

Extended Family Visit: fulfillment of inmates' rights in the perspective of Mazmanian-Sabatier framework for public policy implementation

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Abstract

The dynamics of society, along with the development of (correctional) science, have influenced the shift in the goal of punishment: from retribution to deterrence, rehabilitation and resocialization, and lastly, social reintegration and restorative justice. In Indonesia particularly, the effort to revitalize the philosophy of punishment and imprisonment could be traced back to Sahardjo's conceptualization of "pemasyarakatan" in 1963, which later became known as the "sistem pemasyarakatan." With the noble purpose of social reintegration, the corrections system, or "pemasyarakatan," aims to transform inmates' conditions through treatment ("pembinaan") and guidance ("pembimbingan"), while protecting their human rights. The guarantee of the protection of inmates' rights is stipulated in UU Pemasyarakatan which includes thirteen different rights, including Cuti Mengunjungi Keluarga/Extended Family Visit (CMK) as an Indonesian rendition of conjugal visit. However, this article argues that the fulfillment of inmates' human rights, particularly their biological needs through CMK, has not been well-implemented. By adopting Mazmanian-Sabatier's framework on policy implementation, this article would explain the fulfillment of inmates' rights through the implementation of CMK within correctional facilities. The article is divided into three parts. First, it outlines the findings from field research conducted in ten correctional facilities across Java Island. Second, it analyzes these findings using Mazmanian-Sabatier's Framework for Policy Implementation, focusing on the non-statutory variables that affect implementation. Finally, the article concludes by discussing how these factors collectively impact the

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quest to fulfill inmates' rights and suggests potential actions for the future.

INTRODUCTION

The dynamics of society, along with the development of (correctional) science, have influenced the shift in the goal of punishment: from retribution to deterrence, rehabilitation and resocialization, and lastly, social reintegration and restorative justice (Dwiatmojo, 2014; Effendi, 2008; Pettanase, 2019; Satrio (last), 2014). In different parts of the world, the practice of punishment in correctional facilities has undergone reformation and actualization. France, New Zealand, and the Kingdom of Saudi Arabia, as a representation of three different legal systems – continental, anglo saxon, and Islamic law – had already been adopting the concept of restorative justice (Fitria, 2015). In the same vein, countries such as the United States, United Kingdom, Japan, Netherlands, Czech Republic, Northern Ireland, and Australia have also extended the concept of punishment by resorting to alternatives to imprisonment. This is to support the social reintegration process by ensuring compliance with administrative, technical affairs as well as aligning with the function of *pemasyarakatan* (corrections) itself (Maya et al., 2019).

The effort to revitalize the Indonesian philosophy of punishment and imprisonment could be traced back to Sahardjo's conceptualization of *pemasyarakatan* in 1963, which was later known as *sistem pemasyarakatan* (correctional system). *Pemasyarakatan* thus has the consequence of expanding and improving the quality of interpretation. As a system of treatment for offenders, such philosophy of corrections aims to achieve social reintegration, which is the restoration of unity in relationships of lives, the life itself, and the livelihood of inmates in their capacity whether as individuals, members of society, or the perfect creations of God. (Paramarta, 2014, p. 57) This conception is aligned with the Standard Minimum Rules (SMR) for the Treatment of Prisoners adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Geneva in 1955, and approved by the Economic and Social Council by its resolution 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977. (Susetyo, 2013) As later affirmed in Law Number 12 of 1995 of *Pemasyarakatan* (UU *Pemasyarakatan*), the system of *pemasyarakatan* refers to "a system of treatment to offenders whose purpose is the reintegration of offenders to society." To achieve this purpose, Indonesian correctional system attempts to transform the inmates' conditions by means of treatment (*pembinaan*) and guidance (*pembimbingan*), followed by the protection of inmates' (human) rights.

The guarantee of the protection of inmates' rights is stipulated in UU Pemasyarakatan which includes thirteen different rights (Hutabarat, et al., 2021). Specifically, Article 14(1j) stated the rights to undergo assimilation, including Cuti Mengunjungi Keluarga or Extended Family Visits (hereinafter CMK). CMK is derived from the idea of conjugal visit, which acknowledge the importance of social relations and aftercare for inmates. As outlined in Rule 106 of the SMR, agencies shall pay "special attention...to the maintenance and improvement of such relations between a inmates and his or her family as are desirable in the best interests of both." (United Nations Office on Drugs and Crime, n.d.) Departing from this idea, the fulfilment of biological needs would be an important rights for inmates as means of maintenance and improvement of relations with their family, apart from the needs to overcome their sexual necessities and to avoid any sexual deviance within the facilities.

The implementation of CMK began in early 1991 after the adoption of Ministry of Justice Decree Number M.03-PK.04.02/1991 on Extended Family Visits for Inmates. Despite its firm regulatory bases, unfortunately, the number of CMK is relatively low if compared to other reintegration programs such as remission, assimilation, parole, cuti menjelang bebas, and cuti bersyarat. On a national scale, Directorate General of Corrections recorded low numbers of CMK authorization, with 68 applications in 2015, 8 in 2016, 4 in 2017, and nil in 2018 and 2019. This number faced a significant rise in 2020, where 138 applications were processed nationwide. (Direktorat Jenderal Pemasyarakatan, 2022, 2021) This condition demonstrates that CMK is not significantly utilized to promote the inmates' social reintegration.

Inadequate commitment and coordinated actions led to the delay in the fulfillment of inmates' rights to physical and mental health which, in return, bears tremendous adverse effects. In this sense, unfulfilled biological (i.e., sexual) needs would contribute to deviant sexual behavior such as homosexuality, or sexual intercourse within the visiting hours facilitated by prison officers. (Pamudji, 2005) From a health perspective, minimum access to biological needs is related to the prevalence of HIV and syphilis, as well as risky behavior. Based on a national survey published by Indonesian Epidemiological Health, in 2011, 2013, and 2015, unsafe sexual contact among inmates reached a percentage of 2-13%. Furthermore, based on research conducted by the Directorate General of Corrections and National AIDS Countermeasures Commission, the percentage of male inmates who have had intercourse within the facility is 5,6%, and 3,7% for the female counterparts. (Direktorat Jenderal Pemasyarakatan, 2022) According to the Directorate General of Corrections' data during 2019-2019, HIV is still among the top three causes of inmates'

hospitalization for 1034 cases, along with narcotics withdrawal for 9415 cases and tuberculosis for 636 cases.(Direktorat Jenderal Pemasyarakatan, 2022)

This article argues that the goal to fulfill the inmates' human rights as embodied in the fulfillment of biological needs by the means of CMK still has not yet well-implemented. Thus, this article would explain the fulfillment of inmates' rights through the implementation of CMK within correctional facilities by adopting Mazmanian-Sabatier's framework on policy implementation. This article will be divided into three parts. Firstly, this article will briefly outline Mazmanian-Sabatier's Framework for Policy Implementation, particularly on the non-statutory variables that affect implementation. Secondly, this article will elaborate on four main features of the variables, namely (1) socio-economic condition; (2) public support; (3) attitude from constituent groups; and (4) commitment and leadership skills of implementing officials. Lastly, this article then will conclude with a discussion of the implementation of the CMK for future improvement.

Methodology and key questions

This article is essentially policy research. By employing Mazmanian-Sabatier's Framework for Policy Implementation, this article aims to explain how the policy environment influences CMK policy. In this study, the Mazmanian and Sabatier implementation model was chosen based on the CMK policy's special features. First, The CMK is a top-down policy initiated by the central government (Directorate General of Corrections) and implemented by the local authorities which includes the Indonesian Ministry of Law and Human Rights' (MoLHR) Regional Offices, Lembaga Pemasyarakatan/Lapas (Correctional Facilities), as well as Balai Pemasyarakatan/Bapas (Probations and Parole Office) across the nation. This practice aligns with the Mazmanian and Sabatier implementation model which views policymaking as a top-down process; carried out by the government for the people, when participation is more mobilization-based (Nugroho, 2017:754). Second, such top-down policy approach assumes that policymaking is a rational process where policy goals are clear and consistent, and implementation is merely an administrative process. In the context of the CMK policy, this characteristic is demonstrated by the easily defined targeted-groups and low levels of ambiguity and conflict. Third, the Mazmanian and Sabatier model focuses on the factors influencing the policy implementation process. In the case of the CMK program, its implementation is undeniably influenced by other factors.

The researcher conducted semi-structured interviews with four different populations, namely (1) Directorate General of Corrections

as the sole authority in prison administration and management; (2) Head of Pemasyarakatan Division (Kepala Divisi Pemasyarakatan) of Indonesian MoLHR Regional Office, Superintendent of Correctional Facilities (Kepala Lembaga Pemasyarakatan/Kalapas), as well as Superintendent Female Correctional Facilities (Kepala Lembaga Pemasyarakatan Perempuan) to represent the policy implementation agencies; and (3) inmates, inmates' family and/or guardian as the targeted group. In addition, the researcher carried out two focused-group discussions with Directorate General of Corrections and Kalapas from Nusakambangan Correctional Facilities Complex.

To better illustrate the context, this article will briefly explain about the rationale behind the selection of ten distinctive institutions as the locus of the research. The Class I Malang Correctional Facility and the Class IIA Malang Female Correctional Facility, both located in East Java, were chosen as the research sites because the researchers found that these two correctional facilities, as government agencies, have successfully achieved the development of the Integrity Zone (Zona Integritas/ZI) with the predicate of Corruption-Free Zone (Wilayah Bebas Dari Korupsi/WBK) and Clean and Serving Bureaucracy Zone (Wilayah Birokrasi Bersih dan Melayani/WBBM) in 2020. (Direktorat Jenderal Pemasyarakatan, 2021) The researcher, in addition, attempted to capture a different characteristics embodied by correctional facilities within the Nusakambangan Prison Complex – a cluster of correctional facilities in remote Nusakambangan Island, a northern part of Central Java. The facilities are as follows: The Class I Batu Correctional Facility, The Class IIA Permisan Correctional Facility, The Class IIA Karanganyar Correctional Facility, The Class IIA Besi Correctional Facility, and The Class IIB Nusakambangan Open Facility. Furthermore, to represent the empirical data, the data collection was conducted in Sukamiskin and Wirogunan Correctional Facility. The Class I Sukamiskin Correctional Facility in Bandung, West Java, was chosen because the infamous “Bilik Asmara” (Lovers’ Booth) and “Kamar Sel dan Saung Mewah” (Luxury Cells) is seen to demonstrate a “different kind of inmates.” (Bramasya, 2019) Sukamiskin is a rather special establishment since it was specifically designed for corruption inmates. On the other hand, The Class IIA Yogyakarta (Wirogunan) Correctional Facility in Special Region of Yogyakarta was chosen because of its inaugural “Inmates Assesment Center,” an actual implementation of Ministerial Regulation on the Requirements and Procedures for Granting Remission, Assimilation, Extended Family Visits, Parole, Pre-release Leave, and Conditional Leave. Lastly, the researcher chose The Class IIB Pati Correctional Facility in Central Java, as the only facility throughout the nation during 2022 to grant the CMK application for four inmates.

Discussion

1. The CMK Implementation: Stories from Behind The Walls

A strong relationship with the community has a significant impact on the success of inmates' rehabilitation. As argued by Paramarta (2014, p. 55) the underlying assumption is that when offenders are deprived of strong connection with the community, lack stable employment, and experience severed ties with their families, they are free to engage in criminal activities. Therefore, a model oriented towards social reintegration promotes various programs that facilitate efforts to engage with the community outside of the institution. This is among many purposes of what CMK policy strives to achieve.

The first aspect that is visible from the crippling CMK policy is the social impact – this condition is related to inmates' environment outside the prison, particularly in their family and place of residence. As described by Superintendent of Class IIB Pati Correctional Facility,

“In their neighborhood, how is the inmate perceived? Are they accepted by their family, supported by the surrounding community, and so on, which would discourage them from escaping? Therefore, the beliefs that drive us to continue the CMK process also come from the family.”

However, this attempt is hindered by the complex and challenging process of CMK. Such tedious process have an impact on the suboptimal implementation of CMK. With complicated administrative requirements and complexity of the overall process, CMK tends to be neglected when compared to other rights of inmates. As elaborated by the Superintendent of Class IIB Pati Correctional Facility, the process of obtaining CMK begins with observation of the surrounding prison environment, the behavior, and completed tasks by the potential CMK recipient. Followed by the observations of the prospective CMK grantee's residential environment by prison officers. If the results are positive and receive support from the guarantor, the application letter can be processed; otherwise, it will not be processed. The final step is the observation result from the Social Rehabilitation Research (Penelitian Kemasyarakatan/Litmas) conducted by the Probations and Parole Office (Balai Pemasyarakatan/Bapas), which determines the final decision of CMK application.

In a more personal level, inmates often expressed their concern for loneliness. YS, a male inmate in Permisan Correctional Facility who had been incarcerated nearly twenty years for narcotics crime, mentioned "I said to myself, my wife always nags: when we can (get intimate), before the implementation of the new security program, it used to be possible... my first wife divorced me while I was in prison, and I am

worried about my current wife. I am concerned about our child as well."

Similarly, BB, a male inmate in Batu Correctional Facility attested to his loneliness, since he has never been visited or visited his family during his serving time. He further explained,

"I am not aware of the (detailed) requirements. So far, we only have a monthly video call, but the duration is too short, maximum 15 minutes, and most of the time, I chat with my wife because our child is in school. During my time in prison, no family members have visited me. If there is an opportunity to visit my family, I am willing to go through all the necessary steps, even if it requires family guarantor and guarantees from local authorities, waiting for 20 days of processing time, and arranging the transportation back home."

Perhaps one concerning issue from inadequate CMK policy is the common practice of deviant sexual behavior as means to compensate for inmates' neglected biological needs. Originally aimed to facilitate the fulfillment of these relationships, the findings demonstrate the exact opposite. ALS, a male inmate in Batu Correctional Facility confirmed,

"Before incarcerated here (Batu Correctional Facility), I spent a year in Palembang Correctional Facility. If I wanted to fulfill my sexual desires with my wife, there was a designated place provided with a duration of one hour. However, due to the high cost for around 10 million, I never did it. In the past, while in Palembang Prison, I restrained myself, sometimes resorting to discreet hand gestures or holding hands, but anything beyond that made my wife feel embarrassed, and I felt sorry for her. Previously, I only resorted to self-pleasure (masturbation) in the shower after meeting my wife, but here in the cell in Batu Correctional Facility for 11 months, I feel embarrassed because there are CCTV cameras in the (visiting) room."

To some degree, with such significant barrier in fostering inmates' familial relations, some are facing an even bitter fate: the threat of divorce. AJ, a male inmate in Batu Correctional Facility mentioned,

"I asked my 29 years old wife to be patient, and if she doesn't want to, she can file for divorce."

Lastly, amidst various threats faced by inmates, poorly organized CMK implementation create a significant opportunity for misconduct among prison officers, specifically in terms of facilitating illicit transactions and the "transactional privileges." As further explained by AJ,

"Fulfillment of biological needs with our partner can be done by establishing close relationships with certain officers, commonly referred to as "members." It is carried out during our visit where we

are taken to a room for a duration of 2 hours, with a previous cost of around 3 million.”

The findings above indicates that the obstruction of fulfilling biological needs leads to deviant sexual behavior through various means. On the other hand, this condition also provides opportunities for transactional (collusive) relationships between officers and inmates to fulfill their biological needs.

2. Mazmanian-Sabatier’s Framework for Implementation

The Mazmanian and Sabatier (1983) model explains that implementation is the execution of policy decisions, which are not only regulated by laws, but can also be governed by important executive orders and court decisions. In their model, an important role of policy implementation is its ability to identify variables that influence the achievement of formal objectives throughout the implementation process. Mazmanian and Sabatier classify these variables into three broad categories. The first is the tractability of problems, where less complex problems are considered easier to solve and solutions are easy to implement. The second is the ability of statutes to structure implementation. This variable stems from the authority of policymakers who can substantively influence the attainment of policy goals, such as the allocation of financial resources support, coordination between implementing agencies, as well as the clarity and consistency of the policy. The latter are non-statutory variables. Policy implementation is driven by at least two important processes, namely: the need for any program that seeks to change behaviour to receive constant or periodic infusions of political support, and the effect of changes in socioeconomic and technological conditions on the support for those objectives among the general public, interest groups, and sovereigns. Both processes, therefore, reveal a number external variables coming from policy environment that influence the output of the implementing institution's policies, compliance of the target groups with a set of decisions, and the achievement of the ultimate policy goals.

This article will now focus on non-statutory variables to examine the implementation of CMK with assumption that the success of a policy cannot be separated from the influence of the environment in which the policy will be implemented. Public policies emerge in a dynamic space where public elements are interacted, mutually influence and are influenced by each other. Moreover, this interaction process often varies according to the context of space and time. Similar problems arising in different spaces and times will require different interventions. Policymakers therefore must have a good understanding of policy environment or the public space in order for the policy to not only be relevant to the needs but also gain acceptance, support, and achieve the desired changes. Mazmanian

and Sabatier's (1989) framework classifies variables related to the policy environment into socio-economic conditions, support from interest groups and stakeholders, and stakeholders' leadership.

3. Socioeconomics Conditions and Technology

Theoretically, a society that is open and educated is more likely to accept reform programs compared to a closed and traditional society. Similarly, the more prosperous the target group, the greater the likelihood of effective implementation. Technological advancements also play a role in facilitating the success of policy implementation because these can be disseminated and implemented with the help of modern technology. In the context of CMK, socioeconomic conditions increases society awareness and acceptance of prisoner biological need . The fulfillment of the needs was initially considered taboo and not in line with traditional culture. However, with the development of social conditions and information technology, the public's understanding of respect, protection, and the fulfillment of human rights has grown, including the understanding about the importance of the fulfillment of biological need for inmates. As a result, the CMK policy which was initially regulated as part of assimilation under Law Number 12 of 1995 on correctional facilities was then expanded with the enactment of Law Number 22 of 2022 as a separate right and expanded its scope with the Right to Family Visits.

Although expanded, data shows that the implementation of the CMK policy is still not optimal. It turns out that the fulfillment of CMK rights is not a concern of policy implementers and there is a tendency to neglect these CMK rights. Of external variables, the low implementation is closely related to the socioeconomic conditions of inmates. Differences in socioeconomic conditions and types of crimes often lead correctional officers to provide different treatments or make discretion. This discretion is mostly influenced by security considerations. Officers are very cautious to approve CMK or even may not implement the CMK policy out of fear that inmates may escape at any time. One of the head of correctional institutions explained that because there is no mechanism to monitor the absence of 2 x 24 hours, many superintendent of correctional institutions then seem reluctant to give permission. In the same vein, another superintendent argued that inmates will be released for a short period without the supervision of officers, unlike other exit mechanisms. Without supervision, they do not want to take risks beyond their capacity. This reluctance also comes from the fact that prison escape may hurt their career. The lack of staff in correctional institutions to monitor inmates on leave to visit family also worsen the implementation.

The influence of socioeconomic conditions on policy implementation is also demonstrated by the acceptance from the target group. In the context of the CMK policy, based on interview results, inmates in

Sukamiskin Correctional Institution who mostly have economically advantages tend to be more enthusiastic and active in advocating for the fulfillment of their biological needs. They have resources to be more open in expressing their biological needs as well as making various efforts to meet their biological needs both inside and outside prison. On the contrary, inmates come from low economy class are typically reluctant to apply CMK with in mind that administrative process is onerous and the fee will burden their family. One of informants explained that it was difficult to get approval from the village administration (lurah) to sign the guarantee letter, and even though the approval could come out with a "bribe" the family cannot afford it. This situation may not be experienced by inmates who are economically established. Consequently, the neglect or even non-fulfillment of CMK's rights result in risky sexual behavior and other undisciplined behavior. To fulfill their biological needs, inmates may try masturbation, take opportunities when their wives visit, including bribing officers to be given privileges for the opportunity to fulfill their biological needs. This finding further confirms CMK policy, which is a top down policy, has not adapted to the socio-economic conditions of its stakeholders, both from policy implementers and target groups. As a result, the adaptation policy is not in accordance with the policy objectives of fulfilling CMK's rights and the expected behavior changes in inmates have not been optimally achieved.

4. Public Support

Mazmanian and Sabatier explain that public support refers to the level of acceptance, endorsement, or backing of a policy or program by the general public or relevant stakeholders. Public support can be constructed through public opinion and interactions with the public, media coverage, as well as support from legislators. Public can influence policy implementation in various ways, including making various efforts to influence implementing agencies indirectly through published criticism of performance implementers and conveying suggestions to policy makers or legislatures to revise or stop policies . In terms of the CMK policy, public support is clearly seen from government and legislative groups who promote that human rights values are inherent to inmates as human beings. It has been previously explained how the substance of regulations related to the fulfillment of inmates' biological rights was included in the discussion of the Draft Law on Corrections and now been enacted as Law Number 22 of 2022 on Corrections.

However, low public support could be seen from the acceptance of community and from local government where inmates reside. As an administrative prerequisite, inmates applying for CMK are required to submit a letter of request from one of their family members known by the local government (street level bureaucrats), namely the chairman

of the neighborhood association and the village head (Article 67, letter e). Unfortunately, often the local government only becomes aware of the CMK policy when they are asked for the letter. As a result, the lack of information regarding this policy leads to rejection from government. Mostly, security is a factor that leads to rejection. The stigma attached to inmates as criminals who should be avoided by society is a primary consideration for the street level bureaucrats or even community to approve such request letters. From the community or street level bureaucrats, inmates living among them may threaten their interest.

The lack of public support for CMK clearly shows how the public is not introduced to CMK policies. Similarly, the difficulty in obtaining statements from the government officials is considered one indicator associated with a lack of effort to provide understanding and encouragement to the community to participate in the implementation of CMK policy for its citizens. The Directorate General of Corrections as a policymaker should first formulate a strategy to increase acceptance and support from the public. Because even though which is intended to fulfill the biological needs of inmates has been supported by legislators, its implementation still requires acceptance from other related parties. When other stakeholders believe that human rights values are inherent to inmates as human beings, support for the CMK policy will grow stronger, thereby encouraging commitment from policy implementers and public to strive for the fulfillment of CMK rights for inmates.

5. Attitudes of Constituency Groups in CMK Policy

Mazmanian-Sabatier's framework demonstrated that target group and public support will affect the attitude and resources from the constituent group. Such public support are gathered from public opinion as well as its interaction with social media which includes legislatures' view on the surfacing issue. In this regard, constituency groups within a society can affect how policies are implemented in a number of ways, including (a) intervening the decisions made by implementing agencies through various comments with the intention of changing the decisions; and (b) criticizing the performance carried out by implementing agencies and making statements directed towards the legislative body. (Mazmanian and Sabatier, 1989, p. 33)

In this regard, some inmates express their efforts to have their biological needs fulfilled, especially those at Sukamiskin Correctional Facility who have relatively high social and economic backgrounds as well as access to political resources. Their privileged background allows them to advocate for their cause, driven by their awareness on inmates' rights. Inmates, as a political constituency group, are believed to influence political agenda on the demand for the fulfilment of biological needs. As enmeshed in the legislative history of the Draft

Law Number 2 of 2022 on Pemasyarakatan, the proposal for safeguarding and promoting inmates' right to fulfil their biological needs also includes a provision of special facility called the "kamar barokah." In order to support this endeavour, CMK was issued as part of assimilation, acknowledged as a separate legal rights, and even expanded along with Cuti Dikunjungi Keluarga (CDK) – literally translated as leave to have family visits – to allow for the provision of facilities for addressing biological needs.

As previously mentioned, a constituency group is essentially formed based on shared interests, often regarded as "vectors" or carriers of values. Therefore, a public policy is not only based on interests but is also closely related to the values embraced by individuals or groups. Thus, when constituency groups (such as the legislature, government, and society) believe that human rights values are inherent to inmates as human beings, there will be even greater support for the CMK policy. This, in turn, encourages policy implementers to commit to fulfilling CMK rights for inmates. On the other hand, it can be seen that the target group (especially inmates in Sukamiskin Correctional Facilities) who actively express their concerns about the fulfilment of their biological needs mainly due to the constraints in meeting those needs. From the perspective of the concept of imprisonment, the only suffering experienced by inmates is the deprivation of their freedom of movement, while their other rights remain intact, including the right to maintain relationships with their families, which is essential for meeting their biological needs, among other things.

Just like public policies that encompass aspects of justice, individuals in society who perceive unfair treatment or have their interests disrupted would react to such policies. This phenomenon is depicted by Stewart (2009) as interest politics, although the essence of public policies cannot be fully captured by interest-based theories. Reactions to (public) policies are not solely based on interests. When a policy is implemented, it becomes the point at which the policy can be evaluated. In the context of the CMK policy, which has been implemented for a relatively long period, even before the enactment of Law Number 12 of 1995 on Corrections, this policy can be assessed as a failure in its implementation due to its low utilization.

The support of the political constituency group also subsequently influences the support from policy sovereigns, which ultimately relates to the commitment and leadership of policy implementers that significantly contribute to the achievement of policy goals. Subsequently, the attitudes and resources of the constituency group would also be related to the formal access of policies that may limit public participation. One influential factor in policy implementation is the extent to which opportunities are provided for external parties to participate in policy implementation. A policy that offers broad

opportunities for public engagement will relatively receive more support compared to policies that exclude public involvement.

6. Commitment and Leadership of Implementing Agencies

Based on the regulations on the fulfillment of Extended Family Visit (CMK) rights, the authority to decide and grant CMK application lies with the Superintendent of Correctional Facilities (Kepala Lembaga Pemasyarakatan/Kalapas), with a copy of the permission decision sent to the Head of the Regional Office (Kepala Kantor Wilayah) and the Director General of Corrections. This means that the implementation of the CMK policy rests at the level of the implementing institution, which is the relevant Correctional Facilities. Therefore, the position and commitment of the Superintendent(s) play a crucial role in the performance of CMK fulfillment.

Based on the field research and focused group discussions conducted in Nusakambangan Prison Complex, it can be observed that the security consideration is being the most significant factor for granting the CMK application. The flight risk and the disciplinary consequences resulting from the inadequate security measures within the CMK program remain primary considerations.

"We acknowledge that we do not want to deal with the hassle of granting CMK, such as the risk of inmates escaping, it's really troublesome. It's something we dislike. Fighting problems, on the other hand, are more common."

In the end, the commitment of the implementing officials to realize the goals outlined in the policy is the most crucial variable. Officials from the implementing agencies must possess the skills to prioritize these goals and subsequently work towards achieving them. However, over time, the level of commitment may decline as those who were initially highly committed become disinterested due to bureaucratic routines and thus replaced by officials who prioritize security over the CMK policy goals. This can be observed through the apathy displayed by the prison officers, who tend to disregard fulfilling CMK rights due to their reluctance to deal with complex requirements and procedures. This condition is also exacerbated by the officers' concerns about receiving negative feedback during their performance evaluation, particularly in cases such as escape of inmates.

Furthermore, there is a reluctance to address circulating rumours and accusations of misconduct, such as collusion, in the process of granting CMK applications. Consequently, when examining the implementation of CMK since 1990, its performance has progressively declined over time.

On the other hand, there is one correctional facility that have implemented CMK: our data reveals that a Class IIB Correctional Facility in Pati, Central Java, has successfully carried out CMK. One

significant factor that contributed to the successful practice of Class IIB Pati Prison is the leadership of the Superintendent. In this case, he has been able to mitigate risks by consistently implementing the stages of rehabilitation and establishing collaboration with the Probations and Parole Office (Balai Pemasyarakatan) from the early stages through the utilization of Social Rehabilitation Research (Penelitian Kemasyarakatan/Litmas). This allows for early monitoring of the progress of rehabilitation. Interestingly, this initiative was not found in the nine prisons that were included in the research.

Conclusion

In general, it can be understood that there are still challenges in the implementation of CMK for the fulfillment of inmates' rights. Based on the explanations in the previous section, this article identifies various challenges in four aspects of the policy environment for implementing CMK. First, the differences socioeconomic conditions of inmates and types of crimes lead correctional officers to provide different treatments or make discretion. Compared to inmates who are not well-off enough, inmates with economic advantages are more active in making efforts to fulfill their biological needs. Second, the stigma attached to inmates as criminals who should be avoided by society also becomes a primary consideration for the community or the street level bureaucrats that authorized to grant the CMK application. In this regard, security concerns often leads to a lack of public acceptance or support for the implementation of the CMK policy. Third, despite its significance importance in the fulfillment of inmates' rights, only a small portion of constituency group that actually pushed the agenda. This group consists of a group of inmates incarcerated in Sukamiskin Correctional Facility who have relatively high social and economic backgrounds as well as access to political resources. Fourth, and foremost, commitment and leadership of implementing agencies plays a pivotal role in ensuring the fulfillment of inmates right advocated in CMK policy. In this case, agencies and officers' level of commitment declined over time – as those who were initially highly committed become disinterested due to tedious bureaucratic routines and eventually replaced by officials who prioritize security over the CMK policy goals. In conclusion, there are still rooms for improvement in CMK policy implementation. Based on the implementation model of Mazmanian and Sabatier used in this article and the impact of the policy, it is necessary to revise the CMK Policy with orientation to behavior change and risk reduction. In detail, the revisions are aimed at simplifying bureaucracy and requirements, formulating reliable and measurable behavioral assessment instruments, as well as adequate budgetary and human resource support.

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