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**DEVELOPMENT OF INTEGRATED CITIZENS THE INSTITUTION  
COMMUNITY BASED ON THE PRINCIPLE OF PROTECTION  
TOWARDS SOCIAL REINTEGRATION**

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**ABSTRACT**

An inmate is someone who is deemed guilty and must serve a sentence in prison based on a verdict or decision from a judge with permanent legal force (*inkracht*) based on evidence and evidence. Development for prisoners cannot be separated from their rights both inside and outside prison, with the aim of independence which is also in the nature of development as it is directed towards development with the mentality and character of being a complete human being, as well as pious, and also responsible for oneself. , also for families, and for society, and talents and skills can be developed so that they play an active and responsible role in society in the future when free, related to social reintegration. Protection, which is the principle in which inmates are treated in correctional institutions in order to ensure that society can be protected from the possibility of repeating criminal acts in the form of crimes or violations, also provides provisions for life for inmates so that they become useful citizens in society. The research method is normative juridical by referring to statutory regulations, as well as existing literature based on literature study. The result is that social reintegration can provide changes in the development of inmates so that their attitudes and behavior become better and they can have abilities in community life.

**Keywords:** Inmates. Protection. social reintegration

**1. Introduction**

Human life always desires peace, order and peace, and not to feel disturbed or threatened by unrest that occurs due to feelings of unease due to the large number of crimes and violations occurring around or around the residence, and this is also a trigger to always coordinate and cooperate<sup>2</sup> with law enforcement officials or security forces if there are feelings of unease. Security and order in society are the state's goals in realizing a hope so that

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<sup>2</sup> Artyawan, A. 2013. *Pengaruh Program Pendidikan Keterampilan Terhadap Kesiapan Narapidana Kembali Ke Masyarakat (Studi Kasus Di Lembaga Pemasyarakatan Kelas IIA Pekalongan)*. Journal of Nonformal Education and Community Empowerment, 2 (1), 50–58. DOI: <https://doi.org/10.15294/jnece.v2i1.2799>

people can live calmly and decently and free from all disturbances and threats and society can carry out its activities or activities<sup>3</sup> as usual.

In line with these provisions, in fulfilling their daily needs, sometimes there are people who do it in legal ways and there are also those who do it illegally in ways that are not legal and justify any means to get what they want, including committing a crime or what is usually called<sup>4</sup> a criminal act. and the party who suffers as a result of this detrimental act is called the victim, and the person who commits the crime or unwanted act is called the perpetrator. To find out whether a criminal act has occurred, law enforcement officers, namely investigators, carry out a crime scene investigation after receiving reports and complaints from the public that a criminal act has occurred.

Apart from that, there is evidence and evidence found by investigators which gives strong confidence that a crime has indeed occurred and must be immediately thoroughly investigated as to who the perpetrator is and will be given appropriate punishment according to the actions committed and the evidence that points to the perpetrator. which can be used as a basis for prosecution to determine how big the threat of sanctions that will be imposed on the perpetrator is by looking at the type of criminal act, carried out jointly or individually and criminal acts committed by one person or several, and the judge in imposing the sentence also looks at the aspects of justice involved. live in the midst of society.

If it is proven that he has committed a crime and the perpetrator has been detained in a detention center (detention center), this is the place where the suspect or accused will be detained during the process of investigation, prosecution and examination at a court hearing, which is temporary before a

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<sup>3</sup> Darwis, A. M. F. 2020. *Penerapan Konsep Community Based Correction Dalam Program Pembinaan Di Lembaga Masyarakatan*. Jurnal Ilmiah Ilmu Sosial, 6 (1), 1.-10, DOI : <https://doi.org/10.23887/jiis.v6i1.24081>

<sup>4</sup> Bernadetha Aurelia Oktavira, *Perbedaan Rutan dan Lapas dalam Sistem Pemidanaan di Indonesia*, <https://www.hukumonline.com/klinik/a/perbedaan-rutan-dan-lapas-dalam-sistem-pemidanaan-di-indonesia-lt4b22ef6f96658> diakses 27 Januari 2024

court decision has permanent force. by ensuring that suspects or detainees do not escape. While the detainee is being held in the detention center in the process of investigation, prosecution and examination at the District Court, High Court and/or Supreme Court level. Meanwhile, a correctional institution is a decision that has permanent legal force and is a place where the training of prisoners is carried out, and the training is carried out based on the length of time the prisoner or convict has served his sentence or sentence. The placement of residents in detention centers and prisons is also based on age and gender classification. , and also the type of criminal act/crime.

A prisoner is defined as someone who is guilty and is given a sanction to be placed in a correctional institution (LAPAS) based on a decision from a judge who has permanent authority because he has been proven to have committed a criminal act, which is based on guidance which is viewed from the principle of protection in which the prisoner is serving his sentence. in correctional institutions there is awareness, and awareness is meant by not repeating actions that are felt to be guilty and detrimental to other people and have no benefit or benefit.

Based on the Government Regulation of the Republic of Indonesia Number 31 of 1999 concerning the Development and Guidance of Correctional Inmates, Article 3 of the Development and Guidance of personality and independence includes devotion to God Almighty, national and state awareness, intellectual, attitude and behavior, physical health and spiritual<sup>5</sup>, legal awareness, healthy reintegration with society, work skills and work training and production<sup>6</sup>

Prisoner development based on social reintegration is not only given skills that are independent in nature, but how the values instilled and given to prisoners can be implemented or realized when the prisoner has finished

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<sup>5</sup> Eva Achjani Zulfa, et al. 2017. *Perkembangan Sistem Pemidanaan dan Sistem Pemasyarakatan*. Raja Grafindo, Depok, pp. 45

<sup>6</sup> Republic of Indonesia Government Regulation Number 31 of 1999 concerning Development and Guidance of Correctional Inmates, Article 3

serving his sentence and returns to society, where the community can accept him again and can placing it as a human being who is aware and obeys the law and has expertise or skills that he acquired while in prison and can develop it for the common good in the midst of his life and use it to develop his talents and abilities.

Independence, which is a form of development, can also be carried out during the ongoing process which starts from getting closer to God Almighty, having good morals and being physically and spiritually healthy and also realizing that the criminal act committed will not happen again and that there will be no repetition of the criminal act with In other words, there is regret that arises as a result of an action that a person has committed<sup>7</sup> and the deterrent effect that exists means really not repeating it again, so that in coaching prisoners they must be given values or changes that can provide fundamental changes to attitudes, as well as actions and the behavior of the prisoner.

Social reintegration is also a healthy reintegration with society that supports prisoners so that they can return to society and be accepted again and can develop their talents and abilities to be accepted again<sup>8</sup>, such as having skills, whether as a mechanic, working in a workshop or sewing so that this skill or talent development can provide prisoners to guarantee the continuity of their lives, namely by continuing their lives with the talents that have been given or taught to prisoners. Based on the background above, the problem formulation is how to develop inmates in correctional institutions based on the principle of protection towards social reintegration.

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<sup>7</sup> Quri, S., & Wibowo, F. 2021. *Peran Petugas Pemasarakatan Pada Proses Pembinaan Narapidana Dengan Kasus Terorisme Dalam Mewujudkan Reintegrasi Sosial*. JURNAL JUSTITIA, Jurnal Ilmu Hukum dan Humaniora, 8 (1), 222-232. DOI: <http://dx.doi.org/10.31604/justitia.v8i1.222-232>

<sup>8</sup> Ma'ruf A., & Zulharman. 2023. *Reintegrasi Sosial Bagi Warga Binaan Lembaga Pemasarakatan Kelas IIA Watampone*, Jurnal Darussalam, 3 (1). 1-19. DOI: <https://doi.org/10.59259/jd.v3i1.52>

## **2. Reseach Method**

In this research, qualitative research is used, namely placing more emphasis or emphasis on observing the phenomena that occur and also examining more into the substance of the meaning of the existing phenomena. So that the analysis and sharpness of qualitative research is greatly influenced by the strength of the words and sentences used, besides that it is also related to normative juridical matters, namely those based on literature or books, as well as various regulations and journals that are related to the problem to be studied. or discussed and also constitutes library research.

## **3. Results and Discussion**

### **3.1. Development of prisoners**

Based on the Government Regulation of the Republic of Indonesia Number 31 of 1999 concerning the Guidance and Guidance of correctional inmates, the meaning of coaching for WBP is an activity to improve the quality and devotion to God Almighty, also intellectually, as well as attitudes and behavior, as well as professionalism, and also physical and spiritual health. Prisoners and Correctional Students.

A convict is someone who has been deemed to have committed a criminal act, and as a result of this proven act, the convict is serving his sentence in a correctional institution and while being placed<sup>9</sup>, the prisoner must always pay attention to the fulfillment of his rights through a program to develop the independence of the prisoner himself, which should<sup>10</sup> be based on Law Number 22 of 2022 concerning Corrections which states that rehabilitation and the paradigm of social reintegration are the goal. from the correctional system then prisoners and children.

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<sup>9</sup> WEIJTERS, G. and MORE, A. 2015 *Comparing Income and Housing of Former Prisoners after Imprisonment with their Situation before Imprisonment*. Euro Journal Criminology Policy Research, 20 (1), 67-84.

<sup>10</sup> Waluyo. B., 2004. *Pidana dan Pemidanaan*. Jakarta: Sinar Grafika, pp. 23

It's not just about being repaired, it also has to be productive and ready to have skills when you are free and return to society, the development of talents and interests as well as independence is acquired and educated while serving your sentence and it also has to be born from the soul and attitude of the prisoner so that in the future can become a useful human being. Apart from that, there will also be increased guidance to strengthen the role of community counselors to supervise prisoners and children, and continue to implement the approach of restorative justice and also improve the human rights of humans themselves.

Guidance for prisoners is based on the study that someone who is guilty cannot be considered an object that must be treated with actions beyond the limits of humanity because having committed an act can cause the victim to experience suffering, and those who do<sup>11</sup> it are the perpetrators who must be responsible for their actions. Independence in coaching that is tailored to interests and talents is also based on the correctional system compared to the prison system which sees a prisoner as someone who is on the wrong path and must be educated and nurtured to be able to do the best in his life when he leaves the correctional institution.

The prison system refers more to the prisoner being guilty because he is not considered a complete human being and is treated as someone who is guilty and must be given a severe punishment, in other words, he does not get his rights as usual but rather experiences torture and bad treatment<sup>12</sup>, where with punishments that sometimes exceed limits, they do not uphold humanity and this is very contrary to the basic principle of the Indonesian nation, namely loving fellow human beings.

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<sup>11</sup> Asfinawati, A., et.al. 2007. *Bantuan Hukum, Akses Masyarakat Marjinal Terhadap Keadilan*. Jakarta: LBH Jakarta, pp. 18

<sup>12</sup> The Function of Correctional Institutions in Carrying Out Guidance for Correctional Inmates (Wbp) Writing Study in Class IIA Denpasar Women's Correctional Institution

So with the change from the prison system to a correctional system, one of which is by bringing the perpetrator or prisoner closer to Pancasila and the 1945 Constitution, the prisoner is someone who will later recover as before by providing rehabilitation and conditions to be able to improve himself in limiting his freedom.

The training carried out for prisoners is carried out through several stages, namely the initial stage which is carried out in the prison itself, and then the advanced stage which starts from the end of the training which starts from the initial stage up to 1/2 (one by two) from the criminal period, as well as the final stage which is carried out at the end of the prisoner's sentence which is related to social reintegration.

### **3.2. Correctional Institution (Prison)**

Correctional Institutions or commonly referred to as Prison are places where correctional inmates and correctional students can carry out guidance. Before it was known as a prison in Indonesia, this place could also be called a prison in terms of the prison itself, where punishment is carried out through the cells where the prisoners themselves<sup>13</sup> are placed. The correctional institution is a technical implementation unit under the directorate general of corrections from the former Ministry of Law and Human Rights (Ministry of Justice).

Penitentiary institutions are more intended for someone who, due to their actions, must serve a criminal term and sentence as long as the judge determines how long the sentence is given. Where the concept of prison itself cannot be separated from the prison system which is based on the actions of perpetrators who lack access to their rights and the inhumane treatment given to suspects and correctional institutions are

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<sup>13</sup> Issha Harruma, *Asas Pembinaan Pemasarakatan*, <https://nasional.kompas.com/read/2022/05/27/00000071/asas-pembinaan-pemasarakatan> diakses 28 Maret 2024

designed and conceptualized not to instill fear in prisoners. but to provide legal awareness so that the action is not repeated.

Correctional institutions educate and develop so that later they can provide a good attitude to be able to change to a good mentality and attitude to be able to make a complete human being who can carry out actions that can have a good impact on the suspect, in other words by teaching and developing them to be able to provide a good type and can be<sup>14</sup> of benefit to the community, by using a correctional system which, although coaching takes the form of independence, improves the skills and abilities of the prisoner or suspect himself.

The function of the prison itself is not only to provide social guidance for inmates but also correctional students who can also carry out social and spiritual guidance as well as maintaining the security and order of the correctional institution itself and also carrying out household affairs. steps and everything is also provided for the fulfillment of the rights<sup>15</sup> of suspects and also correctional students who are indeed able to make it possible. Coaching provides a very good initial stage to be able to make their needs realized.

### **3.3. Principle of Protection**

Guidance is the principles of guidance and guidance and is carried out in an integrated manner so that one can be aware of mistakes and also improve oneself and also not repeat one's actions and can also be accepted by society in a recovered and reasonable manner so that one can integrate as in the original condition, and the term for convicts who turn into inmates from correctional institutions and criminal children and become students from correctional institutions. For prisons and state

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<sup>14</sup> Ramadan, I. 2013. *The Problem of Penitentiary in Indonesia and the Reorientation of Penal Objectives*. Journal of Law and Justice, 2 (2), 263–276.

<sup>15</sup> Ravena, D. & Mahmud A., 2019. *The Implications of Overcrowding for Fostering Prisoners in Prison : Management and Systems Problems*, Southwest Jiaotong University, 54 (5), 1-10



educational institutions to become correctional institutions (Prison) intended for adults and special child development institutions (LPKA) for children. The change in this system is due to the prison system which also emphasizes elements of revenge and deterrence which are considered inconsistent with the concept of rehabilitation and social reintegration which is also based on Pancasila and the 1945th Constitution.

The principles found in the construction of correctional facilities are implemented based on several principles, which are:

#### 3.2.1. Protection

The treatment of inmates in correctional facilities also aims to always protect them from the community with the possibility that criminal acts may be repeated by inmates. This principle can also be applied in order to provide life provisions to inmates in correctional facilities so that they become citizens who can be useful in life in society.

#### 3.2.2. Equality of Treatment and Service

Providing the same treatment and services to correctional inmates without any action that discriminates against people.

#### 3.2.3. Education and Guidance

The provision of education and guidance is also carried out based on Pancasila, including the cultivation of a spirit of kinship, as well as skills, as well as education and spirituality, and opportunities to be able to carry out worship<sup>16</sup>.

#### 3.2.4. Respect for human dignity

That as people who have strayed from correctional institutions, they must still be treated as human beings.

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<sup>16</sup> Raisa, R., & Ediati, A. 2017. *The Relationship Between Social Support And Resilience In Prisoners In Semarang Women's Class IIA Penitentiary*. Journal of Empathy, 5 (3), 537-542.

3.2.5. Loss of freedom is the only suffering

Even though correctional inmates are placed in prison for a certain period of time, they can still obtain other rights like humans. Where the rights of correctional inmates must also be protected, for example the right to receive health care, food and drink, clothing, a place to sleep, skills training, sports or recreation.

3.2.6. Guaranteed right to remain in contact with family and certain people

Even though correctional inmates are placed in prison, they must still be in contact with the community and must not be isolated. For example, connecting with the community in various forms of visits, as well as entertainment in prison from community members who are also free, and opportunities to gather with friends and family, such as a leave program to visit relatives<sup>17</sup>.

Based on the definition of the principle of protection above, convicts or suspects who have been placed in correctional institutions not only serve their sentence until the end, but also provide awareness for them to realize their mistakes by raising legal awareness that punishment is unpleasant and gives a feeling of discomfort and suffering. Therefore, do not repeat your evil actions or actions so that the perpetrator will not be punished.

If a prisoner still commits his actions when he returns to society, of course he must be given legal protection so that he remains protected and avoids unwanted actions by providing protection for his rights as a prisoner, but it is still hoped that there will be changes in attitudes and behavior so that they do not happen again. Return to the detrimental act

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<sup>17</sup> Risang, A. P. 2020. *Optimalisasi Pembinaan Narapidana dalam Upaya Mengurangi Wajah Hukum Fakultas Hukum Universitas Batanghari Jambi*, 4 (1), 108-115.

and thereby obeying and complying with the law can result in a change in the perpetrator's attitude while he is still in and placed in a correctional institution and a deeper awareness grows within him by seeing the change in his attitude when he returns to his environment.

#### **3.4. Social Reintegration for Prisoners**

After the prisoner has finished serving his sentence, of course he can return to society and can re-apply the existing form of self-reliance, and in this way of course society can accept him back with open arms without looking at what were the mistakes and crimes in the past to open it again but accept it with The assumption is that a person or human being is not free from his mistakes and even if there is an awareness of being able to stay and be accepted as before. Even with the existence of social reintegration and in general, in a provision which is an effort in order to return the social situation to a normal condition after social disintegration occurs where there will be changes in the social environment which can potential<sup>18</sup> It also gives rise to a conflict and contradiction that is experienced, but after undergoing it, there are significant changes that can be implemented by the prisoner himself.

In this case, an effort is made to return prisoners and correctional students to the community environment after being declared to have violated norms and are guilty or contrary to the norms and values in life and in society. The use of the phrase social reintegration can also be found in various laws and regulations with various phrases and explanations that are also different according to the subject matter of the statutory regulations, in the context of statutory regulations, social reintegration can refer to various policies and programs<sup>19</sup> which can be

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<sup>18</sup> Arief, B. N. 2007. *Masalah Penegakan Hukum dan Kebijakan Hukum Pidana dalam Penanggulangan Kejahatan*. Jakarta: Kencana, pp. 57

<sup>19</sup> *Ibid*, pp. 62

designed to help individuals who have served time or experienced social alienation in restoring their relationships with society.

This can include various aspects, such as education and job training, as well as psychological support, both housing and medical services, as well as social assistance and support that can be continued after release, which is very important to help inmates face challenges and prevent they fall back into a life of crime. This may include monitoring programs, guidance, or community reintegration services, as well as complex environmental and individual factors and adapting to the individual's optimal approach and needs.

#### **4. Conclusion**

The implementation of inmate development in correctional institutions towards social reintegration of course begins when the prisoner is serving his sentence by providing independent guidance so that he can exercise his abilities and expertise in society. Apart from that, as long as prisoners return, society needs to be supervised so that they do not repeat their crimes and actions or re-commit criminal acts or carry out criminal acts.

## **BIBLIOGRAPHY**

### **1. Book**

- Arief, B. N. 2007. Masalah Penegakan Hukum dan Kebijakan Hukum Pidana dalam Penanggulangan Kejahatan. Jakarta: Kencana
- Asfinawati, A., et.al. 2007. Bantuan Hukum, Akses Masyarakat Marjinal Terhadap Keadilan. Jakarta: LBH Jakarta
- Eva Achjani Zulfa, et al. 2017. Perkembangan Sistem Pemidanaan dan Sistem Pemasyarakatan. Raja Grafindo, Depok
- Waluyo. B.,. 2004. Pidana dan Pemidanaan. Jakarta: Sinar Grafika.

### **2. Scientific Journal Articles**

- Artyawan, A. 2013. Pengaruh Program Pendidikan Keterampilan Terhadap Kesiapan Narapidana Kembali Ke Masyarakat (Studi Kasus Di Lembaga Pemasyarakatan Kelas IIA Pekalongan). *Journal of Nonformal Education and Community Empowerment*, 2 (1), hlm. 50–58. DOI: <https://doi.org/10.15294/jnece.v2i1.2799>
- Bernadetha Aurelia Oktavira, Perbedaan Rutan dan Lapas dalam Sistem Pemidanaan di Indonesia, <https://www.hukumonline.com/klinik/a/perbedaan-rutan-dan-lapas-dalam-sistem-pemidanaan-di-indonesia-lt4b22ef6f96658> diakses 27 Januari 2024
- Darwis, A. M. F. 2020. Penerapan Konsep Community Based Correction Dalam Program Pembinaan Di Lembaga Pemasyarakatan. *Jurnal Ilmiah Ilmu Sosial*, 6 (1), hlm. 1.-10. DOI: <https://doi.org/10.23887/jiis.v6i1.24081>
- Ma'ruf A., & Zulharman. 2023. Reintegrasi Sosial Bagi Warga Binaan Lembaga Pemasyarakatan Kelas IIA Watampone, *Jurnal Darussalam*, 3 (1). hlm. 1-19. DOI: <https://doi.org/10.59259/jd.v3i1.52>

- Ramadan, I. 2013. The Problem of Penitentiary in Indonesia and the Reorientation of Penal Objectives. *Journal of Law and Justice*, 2 (2), hlm. 263–276.
- Ravena, D. & Mahmud A., 2019. The Implications of Overcrowding for Fostering Prisoners in Prison : Management and Systems Problems, *Southwest Jiaotong University*, 54 (5), 1-10
- Raisa, R., & Ediati, A. 2017. The Relationship Between Social Support And Resilience In Prisoners In Semarang Women's Class IIA Penitentiary. *Journal of Empathy*, 5 (3).
- Risang, A. P. 2020. Optimalisasi Pembinaan Narapidana dalam Upaya Mengurangi. *Wajah Hukum Fakultas Hukum Universitas Batanghari Jambi*, 4 (1). hlm. 108-115
- WEIJTERS, G. and MORE, A. 2015 Comparing Income and Housing of Former Prisoners after Imprisonment with their Situation before Imprisonment. *Euro Journal Criminology Policy Research*, 20 (1).
- Quri, S., & Wibowo, F. 2021. Peran Petugas Pemasarakatan Pada Proses Pembinaan Narapidana Dengan Kasus Terorisme Dalam Mewujudkan Reintegrasi Sosial. *Jurnal Justitia, Jurnal Ilmu Hukum dan Humaniora*, 8 (1), 222–232. DOI: <http://dx.doi.org/10.31604/justitia.v8i1.222-232>
- Republic of Indonesia Government Regulation Number 31 of 1999 concerning Development and Guidance of Correctional Inmates, Article 3
- The Function of Correctional Institutions in Carrying Out Guidance for Correctional Inmates (Wbp) Writing Study in Class IIA Denpasar Women's Correctional Institution

### **3. Online Media**

- Issha Harruma, Asas Pembinaan Pemasarakatan, <https://nasional.kompas.com/read/2022/05/27/00000071/asas-pembinaan-pemasarakatan> diakses 21 February 2024