

## Research Article

# Where is the Government's Concern? How does Correctional Revitalization Answer in Realizing the Empowerment of Narcotics Case Convict to Obtain Social Justice and Fulfillment of Human Rights (Case Study of Correctional Revitalization in Banyuasin Narcotics Prison)

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## Abstract.

One of the biggest cases of prisoners (WBP) in correctional institutions throughout Indonesia is Narcotics Cases. The number of prisoners in Indonesia ranks 7th in the World after the United States, China, Brazil, India, Russia, and Turkey which is around 275,518 WBP. As the prison capacity can only accommodate 140,424 WBP so that the overcapacity experienced is around 96%, while other data shows more than 158,000 WBP as narcotics cases (60%). The same thing is also experienced by the Regional Office of the Ministry of Law and Human Rights of South Sumatra with a total of 20 Technical Implementation Units (UPT) of Correctional Institutions (Lapas) and State Detention Centers (Rutan). At the South Sumatra Ministry of Law and Human Rights regional office, there are two special narcotics prisons, namely the Banyuasin narcotics prison and the Muara Beliti narcotics prison. The Banyuasin narcotics prison is the closest to the capital of South Sumatra province, which has a capacity of 484 WBP and is filled with 851 WBP narcotics cases. With such large numbers, it is important to encourage and maximize the Revitalization of Correctional Administration program to optimize the guidance of prisoners based on their level of risk keeping in mind the principle of legal protection and respect for human rights based on Pancasila and the 1945 Constitution of the Republic of Indonesia. The Directorate General of Corrections made a breakthrough to optimize the guidance of prisoners by implementing the Correctional Implementation Revitalization policy stipulated in the Ministry of Law and Human Rights Regulation Number 35 of 2018, concerning the correctional implementation revitalization policy which discusses the Determination of Super Maximum Security, Maximum Security, Medium Security, and Minimum Security Pilot Project Correctional Institutions.

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The application of the latest rules of Corrections, namely Law Number 22 of 2022 concerning corrections, where the correctional concept has an inseparable goal from an integrated criminal justice system organized by the government as part of the law enforcement process in the context of services as well as coaching and mentoring for social reintegration. It does not yet have a real model and concept and is felt by the community related to the Empowerment of Narcotics Case Prisoners in the context of realizing social reintegration. It can also be seen from the data in the South Sumatra Regional Office that there are more dealers than users, which is very funny and unreasonable if you think about it in a healthy and rational root of narcotics crime that has long survived and experienced an increasing trend; however, consumers or users are less than the market, namely sellers in terms of cases. Narcotics crimes that have high economic value, makes it difficult for people to find jobs or earn money further leading them to commit drug abuse crimes. For this reason, it cannot be underestimated related to the condition of community powerlessness, which is one of the factors for entering the realm of narcotics abuse. This then becomes a fundamental question in a society where the role of the Government lies in paying attention to and empowering prisoners to be independent. They should also be responsible for restoring the unity of life, living, and livelihood of prisoners where they are a generation of nations that must be saved by the state because their freedom of movement has been taken away by the State. It is important and urgent to gain the attention of the government regarding the empowerment of prisoners in the context to systematics, processes, models, harmonious and accountable concepts, synergy, and collaboration to achieve WBP goals so as not to repeat the crime of narcotics abuse; and can independently play an active role in the community environment and support the National development process.

**Keywords:** revitalization, corrections, narcotics, WBP

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## 1. Introduction

One type of international crime that continues to thrive is narcotics trafficking. Narcotics crimes and terrorism are referred to as extraordinary crimes because they are considered to have the potential to endanger state security. The largest case of prisoners (WBP) in correctional institutions throughout the world is the drug case, the number of prisoners in Indonesia ranks 7th in the world after the United States, China, Brazil, India, Russia, Turkey which is around 275,518 WBP, where the prison capacity is only able to

accommodate 140,424 WBP so the overcapacity experienced was around 96%, while other data shows that more than 158,000 WBP were narcotics cases, which shows that around 60% were narcotics cases. A similar thing was also experienced by the South Sumatra Regional Office of the Ministry of Law and Human Rights, totaling 20 Technical Implementation Units (UPT) for Correctional Institutions (Lapas), State Detention Centers (Rutan), Special Child Development Institutions. (LPKA) and the Women's Correctional Institution (LPP) with a capacity of only able to accommodate 6605 WBP (as of 14 August 2023 there were 15,789 WBP, At the South Sumatra Ministry of Law and Human Rights regional office there are two special narcotics prisons, namely the Banyuasin narcotics prison and the Muara Beliti narcotics prison. The Banyuasin narcotics prison is the closest prison to the capital of South Sumatra province, which has a capacity of 484 WBP and is filled with 851 WBP narcotics cases. Narcotics criminals who are considered to have a high security risk are in the category of narcotics dealers. Narcotics dealers are still trying to control the distribution of narcotics from inside prisons/detention centers. This is proven by a statement from the BNN (National Narcotics Agency) which stated that almost 90% of arrests made by the BNN to control narcotics trafficking came from inmates who were serving sentences for loss of liberty in prisons/detention centers [4] Apart from narcotics crime perpetrators, terrorist crime perpetrators are also considered to have a high level of risk because they can spread the ideology of terrorism to other inmates and they can even influence correctional officers to follow their beliefs. The role and function of correctional institutions, as the final part of the criminal justice system, In every stage, whether in pre-adjudication, adjudication or post-adjudication, which is a unified process, currently the business process is not optimal and not systemic. The challenges faced by correctional institutions today are increasingly complex, indicating an increasing need to remap the role and function of correctional institutions to make it easier for organizations to predict the direction and policy steps that will be taken in the future. The current state of prisons has many shortcomings, including the ratio of the number of officers to inmates which is not ideal and the lack of facilities and infrastructure which hinders the implementation of an ideal correctional system. The challenges faced by correctional institutions today are increasingly complex, indicating an increasing need to remap the role and function of correctional institutions to make it easier for organizations to predict the direction and policy steps that will be taken in the future. The current state of prisons has many shortcomings, including the ratio of the number of officers to inmates which is not ideal and the lack of facilities and infrastructure which hinders the implementation of an ideal correctional system. The challenges faced by correctional institutions today are increasingly complex, indicating

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One of the important reasons the Revitalization of Correctional Administration program was implemented was to optimize the development of prisoners based on their level of risk. The Directorate General of Corrections has made a breakthrough to optimize the guidance of prisoners from various criminal backgrounds, namely implementing the Revitalization of Correctional Administration policy as regulated in Minister of Law and Human Rights Regulation Number 35 of 2018 concerning the Revitalization of Correctional Administration policy. In order to carry out the revitalization of correctional administration, the Directorate General of Corrections issued Decree of the Director General of Corrections Number PAS-15.PR.01.01 of 2019 concerning the Determination of Pilot Project Maximum Security, Medium Security, Correctional Institutions. and Minimum Security dated 05 April 2019. The following is a recapitulation of the number of classifications of Technical Implementation Units (UPT) which are pilot projects for correctional revitalization, which can be seen in the following table. Implementation of the Revitalization Policy for Correctional Administration in the Banyuasin Narcotics Correctional Institution uses implementation theory according to the opinion of LJ Otele and Robert S. Motjoy [4] who view implementation as a process of inter-organizational relationships (Implementation as Inter Organization Relationship). It is concluded that To facilitate policy implementation, it is necessary to have lines of relationship between organizations as a way or means. It was further stated that with a dependent organizational structure, the chances of success in implementing policies will increase.

On the other hand, “bottom-up” means that although policies are made by the government, they are implemented by the people. In this research, the research model that can be used as a supporting theoretical basis for this research uses the implementation model from George C. Edwards III in his book “Implementing Public Policy” in 1980 in Tangkilisan. This model is a model of analyzing state policy from a more descriptive process perspective, namely trying to describe how state policy is made. The focus or center of attention of this model lies in the government’s organizational structure, in this case the Banyuasin Narcotics Correctional Institution. The focus of the problem at issue is what requirements are needed for the successful implementation of a policy and what main obstacles are faced in implementing the policy.

In its activities to achieve its goals regarding foreign workers, as a government organization, it is necessary to apply the principle of coordination. Coordination can be used as a tool for integrated activities to make it easier to achieve organizational goals.

According to the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 35 of 2018 concerning Revitalization of Correctional Administration Article 1 point (1), Revitalization of Correctional Administration is an effort to optimize correctional administration as a form of treatment for prisoners, convicts and clients as well as protection of ownership rights to evidence. .

Revitalization of correctional administration is carried out to optimize and strengthen correctional administration in order to achieve criminal objectives, namely providing guidance so that inmates do not repeat legal acts and educating them to have social and entrepreneurial skills that are supported by a safe and conducive situation.

Revitalization of Correctional Administration in Prisons has the task and function of implementing development programs for prisoners. Revitalization of Prisoner Development is carried out to improve the quality of the Prisoner Development function in encouraging behavioral changes and reducing the risk level of prisoners. Revitalization of Prisoner Development is held at: Prison *Super Maximum Security*; Prison *Maximum Security*; Medium Prison *Security*; and Prison *Minimum Security*. According to the Decree of the Director General of Corrections Number: PAS- 15.PR.01.01 of 2019 concerning the Determination of Pilot Project Maximum Security, Medium Security, and Minimum Security Correctional Institutions, the South Sumatra Ministry of Law and Human Rights Regional Office is designated as a prison with the classification of Maximum Security, Medium Security, and Minimum Security in one prison area.

The implementation of the Correctional Administration Revitalization Policy in the South Sumatra Regional Office of the Ministry of Law and Human Rights was observed

using a research model which can be used as a theoretical basis to support the Implementation of the Correctional Implementation Revitalization Policy in the South Sumatra Regional Office of the Ministry of Law and Human Rights, a policy implementation model from George C. Edwards [15]. The model analyzes state policy from a more descriptive process perspective, namely trying to describe how state policy is made. The focus or center of attention of this model lies in the government organizational structure, in this case the South Sumatra Regional Office of the Ministry of Law and Human Rights. The focus of the problem at issue is what requirements are needed for the successful implementation of a policy and what main obstacles are faced in implementing the policy.

## 2. Methods

Research is a process of scientific activity which essentially begins with an interest in knowing certain symptoms, while research methodology according to [15] is basically a scientific way to obtain data with certain purposes and uses with rational, empirical and systematic characteristics. Rational means that research activities are carried out in ways that make sense, so that they can be reached by human reasoning, so that other people can observe and know the methods used. Systematic means that the process used in the research uses certain logical steps.

This research discusses the Implementation of the Revitalization Policy for Correctional Administration at the Banyuasin Narcotics Correctional Institution, so the type of research used is explanatory research using descriptive research methods with qualitative data analysis techniques.

## 3. Results and Discussion

Based on the results of the author's research as described in Chapter I, there are main problems that cause the problem of the Correctional Administration Revitalization Policy in realizing the empowerment of prisoners in narcotics cases to obtain social justice and fulfill Human Rights in the Banyuasin Narcotics Correctional Institution. Implementation of the correctional administration revitalization policy which implements four special security classes on the Nusakambangan island and three security classes within one prison area will result in jealousy between fellow inmates regarding different accessibility due to the variety of prisoner criminal acts and different security classes as well as less

competent prison officers. in carrying out duties in three security classes at the same time due to differences in treatment given to prisoners according to their security class

Data was obtained from documents, interviews with the Head of the Banyuasin Narcotics Correctional Institution, Head of the Prisoner/Students Guidance and Work Activities Section, Head of the Work Activities Sub-Section, and Narcotics Convicts, Using theory according to policy implementation from George C. Edwards [15], namely as follows: 1) Communication consists of vertical communication, horizontal communication and diagonal communication, 2) Resources consist of: Human Resources (HR), Facilities and infrastructure and funds/budget, 3) Disposition/attitude consists of Responsibility, Discipline and Integrity 4) Bureaucratic Structure consists of Procedures or work mechanisms/SOPs and Fragmentation. A more detailed discussion of each indicator will be described as follows:

#### 4. Communication

In this section, we discuss the communication carried out in the Correctional Administration Revitalization Policy in realizing the empowerment of convicts with narcotics cases to obtain social justice and fulfill human rights in the Banyuasin Narcotics Correctional Institution.

Data was obtained from interviews with the Head of the Banyuasin Narcotics Correctional Institution, Head of the Prisoner/Students Guidance and Work Activities Section, Head of the Work Activities Sub-Section, as well as Narcotics Prisoners as a result of documentation and field observations.

Policy for the Revitalization of Correctional Administration in realizing the empowerment of convicts with narcotics cases to obtain social justice and fulfill human rights in the Banyuasin Narcotics Correctional Institution.

#### 5. Resource

In this section, we discuss the resources used in the Correctional Administration Revitalization Policy in realizing the empowerment of convicts with narcotics cases to obtain social justice and fulfill human rights in the Banyuasin Narcotics Correctional Institution.

Data was obtained from interviews with the Head of the Banyuasin Narcotics Correctional Institution, Head of the Prisoner/Students Guidance and Work Activities Section, Head of the Work Activities Sub-Section, as well as Narcotics Prisoners, documentation results and field observations.

The Policy for the Revitalization of Correctional Administration in realizing the empowerment of convicts with narcotics cases to obtain social justice and the fulfillment of Human Rights at the Banyuasin Narcotics Correctional Institution by officers apart from requiring human resources also requires facilities and infrastructure. The facilities and infrastructure referred to here are tools or goods, both movable and immovable, which are used as a means to support the implementation of work or mobility of officers in implementing Correctional Administration Policies. The absence of these facilities and infrastructure will cause obstacles in the implementation of officers' duties in implementing the Correctional Administration Policy. Facilities and infrastructure are also important to support services general to society. Adequate facilities and infrastructure are support in the process of providing public services. Such that expressed by Ruky (in Tangkilisan 2005:180) that technology includes work equipment and work methods used for produce products or services produced by the organization. The more The quality of the technology used, the higher the level the organization's performance.

Facilities and infrastructure are also important, if the facilities and infrastructure do not support it, it can hinder employees from carrying out their work Correctional Administration Policy high quality and does its job quickly. It is hoped that these facilities and infrastructure will be able to improve employee performance in carrying out their duties Correctional Administration Policy through the use of and The application of technology can make work easier and smoother. Apart from that, complete facilities and infrastructure are also available provide comfort and security for the community and organizers own service. details regarding the budget for Correctional Administration which comes from the 2022 State Revenue and Expenditure Budget (APBN), you can see the table as follows.

TABLE 1: Funds/budgets in the Implementation of Corrections. Year 2022

Funds/budget	Source
Rp. 15,358,221,000	State Budget

Source: Banyuasin Narcotics Prison, 2022

Based on this table, it can be seen that, in the implementation of correctional services at the Banyuasin Narcotics Correctional Institution, funds/budget are available. The amount of these funds is IDR 15,358,221,000.

This opinion shows that the funds/budget provided are used for 3 (three) activities, including;

1. Planning, which consists of shopping for materials



2. Fostering prisoner independence
3. Evaluation and reporting.

it can be concluded that the amount of funds/budget for the implementation of correctional services at the Banyuasin Narcotics Correctional Institution is adequate. This can be seen from the budget for the administration of correctional facilities which is charged to the State Revenue and Expenditure Budget (APBN) amounting to IDR 15,358,221,000. The amount of funds is based on DIPA Allocation (013) (05) (683996) for 2022. These funds are used for 3 (three) activities, including; planning, fostering prisoner independence as well as evaluation and reporting.

### 1. **Disposition (attitude)**

According to Edward III [10] disposition is said to be the will, desire and tendency of policy actors to implement policies seriously so that the policy objectives can be realized. The disposition aspect that needs to be explored in this research is the behavioral attitudes of policy implementers, including discipline, responsibility and commitment to Correctional Administration Policy at the Banyuasin Narcotics Correctional Institution achieve optimal results. If the policy implementer has good characteristics or character, then the policy will be implemented well in accordance with the policy maker's goals and desires. It is very likely that with a good attitude of respect by policy implementers the objectives of Correctional Administration Policy can be achieved optimally and satisfactorily.

### 2. **Bureaucratic Structure**

In this section, we discuss the bureaucratic structure implemented in the Implementation of the Revitalization Policy for Correctional Administration at the Banyuasin Narcotics Correctional Institution. Data was obtained from interviews with the Head of the Banyuasin Narcotics Correctional Institution, Head of the Prisoner/Students Guidance and Work Activities Section, Head of the Work Activities Sub-Section, as well as Narcotics Prisoners, documentation results and field observations.

Policy for the Revitalization of Correctional Administration in realizing the empowerment of convicts with narcotics cases to obtain social justice and fulfill human rights in the Banyuasin Narcotics Correctional Institution. using theory according to policy implementation from George C. Edwards namely as follows: 1) Communication consists of vertical communication, horizontal communication and diagonal communication, 2) Resources consist of: Human Resources (HR), Facilities and infrastructure and funds/budget, 3) Disposition/attitude consists of Responsibility,

Discipline and Integrity 4) Bureaucratic Structure consists of Procedures or work mechanisms/SOPs and Fragmentation applicable laws.

## 6. Conclusion

Based on the analysis and research carried out by the author which has been discussed in the previous chapters, the conclusions and research of this research are as follows. Overall, the Revitalization Policy for the Implementation of Corrections in realizing the empowerment of convicts with narcotics cases to obtain social justice and the fulfillment of Human Rights in the Banyuasin Narcotics Correctional Institution. has been implemented in accordance Law Number 22 of 2022 concerning corrections, although in terms of mechanisms/procedures there are still obstacles/constraints, namely the implementation of the correctional administration revitalization policy which implements three security classes within one narcotics prison will result in jealousy between fellow inmates regarding different accessibility due to various variations. types of prisoner crimes and differences in security classes. and related to the human resources of Banyuasin narcotics prison officers who are less competent in carrying out their duties in three security classes at the same time due to differences in treatment given to prisoners according to their security class.

The suggestions that can be recommended in this research are as follows:

1. Providing regular and planned training and education which functions to increase the knowledge and abilities of officers in carrying out their duties and functions so that they can understand appropriate coaching patterns and in accordance with the needs of prisoners
2. The implementation of Correctional Revitalization should have a human rights dimension by complying with the standard instruments of the Prisoner Development Assessment System so that it is committed and consistent in upholding justice and human rights for prisoners according to their class classification as well as aspects of attention after the inmates are released, in this case parole which is granted. to the correctional center for guidance, clients must be empowered according to their talents, interests and skills that have been obtained at the Banyuasin Narcotics Correctional Institution.

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