



Juridical Analysis of Prisoners' Right to Work Safety and Wages in the Correctional Law

Article	Abstract
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INTRODUCTION

Indonesia, as a state based on law as affirmed in Article 1 paragraph (3) of the 1945 Constitution, places the integrated criminal justice system as the main instrument in upholding justice(Hanny Oktavia Taolin Taolin, 2022) (Rizky Reza Pahlevi et al., 2021) Punishment is no longer oriented toward retribution but is instead directed at rehabilitation and social reintegration of prisoners.(Sri Wulandari, 2023) In this context, correctional institutions serve as the final stage of the criminal justice system, where inmates undergo guidance and rehabilitation programs to prepare them to reintegrate into society.

Correctional Institutions (*Lembaga Pemasyarakatan* or Lapas) hold a strategic function as rehabilitation institutions under the Directorate General of Corrections, Ministry of Law and Human Rights (Sanusi, 2019). The correctional concept initiated by Sahardjo was later embodied in Law Number 22 of 2022 on Corrections, replacing Law Number 12 of 1995. This regulatory shift reflects the state's response to the need for

protecting prisoners' rights (Mufti & Riyanto, 2023). In line with the theory of legal protection, the state is obligated to ensure the fulfillment of prisoners' rights as legal subjects who still possess inherent dignity (Putra et al., 2022)

The rights of prisoners are comprehensively regulated in Article 9 of Law Number 22 of 2022 (Rahmatullah et al., 2023), including the right to obtain workplace safety, wages, or work-related incentives as stipulated in Article 9J. This right carries two essential dimensions: protection of inmates' physical and psychological safety while working, and recognition through the provision of fair compensation. The granting of wages to prisoners constitutes an implementation of Rawlsian distributive justice, which emphasizes the fair distribution of benefits to all individuals, including those serving sentences (Moeljatno, 2022) (Cahyono, 2023)

The self-reliance development programs for prisoners in correctional institutions, such as handicrafts, culinary activities, agriculture, and services, aim to equip inmates with practical skills for life after release (Anggita & Pangestuti, 2024). The wages or incentives received by prisoners not only support their basic needs while serving their sentences but also prepare them for better social reintegration (Asmawati, 2022). This aligns with Article 27 paragraph (2) of the 1945 Constitution, which guarantees the right to employment and a decent livelihood, as well as with the human rights perspective that recognizes prisoners as human beings whose dignity must be respected.

Nevertheless, the implementation of Article 9J still encounters several challenges. Regulations governing the wage system for prisoners, such as the Decree of the Minister of Justice No. M.01-PP.02.01 of 1990, are deemed no longer relevant to contemporary economic dynamics. Other obstacles include limited budgets, inadequate infrastructure, low competitiveness of prison-made products, and the still-limited involvement of third parties. This condition reflects Lawrence M. Friedman's theory of the working of law, which emphasizes that the effectiveness of law is influenced by legal substance, legal structure, and legal culture.

Based on the foregoing discussion, the research problems of this study are as follows: (1) What is the juridical analysis of the implementation of Article 9J of Law Number 22 of 2022 on Corrections regarding the right to obtain workplace safety, wages, or work incentives for prisoners in the Class IIA Women's Correctional Institution of Bandar Lampung? (2) What obstacles are encountered in implementing these provisions in the Class IIA Women's Correctional Institution of Bandar Lampung?

RESEARCH METHODS

This research employs both normative juridical and empirical juridical methods. The normative juridical method is carried out by examining legislation, legal doctrines, legal theories, and scholarly literature related to the fulfillment of prisoners' rights as stipulated in Article 9J of Law Number 22 of 2022 on Corrections. The legal materials used consist of primary legal materials in the form of legislation, secondary legal materials in the form of books, journals, and previous research, and tertiary legal materials such as legal dictionaries and encyclopedias. The approaches applied in this normative research are the statute approach and the conceptual approach. Furthermore, the empirical juridical method was conducted at the Class IIA Women's Correctional Institution of Bandar Lampung by collecting primary data through interviews with correctional officers, inmate workers, and third parties involved in self-reliance development programs. Data collection techniques included library research and in-depth interviews.

All data obtained were then analyzed using qualitative juridical analysis, namely by systematically describing and interpreting the data to provide answers to the research problems (Benuf & Azhar, 2020).

RESULTS AND DISCUSSION

1. Implementation of Article 9J of Law Number 22 of 2022 on Corrections regarding the Right to Obtain Workplace Safety, Wages, or Work Incentives for Prisoners

The implementation of Article 9J of Law Number 22 of 2022 on Corrections represents the manifestation of a modern penal paradigm that regards prisoners not merely as objects of punishment but also as legal subjects who possess fundamental rights. The right to workplace safety, wages, and work incentives as regulated in this article is oriented toward respect for human dignity and the principle of just and civilized humanity.

At the Class IIA Women's Correctional Institution in Bandar Lampung, these provisions are carried out through self-reliance development programs. According to Putranti Rahayu, the Head of the Correctional Institution, nearly all inmates are encouraged to participate in work activities according to their interests and abilities. Such involvement is intended not only to prepare prisoners with post-release skills but also to reduce psychological pressure and feelings of isolation during their sentences.

The implementation of these training programs is conducted under strict supervision to ensure workplace safety. Putranti Rahayu emphasized that every stage of training is carried out within a layered security framework, ranging from maximum to minimum security categories. This demonstrates that workplace safety has become a crucial concern in the implementation of Article 9J, even though the lack of modern facilities and infrastructure remains a significant obstacle.

From a regulatory perspective, the legal basis for providing wages still refers to the Decree of the Minister of Justice No. M.01-PP.02.01 of 1990. However, Putranti Rahayu acknowledged that this regulation is no longer relevant to current conditions. The inability of this outdated regulation to adapt to today's economic dynamics has resulted in relatively low wages for prisoners, which do not fully meet the standard of decency mandated by the Constitution and relevant laws.

The same concern was emphasized by Gustin Anggraeni, Head of the Work Activity Section, who explained that profit-sharing is conducted after deducting production costs, with the net profit distributed equally among prisoners. If the wages are too small, compensation is provided in the form of basic necessities. While this distribution model is flexible, it raises issues of distributive justice since the compensation received by prisoners often does not correspond to the effort they expend.

From the prisoners' perspective, direct experiences indicate that the implementation of Article 9J has had positive, albeit limited, impacts. Devi Efrianti, a culinary worker, stated that participating in work programs helped her reduce boredom and equipped her with skills useful for life after release. The wages she received, although modest, were used for daily needs or saved for her eventual return home.

Similarly, Ernawati, a prisoner engaged in flannel handicraft work, admitted that skill-based activities provided her with social and psychological benefits. For her, even

though wages were often given in the form of toiletries or other basic necessities, such recognition served as motivation to remain productive. These testimonies illustrate that the implementation of Article 9J contributes not only to the economic aspect but also to the mental and emotional rehabilitation of prisoners.

Support from third parties also plays an important role. Susilo, the head of Mulya Laundry who has established cooperation with the prison, stated that his involvement was not only materially beneficial but also provided immaterial gains in the form of moral satisfaction, as it enabled him to assist prisoners in preparing for life after release. This statement underscores the importance of collaboration between correctional institutions and external stakeholders in expanding work opportunities for inmates.

Theoretically, the implementation of law as explained by Robert B. Seidman is strongly influenced by social interactions and the actors involved in its enforcement. In this case, although the legal framework has guaranteed prisoners' rights, its effectiveness greatly depends on the commitment of correctional officers, the willingness of inmates, and the participation of third parties. Barriers such as the absence of updated regulations, limited funding, and societal stigma toward inmate-produced goods remain significant obstacles.

The prevailing legal norms—namely Law No. 22 of 2022, Government Regulation No. 32 of 1999, and the Minister of Justice Decree of 1990—provide the legal foundation for wage distribution. However, in practice, implementation has not been fully optimal. This condition reveals a gap between the law in the book and the law in action, where prisoners' rights are formally recognized but not yet substantively fulfilled.

The state's limited budget to support self-reliance development programs also presents a crucial issue. The Class IIA Women's Correctional Institution in Bandar Lampung has attempted to maximize the available funds by making use of existing facilities. Nevertheless, such limitations prevent all prisoners from participating in work activities, ultimately hindering the equal fulfillment of rights as mandated under Article 9J.

On the other hand, third-party involvement remains limited. The lack of external cooperation restricts both the variety of work activities and the market potential for prisoners' products. This directly affects the amount of wages received by inmates. In fact, the role of third parties is highly strategic as a bridge between correctional training programs within the prison and market demands outside.

Nevertheless, the provision of wages and work incentives still generates positive feedback. Prisoners feel that their work is recognized, which increases their motivation and productivity. This proves that although not yet optimal, the implementation of Article 9J has contributed to achieving the primary goal of the correctional system, namely the resocialization of inmates so that they can reintegrate into society more effectively.

In addition, the policy of using electronic money through cooperation with Bank BRI reflects innovation in supporting the implementation of Article 9J. By using Brizzi cards, inmates are still able to conduct transactions without violating the prohibition on cash circulation within the prison. This system not only strengthens security and order within the correctional environment but also ensures that prisoners continue to enjoy their economic rights.

From the overall analysis, it can be concluded that the implementation of Article 9J in the Class IIA Women's Correctional Institution of Bandar Lampung has been carried out but still faces many limitations. Prisoners' rights to workplace safety, wages, and work incentives are indeed enforced, but they do not yet fully meet the standards of substantive justice. Therefore, regulatory updates, increased budgetary support, and broader cooperation with third parties are necessary to ensure that the implementation of Article 9J truly guarantees legal protection and enhances the quality of rehabilitation programs for prisoners.

2. Kendala Yang Dihadapi Dalam Pemberian Upah Atau Premi Terhadap Narapidana Yang Melakukan Pekerjaan Pada Lembaga Pemasyarakatan Perempuan Kelas IIA Bandar Lampung

The obstacles in providing wages or work incentives for inmate workers at the Class IIA Women's Correctional Institution in Bandar Lampung represent a complex issue that encompasses legal, institutional, and social dimensions. Based on an interview with Putranti Rahayu, the Head of the Correctional Institution, the primary objective of self-reliance training is to enhance inmates' individual capabilities so that they are able to live independently after serving their sentences. However, in order to achieve this objective, the provision of fair wages and incentives is essential as a form of recognition and motivation.

Nevertheless, to date, there has been no updated regulation that specifically governs the detailed mechanisms for distributing wages and incentives in accordance with contemporary developments. As a result, third parties engaged in cooperation are free to determine the amount of payment, leaving inmates without a minimum standard of protection. This situation creates a gap between the principle of justice embodied in the Correctional Law and the reality of its implementation in practice.

In addition to regulatory issues, another challenge lies in the competitiveness of inmates' products. The goods produced, whether flannel crafts or culinary products, have not yet been able to penetrate broader markets. As stated by Ernawati, most of the products are purchased only by prison officers or inmates' families. This indicates that the training programs have not been accompanied by effective marketing strategies, thus preventing prisoners' products from attaining significant economic value.

Infrastructure and facilities also constitute a significant obstacle. According to the testimony of Devi Efrianti, limited culinary facilities have resulted in slow production that cannot meet broader market demands. The lack of adequate equipment hampers improvements in both quality and quantity of production, which directly affects the low wages received by inmates.

Budget constraints represent another major challenge that strongly influences the implementation of rehabilitation programs. The self-reliance training budget can only cover around 10% of the total inmate population. This condition leaves the majority of prisoners unable to benefit directly from the programs. Such a situation clearly contradicts the purpose of the correctional system, which is intended to reach all inmates without exception.

Another obstacle is the limited involvement of third parties. According to Putranti Rahayu, many external actors remain unaware of inmates' potential, making it difficult to establish sustainable cooperation. Yet, third-party involvement is crucial, both as instructors and as a bridge for marketing inmates' products. This is demonstrated by the partnership with Mulya Laundry, where external engagement enhanced productivity while also providing additional facilities and resources.

Susilo, the head of Mulya Laundry, admitted that he initially did not know inmates were allowed to work and earn wages. However, after observing the potential and work results of the prisoners, he decided to establish long-term cooperation. This highlights that the lack of public awareness regarding self-reliance training is one of the major barriers to optimizing the implementation of Article 9J.

From the perspective of Lawrence M. Friedman's legal system theory, the challenges encountered can be analyzed through the dimensions of substance, structure, and legal culture. From the substance perspective, the absence of updated regulations regarding wage distribution prevents Article 9J from being implemented effectively. From the structural perspective, the shortage of correctional officers and the limited involvement of third parties reduce the effectiveness of rehabilitation programs. From the cultural perspective, society has not yet fully accepted inmates' products, thereby widening the gap between production and market absorption.

Another challenge arises when increased productivity does not align with market absorption capacity. If the products created by inmates fail to sell, the distribution of wages becomes limited. This condition may reduce inmates' motivation to participate in rehabilitation programs, even though such activities are one of the key elements for successful resocialization.

To address this issue, the Women's Correctional Facility Class IIA Bandar Lampung has formulated several strategies. One of them is the policy of providing a minimum wage for inmate workers. This policy is expected to foster a sense of fairness and encourage inmates to remain motivated in participating in rehabilitation programs.

In addition, another strategic step involves expanding the marketing of inmate products through digital platforms such as Shopee, TikTok, Instagram, and Facebook. This strategy aims to broaden consumer reach, increase the market value of products, and ultimately enhance inmates' earnings, which in turn contributes to increased wages.

Another effort undertaken is the optimization of training funds by organizing different activities every month. This approach is designed to provide inmates with more diverse skills, thereby expanding their employment opportunities after release. Skill diversification also holds the potential to improve the competitiveness of inmate products in the broader market.

The correctional facility also applies a "proactive outreach" strategy by actively establishing collaborations with government agencies and third parties. Cooperation with the Office of Cooperatives and SMEs of Bandar Lampung City, for example, is one

concrete step to expand training access and product marketing. This effort simultaneously strengthens the legitimacy of rehabilitation programs in the eyes of the public.

Despite the various challenges, according to Gustin Anggraeni, the rehabilitation program can still run effectively. Inmates continue to receive wages, albeit in limited amounts, and work activities help create a safe, orderly, and conducive atmosphere within the correctional facility. This demonstrates that Article 9J has indeed been implemented, although it still requires regulatory updates, greater budgetary support, and broader third-party involvement to fully achieve the objectives of the correctional system.

CONCLUSION

The implementation of Article 9J of Law Number 22 of 2022 concerning Corrections, which regulates the right of inmates to receive guarantees of occupational safety, wages, or work-related bonuses at the Women's Correctional Facility Class IIA Bandar Lampung, has not yet been carried out to its fullest extent. The amount of wages is determined based on the revenue from the sale of inmate-produced goods and services after deducting production costs, with the application of a minimum wage grounded in the principles of humanity and justice. In addition, the amount of wages and bonuses is also based on agreements outlined in cooperation contracts with third parties.

The challenges encountered in granting the right to occupational safety, wages, and bonuses for inmate workers include the absence of updated regulations that comprehensively stipulate wage and bonus standards, the limited competitiveness of inmate products in the market, the lack of adequate facilities and budget allocations for self-reliance training, as well as the insufficient promotion of inmates' potential to the wider community.

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