relatively minor wrongdoing, and non-repetition, as well as procedural requirements concerning the parties' consent.

DISTINGUISHING LEGAL MECHANISMS. A police report may initiate a preliminary inquiry, but a complaint-based offence requires a complaint by a legally entitled party. Withdrawal of the complaint is an act of the complainant governed by statutory conditions and deadlines; a peace agreement is the parties' consensual arrangement; and termination of an inquiry or investigation on restorative grounds is a formal law-enforcement decision after the applicable conditions have been met. A written settlement under Police Regulation 8/2021 must not automatically be treated as a civil-court settlement deed or as an order terminating the criminal investigation.[9]

Enforcement of defamation provisions under the ITE Law has attracted criticism. Strict reliance on criminal prosecution, rather than treating criminal punishment as a last resort, may encourage reciprocal complaints and excessive criminalization. Overcrowded detention facilities, lengthy proceedings, and substantial litigation costs can undermine the principles of speedy, straightforward, and affordable justice. Imprisonment may also fail to restore a victim's reputation after reputational damage has spread online.

The inability of conventional criminal proceedings always to resolve interpersonal conflicts comprehensively has encouraged consideration of more adaptive alternatives. Restorative justice emphasizes repairing harm and relationships, in contrast to retributive approaches centered on punishment. The process aims to facilitate constructive dialogue among victims, offenders, and the community and to reach an outcome responsive to their interests.[10]

Law Number 1 of 2024, the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions, regulates electronic defamation within the applicable temporal scope of its provisions. Not every case must necessarily proceed to a criminal trial. Subject to lawful eligibility requirements, a restorative approach may provide an alternative particularly where the harm has not generated wider conflict and the parties can voluntarily reach an agreement.

RESTORATIVE-JUSTICE COMPLIANCE TEST. Article 5 of Police Regulation Number 8 of 2021 prescribes substantive requirements, including the absence of

[9] Indonesian National Police, Police Regulation Number 8 of 2021 concerning Handling Criminal Acts Based on Restorative Justice, arts. 3–8 and 15–16.

[10] Eva Achjani Zulfa. 2021. Keadilan Restoratif di Indonesia. Jakarta: Prenadamedia Group.

social conflict, non-repetition under the specified criteria, and exclusion of certain offences. Article 6 requires peace and fulfillment of victims' rights supported by written evidence; for ITE offences, Article 8 adds specific provisions involving removal of content, apologies, and cooperation in the investigation. At the termination stage, applications, clarification, authorization through a special case conference, and the resulting decision must be tested against Articles 15–16. It is incorrect to assume that every offence punishable by less than five years' imprisonment automatically qualifies under the regulation.

The development of digital information and communication technologies has transformed Indonesians' opportunities to communicate and distribute opinions and information. At the same time, electronic defamation has emerged as a prominent form of technology-related offending. Its regulation must balance individual dignity and reputation with freedom of expression in the online public sphere.

Restorative resolution must be distinguished from withdrawal of a complaint in a complaint-based offence. Amendments to the ITE Law and the entry into force of the National Criminal Code do not mean that the same offence provision governed every case from 2023 to 2026. Assessing the legality of each resolution requires the date of the incident, applicable offence provision, form of complaint, and procedural documents.[11]

Criminal enforcement serves more than a punitive purpose: justice and benefit also matter. Andi Hamzah's account of the Indonesian criminal-justice system under Law Number 8 of 1981 emphasizes human-rights protection. Nonetheless, formal criminal procedures may be lengthy, costly, and unsatisfactory in addressing the concerns of both victims and offenders.[12]

Modern restorative-justice approaches seek to repair relations between offenders and victims through dialogue and mutually agreed arrangements. Police Regulation Number 8 of 2021 provides a legal basis for the police to pursue such mechanisms in eligible matters, subject to the prescribed requirements and an assessment of substantive justice.

In defamation cases, restorative methods may be especially relevant to offences requiring a complaint and to disputes in which relationships may still be repaired. Some literature regards restorative settlement as capable of[13] reducing protracted conflict and addressing the parties' needs. In Barru Regency, South Sulawesi, the growth of internet and social-media use has also created opportunities for disputes, some of which lead to complaints under the ITE Law.

Barru District Police has a key role in determining how reported electronic-defamation cases proceed, either through ordinary criminal processes or, where lawful, through a restorative mechanism. The implementation of restorative practice can nevertheless be constrained by limited public awareness, differences

[11] Vide Undang-Undang Nomor 19 Tahun 2016 tentang Perubahan atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik.

[12] Awdina, H., Suryani, L., & Putra, M. A. A. (2024). Penegakan Hukum dan Keadilan Restoratif dalam Kasus Penggelapan Dana Nasabah: Telaah Putusan No. 107/Pid. B/2022/PN. Pin. Jurnal Litigasi Amsir, 29-35.

[13] Lumbanraja, G., Suhariyanto, D., & Setiawan, P. A. H. (2025). Penerapan Restorative Justice Dalam Penegakan Hukum Tindak Pidana Pencemaran Nama Baik Di Wilayah Hukum Polda Metrojaya. Viva Themis: Jurnal Ilmu Hukum dan Humaniora, 8(2), 527-544.

between victims' and offenders' interests, and investigators' skills in facilitating communication. Adherence to Police Regulation Number 8 of 2021 must therefore be examined through actual case documentation.

This study addresses the apparent gap between the legal framework for electronic defamation and restorative justice, on the one hand, and accounts of local implementation, on the other. Its specific focus is the procedures and legal safeguards applicable to restorative handling of electronic-defamation allegations within Barru District Police jurisdiction.

According to an interview with the head of Barru Police's Special Crimes Unit, Police Inspector Syarifuddin, on 20 May 2026, officers referred to Article 27A in conjunction with Article 45(4) of Law Number 1 of 2024 as the substantive legal basis for electronic defamation. The informant also referred to Law Number 20 of 2025 concerning the Criminal Procedure Code as the current procedural framework and Police Regulation Number 8 of 2021 as the principal police rule on restorative settlement. These statements record the officers'[14] explanations, but the proper substantive provision in each case still depends on the date of the alleged offence and applicable transitional law.[15]

The head of the Criminal Investigation Unit, Police Inspector A. Fadhly Yusuf, stated that investigators and preliminary investigators should follow the governing procedural and substantive rules. Where the statutory requirements are not observed, a[16] resolution may be vulnerable to legal challenge, including pretrial review or internal police accountability processes. The accounts given in the interviews therefore underline the need to verify each case file, rather than presuming that every reported settlement complied with the new Criminal Procedure Code, the ITE Law, and Police Regulation Number 8 of 2021.

Officers described the procedure as beginning with a report or complaint submitted to the Integrated Police Service Centre[17] (SPKT), followed by clarification and investigation. According to Police Inspector Adi Wijaya of the Criminal Investigation Unit, electronic defamation is a complaint-based offence for which the legally entitled aggrieved person must lodge a complaint. National Police Regulation Number 6 of 2019 identifies reports or complaints as grounds for an investigation. The applicability of the relevant Criminal Code provisions must nevertheless be determined by the date of the alleged conduct and the precise offence charged.

On the account provided, the initial stage involves a victim's report or complaint. Investigators then clarify the allegations and collect available material, including screenshots, recordings, social-media links, and electronic documents. Where the applicable elements appear to be satisfied, an investigation may proceed, with assistance from language, information-technology, or criminal-law experts when needed. A case conference can be used to assess procedural status.

[14] Vide Undang-Undang Nomor 20 Tahun 2025 tentang Kitab Undang-undang Hukum Acara Pidana.

[15] Wawancara dengan Kanit Tipidter Polres Barru, Iptu Syarifuddin, (pada tanggal 20 Mei 2026).

[16] Vide Peraturan Polisi Nomor 8 Tahun 2021 tentang Penanganan Tindak Pidana Berdasarkan Keadilan Restoratif.

[17] Vide Peraturan Kapolri Nomor 6 Tahun 2019 tentang Penyidikan Tindak Pidana.

Investigators may consider restorative resolution at relevant stages, but only if all legal eligibility requirements are met and the complainant's consent is voluntary.

Investigators reportedly assess whether the conflict is personal and whether it has created broader social consequences. Where a case appears suitable and the parties are willing, mediation may be facilitated. The process enables victims and alleged offenders to express concerns and discuss an appropriate form of restoration, with investigators acting as facilitators. One informant suggested that an offence carrying a maximum punishment of less than five years may qualify for restorative settlement; however, eligibility cannot be decided by the punishment threshold alone because Police Regulation Number 8 of 2021 also contains substantive, procedural, and offence-specific conditions.[18]

In an interview on 20 May 2026, Police Inspector A. Fadhly Yusuf described an initial offer of peaceful resolution after receipt of a report. Where the parties agree, investigators seek the required authorization and facilitate mediation. If the parties do not reach agreement, or if the victim wishes to proceed through ordinary legal channels, the investigation continues under the applicable criminal procedure. This may involve witness examinations, collection of evidence, identification of suspects if the requirements are met, preparation of interview records, referral of the completed case file to the prosecution service, and adjudication by the court.[19]

Where mediation produces an agreement, the parties reportedly record it in a written settlement signed by both sides and acknowledged by the investigator. Police Inspector Adi Wijaya explained that an alleged offender may apologize and propose remedies acceptable to the victim. A victim may request restoration of reputation, including a clarification through the same medium in which the allegedly defamatory content appeared, or other agreed compensation. Such a document remains distinct from the formal decision required to terminate an investigation.

Police Inspector Syarifuddin, interviewed on 20 May 2026, stated that after a settlement investigators request a restorative-justice application from the reported person and a written peace statement from the victim, supported by the agreement. Typical undertakings reportedly include apologies, removal of objectionable online content, promises not to repeat the conduct, restoration of the victim's reputation, and withdrawal of the complaint. The author reports that public apologies through the same social-media channel are a frequently proposed form of repair. A lawful termination decision can follow only after the applicable conditions are fulfilled and properly documented.

The officers reported that a special case conference is undertaken to examine compliance with restorative-justice requirements before a case is terminated. According to the head of the Criminal Investigation Unit, the process should verify the settlement, measures taken to repair the victim's harm, and the complainant's withdrawal, as well as the formal basis for any termination order. Informants also referred to documentation of the steps taken and a subsequent period of monitoring. The precise applicability of cited Criminal Procedure Code provisions

[18] Vide Peraturan Polisi Nomor 8 Tahun 2021 tentang Penanganan Tindak Pidana Berdasarkan Keadilan Restoratif.

[19] Wawancara dengan Kasat Reskrim Polres Barru Bapak IPTU A. Fadhly Yusuf, S.H., M.H., (wawancara pada tanggal 20 Mei 2026)

and the existence of termination orders cannot be confirmed without the relevant case files.

Police Inspector Adi Wijaya, also interviewed on 20 May 2026, stated that after the parties sign a settlement, a special restorative-justice case conference is held; if the necessary authorization is obtained, an investigation-termination order (SP3) may be issued on the lawful basis recorded in that order. Offenders may be required to carry out measures such as a clarification video or apology, while officers monitor reported compliance for 30 days. This is an informant's description of practice, not independently verified evidence of compliance in each case.

Table 1. Restorative-Justice Compliance Checklist for the Barru Case Records

Assessment element	Evidence required	Status in the manuscript
Offence and complaint basis	Incident date, eligible complainant, and provision applicable at the time of conduct	Not presented case by case
Substantive conditions	Examination of Article 5 of Police Regulation 8/2021	Case-file audit required
Formal conditions	Written peace agreement, restoration of victims' rights, uncoerced consent	Only general accounts available
ITE-specific conditions	Content removal, apology, and cooperation with investigation	Not verified for every case
Termination process	Application, clarification, special case conference, and written termination order	Official records required

Restorative settlement must satisfy the requirements in Police Regulation Number 8 of 2021. Police Inspector Syarifuddin identified issues such as the absence of repeat offending, a peaceful agreement, acknowledgment of wrongdoing, forgiveness and withdrawal by a victim, and the avoidance of broader social conflict. These statements should be assessed against the regulation's actual substantive, formal, and offence-specific conditions rather than treated as a substitute for its text. The author reports 39 electronic-defamation cases handled by Barru District Police between 2023 and May 2026: 7 in 2023, 9 in 2024, 17 in 2025, and 6 up to May 2026. Fourteen were reportedly resolved restoratively: 3, 4, 4, and 3 respectively. The figures suggest use of restorative procedures, but without case-level records they do not establish that every settlement was lawful or effective, nor that it fully restored victims' rights.[20]

One informant reported 39 suspected electronic-defamation cases from 2023 to May 2026, 14 of which were said to have been resolved through restorative measures (approximately 35.9% of the reported total). These aggregate figures derive from an interview, not an audit of official case registers. Annual lists,

[20] Wawancara dengan Kepala Urusan Pembinaan Operasi (KBO) Satuan Reskrim Polres Barru Iptu Adi Wijaya (wawancara pada tanggal 20 Mei 2026).

procedural stages, and termination orders were not supplied to verify the final status of every matter.

Year	Reported cases	Cases reported resolved	Percentage
2023	**7**	**3**	**42.9%**
2024	**9**	**4**	**44.44%**
2025	**17**	**4**	**23.53%**
2026 (through May)	**6**	**3**	**50.00%**
Total	**39**	**14**	**35.90%**

The stages described by informants—receipt of a complaint, facilitated communication, agreed restoration, a special case conference, and a subsequent official decision—must be treated as a reported procedure requiring verification. Without each file's official records, the research cannot establish comprehensive compliance with Police Regulation Number 8 of 2021 or the criminal-procedure rules applicable at the relevant date.

The author's initial assessment regards Barru District Police investigators as having used restorative mechanisms under the ITE Law, the applicable Criminal Procedure Code, and Police Regulation Number 8 of 2021. On this account, investigators facilitated mediation when the parties were willing and officers considered the matter potentially eligible. The legal framework provides guidance for officers; however, its existence alone does not establish compliance in individual cases, which must be verified against the governing substantive and procedural conditions.

Officer accounts indicate that dialogue and peaceful agreement have been considered as options for handling selected complaints. A finding of procedural compliance nonetheless requires the underlying documents, proof of substantive and formal eligibility, evidence of actual restoration, and assurance that the victim was not pressured. A complainant's decision not to settle is a lawful exercise of rights and must not be characterized as a procedural failure.

Supporting and Constraining Factors in Restorative Handling of Electronic-Defamation Cases at Barru District Police

Given the data limitations, the study cannot determine that every restorative handling of alleged electronic defamation at Barru District Police satisfied the governing criteria. Police Regulation Number 8 of 2021 provides the evaluative framework; the relevant criminal-law and criminal-procedure provisions must be selected according to their dates of operation and procedural stages. A peace agreement does not automatically replace a lawful decision to terminate a criminal investigation.[21]

The discussion also refers to Article 80(1)(c) of Law Number 20 of 2025 concerning the Criminal Procedure Code, which addresses repeat offending and

[21] Wawancara dengan Bapak Iptu Syarifuddin, selaku Kepala Unit (Kanit) Tindak Pidana Tertentu (Tipidter) Polres Barru (wawancara pada tanggal, 20 Mei 2026)

specified exceptions in restorative mechanisms. Its application requires reference to the precise provision and the facts of each case; the existence or absence of previous offending cannot be inferred solely from the interview descriptions. Eligibility is therefore not presumed merely because other conditions appear favorable.[22]

According to the interviewees, restorative handling of electronic defamation reflects a criminal-justice approach centered on restoring relationships rather than punishment alone. Its implementation takes place within a legal framework including the applicable Criminal Procedure Code and Police Regulation Number 8 of 2021. The transition from retribution to restoration is not without difficulties, since[23] investigators must reconcile regulatory ideals with social dynamics in particular disputes. The following factors were identified by interviewees as possible supports or constraints; they have not been independently measured as causal determinants of case outcomes.

1. Supporting Factors

a. A Clear Legal Basis

One factor supporting restorative practices is the availability of legal authority for investigators to pursue suitable cases through restorative measures. The Criminal Procedure Code introduced by Law Number 20 of 2025 addresses the potential offering of restorative approaches by relevant criminal-justice officials, including investigators, prosecutors, and judges, subject to its statutory conditions. Interviewees viewed such legislative recognition as providing procedural guidance for officers.

Police Regulation Number 8 of 2021 also specifies substantive and procedural requirements for restorative settlement. In the interview on 20 May 2026, Police Inspector A. Fadhly Yusuf stated that the new Criminal Procedure Code and Police Regulation Number 8 of 2021 provided a useful basis for the handling of electronic-defamation allegations. Clear rules can support consistent decisions, but only where officers apply them to eligible cases and document each step. The broader policy preference for restoration does not remove the parties' procedural rights or the obligation to observe formal safeguards.

b. The Complaint-Based Character of Electronic Defamation

A complaint-based offence ordinarily proceeds only when a legally entitled complainant takes the required action. Interviewed on 20 May 2026, Police Inspector Syarifuddin described electronic defamation under Law Number 1 of 2024 as a complaint-based offence and emphasized the complainant's role in initiating and potentially withdrawing a complaint. The timing and legal effect of withdrawal must nonetheless be determined under the precise governing provisions; a victim's withdrawal or peace agreement does not automatically authorize an investigator to disregard the formal termination process.[24]

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[22] Purba, R. J., & Pane, B. E. M. (2025). Implementasi Restorative Justice dalam Penyelidikan dan Penyidikan Tindak Pidana. Jurnal sosial dan sains, 5(5), 1525-1535.

[23] Hutajulu, R., Hadiyanto, A., & Ciptono, C. (2026). Restorative Justice dan Diskresi Kepolisian dalam Sistem Peradilan Pidana Indonesia. Jurnal Usm Law Review, 9(2), 975-996.

[24] Wawancara dengan Bapak Iptu Syarifuddin, selaku Kepala Unit (Kanit) Tindak Pidana Tertentu (Tipidter) Polres Barru (wawancara pada tanggal, 20 Mei 2026).

The interviewees also suggested that some complainants prioritize restoration of their reputation over punishment of the alleged offender. For those complainants, a genuinely voluntary agreement may provide a remedy better aligned with their immediate concerns, provided that statutory conditions are met.

c. Victims' Willingness to Reach a Settlement

Restorative settlement depends on the parties' willingness to participate in dialogue. The author reports an interview with a victim identified as Ms S on 1 June 2026, who expressed a preference for restoration of reputation rather than imprisonment alone. In substance, she explained that an apology and a public acknowledgment of wrongdoing on the same social-media platform would better address the Facebook allegation than imprisonment without reparation. She also considered the process less prolonged and less publicly embarrassing than court proceedings and described the reported resolution as taking approximately two weeks. This account illustrates an individual's stated preferences; it does not establish that all victims would benefit similarly or that consent was free from pressure in other cases.[25]

Police Inspector Adi Wijaya, interviewed on 20 May 2026, similarly stated that restorative settlement can proceed more readily when victims voluntarily forgive the alleged offender, the offender expresses remorse, and agreed measures genuinely address the victim's demands or injured reputation. These conditions are relevant to the parties' willingness but must still be evaluated under the legal requirements.

d. A Community Tradition of Deliberation

Informants described a local culture of deliberation and family-oriented dispute resolution among the Bugis population of Barru Regency. These values are broadly compatible with restorative approaches emphasizing dialogue and peaceful settlement. Police Inspector Syarifuddin referred to the local practice of consensus-building (Tudang Sipulung) and the influence of community or religious figures. Social ties can facilitate communication and agreement, but their influence must not be allowed to become coercive pressure upon a complainant. The cultural context is therefore a potential facilitating factor, not proof that consent is automatically voluntary.

e. Investigators' Active Role and Professionalism

Investigators have a central role in facilitating communication between complainants and alleged offenders while continuing to exercise their legal investigative functions. Police Inspector Syarifuddin noted that, where restorative settlement is offered and accepted, investigators' communication, negotiation, and mediation skills influence the ability to provide a constructive forum for dialogue. Professional facilitation can assist parties in reaching a lawful agreement, but investigators must maintain impartiality, avoid pressuring victims, and document the steps undertaken.[26]

2. Constraining Factors

a. Limited Human Resources and Mediation Skills

[25] Wawancara dengan korban, ny. S (Wawancara pada tanggal 1 Juni 2026).

[26] Wawancara dengan Bapak Iptu Syarifuddin, selaku Kepala Unit (Kanit) Tindak Pidana Tertentu (Tipidter) Polres Barru (wawancara pada tanggal, 20 Mei 2026).

According to Police Inspector Adi Wijaya, interviewed on 20 May 2026, a limited number of investigators have formal mediation certification, potentially reducing the capacity to conduct effective negotiations and communication. Insufficient mediation training may impede productive dialogue and reduce opportunities for agreement. This is an officer's reported assessment of capacity needs; no comprehensive staffing or certification records were available for independent measurement.[27]

b. A Victim's Decision Not to Settle

Police Inspector Syarifuddin observed that victims may wish to proceed to court where their dignity, honor, or reputation has been seriously harmed. In such situations, an agreement may not be reached. A refusal to forgive or settle should nevertheless be understood as a legally legitimate choice, not as improper conduct by a victim or as evidence of investigator failure.

c. The Viral Dissemination of Electronic Content

Electronic content can spread rapidly to a wide audience. Police Inspector Syarifuddin suggested that viral publication of allegedly defamatory material may make victims less willing to settle because they experience heightened public embarrassment. Once content has been widely distributed, an apology or deletion may not be perceived as sufficient to remedy the harm. The consequences of dissemination should therefore be considered when identifying restoration that is acceptable to the affected person.

Police Inspector Adi Wijaya likewise stated that extensive digital circulation may discourage amicable settlement, particularly when a victim believes that only ordinary prosecution can respond adequately to public humiliation. As the audience expands, reaching agreement on a satisfactory remedy may become more difficult. This statement reflects a reported perception of the interviewee, rather than a statistically established relationship between online reach and settlement outcomes.[28]

d. Challenges in Repairing Non-Material Harm

Defamation can cause embarrassment, loss of community confidence, psychological distress, and reputational damage. Police Inspector A. Fadhly Yusuf, interviewed on 20 May 2026, observed that such non-material harm may be difficult to remedy completely, even after an apology or removal of content. Some victims may accordingly seek continuation of criminal proceedings rather than agreeing to restorative settlement.

In the author's synthesis of the interview material, relevant supporting conditions include the complaint-based character of the offence, a legal framework authorizing restorative measures, and some victims' preference for reputational restoration over punishment. Where these conditions coincide with voluntary consent and adequate safeguards, a restorative process can offer a response to the parties' needs that differs from prolonged litigation.

The author also suggests that legal rules alone cannot produce agreement when a victim declines mediation. Investigators may explain available remedies and

[27] Wawancara dengan Kepala Urusan Pembinaan Operasi (KBO) Satuan Reskrim Polres Barru Iptu Adi Wijaya (wawancara pada tanggal 20 Mei 2026).

[28] Wawancara dengan Kepala Urusan Pembinaan Operasi (KBO) Satuan Reskrim Polres Barru Iptu Adi Wijaya (wawancara pada tanggal 20 Mei 2026).

facilitate communication, but their responsibility is not to persuade an unwilling victim at any cost. The difficulty of repairing reputational harm can reduce the prospect of agreement, and the victim's assessment of the damage remains important. The quality of communication, the availability of proportionate forms of restoration, and respect for informed, uncoerced choices are central to an ethically defensible restorative process.

NUMERICAL FINDINGS AND LIMITS OF INFERENCE. If the reported 39 complaints and 14 restorative resolutions refer to the same unit, period, and definition of a case, they yield a descriptive ratio of 14/39, or approximately 35.9%. This is not a measure of legal effectiveness. The other 25 matters cannot be characterized as failures without knowing whether they remained under inquiry, involved complaint withdrawal, were referred to prosecution, were terminated on other grounds, or remained open. Complainants who decline settlement are entitled to pursue the ordinary legal process. Potential non-material remedies include removal of posts, clarification, voluntary apologies, and proportionate reputational restoration, always subject to safeguards against pressure.

CONCLUSION

The study identifies reported practices of facilitated settlement in alleged electronic-defamation cases at Barru District Police but lacks sufficient case files to verify compliance in every matter. Complaint withdrawal, a restorative agreement, and formal investigation termination must remain legally distinct. The main recommendations are to record the status of all 39 reported cases by year, examine the documents underlying the 14 purported restorative resolutions, and audit voluntary consent and the legal grounds for each competent officer's decision.

The conclusions are limited to the mechanisms described by the interviewees. Conformity of each termination with Police Regulation Number 8 of 2021 cannot be established without case-specific records, offence dates, and evidence of freely given consent. A refusal to settle is not a normative obstacle to justice; ordinary criminal proceedings remain a legitimate route. Practical recommendations include keeping a matrix of substantive and formal eligibility requirements, reviewing consent for coercion, and maintaining an anonymized annual case register.

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